

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
FEBRUARY 19, 2020**

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, Deborah Lewis, Brett Jones, Mayor Michael Villalta.

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

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

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. Mayor Villalta opened the Public Forum. BARDO JOSEY, San Jose, stated he owns a property in downtown Los Banos, spoke regarding the PBID (Property Business Improvement District) and the irregularities involving the voting process and the assessment, his property taxes have and will continue to increase along with improvements of the District and the benefits will not be equal, he has submitted his protest to City staff with no results which is why he is protesting to Council, he is asking for a fair assessment of the properties; ALEXSEY DVORKIN, Los Banos, spoke regarding the data breach that recently occurred in the City and the list of questions that he would like to ask, he handed the list of questions to City Clerk Mallonee and read the list of questions into the record, responses to these questions are expected in the next couple of weeks; ALFRED RIVERA, Los Banos, spoke regarding the data breach and inquired as to what is going to be done with the data breach as he has a personal situation going on and he

is concerned about the safety of his family, feels that nothing is going to be done about the situation, concerned about this City, about who is running it and what is currently going on, if something happens to one of his children then someone needs to answer, he will do anything by any means necessary to protect his family, he feels disrespected because he trusted the City to keep that information private. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Jones, seconded by Lewis to approve the consent agenda as follows: Check Register for #220240 – #220547 in the Amount of \$1,080,800.60; Minutes for the February 5, 2020 City Council Meeting; City Council Resolution No. 6182 – Authorizing the Release of Unclaimed Checks Pursuant to California Government Code Section 50055 to the City of Los Banos. The motion carried by the affirmative action of all Council Members present.

INDUSTRIAL RECRUITMENT PRESENTATION. Community & Economic Development Director Elms presented the staff report and introduced Vickie Doll with Chabin Concepts who demonstrated the City's new Economic Development Story Map on the City's website.

Informational item only, no action taken.

CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6183 – ACCEPTING THE 2018-2019 FISCAL YEAR AUDIT REPORTS CONSISTING OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR), AND THE GOVERNMENT AUDITING STANDARDS REPORT. Finance Director Williams presented the staff report and introduced Josh Gioko with Price Paige & Company who spoke regarding the City's 2018-2019 Fiscal Year Audit Reports in detail.

Council was appreciative of the detailed financial report and congratulated Finance Director Williams and her staff on their hard work.

Motion by Lewis, seconded by Jones to approve City Council Resolution No. 6183 – Accepting the 2018-2019 Fiscal year Audit Reports Consisting of the Comprehensive Annual Financial Report (CAFR), and the Government Auditing Standards Report. The motion carried by the affirmative action of all City Council Members present.

CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6184 – AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MARK THOMAS & COMPANY, INC. FOR ENGINEERING SERVICES FOR THE PIONEER ROAD WIDENING PROJECT. Public Works Director/City Engineer Fachin presented the staff report.

There was Council Member and staff discussion regarding how many more meetings will be held with the community regarding this project for which Public Works

Director/City Engineer Fachin stated there would possibly be two more meetings and a joint study session involving the Council and the Planning Commission.

Motion by Johnson-Santos, seconded by Faria to approve City Council Resolution No. 6184 – Authorizing the City Manager to Execute a Professional Services Agreement with Mark Thomas & Company, Inc. for Engineering Services for the Pioneer Road Widening Project. The motion carried by the affirmative action of all City Council Members present.

CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6185 – AUTHORIZING AND APPROVING THE PURCHASE OF APPROXIMATELY 3.6 ACRES LOCATED AT 1111 G STREET, IN THE CITY OF LOS BANOS (APN 026-161-003 AND A PORTION OF APN 026-161-008) FOR THE FUTURE SITE OF THE NEW POLICE STATION. Public Works Director/City Engineer Fachin presented the staff report.

Motion by Lewis, seconded by Jones to approve City Council Resolution No. 6185 – Authorizing and Approving the Purchase of Approximately 3.6 Acres Located at 1111 G Street, in the City of Los Banos (APN 026-161-003 and a Portion of APN 026-161-008) for the Future Site of the New Police Station. The motion carried by the affirmative action of all City Council Members present.

CONSIDERATION OF OPTIONS TO REVISE THE COMPOSITION OF THE MERCED COUNTY ASSOCIATION OF GOVERNMENTS GOVERNING BOARD. City Manager Terrazas presented the staff report, which included a PowerPoint presentation.

There was Council Member and staff discussion regarding all of the presented options, the possible development of an alternative option, and how each side of the county would be represented in each scenario. Other counties' association of governments and the way their boards operate were also spoken to and considered.

Motion by Johnson-Santos, seconded by Faria to recommend Option C with the addition of seats/votes/members for Los Banos, Gustine and Dos Palos to the MCAG Board. The motion carried by the following vote: AYES: Faria, Johnson-Santos, Jones, Villalta; NOES: Lewis.

ADVISEMENT OF PUBLIC NOTICES (Three Reports). Community & Economic Development Director Elms stated that there will be three items to be considered at the next Planning Commission meeting on Wednesday, February 26. These items are as follows: a site plan review for Verizon Wireless, a proposed ordinance for reasonable accommodation regarding fair housing laws, and an item regarding Senate Bill 2 compliance related to housing.

CITY MANAGER REPORT. City Manager Terrazas reminded all about the City's annual Spring Clean-up Event on March 7 from 7:00 a.m. to 2:00 p.m. at the fairgrounds

parking lot. He thanked the Finance Department staff for their hard work as he does not lose sleep over the City's finances.

REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) AND MEASURE V COMMITTEE. Mayor Villalta stated that an update will be provided regarding the Billy Wright landfill dump site expansion. He and Merced County Supervisor Silveira have been working together to ensure that there is a dump site on the West side of the county. There are changes coming up in the next couple of years regarding waste disposal and the City of Los Banos is ahead of the curve. However, organic waste disposal is soon going to be implemented and there needs to be a disposal site available for Los Banos and other nearby communities.

DARONICA JOHNSON-SANTOS: Council Member Johnson-Santos thanked Finance Director Williams and the Finance Department staff for all their hard work on the City's annual audit.

BRETT JONES: No report.

DEBORAH LEWIS: Council Member Lewis gave a shout out to Sergeant Ivan Mendez for his promotion to head of the City's Code Enforcement Department and a shout out to Sergeant Ceja for his many years of service in establishing direction for that Department. She spoke to how the political season is upon us and there are certain do's and don'ts relating to campaign signs that candidates need to be mindful of. Those that are running for bigger positions put up signs in various public places and it can be a mess if those signs are not taken down when they should be. The situation needs to be controlled now as there are going to be multiple elections throughout the year.

TOM FARIA: Council Member Faria sends his deepest sympathies to the City of Porterville on the passing of their two firefighters and to those affected by the passing of Mr. Wilburn, a local music teacher in the City of Los Banos. He congratulated the Finance Department on their audit report and thanked Merced County Supervisor Silveira for attending tonight's meeting to discuss the MCAG item.

MAYOR MICHAEL VILLALTA: Mayor Villalta spoke to how a gathering was attended today to discuss different aspects of the City, the Downtown Association, and the PBID Committee. He thanked all who made the improvements of the downtown possible and now there will be extra funds available to continue the improvements. After further discussion, it became clearer as to what the City can and cannot contribute and also what lies ahead on the horizon of development.

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, POLICE CHIEF BRIZZEE, FIRE CHIEF HURLEY, LEGAL COUNSEL TUFFO; EMPLOYEE ORGANIZATIONS: LOS BANOS POLICE OFFICERS

ASSOCIATION (LBPOA), LOS BANOS POLICE SERGEANTS ASSOCIATION (LBPSA), LOS BANOS FIRE FIGHTERS ASSOCIATION (LBFFA), LOS BANOS POLICE DISPATCHERS/COMMUNITY SERVICES OFFICERS ASSOCIATION (LBPDCSOA), LOS BANOS PUBLIC EMPLOYEES UNION (PUBLIC WORKS) LOCAL 1/AFSCME AND UNREPRESENTED MISCELLANEOUS EMPLOYEES. No reportable action.

ADJOURNMENT. The meeting was adjourned at 9:39 p.m.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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