

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
JUNE 17, 2020**

ACTION MINUTES – *These minutes are prepared to depict action taken for agenda items presented to the City Council. For detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.*

SPECIAL NOTE: *This meeting was held by teleconference due to the COVID-19 Pandemic.*

CALL TO ORDER: Mayor Villalta called the City Council Meeting to order at the hour of 4:02 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 (*left at 5:24 pm*), Brett Jones, Deborah Lewis, Mayor Michael Villalta.

STAFF MEMBERS PRESENT: City Manager Terrazas, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, 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 Johnson-Santos, seconded by Jones to approve the City Council Meeting agenda as submitted. The motion carried by the affirmative action of all Council Member 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 asked the City Clerk if she had received any comments by email, for which City Clerk Mallonee stated she has received many comments by email regarding Agenda Item 7 – COVID-19 Status Update. City Clerk Mallonee read the following comments into the record: SHELLIE HOSKINS wrote in support of Los Banos Little League being able to have their season this year; YVONNE EAGLETON wrote in support of Los Banos Little League being able to have their season this year; ALLISEN DIAS wrote in support of Los Banos Little League being able to have their season this year; MICHAEL LOPEZ wrote in support of Los Banos Little League being able to have their season this year. No other comments were received or read into the record and the public forum was closed. Mayor Villalta requested that staff reach out to those who made comments during the public forum regarding Los Banos Little League.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Lewis, seconded by Faria to approve the consent agenda as follows: Check Register for #222430 – #222570 in the Amount of \$542,823.13; Minutes for the June 3, 2020 City Council Meeting; Minutes for the June 4, 2020 Adjourned City Council Meeting; Minutes for the June 9, 2020 Adjourned City Council Meeting; City Council Resolution No. 6226 – Authorizing the City Manager to Sign an Agreement with the Los Banos Unified School District for School Resource Officer Services for the 2020-2023 School Years; City Council Resolution No. 6227 – Accepting Grant Deed for Parcel Dedications of Lot A as Shown on that Certain Map Entitled “Shaunessy Village Phase No. 3”, and Lots C, D, and E as Shown on that Certain Map Entitled “Shaunessy Village Phase No. 1”; City Council Resolution No. 6228 – Amending the Fiscal Year 2019-2020 Budget by Increasing Revenues in the Amount of \$56,211 and Expenditures in the Amount of \$22,000 for the Supplemental Law Enforcement Services Fund (SLESF); City Council Resolution No. 6229 – Authorizing Application For, and Receipt of, Local Government Planning Support Grant Program Funds. The motion carried by the affirmative action of all Council Members present.

COVID-19 STATUS UPDATE; CITY COUNCIL RESOLUTION NO. 6223 – RATIFYING, IN PART, AMENDING, IN PART, AND RESCINDING IN PART, THAT CERTAIN EXECUTIVE ORDER 2020-01, ORDER OF THE CITY MANAGER OF THE CITY OF LOS BANOS IN HIS CAPACITY AS DIRECTOR OF EMERGENCY SERVICES, DATE OF ORDER: APRIL 14, 2020. City Clerk Mallonee read the many public comments received by email into the record: LARRY HERNANDEZ wrote in opposition of the facemask requirement; JEAN SAGOUSPE wrote in opposition of the facemask requirement; BAILEY WILLIAMS wrote in opposition of the facemask requirement; RICHARD BARTON wrote in opposition of the facemask requirement; LARRY AND RHONDA BORELLI wrote in opposition of the facemask requirement; PATRICIA MCCOY wrote in opposition of the facemask requirement; ERICA MEZA wrote in opposition of the facemask requirement; [unnamed email wrote in support of the facemask requirement; LISA SOUZA wrote in opposition of the facemask requirement; TRACI MARQUES wrote in opposition of the facemask requirement; BROOKE LOPEZ inquired as to what the end game is, where is the medical science that supports wearing masks, and how much money has the city received from the State and Federal Government related to Covid-19; TRICIA CAMPOS wrote in opposition of the facemask requirement; LEO GILARDI wrote in opposition of the facemask requirement; JENNIFER CORREIA & GRACIANO RUBIO wrote in opposition of the facemask requirement; ALICIA ROJAS wrote in opposition of the facemask requirement; MARK VIERRA wrote in opposition of the facemask requirement; CYNDI ROELOFS wrote in support of the facemask requirement.

City Manager Terrazas presented the staff report.

The Council spoke to their views and opinions on the masks and how the mask order was put into place in order to protect the members of the community. From the comments received from the public in the prior weeks, it appears as though most members of the community would like the mask order to be rescinded, however Council

is torn between making a decision in favor of what the community wants versus what is best for the health of the community.

Motion by Faria, seconded by Lewis to require face coverings in order to enter City Hall and all City public buildings. The motion carried by the affirmative action of all Council Members present, Jones voting NO.

Motion by Faria, seconded by Lewis to make face coverings mandatory in the Council Chambers. The motion carried by the affirmative action of all Council Members present, Johnson-Santos and Jones voting NO.

Motion by Jones, seconded by Johnson-Santos to RESCIND Executive Order 2020-01, Order of the City Manager of the City of Los Banos in His Capacity as Director of Emergency Services, Date of Order: April 14, 2020. The motion carried by the affirmative action of all Council Members present, Faria and Lewis voting NO.

Mayor Villalta called for a short recess. The meeting reconvened and Mayor Villalta announced that Council Member Johnson-Santos left the meeting during the recess.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF THE APPROPRIATION LIMITATION FOR THE 2020-2021 FISCAL YEAR (FY); CITY COUNCIL RESOLUTION NO. 6230 – SETTING THE TAX RELATED APPROPRIATION LIMIT IN COMPLIANCE WITH PROPOSITION 4 AND PROPOSITION 111 FOR THE 2020-2021 FISCAL. 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 Lewis, seconded by Faria to adopt City Council Resolution No. 6230 – Setting the Tax Related Appropriation Limit in Compliance with Proposition 4 and Proposition 111 for the 2020-2021 Fiscal Year. The motion carried by the affirmative action of all Council Members present, Johnson-Santos absent.

Council Member Johnson-Santos left the meeting at 5:24 p.m.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF THE 2020-2021 FISCAL YEAR (FY) BUDGET; CITY COUNCIL RESOLUTION NO. 6231 – ADOPTING THE 2020-2021 FY BUDGET, INCLUDING EMPLOYEE SALARY SCHEDULE (DIVISION 4) OF THE LOS BANOS POLICY & PROCEDURES MANUAL AND THE CAPITAL IMPROVEMENT PLAN SUMMARY. 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 pertaining to the fiscal responsibility of the City and the Finance staff was congratulated on the work they do.

Motion by Lewis, seconded by Jones to adopt City Council Resolution No. 6231 – Adopting the 2020-2021 FY Budget, Including Employee Salary Schedule (Division 4) of the Los Banos Policy & Procedures Manual and the Capital Improvement Plan Summary. The motion carried by the affirmative action of all Council Members present, Johnson-Santos absent.

CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6232 – ALLOWING TEMPORARY OUTDOOR DINING IN PRIVATE PARKING LOTS AND THE USE OF CITY RIGHT-OF-WAY TO EXPAND RESTAURANT SEATING CAPACITY. Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation.

Motion by Jones, seconded by Faria to adopt City Council Resolution No. 6232 – Allowing Temporary Outdoor Dining in Private Parking Lots and the Use of City Right-of-Way to Expand Restaurant Seating Capacity. The motion carried by the affirmative action of all Council Members present, Johnson-Santos absent.

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

No action taken, informational item only.

ADVISEMENT OF PUBLIC NOTICES (One Report). Community & Economic Development Director Elms stated that there is one item to be considered at the next Planning Commission meeting on Wednesday, June 24, 2020 regarding a Mobile Food Vendor Permit #2020-03 for Botanas El Canchanilla to allow the operation of a mobile food vending vehicle on private property located at 330 West Pacheco.

CITY MANAGER REPORT. No report

REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) AND MEASURE V COMMITTEE. Mayor Villalta gave an update regarding the continuing expansion efforts of the Billy Wright disposal site. Public Works Director/City Engineer Fachin spoke to federal funds received that would be going towards the synchronization project of the traffic lights on SR-152 and how the funds would be spread over two fiscal years.

DARONICA JOHNSON-SANTOS: Absent (*left the meeting at 5:24 PM*)

BRETT JONES: No report.

DEBORAH LEWIS: No report.

TOM FARIA: Council Member Faria spoke regarding how modified graduation ceremonies would be held for high school seniors in July.

MAYOR MICHAEL VILLALTA: Mayor Villalta requested that an updated report on City parks be provided so that the public is aware of what they can and cannot partake in at the parks. He additionally requested that staff be in touch with the little league organizations so they are made aware of what activities are and are not allowed.

ADJOURNMENT. The meeting was adjourned at 6:34 PM.

APPROVED:

/s/ Michael Villalta

Michael Villalta, Mayor

ATTEST:

/s/ Lucille L. Mallonee

Lucille L. Mallonee, City Clerk