

**CITY OF LOS BANOS
CITY COUNCIL / REDEVELOPMENT AGENCY MEETING MINUTES
APRIL 18, 2007**

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 (video, DVD and/or audiotapes) kept as a permanent record.

The City Council/Redevelopment Agency of the City of Los Banos met on the above given date.

CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, PURSUANT TO SUBDIVISION (a) OF SECTION 54956.9 OF THE GOVERNMENT CODE. NAME OF CASE: SUMMIT DEVELOPMENT CORP. VS. CITY OF LOS BANOS, MERCED SUPERIOR COURT CASE NO. 149066. No action taken, advisement to staff only.

CALL TO ORDER: Mayor Jones called the City Council/Redevelopment Agency Meeting to order at the hour of 7:00 p.m.

ROLL CALL – MEMBERS OF THE CITY COUNCIL / REDEVELOPMENT AGENCY PRESENT: Anna Brooks, Tom Faria, Joe Sousa, Mike Villalta, Tommy Jones

STAFF MEMBERS PRESENT: Administrative Assistant/Deputy City Clerk Sousa, City Manager Rath, City Treasurer/Chief Financial Officer Wall, Police Chief Gallagher, Public Works Director/City Engineer Chisam, Redevelopment Manager Post, Fire Chief Guintini, Translator Reyna.

APPROVAL OF AGENDA: Motion by Brooks, seconded by Sousa to approve the agenda as submitted. The motion carried by the affirmative vote of all Council/Agency Members present.

SWEARING IN CEREMONY FOR POLICE DISPATCH SUPERVISOR WILMA EDWARDS. Police Chief Gallagher spoke about the hiring process for the position of Police Dispatch Supervisor. Deputy City Clerk Sousa administered the Oath of Office to Wilma Edwards. Police Dispatch Supervisor Edwards thanked Police Chief Gallagher, Police Commanders Brizzee and Fitchie, and Police Services Manager Rocha for the opportunity to serve as the first Police Dispatch Supervisor for the City of Los Banos.

PROCLAMATION RECOGNIZING “START! WALKING AT WORK DAY”. Merced County District 5 Supervisor Jerry O'Banion accepted the proclamation on behalf of the Board of Directors for the American Heart Association.

PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE COUNCIL 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 THREE (3) MINUTE PRESENTATION. DETAILED GUIDELINES ARE POSTED ON THE COUNCIL

CHAMBER INFORMATIONAL TABLE. Larry Leonardo, President of the Los Banos Police Volunteers Interacting to Advance Law Enforcement (VITAL), Introduced the volunteer members and presented a check in the amount of \$216,328.54 symbolizing 11,129 hours of volunteer work in the program. Leonardo presented Presidential Volunteer Service Awards which included a certificate lapel pin to: Norm Donovan for 560 hours of volunteer service, Phylis Grahm pin for 388 hours of volunteer service, Francis Leon for 310 hours of volunteer service. Other recipients included: Larry Leonardo, Bob Piwowarski, Ann Ottati, Pat Leonardo, Maria Lozano, and Carol Reed. Leonardo presented a certificate to Police Chief Gallagher and Officer Vanus Warren for thier contributions to the VITAL program. Tim Wesley, Manager of In-Shape City in Los Banos, thanked the community for supporting In-Shape City and asked for support to offer students in the community a reasonable membership rate with the knowledge and training to keep wellness at the top of the list for young adults. Wesley stated that an open house was scheduled for Thursday, April 26th at In-Shape City and invited the public to attend. Megan Goin, City of Los Banos Recreation Coordinator I, reported that citizens would soon be able to vote on the city's website for their favorite movies to be shown at the Henry Miller Plaza this summer. Goin also reported that on May 8th a Henry Miller Style BBQ would be held in the plaza at 5:00p.m and a special City Council meeting would be held at 7:00 p.m. Pastor Stephen Hammond, Los Banos, invited the public to attend National Day of Prayer on May 3rd at 12:00 p.m. at City Hall, and to stay for lunch afterward.

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

APPROVAL OF CONSENT AGENDA. Motion by Villalta, seconded by Faria and carried, items on the consent agenda were approved, by the affirmative action of all Council / Redevelopment Agency Members present as follows: Minutes for the March 21, 2007, City Council / Redevelopment Agency Meeting; Minutes for the April 4, 2007, City Council / Redevelopment Agency Meeting; Check Register for #98555 - #98932 in the Amount of \$2,336,705.03; Quarterly Investment Report for the Quarter Ending March 31, 2007; Progress Payment No. 2 in the amount of \$19,906.00 to Parsons Brinckerhoff Construction Services for Highway 152 and Place Road Widening and Signal Light Project; Progress Payment No. 5 – Final Payment in the amount of \$111,933.08 to Tom Mayo Construction for Highway 165 and Overland Avenue Intersection Reconstruction and Traffic Signal and Safety Lighting Project; Award of Bid for 60 KW Trailer Mount Generator Set in the amount of \$35,988.50 to Kohler Power Systems; MCAG FY 2007/2008 Overall Work Program Transportation Planning, and Adoption of the Work Program by the MCAG Governing Board; Authorization of Submittal of Letter of Support for New Legislation: SB 445, Road User Task Force; Authorization to enter into a Service Agreement with Property Room.com for the Sale of Surplus Property Items; Authorization to enter into a Software License Agreement with ACS Government Systems, Inc. for the Upgrade of the City's Financial System; City Council Resolution No. 4854 – Abandoning Existing 52 Foot Public Utility Easement for the Villages at Stonecreek I Subdivision, Tract No. 2002-05; City Council Resolution No. 4855 – Amending the Fiscal Year 2006-2007 Budget by Increasing the Appropriation Limit by \$3,000 for the Asset Forfeiture Fund – Police Department – Services & Supplies. The motion carried by the affirmative vote of all Council Members present.

PRESENTATION BY LOS BANOS HIGH SCHOOL ENGLISH STUDENTS REGARDING REDEVELOPMENT & ECONOMIC DEVELOPMENT. Redevelopment Manager Post stated that she recently spoke to Elise Nicoletti's High School English class regarding

redevelopment and economic development in the City of Los Banos. Elise Nicoletti stated that her students wrote persuasive essays on the topic and that she was honored to have these students in her class. Nicoletti reported that the winning essays included the following students: Lorraine Nehme, Lonnie Phounsavath, Rosemary Carreon Alba, Michelle Meza, and Anthony Cortez.

CONSIDERATION OF COMMUNITY FACILITY OPTIONS. Public Works Director/City Engineer Chisam presented the report and which covered various options for a community facility.

George Wilson, Beverly Prior Architects, gave a detailed PowerPoint presentation that included four different options for a community facility project. Redevelopment Manager Post stated that remaining funds for the current bond totaled \$15.5 million.

Motion by Sousa, seconded by Faria to allocate 3.1 million toward Redevelopment Agency funding and the remaining balance of \$15.5 million to a community center, to send back to the Community Center Task Force and Beverly Prior Architects and then have staff come back to Council with a phasing plan.

PUBLIC HEARING – CONSIDERATION OF THE CITY’S ANNUAL CONSUMER’S PRICE INDEX (CPI) ADJUSTMENT FOR UTILITY SERVICES. Chief Financial Officer Wall presented the report.

Mayor Jones opened the public hearing, no one came forward to speak and the public hearing was closed.

Motion by Brooks, seconded by Sousa to approve Resolution No. 4856 – Relating to the Annual Adjustment in Water, Waste Water Collection, Waste Water Treatment, and Disposal Rates. The motion carried by the affirmative vote of all Council Members present.

REDEVELOPMENT AGENCY UPDATE: Redevelopment Manager Post reported that the Economic Development Committee met Monday night and would present results of a recent survey to the City Council on May 16th. Post also reported that the Planning Department and Redevelopment Agency are currently reviewing the Downtown Commercial Standards and will be bringing ideas to the Planning Commission and City Council in the future.

ADVISEMENT OF PUBLIC NOTICES (No Reports).

CITY MANAGER / EXECUTIVE DIRECTOR REPORT: Requested Public Works Director/City Engineer Chisam present a report regarding solid waste. Chisam reported that recycling is scheduled to begin in late October or early November of 2007. Rath reported that a signal is up at Highway 152 and Place Road and that the Public Works Department is working with future developers regarding an extension of Place Road.

CITY COUNCIL / AGENCY MEMBER REPORTS

TOM FARIA: Congratulated Wilma Edwards on her new position. Thanked Ms. Nicoletti’s class for writing and submitting essays regarding redevelopment and economic

development in the City of Los Banos. Thanked the VITAL Volunteers for their service. Recommended that Code Enforcement keep an eye out for vehicles parking on lawns.

JOE SOUSA: Thanked Police VITAL Volunteers for their service and congratulated Wilma Edwards on her new position. Thanked the Merced County Spring Fair, reported that he attended the kickoff dinner and thanked the Merced County Fair Board for inviting him. Thanked Henry Miller Elementary for allowing him to speak about his immigration to the United States from Portugal. Stated that he is excited about the Community Center and is proud to be a part of the City Council at this time. Requested that everyone keep the students and parents at Virginia Tech in prayer.

MIKE VILLALTA: Urged the public to attend the May Day Fair. Stated that he recently took the Path of the Padres walk and that it was a great experience. Thanked the Police volunteers for their service and congratulated Wilma Edwards on her new position. Reported that he and Police Chief Gallagher recently were in a quick draw competition and Chief Gallagher won. Requested that Pastor Hammond include the Virginia Tech students in his prayers on May 3rd at the National Day of Prayer.

ANNA BROOKS: Thanked the Police volunteers and congratulated Wilma Edwards on her new position. Stated that she is excited about the Community Center and thanked the task force and staff for their input.

TOMMY JONES: Thanked Jerry O'Banion for attending Los Banos City Council meetings. Reported that he visited a homeless center with Chief Gallagher and that many folks there were in need of many different community facilities. Thanked the Police volunteers and stated that he presented a proclamation and attended a lunch with hospital volunteers today. Urged everyone to pray for Virginia tech students and their families. Reported that Margaret Sliger recently broke her neck and she is now doing fine.

MISCELLANEOUS INFORMATION IN COUNCIL PACKET, NO ACTION NECESSARY.

ADJOURNMENT. The meeting was adjourned at the hour of 9:05 p.m.

APPROVED:

ATTEST:

Tommy Jones, Mayor

Jana R. Sousa, Deputy City Clerk