

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
JULY 5, 2006**

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 of the City of Los Banos met on the above given date. The following closed session items were held at 6:00 p.m. prior to the City Council Meeting.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS – PURSUANT TO GOVERNMENT CODE 54956.8. PROPERTY: 243 ACRES LOCATED GENERALLY NORTH OF HIGHWAY 152 AND EAST OF SANTA FE GRADE IN THE COUNTY OF MERCED, APN 084-010-009, LOS BANOS, CALIFORNIA; NEGOTIATING PARTIES: CITY OF LOS BANOS & ALDO SANSONI; NEGOTIATION: PURCHASE PRICE AND TERMS OF SALE. No action taken, advisement to staff only.

CALL TO ORDER: Mayor Pro Tem McAdam called the City Council Meeting to order at the hour of 7:07 p.m.

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Council Members Brooks, McAdam, Pruitt; Absent: Council Member Jones and Mayor Amabile.

STAFF MEMBERS PRESENT: City Manager Rath, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Planning Consultant Persicone, Police Chief Knapp, Interim Public Works Director Hutsell, City Treasurer/Chief Financial Officer Wall, Translator Reyna.

APPROVAL OF AGENDA: Motion by Brooks, seconded by Pruitt to approve the agenda as submitted. The motion carried by the affirmative vote of all Council Members present, Jones and Amabile absent.

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. KEITH SNOW, Los Banos, spoke regarding the school district, ADA standards, safety in the City, wanting a response to his questions during the public forum, houses being built in the city, and the City's budget. No one else came forward to speak and the public forum was closed.

APPROVAL OF CONSENT AGENDA. Motion by Brooks, seconded by Pruitt and carried, items on the consent agenda were approved, by the affirmative action of all

Council Members present, Jones and Amabile absent: Minutes for the June 7, 2006 Meeting; Minutes for the June 21, 2006 Meeting; Check Register for #92145 - #92317 in the Amount of \$3,019,977.67; Notice of Completion for the B Street and State Rout 165 Traffic Signals and Safety Lighting Project; Award of Bid to Granite Construction for the Seventh Street and H Street Improvement Project in the Amount of \$889,926; Resolution No. 4754 – Calling and Giving Notice of the Holding of a General Municipal Election to be held on Tuesday, November 7, 2006 for the Election of Certain Officers as Required by the Provision of the Laws of the State of California Relating to General Law Cities; Resolution No. 4755 – Requesting the Board of Supervisors of the County of Merced to Consolidate a General Municipal Election to be held on November 7, 2006, with the Statewide General Election to be held on the Date Pursuant to Section 10403 of the Election Code; Resolution No. 4756 – Accepting Public Improvements for Meadowlands Unit 3, Phase 3 Subdivision Tract No. 2002-06. (KB Home).

PUBLIC HEARING – CONSIDERATION OF APPROVAL OF USE PERMIT #2006-03 CHILI’S RESTAURANT, APPLICANT: MONTGOMERY/ BRINKER, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF PACHECO BOULEVARD AND PLACE ROAD, ASSESSOR PARCEL NUMBER: 083-140-014. APPROVAL OF THE USE PERMIT WOULD ALLOW FOR THE ON-SALE OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH THE RESTAURANT; RESOLUTION NO. 4757 – APPROVING USE PERMIT #2006-03 (CHILI’S RESTAURANT). Planning Consultant Persicone presented the staff report.

The public hearing was opened. KEITH SNOW, Los Banos, spoke regarding another business on Pacheco Boulevard that was selling liquor and was shut down. No one else came forward to speak and the public hearing was closed.

Motion by Pruitt, seconded by Brooks to adopt Resolution No. 4757, approving Use Permit #2006-03 (Chilli’s Restaurant). The motion carried by the affirmative action of all Council Members present, Jones and Amabile absent.

ADVISEMENT OF PUBLIC NOTICES (TWO REPORTS). Planning Consultant Persicone reported that a public hearing will be held on July 12, 2006 to consider a proposal by James Lemon to convert an existing hotel at 648 I Street into studio apartments. The project site is in the C-1 (Retail Commercial) district and is located on Assessor’s Parcel Number 028-201-009.

Planning Consultant Persicone reported that a public hearing will be held on July 12, 2006 to consider a proposal by Maria Carapinha to construct a duplex at 253 F Street. The project site is in the R-2 (Medium Density Residential District) and is located on Assessor’s Parcel Number 025-051-007.

CITY MANAGER REPORT: Spoke regarding the fire activity in the City and commended the Fire Department and Police Department for the tremendous job they did.

M.C.A.G. REPORT: No report.

CITY COUNCIL REPORTS

COUNCIL MEMBER BROOKS: Thanked the Los Banos Chamber of Commerce for a great firework show and wondered if the Police Department received any complaints about the fire works. She suggested only selling fireworks the few days before the 4th of July instead of the week before the 4th of July.

COUNCIL MEMBER JONES: Excused absence.

COUNCIL MEMBER PRUITT: Thanked the Police Department for rounding up the vandals in the neighborhoods the other night.

COUNCIL MEMBER McADAM: Commended the Los Banos Chamber of Commerce on a great 4th of July event at the Fairgrounds and wonderful firework show. He agrees that the illegal fireworks need to be addressed and asked for a recap from the Fire Chief. He stated that he was happy to see the award of bid for the Seventh and H St Project.

MAYOR AMABILE: Excused absence.

MISCELLANEOUS INFORMATION IN COUNCIL PACKET, NO ACTION NECESSARY.

ADJOURNMENT. The meeting was adjourned at the hour of 7:29 p.m.

APPROVED:

Michael S. Amabile, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk