

**CITY OF LOS BANOS
CITY COUNCIL / REDEVELOPMENT AGENCY MEETING MINUTES
NOVEMBER 19, 2008**

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

PLEDGE OF ALLEGIANCE. Police Commander Fitchie led the pledge of allegiance.

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

STAFF MEMBERS PRESENT: City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, City Manager Rath, City Treasurer/Chief Financial Officer Wall, Fire Chief Guintini, Police Commander Fitchie, Interim Public Works Director/City Engineer Fachin, Planning Director Fitzgerald, Redevelopment Director Post, Information Technology Director Spalding.

CONSIDERATION OF APPROVAL OF AGENDA: Motion by Brooks, seconded by Faria to approve the agenda as amended. The motion carried by the affirmative action of all City Council / Redevelopment Agency Members present.

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 FIVE (5) MINUTE PRESENTATION. DETAILED GUIDELINES ARE POSTED ON THE COUNCIL CHAMBER INFORMATIONAL TABLE. NORM DONOVAN, Los Banos, spoke regarding the alcohol license discussion that took place at the previous council meeting and the Alcohol Beverage Control that issues alcohol licenses; DIANA INGRAM, Los Banos, would like to speak on Item 7 – Consideration of Adoption of City Council Resolution No. 5090 Establishing the Purpose, Membership, and Meeting Dates of the City of Los Banos Emergency Budget Finance Committee, and stressed the fact that there should be a business membership on the committee, applauds the fact that we have a City Council that has the mind and decisions that are different than each other; BRETT HENDRICKSON, Los Banos, spoke regarding the dog park idea and a recent experience with his dog at a dog park in San Jose, gave an idea to use an existing park like Ranchwood Park for a simple dog park with help from the service clubs, Boy Scouts, Girl Scouts and would like to see it put back on the table, and thinks it would be worthwhile and something he would be willing to volunteer his help and time; PASTOR MELVIN WHITTLE, Los Banos, spoke regarding distressed homeowners seminars here at City Hall and would like to continue those seminars at the First Baptist Church on Saturday, November 22, 2008 and the Thanksgiving Day feeding at the Rescue Mission and encouraged all to come out and

participate and help out; KEITH GRONIGNA, Los Banos Chamber of Commerce, spoke regarding the Annual Christmas Parade being held on December 5, 2008 with Home for the Holidays as the theme. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Council Member Faria inquired on Item 6C – Los Banos Chamber of Commerce Annual Christmas Parade & Street Closure Request In the Downtown Area, Including Parts of 6th, 5th, H, I, J, & K Streets from 5:00 p.m. to 9:00 p.m. on December 5, 2008 – due to budget constraints the City is not able to light the trees downtown this year, would the Los Banos Chamber of Commerce be able to get the downtown businesses to light the trees down Main Street. KEITH GRONIGNA, Los Banos Chamber of Commerce, stated that they have already looked into this idea but because the cost is so high to do and due to the current economic downturn, it is not a possibility.

Motion by Brooks, seconded by Sousa to approve the consent agenda as follows: Check Register for #112554 - #112811 in the Amount of \$1,034,759.53; Rejection of Claim – Michael B. Deldin; Los Banos Chamber of Commerce Annual Christmas Parade & Street Closure Request In the Downtown Area, Including Parts of 6th, 5th, H, I, J, & K Streets from 5:00 p.m. to 9:00 p.m. on December 5, 2008; Re-appointment of Mark Bodley to Serve a Four (4) Year Term as the City's Representative on the Merced County Mosquito Abatement District Board of Trustees; City Council Resolution No. 5083 – Approving the Application for Grant Funds from the Bicycle Transportation Account (BTA); City Council Resolution No. 5084 – Accepting Public Improvements for The Vineyard Unit 18 and Release of Associated Construction Bonds; City Council Resolution No. 5085 – Accepting Public Improvements for Mission Village North Unit 4 and Release of Associated Construction Bonds; City Council Resolution No. 5086 – Approving the Annual Local Transportation Fund (LTF) Revised Claim to be Filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2008-2009; City Council Resolution No. 5087 – Approving the Installation of “No Truck Parking” Signs on the North and South Sides of H Street from Highway 152 and Seventh Street; City Council Resolution No. 5088 – Approving the Installation of Four-Way Stop Signs at the Intersection of Second Street and H Street; City Council Resolution No. 5089 – Amending the City's Conflict of Interest Code. The motion carried by the affirmative action of all City Council / Redevelopment Agency Members present.

CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 5090 ESTABLISHING THE PURPOSE, MEMBERSHIP, AND MEETING DATES OF THE CITY OF LOS BANOS EMERGENCY BUDGET FINANCE COMMITTEE. City Treasurer/Chief Financial Officer Wall presented the staff report, noting that the resolution as submitted stating the membership of the committee to consist of two (2) City Council Members, City Manager, Human Resources Director, and City Treasurer and should state only the two (2) City Council Members.

City Manager Rath spoke of this as an extremely serious situation at the local, state, and national economic levels; the recent downturn in property tax; more and more cities are now filing bankruptcy; we use our operating reserve to pay bills until we receive property tax in January and May of each year; it is critical and essential to get our heads together

and find ideas for solutions; sales tax has been another hit; we will be out of operating reserve funds in the not too distant future if we do not make adjustments as soon as possible; give staff tons of credit because it is not an easy task; asked that anyone who would like to participate please leave their name and address with the City Clerk because the committee will be holding meetings and workshops; this is a very urgent issue and need to take action now; were successful in getting HUD funding to help put people in the foreclosed homes; we need to stop the hemorrhaging of home foreclosures and burn off the supply of homes.

There was Council Member and staff discussion regarding the positive aspects of including the public in some of the meetings and forums.

Motion by Brooks, seconded by Sousa to appoint Mayor Pro Tem Sousa and Mayor Jones as members to the Ad Hoc Committee. The motion carried by the affirmative action of all City Council / Redevelopment Agency Members present.

Motion by Jones, seconded by Brooks, to adopt amended City Council Resolution No. 5090 – Establishing the Purpose, Membership, and Meeting Dates of the City of Los Banos Emergency Budget Finance Committee. The motion carried by the affirmative action of all City Council / Redevelopment Agency Members present.

NOTICE & ANNOUNCEMENT OF COMMISSION VACANCIES – ONE (1) VACANCY ON THE AIRPORT COMMISSION EXPIRING DECEMBER 31, 2009 ONE (1) VACANCY ON THE CULTURE & THE ARTS COMMISSION, EXPIRING DECEMBER 31, 2010. Motion by Faria, seconded by Sousa, to authorize the advertising of the vacancies as presented. The motion carried by the affirmative action of all City Council / Redevelopment Agency Members present.

REDEVELOPMENT AGENCY UPDATE. Redevelopment Agency Director Post reported that the Ward Street apartments should be ready to open in December 2008 and spoke regarding the recent MCEDCO Board Meeting and how the Enterprise Zone will have their credits adjusted for two years due to their budget constraints.

ADVISEMENT OF PUBLIC NOTICES (NONE).

CITY MANAGER / EXECUTIVE DIRECTOR REPORT. Nothing more to report.

CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.

JOE SOUSA: Thanked the veterans after attending the flag postings at Volta Elementary; thanked the Elks for the Veteran's luncheon; thought the election would be certified and he would be thanking all those who helped him along the way: wife Donaldda Sousa, family and friends; very grateful for what everyone did to help him; crab dinner at the DES Hall on November 22, 2008; Breakfast with Santa on December 6, 2008 at Fire Station No. 1, Christmas Parade on December 5, 2008; made special note that Obie O'Brien called him on election night to congratulate him; spoke regarding the budget situation and how a group of employees who are notary publics have come forward to give up their pay incentive for providing those services; hopes others may follow their example.

MIKE VILLALTA: Congratulated all the election winners; spoke regarding the recent HUD meeting resulting in getting some but not all of the money we were asking for; how the operating reserve may only last about 1-4 months and this is a budget crisis; how drastically the property tax and sales tax is being adjusted; glad to hear the Rescue Mission will be having a Thanksgiving dinner; wished everyone a happy Thanksgiving; and asked those who cannot attend the foreclosure workshop to contact Assembly Member Cathleen Galgiani to obtain an approved list of people or agencies to contact for assistance.

ANNA BROOKS: Reminded the Council that she still has half a meeting left and wished everyone a happy Thanksgiving.

TOMMY JONES: Thanked the Veterans for all they do; thanked Mayor Pro Tem Sousa for standing in for him during Veteran's Day when he was out of town and what a great job he has done as Mayor Pro Tem; thanked Senator Denham for all he does for Los Banos; announced there will be a home foreclosure workshop this Saturday and encouraged those in need to go; happy to see that candidates who ran for Council seats this election continue to participate and stay involved with the City; spoke regarding a recent gang meeting he attended and encouraged everyone to get involved; encouraged everyone to participate in the Toy for Tots and Cops for Kids drives; encouraged Supervisor Jerry O'Banion to say a few words in support of Los Banos High School Tigers who are going to the playoffs for the first time in eleven years; Supervisor O'Banion wished the Los Banos Tigers well in the playoffs.

TOM FARIA: Thanked the Elks for the Veterans dinner; thanked the students who showed up and sang for the veterans; Arts & Crafts Fair this weekend at the Arts Center; encouraged everyone to see the production You're a Good Man Charlie Brown put on by the Los Banos High School Drama Club; Christmas Parade on December 5, 2008; Messiah orchestra on December 10, 2008; and the Rescue Mission feeding on Thanksgiving.

ADJOURNMENT. Motion by Faria, seconded by Brooks to adjourn the meeting to 4:00 p.m., Monday, December 1, 2008 to attend a Rail Trail Corridor Regulating Code Workshop being held in the Council Chambers, 520 J Street, Los Banos, California.

APPROVED:

/s/ Tommy Jones
Tommy Jones, Mayor

ATTEST:

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