

**CITY OF LOS BANOS  
CITY COUNCIL / REDEVELOPMENT AGENCY MEETING MINUTES  
AUGUST 18, 2010**

***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 Chief Brizzee led the pledge of allegiance.

**ROLL CALL – MEMBERS OF THE CITY COUNCIL / REDEVELOPMENT AGENCY**

**PRESENT:** Tom Faria, Joe Sousa, Elizabeth Stone, Mike Villalta, Tommy Jones;  
**ABSENT:** None.

**STAFF MEMBERS PRESENT:** City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, City Treasurer/Accountant II Brazil, City Manager Rath, Fire Chief Guintini, Police Chief Brizzee, Assistant Public Works Director Hutsell, Redevelopment Agency Director Post, and Information Technology Director Spalding.

**CONSIDERATION OF APPROVAL OF AGENDA:** Motion by Stone, seconded by Sousa to approve the agenda as submitted. 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.**

BRUCE GILLARD, Los Banos, invited all to the 3<sup>rd</sup> Annual Reverend GB Blackmon II scholarship concert on Saturday, August 21, 2010 at 3:00 p.m.; ANN McCAULEY, reminded all about the outdoor movie night event being held on Saturday, August 28, 2010 at 9:00 p.m. at the Henry Miller Plaza; RHONDA LOWE, Los Banos, spoke regarding the Meals-on-Wheels dine-out program, reminded all about the September 18, 2010 downtown Fall Street Faire and the events planned for the day, the Los Banos Chamber of Commerce's partnership with the Los Banos Enterprise for the Readers Choice Awards for an awards dinner to honor the winners; KEITH SNOW, Los Banos, spoke of being a resident for 10 years, thanked staff for the documents they gave him, thanked the City Manager for scheduling to meet with him tomorrow to go over the operations of the City, the need to create more jobs for people, will create revenue for the people, his visit in San Jose today at the technology center, the need for more police officers, and an endorsement printed in The Paper and the Los Banos Enterprise regarding his endeavor as a mayoral candidate; GENEVA BRETT, Los Banos, spoke of her delight about attending

the first event held at the Los Banos Community Center, the National Association for the Advancement of Colored People (NAACP) Freedom Fund Banquet being a beautiful event, clarified that she did not criticize school children who participated in the graffiti abatement clean up event, her appreciation for what those kids did, clarified that the Rotary Club did not commit to being a participant in the graffiti plan, her analysis of each graffiti program, and the Mayor's closing comments at the previous City Council meeting regarding working with the existing graffiti program. No one else came forward to speak and the public forum was closed.

**CONSIDERATION OF APPROVAL OF CONSENT AGENDA.** Motion by Faria, seconded by Stone to approve the consent agenda as follows: Check Register for #123469 - #123790 in the Amount of \$2,036,946.19; City Council / Redevelopment Agency Meeting Minutes: June 2, 2010, June 16, 2010, July 7, 2010; City Council Resolution No. 5264 – Approving the Application of Grant Funds from the Home Investment Partnerships (HOME) Program. The motion carried by the affirmative action of all City Council / Redevelopment Agency Members present.

**PRESENTATION OF THE JOINT CITY OF LOS BANOS AND CENTRAL CALIFORNIA IRRIGATION DISTRICT (CCID) GROUNDWATER STUDY.** Public Works Director/City Engineer Fachin presented the staff report and introduced Mr. Ken Schmidt with Groundwater Quality Consultants who presented a more in depth report, which included a PowerPoint presentation.

There was council member, staff, and consultant discussion regarding pumping outside the growth boundaries and how those numbers were derived, water not declining over the years, benefit in time for the chromium 6 levels, surface water having lower levels, cost benefit ratios, detention dam allows water to be recharged, the need to prepare for the future to keep the water pure, the time it takes for water to flow from the southwest to the northeast taking decades and being a very slow process, looking at ways to mix water, no date certain as of yet, the engineering community is looking at ways to treat chromium more cost efficiently, and concerns about private well owners.

Chris White, President of CCID, thanked staff for participant in the study, spoke of CCID not having control over all the pumps in the area, private owned wells, pumping levels are down, some of the wells are plumbed where they can reach CCID canals, Bureau of Reclamation, San Luis Water District aquifer situation, working together with the parties to try to develop meaningful triggers, this study tells us where the water is and where the water is not, and this being a perfect building block for the future.

City Manager Rath spoke of being fortunate to have CCID partnering with us on this study and thanked Mr. White and his staff for their cooperation and work.

Informational item only, no action was taken.

**REDEVELOPMENT AGENCY UPDATE.** Redevelopment Agency Director Post reported that the Redevelopment Agency is moving into the community center, the Parks and Recreation Division moved in last week, hoping that the community center

will open on September 1, 2010 to the public, thanked the Public Works Department for all the work they did on the NAACP dinner event and the next day's quinceañera event, the Los Banos Community Center grand opening on September 17, 2010, and having met with the Federal Economic Development Administration who are currently looking at our grant.

**ADVISEMENT OF PUBLIC NOTICES (One Report).** Redevelopment Agency Director Post reported that a public hearing will be held by the Los Banos Planning Commission to consider a Use Permit to allow additional exterior wall signage for Baskin Robbins, property located in the Highway Commercial zoning district at 325 W. Pacheco Boulevard, APN 027-161-044.

**CITY MANAGER / EXECUTIVE DIRECTOR REPORT.** No report

**CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.**

**ELIZABETH STONE:** Spoke of the NAACP event being spectacular, had friends who attended the wine stroll that was also spectacular, Reverend GB Blackmon scholarship concert on Saturday, August 21, 2010 at 3:00 p.m. at Bethel Community Church, the upcoming movie night event on August 28, 2010, blood drive on August 19, 2010 at the Church of Latter Day Saints, and the March of Dimes event at Loftin Stadium on September 11, 2010.

**MIKE VILLALTA:** Spoke regarding the upcoming concert on Saturday, August 21, 2010 at 3:00 p.m., movie night being a great way to get to know people in the community and encouraged all to attend, NAACP dinner being a very well run event with a great speaker, made the end of the wine stroll which was a sold out event and excellent event, September 18, 2010 Fall Street Faire event along with a pancake breakfast with proceeds benefiting the individuals at Kings View and encouraged all to attend, volunteered his time with Habitat for Humanity and encouraged all who had some time to give Habitat for Humanity a call to help them out with a home, and Dr. Tietjen of the Los Banos Unified School District having asked him to let everyone know that there will be an open house for the public at Pacheco High School for the public with the date to be announced.

**TOM FARIA:** Spoke of the NAACP dinner being a beautiful event in which he enjoyed very much, opened Pacheco High School this week, the school district did a great job building it as did the City in building the community center, very pleased to see that the school district and City are planning for some joint meetings to plan for more schools, glad to see the City working with CCID and moving forward in that regard, and the GB Blackmon gospel concert on August 21, 2010 which is also for a scholarships fund.

**JOE SOUSA:** Reminded all about the Los Banos High School Band drive thru dinner on Sunday, August 22, 2010, spoke of having attended a swearing in for the new Police Sergeants Jason Hedden and Ivan Mendez and thanked them for their dedication, attended the NAACP event which was wonderful and how the community center has

exceeded everyone's expectations, and the upcoming grand opening for the center on September 17, 2010.

**MAYOR TOMMY JONES:** Spoke of the BG Blackmon concert, community center grand opening on September 17, 2010, looking forward to seeing the seniors and kids all in one facility, upcoming movie night event on August 28, 2010 and encouraged all to attend, the new Pacheco High School is beautiful and will be pulling for both schools but reminded all that he is a Tiger, congratulated our Police Chief and how fortunate we are to have him, proud of the work he is doing and his dedications, moving forward with the next graffiti meeting, and asked Merced County Supervisor O'Banion to come forward and speak.

Supervisor O'Banion spoke of the County's budget and adjustments that will need to be made, not knowing what the State will decide to do, encouraged all to look into the initiative that will be on the ballot in November regarding land issues and asked everyone to determine if it will be beneficial, noted the celebration of community center grand opening on September 17, 2010 but invited all to attend the Los Banos High School vs. Dos Palos High School football game on the same night.

**CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION, INITIATION OF LITIGATION PURSUANT TO SUBSECTION (C) OF GOVERNMENT CODE SECTION 54956.9, ONE CASE.** No action taken, advisement to staff only.

**ADJOURNMENT.** The meeting was adjourned at 8:59 p.m.

APPROVED:

/s/ Tommy Jones  
Tommy Jones, Mayor

ATTEST:

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