

**CITY OF LOS BANOS
CITY COUNCIL / REDEVELOPMENT AGENCY MEETING MINUTES
JULY 6, 2011**

***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 Villalta called the City Council / Redevelopment Agency Meeting to order at the hour of 7:03 p.m.

PLEDGE OF ALLEGIANCE: Police Chief Brizzee led the pledge of allegiance.

ROLL CALL – MEMBERS OF THE CITY COUNCIL / REDEVELOPMENT AGENCY

PRESENT: Council Members Tom Faria, Scott Silveira, Joe Sousa, Elizabeth Stone, Mayor Michael Villalta.

STAFF MEMBERS PRESENT: City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, City Manager Rath, Police Chief Brizzee, Public Works Director/City Engineer Fachin, Redevelopment Agency Director Post, Planning Director Fitzgerald, and Information Technology Director Spalding.

CONSIDERATION OF APPROVAL OF AGENDA: Motion by Faria, seconded by Stone to approve the agenda as 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 CITY COUNCIL / REDEVELOPMENT AGENCY 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 opened the public forum. GENE FORTE, Patterson, spoke of how he will be coming to every City Council meeting to play an audio recording of conversation that took place between himself and Patterson Police Officer Hawkins, played several audio recordings of this conversation, spoke of the grand jury report that came out on July 1, 2011, and federal lawsuits that were filed against several Los Banos officials; GEORGE ALLAN, Los Banos, reminded everyone about the Tea Party Patriots picnic being held at Pacheco Park on July 7, 2011 at 5:30 p.m. and encouraged all to attend this potluck; JOHN WHALA, Los Banos Chamber of Commerce, thanked the Los Banos Unified School District and the Los Banos Fire Department for their support of the 4th of July fireworks show and thanked the community for supporting the Chamber of Commerce and the fireworks show at Pacheco High School; ARLENE CARDOZA, Los Banos, spoke to item 8, inquired as to whether or not the \$1,000 is just

a retainer fee, if there are more costs to come, what is involved with the contract, and the meeting with Matthews Southwest Development Group that will take place on July 19, 2011; JACQUELINE LAWRENCE, Los Banos, spoke of traveling in a power chair on Fourth Street, how the traffic light turns red quickly, having almost been hit while crossing, inquired as to whether there is a way to put a turn signal so that drivers can only turn on a turn signal, and her concern that the black top near Auto Zone is too thick; ANN McCAULEY, Los Banos, spoke of how great the fireworks show was, how the Redevelopment Agency housing project is not some backdoor deal, the rail trail corridor design plans were thought out and included community involvement, comments that Council Member Stone had something to gain from this when she didn't even sit on the City Council at the time, would like to see the City Council and those coming to podium to speak be more civil, and the plan for the mixed use with business and housing project was always part of the rail trail plan; MIKE JOHNSON, Los Banos, spoke regarding his opposition to item 8, not being sure what is involved, how Los Banos does not need more affordable housing as all the housing is affordable, and the need for jobs and to attract industry; NIKKI TUFT, Los Banos, spoke of the delight of having served for the last two years on the Parks and Recreation Commission, the programs they are offering, a partnership with Merced College, and sports camps; JUVENAL MATOS, Los Banos, spoke in opposition to the raising of utility rates, how he would like a smaller garbage can, suggested that the City of Los Banos goes to the Silicon Valley to bring jobs to town, suggested that the City also go to the White House and ask for money, the need to be a stop for the high speed rail, recyclables that are picked up and sold at the compost, and questioned why the City allows that and where the money is going. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Silveira, seconded by Stone to approve the consent agenda as follows: Check Register for #129413 - #129756 in the Amount of \$2,937,798.71; Minutes for the May 18, 2011 City Council / Redevelopment Agency Meeting; Minutes for the June 1, 2011 City Council / Redevelopment Agency Meeting; Minutes for the June 15, 2011 City Council / Redevelopment Agency Meeting; Authorizing the City Manager to Sign a Subordination of Deed of Trust for the Community Development Block Grant (CDBG) Rehabilitation Loan #268-02-04, Executed by Manuel E. Alves for 325 K Street, Los Banos, California; City Council Resolution No. 5335 – Approving a Professional Services Agreement for Plan Review Services and/or Building Inspection Services with Precision Inspection Company, Inc.; City Council Resolution No. 5336 – Approving the Purchase of a Home Located at 459 Winemaker Street with Neighborhood Stabilization Program (NSP) Funding; City Council Resolution No. 5337 – Approving a Side Letter/Contract Extension through June 30, 2012 by and between the City of Los Banos and the Los Banos Police Dispatchers/Community Services Officers Association. The motion carried by the affirmative action of all City Council / Redevelopment Agency Members present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF ADOPTION OF THE NEW UTILITY RATES FOR WATER, WASTEWATER AND

SOLID WASTE SERVICE FEES; CITY COUNCIL RESOLUTION NO. 5338 – AMENDING THE CURRENT BILLING PROCEDURES FOR WATER, WASTEWATER TREATMENT, WASTEWATER COLLECTION AND DISPOSAL, AND SOLID WASTE RATES; CITY COUNCIL RESOLUTION NO. 5339 – ESTABLISHING RATES FOR WATER SERVICE FEES; CITY COUNCIL RESOLUTION NO. 5340 – ESTABLISHING RATES FOR WASTEWATER SERVICE FEES; CITY COUNCIL RESOLUTION NO. 5341 – ESTABLISHING RATES FOR SOLID WASTE SERVICE FEES. Brent Kuhn, Vavrinek, Trine, Day & Co., LLC, presented the staff report.

City Attorney Vaughn spoke in detail to the Proposition 218 process.

Mayor Villalta opened the public hearing and asked those who would like to speak to state their name and address prior to addressing the City Council.

TROY THORESON, 1825 Walter Drive, Los Banos, spoke in opposition of the new rate increases, his feelings that the rates are too high, concern that people are hurting and struggling, protests are difficult to obtain, asked Council to remember the Measure P vote, and reminded the Council that they represent the people; LORENZO JONES, 1015 June Court, inquired as to why this wasn't put on the ballot; City Attorney Vaughn responded that Proposition 218 is pretty specific, reminded all that this is not a measure but a protest hearing, and there is no election process; KATHY BALLARD, 1806 Chapman Court, stated that she submitted three protests for properties that she is responsible for and inquired as to whether the bonds issue is due to the embezzlement; Mr. Kuhn responded that the wastewater impact is not related to the embezzlement, wastewater rates have not been increased for a long time, and the impact is driven by future capital needs and requirements; BOB REISTER, 926 Sandra Street, spoke of having requested and received salary information for City employees, his feelings that the rich get richer and the poorer get poorer, and feels the rates are too high; JUVENAL MATOS, Los Banos, spoke of in opposition of the rate increase, and compared the City rates to the City of San Jose's rates; CHARLES WATSON, 521 Ranchwood Drive, inquired as to what happens to the money received for recyclables and inquired about the embezzlement issue; Public Works Director/City Engineer Fachin spoke to the credit received for recyclables and how it is factored into the fee structure; Mayor Villalta responded to Mr. Watson's embezzlement inquiry and stated that safeguards have been put in place to prevent such activity; JACQUELINE LAWRENCE, 400 L Street, spoke of how the elderly population will not be able to afford the increase, how the water is not drinkable, and feels that realtors should get a break and not have to pay for garbage service for vacant homes; DAVE ANDERSON, Los Banos, spoke of not being for or against the rate increase, the way it was presented in the agenda packet raised red flags for him, suggested that the rates come before Council every year, does not believe that the increase is in relation to the Consumer Price Index, garbage increase being a little high, tipping fees, the percentage of tolerance of a water meter and state mandates, and suggested that this item be given back to staff so that it can be replaced with something that is more palatable for the community. No one else came forward to speak and the public hearing was closed.

Mayor Villalta called for a ten minute recess at 8:04 p.m.

The meeting was reconvened and City Clerk Mallonee stated that in regards to the proposed rates for water service fees, a majority of identified parcels would equal 6,175 and 1,546 written protests were submitted by owners or tenants of those identified parcels. A majority protest does not exist and the Council may proceed to consider adoption of City Council Resolution 5339 – Establishing Rates for Water Service Fees.

City Clerk Mallonee stated that in regards to the proposed rates for wastewater service fees, a majority of identified parcels would equal 6,175 and 1,546 written protests were submitted by owners or tenants of those identified parcels. A majority protest does not exist and the Council may proceed to consider adoption of City Council Resolution 5340 – Establishing Rates for Wastewater Service Fees.

City Clerk Mallonee stated that in regards to the proposed rates for solid waste service fees, a majority of identified parcels would equal 6,175 and 1,546 written protests were submitted by owners or tenants of those identified parcels. A majority protest does not exist and the Council may proceed to consider adoption of City Council Resolution 5341 – Establishing Rates for Solid Waste Service Fees.

Council Member Silveira spoke of not being opposed to raising rates, this being a tough decision, the sewer fund being unhealthy, vowing to make good business decisions, feels that the water and solid waste funds are better off and cannot see pushing the increase on them right now, and would like to make recommendations but offered the chance for others to speak first.

Council Member Stone spoke of having held two public workshops this past March, this being an issue that everyone has been looking at for several months now, having received questions about what would happen if rates were postponed, and asked staff to address the reasons for the numbers and conservative estimates and what would happen if the rate increases were not implemented.

Mr. Kuhn stated that if the rates were not implemented now then those factors would go into another rate study model and cash financing would be less, spoke of internal and third party financing, how these rates were predicated on cash financing for capital expenditures, wastewater issues, capital requirements in our master plan, severe possible fines, the current operational costs of utilities related to personnel being frozen because salaries are frozen, wastewater bonding issues being more worrisome, having pushed out capital needs as far out as possible, reserves being for emergency purposes, operating on a fine line things makes it a lot costlier to fix, and how rates have not been raised for several years.

Public Works Director/City Engineer Fachin spoke regarding capital needs, regulatory issues, fire flows for fire protection, treating wells for arsenic and chromium 6, and saving money wherever possible.

There was discussion among Council Members, staff, and Mr. Kuhn regarding being out of compliance, how arsenic and chromium 6 are natural chemicals in the ground, the benefit of healthy drinking water, the installation of solar bees in the ponds that took place to conserve money, how Consumer Price Index increases are built into this study, and how Los Banos already has very low rates when compared to other cities in the area.

Council Member Sousa spoke of it being an unpopular issue to raise any rates, not having had a real rate increase in the last eight years, having held workshops to discuss the issues and bring up ideas, his satisfaction that this is the minimal being presented before Council, state and federal government imposing regulations on us, this being what the City needs, and the responsible thing being to move forward.

Motion by Silveira, seconded by Villalta to adopt City Council Resolution No. 5339 – Establishing Rates for Water Service Fees with the amendment of not implementing the water rates in terms of the flat monthly rate, multiple family greater than three units rate, less than one inch meter rate, one inch meter rate, one and a half inch meter rate, two inch meter rate, three inch meter rate, and four inch meter rate until July 1, 2012. The motion failed by the following roll call vote: AYES: Silveira, Villalta; NOES: Faria, Sousa, Stone; ABSENT: none.

Motion by Sousa, seconded by Stone to adopt City Council Resolution No. 5339 – Establishing Rates for Water Service Fees. The motion failed by the following roll call vote: AYES: Sousa, Stone; NOES: Faria, Silveira, Villalta; ABSENT: none.

Motion by Silveira, seconded by Villalta to adopt City Council Resolution 5340 – Establishing Rates for Wastewater Service Fees with the amendment of implementing the column effective September 1, 2011 by decreasing the entire column by 9.5% and direct staff to revise Exhibit A to reflect that decrease. The motion failed by the following roll call vote: AYES: Silveira, Villalta; NOES: Faria, Sousa, Stone; ABSENT: none.

Council Member Stone spoke of it being unfair to staff to be making these calculations and that modifications like this should have been submitted earlier in the process.

Council Member Silveira spoke of how those workshops had been one the first ones he had attended as a Council Member, apologized for not bringing these issues forward sooner than tonight, feels this is a fair compromise, and how his decisions are not based on being re-elected but rather based on what is best for a majority of the community.

Mayor Villalta spoke of this being biggest utility rates raise in the history of the City Council and how now is not the time to suddenly levy a huge burden on the public.

Motion by Sousa, seconded by Stone to adopt City Council Resolution No. 5340 – Establishing Rates for Wastewater Service Fees. The motion failed by the following roll call vote: AYES: Sousa, Stone; NOES: Faria, Silveira, Villalta; ABSENT: none.

Council Member Stone spoke of this being a heavier burden to the community in the future if the rates aren't adopted now.

Mr. Kuhn clarified that the City's bond rating would be significantly downgraded if rates weren't put into place that were required by the bond covenant.

Motion by Silveira, seconded Villalta to adopt City Council Resolution 5341 – Establishing Rates for Solid Waste Service Fees with the amendment of the rates listed under the Current Through August 31, 2011 column staying in effect until July 1, 2012. The motion failed by the following roll call vote: AYES: Silveira, Villalta; NOES: Faria, Sousa, Stone; ABSENT: none.

Motion by Sousa, seconded by Stone to adopt City Council Resolution No. 5341 – Establishing Rates for Solid Waste Service Fees. The motion failed by the following roll call vote: AYES: Sousa, Stone; NOES: Faria, Silveira, Villalta; ABSENT: none.

Council Member Faria stated that he has voted No on each and will continue to vote No on the utility rates increase.

Accounting & Budget Supervisor Williams spoke of the importance of City Council Resolution No. 5338 – Amending the Current Billing Procedures for Water, Wastewater Treatment, Wastewater Collection and Disposal, and Solid Waste Rates being due to a change in procedures and advised that Council adopt the resolution and amend the rates listed within the resolution to reflect the current rates.

Motion by Silveira, seconded by Sousa to adopt City Council Resolution No. 5338 – Amending the Current Billing Procedures for Water, Wastewater Treatment, Wastewater Collection and Disposal, and Solid Waste Rates with the amendment of the utility rates listed in the resolution to reflect the current utility rates. The motion failed by the following roll call vote: AYES: Faria, Silveira, Sousa, Stone, Villalta; NOES: none; ABSENT: none.

Council Member Sousa spoke on record to remind the community that when rates have to be changed down the road and the community has to be told that the rates will be higher than what they could have been, then let the people remember the process that just took place tonight.

City Manager Rath spoke of having spent a huge amount of time and effort with staff and consultants and would like to see direction from Council on this item.

City Attorney Vaughn spoke of being able to continue the public hearing and discussions to another date certain, the need to review the motions that were made as

there are procedural issues that may need to be addressed, and as long rates aren't increasing from what the notice indicated then we are still within the guidelines of Proposition 218.

Council Member Faria spoke of not being able to support bringing back this item or a rate increase until the economy improves.

Motion by Silveira, seconded by Stone to continue the Public Hearing and Consideration of Adoption of the New Utility Rates for Water, Wastewater, and Solid Waste Service Fees for further discussion to the July 20, 2011 City Council/Redevelopment Agency meeting. The motion carried by the following roll call vote: AYES: Silveira, Stone, Villalta; NOES: Faria, Sousa; ABSENT: none.

City Attorney Vaughn clarified that the protests deadline is not being continued; specifically the item and public hearing are being continued.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AN ANNEXATION, AREA PLAN, GENERAL PLAN AMENDMENT AND FISCAL STUDIES FOR STONECREEK NORTH. THE PROJECT SITE IS APPROXIMATELY 362 ACRES LOCATED NORTH OF PACHECO BOULEVARD AND WEST OF BADGER FLAT ROAD EXTENDING PAST THE MERCED COMMUNITY COLLEGE (TO BE CONTINUED). Planning Director Fitzgerald presented the staff report, noting that the applicant requested continuation of this item to a date uncertain.

Public hearing was opened. No one came forward to speak and the public hearing was closed.

Motion by Silveira, seconded by Faria to continue the Public Hearing and Consideration of an Annexation, Area Plan, General Plan Amendment and Fiscal Studies for Stonecreek North to a date uncertain as requested by the applicant. The motion carried by the affirmative action of all City Council / Redevelopment Agency Members present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AMENDMENTS TO THE CITY BUILDING CODES ORDINANCE BY ADOPTING BY REFERENCE THE 2010 CALIFORNIA BUILDING STANDARDS CODE; ORDINANCE NO. 1098 – ADOPTING BY REFERENCE THE 2010 EDITION OF THE CALIFORNIA BUILDING CODE, THE 2010 EDITION OF THE CALIFORNIA ENERGY CODE, THE 2010 EDITION OF THE CALIFORNIA HISTORICAL BUILDING CODE, THE 2010 EDITION OF THE CALIFORNIA REFERENCED STANDARDS CODE, THE 2010 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2010 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2010 EDITION OF THE CALIFORNIA ADMINISTRATIVE CODE, THE 2010 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE, THE 2010 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2010 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, THE 2010 EDITION OF THE CALIFORNIA PLUMBING CODE, TOGETHER WITH CERTAIN AMENDMENTS AND DELETIONS, AND AMENDING AND

REORGANIZING TITLE 8 OF THE LOS BANOS MUNICIPAL CODE (FIRST READING & INTRODUCTION). Fire Chief Guintini presented the staff report, noting the new requirements.

There was council member and staff discussion regarding the new residential sprinkler requirement and the building code being the law of the State of California.

Mayor Villalta opened the public hearing. GEORGE ALLAN, Los Banos, stated that he would like to file a protest against the State for their disregard to issues like the cost of building. No one else came forward to speak and the public hearing was closed.

Motion by Faria, seconded by Stone to waive the first reading of Ordinance No. 1098 - Adopting by Reference the 2010 Edition of the California Building Code, the 2010 Edition of the California Energy Code, The 2010 Edition of the California Historical Building Code, the 2010 Edition of the California Referenced Standards Code, the 2010 Edition of the California Electrical Code, the 2010 Edition of the California Mechanical Code, the 2010 Edition of the California Administrative Code, The 2010 Edition of the California Existing Building Code, the 2010 Edition of the California Green Building Standards Code, the 2010 Edition of the California Residential Code, the 2010 Edition of the California Plumbing Code, Together with Certain Amendments and Deletions, and Amending and Reorganizing Title 8 of the Los Banos Municipal Code. The motion carried by the affirmative action of all City Council / Redevelopment Agency Members present.

Motion by Faria, seconded by Stone to introduce Ordinance No. 1098 – Adopting by Reference the 2010 Edition of the California Building Code, the 2010 Edition of the California Energy Code, The 2010 Edition of the California Historical Building Code, the 2010 Edition of the California Referenced Standards Code, the 2010 Edition of the California Electrical Code, the 2010 Edition of the California Mechanical Code, the 2010 Edition of the California Administrative Code, The 2010 Edition of the California Existing Building Code, the 2010 Edition of the California Green Building Standards Code, the 2010 Edition of the California Residential Code, the 2010 Edition of the California Plumbing Code, Together with Certain Amendments and Deletions, and Amending and Reorganizing Title 8 of the Los Banos Municipal Code. The motion carried by the following roll call vote: AYES: Faria, Silveira, Sousa, Stone, Villalta; NOES: None; ABSENT: None.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AMENDMENTS TO THE CITY FIRE PREVENTION CODE ORDINANCE BY ADOPTING BY REFERENCE THE 2010 CALIFORNIA FIRE CODE; ORDINANCE NO. 1099 – ADOPTING BY REFERENCE THE 2010 EDITION OF THE CALIFORNIA FIRE CODE TOGETHER WITH CERTAIN AMENDMENTS AND DELETIONS, AND AMENDING AND REORGANIZING TITLE 4 CHAPTER 3 OF THE LOS BANOS MUNICIPAL CODE (FIRST READING & INTRODUCTION). Fire Chief Guintini presented the staff report, noting the new requirements.

There was council member and staff discussion regarding fire rate plastic pipe versus copper.

Mayor Villalta opened the public hearing. JUVENAL MATOS, Los Banos, stated that the plastic pipes in Merced are no good and he personally knows a plumber who would rather have copper than plastic. No one else came forward to speak and the public hearing was closed.

Motion by Faria, seconded by Silveira to waive the first reading of Ordinance No. 1099 – Adopting by Reference the 2010 Edition of the California Fire Code Together with Certain Amendments and Deletions, and Amending and Reorganizing Title 4 Chapter 3 of the Los Banos Municipal Code. The motion carried by the affirmative action of all City Council / Redevelopment Agency Members present.

Motion by Faria, seconded by Silveira to introduce Ordinance No. 1099 - Adopting by Reference the 2010 Edition of the California Fire Code Together with Certain Amendments and Deletions, and Amending and Reorganizing Title 4 Chapter 3 of the Los Banos Municipal Code. The motion carried by the following roll call vote: AYES: Faria, Silveira, Sousa, Stone, Villalta; NOES: None; ABSENT: None.

CONSIDERATION OF REQUEST TO FUND UP TO \$1,000 WORTH OF LEGAL FEES TO THE CALIFORNIA REDEVELOPMENT ASSOCIATION TO BATTLE THE GOVERNOR'S BUDGET, NAMELY ABX1 26 AND ABX1 27. Redevelopment Agency Director Post presented the staff report.

City Manager Rath spoke of this being more of a policy decision in light of what the state legislature and governor has done to disband Redevelopment Agencies, and how the Redevelopment Agency provides an invaluable service.

There was council member and staff discussion regarding the contribution coming from the Redevelopment Agency not the general fund and contribution amount based on populations and tax increment.

Council Member Sousa spoke of his support for this item, the benefits it brings, and his disappointment in how local representatives have not supported Redevelopment Agencies.

Council Member Stone spoke of how it doesn't take a lot of research in the community to see what the Redevelopment Agency has done for us, positions within our staff that are funded within the Redevelopment Agency along with projects, and how if we don't fight to keep Redevelopment Agencies then we will have more to lose.

Mayor Villalta spoke of Redevelopment Agencies being a necessity, the need for it to be reformed, paying membership to the League of California Cities, how it seems like an

endless pit, and cannot support giving money to the California Redevelopment Association.

Council Member Silveira spoke of how everything is so unknown and suggested tabling this item until the July 20, 2011 City Council/Redevelopment Agency meeting.

Council Member Faria suggested waiting until the Redevelopment Agency bill teleconference on July 12, 2011 so we'll know better where we stand.

Motion by Silveira, seconded by Faria to table the Consideration of Request to Fund up to \$1,000 Worth of Legal Fees to the California Redevelopment Association to Battle the Governor's Budget, Namely ABX1 26 and ABX1 27 to the July 20, 2011 City Council/Redevelopment Agency Meeting. The motion carried by the following vote: AYES: Faria, Silveira, Stone, Villalta; NOES: Sousa; ABSENT: none.

REDEVELOPMENT AGENCY UPDATE. Redevelopment Agency Director Post reported that her office has been working feverishly on the Governor's budget approval, Matthews Southwest Project not being something we can move forward with because of the Redevelopment Agency situation with the state, staff will be bringing a resolution and different options available to Council on July 20, 2011, and how a decision will need to be made by August 1, 2011 as to whether we will dissolve or stay afloat.

ADVISEMENT OF PUBLIC NOTICES (Three Reports). Planning Director Fitzgerald stated that there will be three public hearings held at the regular scheduled Planning Commission meeting on Wednesday, July 13, 2011 at 7:00 p.m. at City Hall in the Council Chambers to consider Site Plan Review #2011-01 for the construction of a community building at the Los Banos Apartment Complex for tenant use, to consider Site Plan Review #2011-02 for the remodel of Ryan's Restaurant to a Black Bear Diner, and to consider a Use Permit for the use of a Type 21 alcohol license to permit the off-sale of general alcohol.

CITY MANAGER / EXECUTIVE DIRECTOR REPORT. No report.

CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.

JOE SOUSA: Thanked the Elks for hosting the local veterans lunch, had the pleasure of sitting with City of Gustine Mayor Dennis Brazil and City of Gustine Council member Schultz, wished his daughter-in-law Jana Sousa a happy birthday, and stated what a tremendous addition she has been to his family.

ELIZABETH STONE: Thanked the Elks for their Veterans Day luncheon and encouraged those in the community who could be English/Spanish volunteers to assist the program at the library to help each other learn the languages.

TOM FARIA: Spoke of his sympathy for Redevelopment Agency Director Post and her family regarding their loss, had a great 4th of July in the park, traffic is going to be an

interesting topic with the ingress and egress, celebrated his anniversary last week, and encouraged all to have a safe and cool July.

SCOTT SILVEIRA: Congratulated John Whala on a job well done on the 4th of July fireworks show.

MAYOR MICHAEL VILLALTA: Apologized that he was not able to make the Elks luncheon and thanked them for all they do, reminded all about the Tea Party Patriots event at Pacheco Park on July 7, 2011 at 5:30 p.m., spoke of the 4th of July fireworks show that costs between \$12,000-\$14,000 and is based upon what is donated throughout the year, thanked the Los Banos Unified School District for helping put on the fireworks event, and asked Fire Chief Guintini to come forward to speak about the events that night.

Fire Chief Guintini spoke of the traffic at the fireworks show, issuance of two illegal fireworks citations that night, and how the Police Department had been very busy and couldn't assist in giving citations for illegal fireworks.

Mayor Villalta encouraged anyone who would like to start a neighborhood watch program to contact the Police Department and to call in graffiti problems.

Council Member Stone spoke of the success of graffiti clean-up day this year and looking at making this an annual event.

ADJOURNMENT. The meeting was adjourned at the hour of 10:40 p.m. to 5:30 p.m., Wednesday, July 20, 2011 to Attend a 2009-2010 Fiscal Year Financial Audit Workshop being held in the City Hall Council Chambers, 520 J Street, Los Banos, California.

APPROVED:

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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