

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
AUGUST 6, 2014**

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.

The following closed session was not held prior to the City Council Meeting:

CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS, PURSUANT TO GOVERNMENT CODE SECTION 54957.6, AGENCY DESIGNATED REPRESENTATIVES: CITY MANAGER CARRIGAN, CITY ATTORNEY VAUGHN, CITY CLERK/HUMAN RESOURCES DIRECTOR MALLONEE, FINANCE DIRECTOR WILLIAMS, LEGAL COUNSEL TUFFO; EMPLOYEE ORGANIZATIONS: LOS BANOS POLICE DISPATCHERS/COMMUNITY SERVICES OFFICERS ASSOCIATION (LBPDCSOA), LOS BANOS FIRE FIGHTERS ASSOCIATION (LBFFA). Not held.

CALL TO ORDER: Mayor Villalta called the City Council Meeting to order at the hour of 7:01 p.m.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Police Chief Brizzee.

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Council Members Tom Faria, Deborah Lewis, Scott Silveira, Elizabeth Stonegrove, Mayor Michael Villalta; Absent: None.

STAFF MEMBERS PRESENT: City Attorney Vaughn, City Manager Carrigan, City Clerk/Human Resources Director Mallonee, City Treasurer/Accountant II Brazil, Police Chief Brizzee, Fire Chief Guintini, Finance Director Williams, Public Works Director/City Engineer Fachin, Information Technology Director Spalding, Assistant Planner II Elms.

CONSIDERATION OF APPROVAL OF AGENDA: Motion by Lewis, seconded by Faria to approve the agenda as submitted. The motion carried by the affirmative action of all City Council Members present.

PUBLIC FORUM. (MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL MEMBERS ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE CITY COUNCIL; 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.) ANN McCAULEY, Los Banos, spoke regarding the upcoming second movie night of the summer with the showing of “Goonies” and invited all to come out to the showing, spoke

regarding how Erik Limon from Allied Waste wanted to be here tonight to speak and how Allied Waste is sponsoring Movie Night being held a week before Labor Day, August 22, 2104; CASSANDRA HELMRICK, Local VFW, spoke regarding how she was honored by California Assembly Member Adam Gray to go to Sacramento as the Veteran of the Year for the 21st Assembly District, she was able to visit places and meet Veterans that made such an impression on her, the first annual Veterans Parade in Los Banos is being held this year on November 8, 2014 beginning at 11:00 a.m. and spoke to the event and what she has planned, upcoming parade planning meeting on August 14, 2014 and invited anyone interested to come; PASTOR BRUCE RIVERS, Los Banos, spoke regarding September 3, 2014 and how Los Banos will be having the first annual Los Banos Prayer Walk from Home Depot to the old Lowes building parking lot, spoke regarding Los Banos being not just a place that people travel through and how it is much more than that, Pastors are getting together for the better of Los Banos; ADEL DESSOUKY, Los Banos, spoke regarding concerns of the standard of the section over there and the values declining over the years, how he is only a few homeowners left surrounding by renters, the incidences that have happened in his area, barking dogs and how the Los Banos Municipal Code that requires dog licensing is not enforced, last week he was insulted and harassed on the street from a dog owner across the street in the area of Waterford Way; PASQUEL MANDIVIL, Los Banos, spoke in Spanish and referred to the comments made about Veterans, invited all to the local library and on behalf of Cesar Chavez to come and see the mural that the kids have painted, why can't the homeless sleep in the churches when they are emptied at night, spoke regarding the Giants/Mets game many years ago where insults were said. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Council Member Lewis requested to remove item C – Agreement by and between CAL Office of Emergency Services (OES) and the Los Banos City Fire Department for Temporary Assignment of Vehicular Equipment for an Additional Ten (10) Years.

Motion by Silveira, seconded by Faria to approve the consent agenda as submitted: Check Register for #148525 – #148839 in the Amount of \$2,871,768.33; Minutes for the July 30, 2014 Special City Council Meeting; ~~Agreement by and between CAL Office of Emergency Services (OES) and the Los Banos City Fire Department for Temporary Assignment of Vehicular Equipment for an Additional Ten (10) Years~~; City Council Resolution No. 5595 – Approving the Operation of a Taxicab License for Martinez Taxi and Deeming the Operation a Public Convenience and Necessity; City Council Resolution No. 5596 – Authorizing a Contract Agreement with BSK Associates for the Clean Closure of the Old Los Banos Landfill in the Amount of \$273,000; City Council Resolution No. 5597 – Authorizing the City Manager to Execute Professional Services Agreements and the Public Works Director/City Engineer to Execute Individual Project Service Requests with Gouveia Engineering, O'Dell Engineering, and Provost & Pritchard Consulting Group for On-Call Engineering Services. The motion carried by the affirmative action of all City Council Members present.

AGREEMENT BY AND BETWEEN CAL OFFICE OF EMERGENCY SERVICES (OES) AND THE LOS BANOS CITY FIRE DEPARTMENT FOR TEMPORARY ASSIGNMENT OF VEHICULAR EQUIPMENT FOR AN ADDITIONAL TEN (10) YEARS. Council Member Lewis inquired as to if the City will be fully reimbursed any costs incurred in using and maintaining the vehicle. Fire Chief Guintini explained how they currently work with and maintain the vehicle and referenced the current strike team assignments that went out using this vehicle.

Motion by Lewis, seconded by Silveira to approve the Agreement by and between CAL Office of Emergency Services (OES) and the Los Banos City Fire Department for Temporary Assignment of Vehicular Equipment for an Additional Ten (10) Years as submitted and authorize the Fire Chief to execute the agreement. The motion carried by the affirmative action of all City Council Members present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF APPROVAL OF CONDITIONAL USE PERMIT #2014-09 FOR THE USE OF A TYPE 20 ALCOHOL LICENSE FOR THE OFF-SALE OF BEER AND WINE FOR MI BARRIO FOOD & GAS MART LOCATED AT 403 N. MERCY SPRINGS ROAD, ASSESSOR’S PARCEL NUMBER 082-072-024; CITY COUNCIL RESOLUTION NO. 5598 – APPROVING CONDITIONAL USE PERMIT #2014-09 FOR THE OFF-SALE OF BEER AND WINE FOR MI BARRIO FOOD & GAS MART LOCATED AT 403 N. MERCY SPRINGS ROAD. Assistant Planner II Elms presented the staff report.

Council Member Lewis inquired as to the beer and wine being kept in specific locations on the floor plan for which is not clear and Assistant Planner II Elms explained exactly where the beer and wine is to be located. Council Member Lewis inquired as to if we can be more specific and real clear in the conditions of approval as it pertains to alcohol displays and inquired as to condition of approval #1 stating she is concerned that they may come at a later date to put fuel at this convenient store.

Mayor Villalta opened the public hearing. JAY VIRK, Project Applicant, spoke regarding his goals for the sight and the community and how he is hoping to provide groceries to the local area, especially to those who are walking to the shop and he does plan to expand to a gas station in the future in addition to the vacant land he owns adjacent to the property, inquired as to what the is reason behind the minimal 4-pack and requested that the condition be waived as it will be a major problem for him, asked that the language surveillance language requirement on the beer doors be changed or removed. Assistant Planner II Elms stated that is was a staff decision. COUNCIL MEMBER LEWIS asked how many other stores the applicant has, for which the applicant answered with none but stated he has done many start ups. Council Member Lewis inquired as to if the applicant had spoken to those in the surrounding area for which the applicant answered he had indeed spoken to those in the surrounding area and explained the comments he received and spoke to the conversations between his business and the church and the security measures he has in place. RUBEN SANTOS, Los Banos, would like to know if there is a list of how many establishments sell beer and wine already, because at some point we are going to have Circle K come in and want to sell beer and wine, and Rite Aid too, he hopes Los Banos does not become a City that

allows more and more businesses like this, don't businesses like this add more problems for the Police Department. No one else came forward to speak and the public hearing was closed.

Council Member Stonegrove inquired as to the condition of nothing smaller than a 4-pack and if that is a condition on the Circle K across the street. Assistant Planner II Elms stated this condition is usually seen in the bigger stores such as Wal-Mart and Dollar General. Council Member Stonegrove stated she feels that it is only fair to allow Mi Barrio to do the same as Circle K and to waive the condition regarding 4-packs. Mayor Villalta asked if this would be the bar set by staff now and for all future businesses and Assistant Planner II Elms answered yes it would. City Attorney Vaughn stated he is looking for the clear understanding of the language that the applicant is proposing on the beer doors and the applicant stated he wanted the language to read "for recording purposes only". Council Member Lewis spoke regarding Condition No. 13, approval of floor plan and how she feels we should specifically state where the items are to be located and no alcohol on the outsides of the building. Assistant Planner II Elms stated that it is noted on the map that should have been labeled Exhibit D. Mayor Villalta stated that he voted on the proposed Circle K across the street and just does not feel like he can approve this because it just doesn't seem right to him. Council Member Lewis stated she has a history of not voting for alcohol licenses when businesses are close to schools and churches, concerned that the applicant did not speak to the Pastor of the church nearby, previous business have had many problems with alcohol sales, she does not see that this a necessity and a convenience, and she can't consciously approve this because of the proposed approved Circle K across the street. Council Member Silveira stated he feels the applicant has made a big investment in the store and is in favor of passing this and gets that there is a lot of social issues that come along with selling alcohol, feels that it is a convenience as many people in the neighborhood walk to the store, it is a big part of the business, to just say no you will be putting a business owner out of business, aren't we are all about small business and promoting small business, does not support the change of 4-pack. Council Member Stonegrove stated she hears a lot from this Council about how we are trying to be a business friendly community and how she doesn't understand the logic in denying this application tonight, especially because the other convenience stores are allowed to sell alcohol and to not allow this applicant is not fair; does this mean any future gas stations will not be able to sell alcohol, feels that they should be held to the same standard, she'll compromise on the 4-pack condition. Council Member Faria spoke regarding how he's gone into a business where beer and wine was sold before and how he is ok with the new bar being set at a 4-pack minimum. City Attorney Vaughn spoke to item 5, on Exhibit B – Findings for Approval of Conditional Use Permit #2014-09, "the proposed use has been deemed a public convenience or necessity by the Los Banos City Council." Council Member Stonegrove inquired as to the reasoning behind the 4-pack minimum for which City Manager Carrigan explained that there would be no more selling of singles after going through the Circle K application and it is not a reflection on this applicant or location. Ms. Stonegrove inquired as to if it is an attempt to limit drunk driver and loitering for which Mr. Carrigan stated that staff is just trying to raise the bar. City Attorney Vaughn noted that the single sale of alcohol is so that they

don't buy a single and jump in their car and that most people who buy singles it is for immediate consumption. Assistant Planner II Elms stated that it is easy to conceal a single than a 4 pack and perhaps steal. Council Member Silveira agrees that in the future we could in some way ask the applicants to state their intentions all the way through and inquired as to why a 4-pack and not a 3-pack, because he's never seen a 4-pack of beer but he has seen a 3-pack. Council Member Lewis stated that she agrees that when a business comes in to an existing businesses that their intentions should be clearly stated in the beginning. Council Member Faria stated that why not set the minimum at a 4-pack of wine and a 3-pack beer.

JAY VIRK, applicant, stated that Circle K is not here and he is, on his initial application he did state that he was going to sell alcohol and gas, he is a full on convenience store, beer and wine is not the only item of sale, he did speak to the pastor of the church about his plans for his business, spoke regarding the 4-pack/3-pack and his ideologies, and how he is off the main street and is off the census tract.

Motion by Silveira, seconded by Stonegrove to adopt City Council Resolution No. 5598 – Approving Conditional Use Permit #2014-09 for the Off-sale of Beer and Wine for Mi Barrio Food & Gas Mart Located at 403 N. Mercey Springs Road with the following changes to the Condition #13 to add only to “. . . displayed only in the areas shown”, the noting of Exhibit D and Condition #15 to change the word surveillance to recording, and change Condition #7 to a minimum 4-pack to 3-pack. The motion carried by the following vote: AYES: Faria, Silveira, Stonegrove; NOES: Lewis, Villalta; ABSENT: None.

A short recess was taken at 8:31 PM. The meeting reconvened at 8:40 PM.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AN APPEAL OF THE LOS BANOS PLANNING COMMISSION APPROVAL OF MITIGATED NEGATIVE DECLARATION (MND) SCH#2014011068 AND TENTATIVE TRACT MAP #2013-01 FOR AMG & ASSOCIATES, FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF WILLMOTT AVENUE AND NORTH STREET, ASSESSOR'S PARCEL NUMBER 082-050-066; CITY COUNCIL RESOLUTION NO. 5599 – DENYING THE APPEAL FROM THE LOS BANOS UNIFIED SCHOOL DISTRICT AND UPHOLDING THE DECISION OF THE LOS BANOS PLANNING COMMISSION AND APPROVING MITIGATED NEGATIVE DECLARATION (SCH #2014011068) AND APPROVING TENTATIVE TRACT MAP #2013-01 FOR AMG & ASSOCIATES. Assistant Planner II Elms presented the staff report.

Council Member Silveira inquired as to if there were any comments received, for which Assistant Planner II Elms stated there were not.

Mayor Villalta asked for any open testimony from the LBUSD. No one came forward.

Mayor Villalta asked the representative from AMG to speak. Alexis Kovorkin stated that he feels he has met all the requirements, staff has been very helpful, his subdivision is

by right and in compliance, and how he is asking for the entitlement and hopes it get approved.

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

Mayor Villalta asked AMG if he wanted to make any final comments. Alexis Kovorkin stated that he wanted to thank the City Attorney and staff for doing a great diligent job, they left no stone unturned.

Council Member Silveira stated that it is a little frustrating that the City has spent a lot of time and money for this appeal tonight, as has the applicant, and it is disheartening that the folks that brought this appeal forward didn't even show up tonight.

Villalta stated that Los Banos Unified School District Superintendent Tietjen called and stated that they would not be here this evening.

Motion by Silveira, seconded by Lewis to adopt City Council Resolution No. 5599 – Denying the Appeal from the Los Banos Unified School District and Upholding the Decision of the Los Banos Planning Commission and Approving Mitigated Negative Declaration (SCH #2014011068) and Approving Tentative Tract Map #2013-01 for AMG & Associates. The motion carried by the affirmative action of all City Council Members present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF LEVYING PROPERTIES FOR WEED ABATEMENT SERVICES PERFORMED DURING THE FISCAL YEAR 2013/14 OR PRIOR FOR AREAS OF LAND LOCATED IN THE CITY OF LOS BANOS, MERCED COUNTY AS FOLLOWS: ASSESSOR PARCEL NUMBERS 026-082-022, 082-357-012, 025-101-006, 027-081-007, 027-031-032, 025-103-004, 027-053-001, 027-161-040, 027-055-019, 027-086-009; CITY COUNCIL RESOLUTION NO. 5600 – AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR WEED ABATEMENT WITHIN THE CITY OF LOS BANOS.

Finance Director Williams presented the staff report.

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

Motion by Faria, seconded by Lewis to adopt City Council Resolution No. City Council Resolution No. 5600 – Authorizing the Levy and Collection of Assessments for Weed Abatement within the City of Los Banos. The motion carried by the affirmative action of all City Council Members present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF APPROVAL OF AN URGENCY ORDINANCE OF THE CITY OF LOS BANOS CHANGING THE IRRIGATION RESTRICTION SCHEDULE FROM THREE (3) DAYS TO TWO (2) DAYS AND MAKE THE SCHEDULE YEAR ROUND DUE TO PUBLIC HEALTH, SAFETY AND WELFARE AS A RESULT OF THE STATEWIDE DROUGHT;

ORDINANCE NO. 1120 – AMENDING TITLE 10 CHAPTER 2 SECTION 10-2.03.10 (A)(2) OF THE LOS BANOS MUNICIPAL CODE REGARDING SCHEDULING OF LANDSCAPE IRRIGATION (URGENCY ADOPTION). Public Works Director/City Engineer Fachin presented the staff report.

Mayor Villalta inquired as to if this includes every use, commercial and residential; for which Public Works Director/City Engineer Fachin stated yes. Council Member Lewis inquired as to if this restriction is forever or does the State have any leeway to remove this restriction; for which Public Works Director/City Engineer Fachin replied that the State is 240 days after adoption of the new regulation, we have been in compliance with mandates to date, and how we need to look at many ways to keep the aquifer filled. Council Member Lewis inquired as to if staff is going out to give warnings and could the City be fined. Public Works Director/City Engineer Fachin stated that yes they will be giving warnings and the City could be fined up to \$10,000 a day if they are not in compliance. City Manager Carrigan stated that the new restriction is essentially going from allowing 3 days of watering to 2 days, there will be information the utility bills regarding this, and if you need help with your timers call Public Works 827-7056. Council Member Silveira stated that it is important that we are doing this, but he would ask that we give out warnings first and fine those who don't adhere to the warnings.

Mayor Villalta opened the public hearing. KATHY BALLARD, Los Banos, spoke to how her neighbors are abusing water, this regulation needs to be reinforced throughout Los Banos, noting the Los Banos Unified School District and their watering practices and will they be fined. Public Works Director/City Engineer Fachin explained how their situation is different because it is hard for them to water their large green areas when because of the school schedule. Ms. Ballard feels that everyone needs to be treated the same and the amount of water that she sees the schools use is beyond normal. No one else came forward to speak and the public hearing was closed.

Motion by Silveira, seconded by Faria to waive the reading of the Urgency Ordinance No. 1120 – Amending Title 10 Chapter 2 Section 10-2.03.10 (a)(2) of the Los Banos Municipal Code Regarding Scheduling of Landscape Irrigation. The motion carried by the affirmative action of all City Council Members present.

Motion by Silveira, seconded by Faria to adopt Urgency Ordinance No. 1120 – Amending Title 10 Chapter 2 Section 10-2.03.10 (a)(2) of the Los Banos Municipal Code Regarding Scheduling of Landscape Irrigation. The motion carried by the following roll call vote: AYES: Faria, Lewis, Silveira, Stonegrove, Villalta; NOES: None; ABSENT: None.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF APPROVAL OF AN ORDINANCE TO INDEFINITELY SUSPEND THE COLLECTION OF ALL REGIONAL TRANSPORTATION IMPACT FEES (RTIF) ESTABLISHED BY ORDINANCE NO. 1031; ORDINANCE NO. 1121 – INDEFINITELY SUSPENDING THE COLLECTION OF REGIONAL TRANSPORTATION IMPACT FEES ESTABLISHED BY ORDINANCE NO. 1031 AS AMENDED AND CODIFIED IN TITLE 3 CHAPTER 18

OF THE LOS BANOS MUNICIPAL CODE. (FIRST READING & INTRODUCTION)

Public Works Director/City Engineer Fachin presented the staff report.

Mayor Villalta opened the public hearing. KATHY BALLARD, Los Banos, stated that a long time ago she was told that the original fee was to collect Regional Fees for regional projects and doesn't feel that the funds are going to regional projects, this is something that we should get rid of and doesn't feel that Los Banos will ever benefit from contributing to these fees. No one else came forward to speak and the public hearing was closed.

Motion by Faria, seconded by Lewis to waive the first reading of Ordinance No. 1121 – Indefinitely Suspending the Collection of Regional Transportation Impact Fees Established by Ordinance No. 1031 as Amended and Codified in Title 3 Chapter 18 of the Los Banos Municipal Code. The motion carried by the affirmative action of all City Council Members present, Stonegrove voting No.

Motion by Faria, seconded by Lewis to introduce Ordinance No. 1121 – Indefinitely Suspending the Collection of Regional Transportation Impact Fees Established by Ordinance No. 1031 as Amended and Codified in Title 3 Chapter 18 of the Los Banos Municipal Code. The motion carried by the following roll call vote: AYES: Faria, Lewis, Silveira, Stonegrove, Villalta; NOES: Council Members Silveira, Stonegrove; ABSENT: None.

Mayor Villalta spoke regarding there being a Special Meeting of the MCAG Board and understands our concerns with the fee structure and how they are talking about it at least and that is a positive on their part.

SUBMISSION OF BY-DISTRICT METHOD ELECTION OF CITY COUNCIL MEMBERS TO THE VOTERS PURSUANT TO CALIFORNIA GOVERNMENT CODE § 34871 AND APPROVAL OF BALLOT ARGUMENT IN FAVOR; CITY COUNCIL RESOLUTION NO. 5601 – CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY A MEASURE TO ESTABLISH ELECTORAL DISTRICTS FOR ELECTION OF MEMBERS OF THE LOS BANOS CITY COUNCIL BY DISTRICTS AND ELECTION OF THE MAYOR OF LOS BANOS CITY-WIDE, AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF MERCED, CALIFORNIA, TO PROVIDE FOR THE CONSOLIDATION OF THE SPECIAL BALLOT MEASURE ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 4, 2014, PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE; CITY COUNCIL RESOLUTION NO. 5602 – APPROVING AND SUBMITTING A BALLOT ARGUMENT IN FAVOR OF A MEASURE TO ESTABLISH ELECTORAL DISTRICTS FOR ELECTION OF MEMBERS OF THE LOS BANOS CITY COUNCIL BY DISTRICTS AND ELECTION OF THE MAYOR OF LOS BANOS CITY-WIDE, TO BE VOTED ON NOVEMBER 4, 2014, PURSUANT TO SECTION 9282(B) OF THE ELECTIONS CODE.

City Manager Carrigan presented the staff report. City Attorney Vaughn stated that in terms of Resolution No. 5602, two (2)

representatives of the City Council need to be designated to sign the rebuttal argument if needed.

Council Member Stonegrove happy to support the proposed map/boundaries even though she previously supported another map/boundaries at earlier meetings.

Motion by Faria, seconded by Stonegrove to adopt City Council Resolution No. 5601 – Calling and Giving Notice of a Special Municipal Election to be Held on Tuesday, November 4, 2014, for the Submission to the Qualified Voters of the City a Measure to Establish electoral Districts for election of members of the Los Banos City Council By Districts and Election of the Mayor of Los Banos City-wide, and Requesting the Board of Supervisors of the County of Merced, California, to Provide for the Consolidation of the Special Ballot Measure Election with the Statewide General Election to be Held on November 4, 2014, Pursuant to Section 10403 of the Elections Code. The motion carried by the affirmative action of all City Council Members present.

Council Member Silveira inquired as to why the two (2) Council Members needed to be named and City Attorney Vaughn explained that they will be the signers for the City Council on the rebuttal to the argument in opposition to the measure if any are filed.

Motion by Faria, seconded by Silveira to adopt City Council Resolution No. 5602 – Approving and Submitting a Ballot Argument in Favor of a Measure to Establish Electoral Districts for Election of Members of the Los Banos City Council by Districts and Election of the Mayor of Los Banos City-Wide, to be Voted on November 4, 2014, Pursuant to Section 9282(B) of the Elections Code, noting that Council Members Faria and Silveira as rebuttal authors if necessary. The motion carried by the affirmative action of all City Council Members present.

ADVISEMENT OF PUBLIC NOTICES. (TWO REPORTS) Assistant Planner II Elms reported that there will be two Public Hearings held by the Los Banos Planning Commission at their August 3, 2014 Planning Commission as follows: 1) To consider a Conditional Use Permit for a small collection recycling facility, Morfin's Recycling Center, located at 745 W. Pacheco Boulevard, Assessor's Parcel Number 027-171-011; and 2) a Mobile Vendor Permit to allow the operation of a mobile trailer, Alfonso Valenzuela dba Tacos Y Mariscos El Phebe, to vend on private property located at 840 H Street, Assessor's Parcel Number 025-114-019.

CITY MANAGER REPORT. City Manager Carrigan spoke regarding fireworks and he plans to report back on that topic at a later date and made note of the great work the Public Works employees are doing all around the City.

CITY COUNCIL MEMBER REPORTS.

SCOTT SILVEIRA: Stated that by the time we have our next City Council Meeting school will have started and the summer flew by, everyone be careful of the kids out and about, good luck to Council Members Faria and Stonegrove, teachers going back to school.

ELIZABETH STONEGROVE: Announced that the City is hosting another Graffiti Clean Up Day on August, 2014 at 8:00 a.m. and reminded all about the upcoming Movie Night showing of “Goonies” on August 22, 2014 at the Henry Miller Plaza.

TOM FARIA: Thanked Public Works Director/City Engineer Fachin for the road repairs around town (fog seals), spoke regarding the nice evening at the Wine Stroll with live music and live people, how he had a chance to get to a couple new restaurants in town Playa Azul and the New Courthouse Diner, how school starts next week so plan your travel plans accordingly, deer hunting season starts this Saturday, and have a good school year, hunting season and Fall.

DEBORAH LEWIS: Spoke regarding the Veterans Day Parade planned for November 8, 2014, the planning meeting on August 14, 2014 and for anyone interested please attend, how on September 3, 2014 Pastors in Los Banos are going to have a Prayer Walk, how the resident came forward to register complaints about his neighborhood especially dogs barking and how there have been recommendations on improving our Animal Control Division from the City of Turlock in an effort that our residents will be happier with the way animals are treated, she thanked our staff who work so tirelessly.

MAYOR MICHAEL VILLALTA: spoke regarding how Senator Canella is working to help Los Banos with water issues, a couple of years ago we were losing our local EDD office, it was suggested that we combine EDD and WorkNet into one office and how the WorkNet office has been revamped to help those that used to go to the EDD, he is happy to announce that as of today the EDD office is open again 5 days a week at WorkNet thanks to Senator Cannella and Assembly Member Gray, how he attended the National Night Out Event and ask Police Chief Brizzee to come forward and speak about the community event held last night. Mayor Villalta spoke regarding the library and encouraged all to stop by and see the mural.

ADJOURNMENT. The meeting was adjourned at the hour of 10:04 p.m.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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