

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
MARCH 4, 2015**

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 Meeting to order at the hour of 7:00 PM.

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 I Brazil, Police Chief Brizzee, Fire Chief Marrison, Finance Director Williams, Public Works Director/City Engineer Fachin, Information Technology Director Spalding, Assistant Planner II Elms.

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

PRESENTATION – PROCLAMATION RECOGNIZING GIRL SCOUTS MAKE THE WORLD A BETTER PLACE WEEK, MARCH 8-14, 2015. Mayor Villalta presented the proclamation to the Girl Scouts in attendance.

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.) ERIK LIMON, Los Banos resident and representing Republic Services/Allied Waste Management, spoke regarding the Annual Spring Cleanup Day being held on March 28, 2015; BERTHA FARIA, Los Banos resident and representing the Los Banos Chamber of Commerce, spoke regarding Arbor Day on March 6, 2015 and the Pancake Breakfast, upcoming planned events going on at the Los Banos Arts Council, the Los Banos Unified School District ground breaking celebration for the new Junior High School on March 9, 2015, the Los Banos Soroptimist Live Your Dreams Contest, Leaders Luncheon on March 12, 2015 at M&M Restaurant, March 19, 2015 Women's Safety in

the Workplace Event at Espana's Restaurant, Annual Downtown Spring Fair being held on April 18, 2015, and encouraged businesses to become members of the Los Banos Chamber of Commerce. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Faria, seconded by Silveira to approve the consent agenda as amended: Check Register for #151874 – #152103 in the Amount of \$2,719,251.68; Minutes for the February 18, 2015 City Council Meeting; Los Banos Unified School District Street Closure Request for Prairie Springs Road East of Badger Flat Road for the Groundbreaking Ceremony of the New Junior High School from 4:00 PM to 6:30 PM on Monday, March 9, 2015; Street Closure/Parade Request from the Merced County Spring Fair for the Following Streets Surrounding the Fairgrounds to be Closed from 8:00 AM Monday, April 27, 2015 until Midnight, Sunday, May 3, 2015: 3rd Street from E Street to D Street, D Street from 3rd Street to North Street, North Street from C Street to D Street, F Street from 3rd Street to 5th Street, 4th Street from G Street to F Street and Permission to Use City Streets on Saturday, May 2, 2015 for the Annual May Day Parade; City Council Resolution No 5639 – Authorizing the Release of Unclaimed Checks Pursuant to California Government Code Section 50050 and 50053 to the City of Los Banos; City Council Resolution No. 5640 – Awarding the Bid for the Lease of One (1) New 2015/2016 Model Aerial Truck and Authorizing the Public Works Director/City Engineer to Enter into the Lease Agreement; City Council Resolution No. 5641 – Authorizing Entering into a First Amendment between the City of Los Banos and Marlene Pennington for Rental of the Ranchwood Park Facility. The motion carried by the affirmative action of all City Council Members present.

PUBLIC HEARING – ANNUAL REVIEW OF THE FOLLOWING DEVELOPMENT AGREEMENTS, PURSUANT TO SECTION 65865.1 OF THE CALIFORNIA GOVERNMENT CODE: STONECREEK PRE-ANNEXATION, VILLAGE GREEN, VILLAGES AT STONECREEK IIA & III, NORTHGATE AT REGENCY PARK II, VILLA BURANO PRE-ANNEXATION, AMG PRE-ANNEXATION, ORCHARD TERRACE II, THE PROVINCES, VILLAGES AT STONECREEK IV, MISSION VILLAGE SOUTH, QUAIL MEADOWS AT STONECREEK, AM/PM MCDONALDS PRE-ANNEXATION, EAST MERCY SPRINGS, SPADAFORE-GINANONNE PRE-ANNEXATION, THE VILLAS, NORTHGATE AT REGENCY PARK, SHAUNESSY VILLAGE, RONNY'S PRE-ANNEXATION. (CONTINUED FROM FEBRUARY 4, 2015); CITY COUNCIL RESOLUTION NO 5642 – APPROVING THE ANNUAL REVIEW OF DEVELOPMENT AGREEMENTS AND FINDING GOOD FAITH COMPLIANCE WITH THE TERMS AND CONDITIONS OF SAID DEVELOPMENT AGREEMENTS. Assistant Planner II Elms presented the staff report, which included a PowerPoint presentation.

There was Council Member and staff discussion regarding this being an annual presentation that will be given in January of every year from here on out, spoke of how the City has had about 40 new home permits pulled this year so far, how the City has nineteen parks and three water catch basins and going into the 5th year of a drought and if can we legally do anything to work with these developers to reduce the planned

parks, what in lieu fees are paid for parks, and how staff is looking at the park issue but park basins cannot be eliminated as it is set by a City's Master Water Plan.

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 approve City Council Resolution No 5642 – Approving the Annual Review of Development Agreements and Finding Good Faith Compliance with the Terms and Conditions of Said Development Agreements. The motion carried by the affirmative action of all City Council Members present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF ADOPTION OF A NEW DONATION/COLLECTION BOXES PERMIT FEE; CITY COUNCIL RESOLUTION NO 5643 – ESTABLISHING PERMIT FEES FOR THE ADMINISTRATION AND ISSUANCE OF DONATION/COLLECTION BOXES.

Assistant Planner II Elms presented the staff report.

There was Council Member and staff discussion regarding how each box and location will have to be approved by the City, the current ones will need to apply for a permit, how it will be on a first come-first served basis and on per box, not location.

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

Assistant Planner II Elms stated that UsAgain, by email, supported approval of the resolution and fees.

Motion by Lewis, seconded by Silveira to approve City Council Resolution No 5643 – Establishing Permit Fees for the Administration and Issuance of Donation/Collection Boxes. The motion carried by the affirmative action of all City Council Members present.

City Council took a short recess.

CONSIDERATION OF THE ADOPTION OF CITY COUNCIL RESOLUTION NO. 5644 – ADOPTING A REVISED BUDGET FOR THE 2014/2015 FISCAL YEAR AS IT PERTAINS TO EXPENDITURES. Finance Director Williams presented the staff report, which included a PowerPoint presentation.

There was Council Member and staff discussion regarding the increase expenditures and if we need to increase revenues, how the Landscape & Lighting Districts (LLD) need to be straightened out and we need to come up with a plan, which districts are deficit spending and if they are built out or not, the contracts that are going to expire soon, if we could renegotiate LLDs with developers and how that would be possible, how a district does not expire, if there any LLDs moving in the opposite direction

(excess funds), and if so it was explained that those excess funds were used for planned special projects.

Motion by Silveira, seconded by Stonegrove to approve City Council Resolution No. 5644 – Adopting a Revised Budget for the 2014/2015 Fiscal Year as it Pertains to Expenditures. The motion carried by the affirmative action of all City Council Members present.

PRESENTATION REGARDING THE NEW LOS BANOS AIRPORT SITE SELECTION AND CONCEPT STUDY UPDATE. Public Works Director/City Engineer Fachin presented the staff report, introduced Robert Wadell who spoke in more detail to the New Los Banos Airport Site Selection Concept Study which included a PowerPoint presentation.

City Manager Carrigan thanked Mr. Wadell for his presentation, stressing what a big deal this is, one of the most important projects we are working on because it would free up land for a regional hospital. Mayor spoke regarding the need for a regional hospital/medical facility in Los Banos and how Merced County approved the study for the proposed Industrial Park in Los Banos.

Informational item only, no action taken.

ADVISEMENT OF PUBLIC NOTICES. (THREE REPORT) Assistant Planner II Elms stated that there will be three (3) public hearings at the March 11, 2015 Planning Commission Meeting to consider: a Variance for noise associated with construction of the Los Banos Courthouse Project, located at 1159 G Street, APN 026-161-007; recommendation to the Los Banos City Council a General Plan Amendment #2015-01, Zone Change #2015-01, and Tentative Parcel Map #2015-01 for Habitat Humanity Westside Merced County, Inc. located on M Street at APN 026-044-012, 013, and 014; and recommendation to the Los Banos City Council to adopt a new update to the Mobile Vendor Ordinance located in Title 9, Chapter 3, Article 36 of the Los Banos Municipal Code.

CITY MANAGER REPORT. City Manager Carrigan stated that citizens are still not adhering to the watering schedule: odd numbered addresses on Saturdays and Tuesdays, even numbered addresses on Sundays and Wednesdays all before and after the hours of 11 AM and 7 PM, how we have a lot of jaywalkers and encouraged citizens to us the crosswalks, and thanked the Girl Scouts for coming to the meeting and the cookies.

CITY COUNCIL MEMBER REPORTS.

DEBORAH LEWIS: Spoke regarding how the Knights of Columbus had their free throw contest on February 21, 2015 and how fun the event was, thanked the Finance staff for what they do, how the Girl Scouts participated with re-barking of one of the parks in Los Banos which was a lot of fun, how they did a great job, she is really proud of them and

thanked them for the work and for the work their leaders do, she also thanked them for the cookies.

SCOTT SILVEIRA: Thanked the Girl Scouts for the cookies and spoke regarding the upcoming May Day Fair being held April 29, 2015 – May 3, 2015.

ELIZABETH STONEGROVE: Reminded all about the upcoming Spring Clean Up Day on March 28, 2015, Arbor Day on March 6, 2015, congratulations to the Finance staff for their recent budget award, and thanked the Girl Scouts for the cookies.

TOM FARIA: Thanked the Girl Scouts for the cookies, congratulations to the Finance staff and thanked them for the updates they give, reminded all about the March 9, 2015 groundbreaking ceremony for the new Junior High School site, the upcoming Los Banos Chamber of Commerce Street Fair in April, and read an email from a real estate citizen, and thanked all for coming out to the Council Meeting tonight.

MAYOR MICHAEL VILLALTA: Thanked the Girl Scouts for the cookies, spoke regarding the upcoming Arbor Day event and breakfast, the March 19, 2015 Women's Workplace Safety Event at Espana's Restaurant, how Sunday is daylight saving time – spring forward, and asked Public Works Director/City Engineer Fachin to talk about the shopping carts issue around town and how a vendor will be working with the City to take care of the shopping cart situation, which he did. He thanked Police Chief Brizzee and Fire Chief Marrison for working on Code Enforcement issues throughout the city

ADJOURNMENT. The meeting was adjourned at the hour of 9:44 PM.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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