

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
APRIL 6, 2016**

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 7:01 p.m.

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

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 Clerk/Human Resources Director Mallonee, Interim City Manager Brizzee, Finance Director Williams, City Treasurer/Accountant I Brazil, Fire Chief Marrison, Senior Planner Elms, Public Works Director/City Engineer Fachin and Information Technology Director Spalding.

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

PRESENTATIONS

PROCLAMATION RECOGNIZING NATIONAL VOLUNTEER WEEK. Mayor Villalta presented the proclamation to the VITAL and Animal Control Volunteers in attendance and thanked them for all their dedicated hard work.

Mayor Villalta presented the award of Volunteer of the Year Award for VITAL to Yolanda Espino and presented her with a plaque and pin.

PROCLAMATION RECOGNIZING NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK. Mayor Villalta presented the proclamation to the Los Banos Police Dispatchers in attendance: Valerie Reyna, Nora Ramirez and Aundre Garcia and thanked them for the tremendous job they do.

Acting Police Chief Hedden also thanked the VITAL volunteers and Dispatchers for the great job they do.

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; 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.

SHIRLEY ROSE, Los Banos, spoke regarding the very important phone call she received regarding a police officer that is off on paid administrative leave for having relations with students at a local school; BERTHA FARIA, Los Banos Chamber Commerce, spoke regarding upcoming events: Spring Street Faire on April 9, 2016, VFW fundraiser for the Annual Veterans Day Parade at Carl's Jr., new Chamber membership, Chamber Mixer, Green Valley Charter School fundraiser; SANDY LEMAS, Los Banos, spoke regarding great volunteer opportunities in the community, Merced College Customer Service Academy Courses, Street Faire Community Service booth, the Love Los Banos Campaign and what it is all about with the planning meeting planned for April 13, 2016 at the Salvation Army, Bark in the Park, kick off to Earth Day on April 22, 2016, the planting in planters throughout downtown, how April 23, 2016 is the official celebration day of Love Los Banos, made note to state what an outstanding job Bertha Faria is doing as Executive Director of the 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 Lewis to approve the consent agenda as follows: Check Register for #158402 – #158700 in the Amount of \$1,211,528.68; Minutes for the March 16, 2016 City Council Meeting; Minutes for the March 22, 2016 Special City Council Meeting; Minutes for the March 25, 2016 Adjourned City Council Meeting; City Council Resolution No. 5734 – Consenting to the Inclusion of Properties within the Territory of the City in the California Statewide Communities Development Authority (CSCDA) Open PACE Programs; Authorizing the CSCDA to Accept Applications from Property Owners, Conduct Contractual Assessment Proceedings and Levy Contractual Assessments within the Territory of the City; and Authorizing Related Actions; City Council Resolution No. 5735 – Authorizing the City Manager to Execute a Professional Services Agreement with EMC Planning Group Inc. for the Preparation of a General Plan Amendment Supplemental Environmental Impact Report (EIR) and Adopting a Revised Budget for the Fiscal Year 2015-2016 as it Pertains to Increasing Expenditures in Community & Economic Development Department Professional Services in the Amount of \$18,465; City Council Resolution No. 5736 – Amending the Fiscal Year 2015-2016 Budget by Increasing Appropriation in Funds of the Landscape & Lighting Districts #11 and #17 for Street Light Repairs in the Amount of \$28,000 and \$22,000 Respectfully; City Council Resolution No. 5737 – Authorizing Award of Construction Contract for Jo-Lin Sewer Lift Station Rehabilitation to RTC Construction Management, Inc. in the Amount of \$215,602.90; City Council Resolution No. 5738 – Authorizing the Mayor to Execute a License Agreement Between the City of Los Banos and Taylor Wolfson for the Purpose of Affixing a Historical Mural to 1048 Sixth Street. The motion carried by the affirmative action of all City Council Members present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF ADOPTING AN ORDINANCE TO REGULATE AND CREATE A PROCESS FOR TEMPORARY USES ON PRIVATE PROPERTY IN THE CITY OF LOS BANOS; ORDINANCE NO. 1144 – REPEALING ARTICLE 38 CHAPTER 3 TO TITLE 9 OF THE LOS BANOS MUNICIPAL CODE AND ENACTING A NEW ARTICLE 38 CHAPTER 3 TO TITLE 9 OF THE LOS BANOS MUNICIPAL CODE ENTITLED TEMPORARY USES (SECOND READING & ADOPTION), CITY COUNCIL RESOLUTION NO. 5739 – ESTABLISHING PERMIT FEES FOR THE ISSUANCE OF TEMPORARY USE PERMITS. Senior Planner Elms presented the report which included a PowerPoint.

There was Council Member and staff discussion regarding the application for garage sales and how the red asterisks need to be filled out and what do they do if they do not have an email address.

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

Motion by Stonegrove, seconded by Lewis, to waive the second reading of Ordinance No. 1144 – Repealing Article 38 Chapter 3 to Title 9 of the Los Banos Municipal Code and Enacting a New Article 38 Chapter 3 to Title 9 of the Los Banos Municipal Code Entitled Temporary Uses. The motion carried by the affirmative action of all City Council Members present.

Motion by Stonegrove, seconded by Lewis, to adopt Ordinance No. Ordinance No. 1144 – Repealing Article 38 Chapter 3 to Title 9 of the Los Banos Municipal Code and Enacting a New Article 38 Chapter 3 to Title 9 of the Los Banos Municipal Code Entitled Temporary Uses. The motion carried by the following roll call vote: AYES: Faria, Lewis, Silveira, Stonegrove, Mayor Villalta; NOES: None; ABSENT: None.

Motion by Stonegrove, seconded by Lewis, to adopt City Council Resolution No. 5739 – Establishing Permit Fees for the Issuance of Temporary Use Permits. The motion carried by the affirmative action of all City Council Members present.

CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 5740 – REVISING THE SCHEDULE OF LANDSCAPE IRRIGATION FROM ONE (1) DAY A WEEK TO TWO (2) DAYS A WEEK. Public Works Director/City Engineer Fachin presented the report, noting that if approved this goes into effect immediately.

Motion by Silveira, seconded by Lewis, to adopt City Council Resolution No. 5740 – Revising the Schedule of Landscape Irrigation from one (1) Day a Week to Two (2) Days a Week. The motion carried by the affirmative action of all City Council Members present.

ADVISEMENT OF PUBLIC NOTICES (No Report).

CITY MANAGER REPORT. Interim City Manager Brizzee thanked the City Council for acknowledging the work the Dispatchers do for the community, they do a great job and are a fantastic group of individuals who do amazing work every day.

CITY COUNCIL MEMBER REPORTS.

DEBORAH LEWIS: Echoed the Interim City Manager's comments, congratulated VITAL and the Animal Shelter volunteers and thanked them for the great job they do, reminded all to spay and neuter your animals, thanked the Dispatchers for the great job they do, reminded residents of Republic Services Spring Cleanup Day on April 16, 2016, thanked Sandy Lemas for working so diligently on the Love Los Banos Campaign, how the City looks is very important to her, Love Los Banos planning is being held for the event on April 13, 2016 with the actual event on April 23, 2016.

SCOTT SILVEIRA: Passed on congratulations and thanks to all City volunteers, a special thank you to Finance Director Williams and Jerry Avalos for the tour of the new Los Banos Courthouse and what a true gem it will be, a beautiful facility, looking forward the grand opening, but he has a concern that they do not have enough parking, how good it is to see a blighted area getting cleaned up, reminded all about the upcoming Spring Clean Up Day, May Day Fair April 27-May 3, 2016 with passes and tickets already on sale, and he hopes to see everyone out at the fair.

ELIZABETH STONEGROVE: Thanked all the volunteers, VITAL and animal shelter, recognizing the countless hours they volunteer, and thanked the Dispatchers for the great job that they do.

TOM FARIA: Thanked the volunteers, nice to see the Girl Scouts here, a lot going on in Los Banos, Friday Open Mic Nights, Downtown Street Fair, Shrek the Musical event at Pacheco High School on April 21, 22, 23, 2016, Choir Concert at the Los Banos Arts Center on April 20, 2016 and how he appreciates everything that everyone is doing, and don't forget the Fair, proud to keep that going.

MAYOR MICHAEL VILLALTA: Stated that there are so many events in Los Banos and how the Los Banos Chamber of Commerce tracks events on their calendar that is their website, and encouraged everyone to contact the Los Banos Chamber of Commerce for the Customer Service Academy they are providing, spoke regarding upcoming events: Open Mic Nights, Downtown Street Fair this week and to please come out, how Rotary will be cooking to-order omelets, and encouraged all to continue to volunteer in your community it is well worth it.

CLOSED SESSION – PUBLIC EMPLOYEE EMPLOYMENT, CITY MANAGER, PURSUANT TO GOVERNMENT CODE SECTION 54957. This Closed Session was not held.

CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS, PURSUANT TO GOVERNMENT CODE SECTION 54957.6, AGENCY DESIGNATED REPRESENTATIVES: INTERIM CITY MANAGER BRIZZEE, 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) AND UNREPRESENTED MISCELLANEOUS EMPLOYEES. No reportable action.

ADJOURNMENT. The meeting was adjourned at 8:50 p.m.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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