

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
JANUARY 21, 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.

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, POLICE CHIEF BRIZZEE, FINANCE DIRECTOR WILLIAMS, LEGAL COUNSEL TUFFO; EMPLOYEE ORGANIZATIONS: LOS BANOS POLICE OFFICERS ASSOCIATION (LBPOA), LOS BANOS POLICE SERGEANTS ASSOCIATION (LBPSA), LOS BANOS POLICE DISPATCHERS/COMMUNITY SERVICES OFFICERS ASSOCIATION (LBPDCSOA), LOS BANOS FIRE FIGHTERS ASSOCIATION (LBFFA). No reportable action.

CALL TO ORDER: Mayor Villalta called the City Council Meeting to order at the hour of 7:01 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, Scott Silveira, Elizabeth Stonegrove, Mayor Michael Villalta; Absent: Deborah Lewis.

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, Lewis absent.

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.) BERTHA FARIA, Los Banos Chamber of Commerce, spoke regarding the upcoming ribbon cutting ceremonies and the new Chamber Members, how the Chamber calendars are

getting ready, the upcoming Spring Street Fair scheduled for April 8, 2015. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Silveira, seconded by Faria to approve the consent agenda as submitted: Check Register for #151140 – #151362 in the Amount of \$1,083,675.33; Second Quarter Investment Report for Fiscal Year 2014-2015; City Council Resolution No. 5635 – Authorizing the City Manager to Execute a Lease Agreement with Merced County Community Action Agency (MCCAA) for continued Use of the Los Banos Child Development Center. The motion carried by the affirmative action of all City Council Members present, Lewis absent.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AN ORDINANCE TO REGULATE UNATTENDED DONATION/COLLECTION BOXES; ORDINANCE NO. 1126 – ADDING ARTICLE 40 CHAPTER 3 TO TITLE 9 OF THE LOS BANOS MUNICIPAL CODE RELATING TO UNATTENDED DONATIONS BOXES (SECOND READING & ADOPTION). Assistant Planner II Elms presented the staff report and read a letter into the record from USAgain.

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

Motion by Silveira, seconded by Faria to waive the second reading of Ordinance No. 1126 – Adding Article 40 Chapter 3 to Title 9 of the Los Banos Municipal Code Relating to Unattended Donations Boxes. The motion carried by the affirmative action of all City Council Members present, Lewis absent.

Motion by Silveira, seconded by Faria to adopt Ordinance No. 1126 – Adding Article 40 Chapter 3 to Title 9 of the Los Banos Municipal Code Relating to Unattended Donations Boxes. The motion carried by the following roll call vote: AYES: Faria, Silveira, Stonegrove, Villalta; NOES: None; ABSENT: Lewis.

CONSIDERATION OF THE ADOPTION OF CITY COUNCIL RESOLUTION NO. 5636 – ESTABLISHING A COMPLIMENTARY TICKET DISTRIBUTION POLICY. City Attorney Vaughn presented the staff report.

There was Council Member and staff discussion regarding if this was for all tickets or just those over \$50 for which it was clarified all tickets.

Motion by Silveira, seconded Faria by to adopt City Council Resolution No. 5636 – Establishing a Complimentary Ticket Distribution Policy. The motion carried by the affirmative action of all City Council Members present, Lewis absent.

ADVISEMENT OF PUBLIC NOTICES. (NO REPORT)

CITY MANAGER REPORT. City Manager Carrigan spoke regarding how the annual homeless count will happen tomorrow, January 22, 2015 from 6:00-9:00 AM and the figures will be released in early February, how Allied Waste did something extraordinary by treating young man named Cole who has an keen interest in garbage trucks to a tour of the garbage truck, and how reporter for the Los Banos Enterprise David Witte will be moving on to the Lodi Sentinel and this will be his last City Council Meeting, wishing him all the best.

CITY COUNCIL MEMBER REPORTS.

SCOTT SILVEIRA: Thanked the Public Works crew who are working out in front of the Merced County Fire Department, how his High School History teacher in 9th grade, Mr. Frank Lemos, let him know that he watches all the City Council Meetings and said “hi” to Mr. Lemos.

ELIZABETH STONEGROVE: Stated that she attended the Martin Luther King Jr. Day March on January 19, 2015 and thanked the Kente Women’s Club and all those who put the event on and participated.

TOM FARIA: Spoke regarding the upcoming Chicken Drive Thru Dinner on January 29, 2015 to benefit the Choir.

DEBORAH LEWIS: Absent

MAYOR MICHAEL VILLALTA: Stated that he attended the Martin Luther King Jr. Day March as did Council Member Lewis, who is not feeling well tonight, and thanked the Kente Women’s Club for their work on the event.

ADJOURNMENT. The meeting was adjourned at the hour of 7:28 PM.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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