

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
MAY 20, 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, FINANCE DIRECTOR WILLIAMS, LEGAL COUNSEL TUFFO; EMPLOYEE ORGANIZATIONS: LOS BANOS POLICE DISPATCHERS/COMMUNITY SERVICES OFFICERS ASSOCIATION (LBPDCSOA), LOS BANOS FIRE FIGHTERS ASSOCIATION (LBFFA). Mayor Pro-tem Faria announced that the closed session was cancelled and not held.

CALL TO ORDER: Mayor Pro Tem Faria called the City Council Meeting to order at the hour of 7:00 p.m.

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

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Council Members Tom Faria, Deborah Lewis, Scott Silveira, Elizabeth Stonegrove; Absent: Mayor Michael Villalta.

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

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

PROCLAMATION RECOGNIZING NATIONAL PUBLIC WORKS WEEK: Mayor Pro-tem Faria presented the proclamation to Mike Hill, Jeff Bondi and Carlos Granillo, City of Los Banos Public Works employees.

CERTIFICATE OF RECOGNITION TO PACHECO HIGH SCHOOL INTERACT CLUB: Mayor Pro-tem Faria presented the certificate of recognition to Emily Shelburne, Pacheco High School Interact Club Advisor, along with one of the students who helped to restore the two City logos which were originally placed at the corners of Sixth Street and Pacheco Boulevard.

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 a neighbor that was repairing automobiles at his home whom she reported to the City for violating the City's Municipal Code, how the man obtained a restraining order on her and the judge threw it out, the neighbor stated to her that he was advised by the Police Department to obtain the restraining order, she feels like she can't call the Police Department any more on her neighbors because they may obtain a restraining order on her, doesn't know what this man is capable of next, wants to know what can be done about the issue; BERTHA FARIA, Los Banos Chamber of Commerce, spoke about the Chamber's annual beer booth at the Merced County Spring Fair, the Chamber recently held a lunch and learn seminar for labor law updates, currently planning the second annual Father's Day in the Park which will be held on Saturday, June 20, 2015 from 9:00 a.m. – 3:00 p.m. and the Lions Club will be serving breakfast in the recreation hall that morning, the Chamber is accepting applications for vendors of all kinds and car show enthusiasts, welcomed the most recent Chamber members Ray Walton of Legal Shield, Eduardo Coralis of Three Pop Kettle Corn, Segar's Printing and Paradise Tomato Kitchen, Rhonda Lowe currently working with the Chamber on the 2015 Tourism Guide which will showcase all of what Los Banos has to offer, anyone interested can contact Rhonda Lowe for further information.

No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Council Member Lewis requested that item 5B be removed from the consent agenda and discussed separately.

Motion by Lewis, seconded by Silveira to approve the consent agenda as follows: Check Register for #153083 – #153391 in the Amount of \$832,818.40; ~~Street Closure Request/Block Party for Saturday June 6, 2015 from 11:00 AM to 10:00 PM, on the 500 Block of Syrah Court;~~ The motion carried by the affirmative action of all City Council Members present, Villalta absent.

Chief Brizzee spoke regarding item 8B – Street Closure Request/Block Party for Saturday, June 6, 2015 from 11:00 AM to 10:00 PM – stating that the process has changed slightly in the last several months and how the City now requires insurance for these types of events, if the applicant does not provide the required insurance they will not be permitted to hold their event, how he is currently working in conjunction with the City Attorney to bring forth an Ordinance addressing special events.

Motion by Lewis, seconded by Silveira to approve the Street Closure Request/Block Party for Saturday, June 6, 2015 from 11:00 AM to 10:00 PM. The motion carried by the affirmative action of all City Council Members present, Villalta absent.

CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 5662 – CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY’S JURISDICTION IN THE CALIFORNIA HOME ENERGY RENOVATION OPPORTUNITY (HERO) PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING THE AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERTO. Finance Director Williams introduced Eve Perez, Director of Municipal Development for the HERO Program who presented the report.

City Manager Carrigan stated it is rare that he receives a request from every single Council Member regarding a program, thanked Ms. Perez for coming to present the information.

Council Member Lewis stated she was excited to see this program on the agenda, how Modesto started the program and saw how successful it was, inquired as to the pre-payment options, financing, if there is a prepayment penalty and how the impound account works. Ms. Perez stated there is no pre-payment penalty and explained how the financed amount would be added to the customer’s impound account if one existed and if not the customer would just pay the same way they pay their property taxes.

Council Member Silveira thanked Finance Director Williams for making sure everything was correct with this program, he would like to be a part of the education/training process so he can learn more about the program and answer questions from constituents who are contacting him.

Motion by Silveira, seconded by Lewis to adopt City Council Resolution No. 5662 – Consenting to the Inclusion of Properties within the City’s Jurisdiction in the California Home Energy Renovation Opportunity (HERO) Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving the Amendment to a Certain Joint Powers Agreement Related Thereto. The motion carried by the affirmative action of all City Council Members present, Villalta absent.

REVIEW OF INFORMATION TECHNOLOGY DEPARTMENT PROJECTS AND TASKS. Information Technology Director Spalding presented various projects his department has been working on and the projects they will work on in the future.

City Manager Carrigan thanked the IT Department for setting up a YouTube Channel and allowing citizens to watch the Council Meeting live on their handheld devices as well as previously held Council Meetings.

ADVISEMENT OF PUBLIC NOTICES (One Report). Assistant Planner II Elms stated that there will be one (1) public hearing at the May 27, 2015 Planning Commission Meeting to consider: a Conditional Use Permit to allow the use of a Type 41 Alcohol License for the on-sale of beer and wine in conjunction with an eating establishment, the Pizza Factory located at 2160 E. Pacheco Blvd., Suite K, more specifically described as Assessor’s parcel Number: 428-160-032.

CITY MANAGER REPORT. Reminded all there is a budget workshop on Tuesday, May 26, 2015; the Courthouse is under construction and the groundbreaking is June 19, 2015; May 29, 2015 from 10:00 a.m. – 2:00 p.m. is the Homeless Connect at Bethel Community Church; wished everyone a happy and safe Memorial Day weekend.

CITY COUNCIL MEMBER REPORTS.

SCOTT SILVEIRA: Announced the “Donate for Debbie” blood drive being held on June 8, 2015 at 2:00 p.m. at the O’Banion building, wants to get a time blocked out for a group of City employees to donate before the event begins; congratulations to Jacob Sawyer who is the newest member of the Los Banos Fire Department; Diane Neves of CASA (Court Appointed Special Advocates) asked him to call for people to donate their time to this cause, the goal is to have an advocate for each child and make a difference in their lives, CASA holds 2 fundraisers a year and one is coming up on September 12, 2015 so save the date; Happy Memorial Day everyone, be safe out there.

ELIZABETH STONEGROVE: Nothing to report.

DEBORAH LEWIS: Announced Memorial Day services are being held at the National Cemetery on Sunday, May 24, 2015 and at the local cemetery on Monday, May 25, 2015.

TOM FARIA: Spoke about the National Cemetery’s Memorial Day service stating the service is beautiful, the road is lined with American Flags and it will floor you, remember those who have fallen, happy Memorial Day weekend, be safe; Debbie Lozado will be singing Heart and Fleetwood Mac tunes at Father’s Day in the Park and Mejia Gomes will be singing, Vanessa Lovado and Kyle Chapman will be there as well; congratulations to Jacob Sawyer.

MAYOR MICHAEL VILLALTA: Absent.

ADJOURNMENT. The meeting at the hour of 8:12 p.m.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

/s/ Jana R. Sousa
Jana R. Sousa, Assistant City Clerk