

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
JUNE 17, 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 7:01 p.m.

PLEDGE OF ALLEGIANCE: Police Commander Reyna 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.

STAFF MEMBERS PRESENT: City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Police Commander Reyna, 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 FLAG DAY: Mayor Villalta presented the proclamation to Allan Cotta representing Los Banos Elks, Lodge #2510.

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. BERTHA FARIA, Los Banos Chamber of Commerce Executive Director and Los Banos resident, spoke regarding the new businesses in town and new Chamber members, the upcoming events being held, Salad Bar and Fashion Luncheon at the Elks Lodge, Los Banos Arts Council events, Father's Day in the Park on Saturday, June 20, 2015 with a breakfast being offered by Rotary; ERIK LIMON, Republic Services and Los Banos resident, spoke regarding disposing of different types of paint. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Lewis, seconded by Silveira to approve the consent agenda as follows: Check Register for #153606 – #153821 in the Amount of \$1,204,759.33; City Council Meeting Minutes for

April 15, 2015, May 6, 2015, May 20, 2015, June 3, 2015 and June 10, 2015; Measure P Oversight Committee Report; City Council Resolution No. 5664 – Adopting a Revised Budget for the 2014/2015 Fiscal Year as it Pertains to Expenditures and Revenues in the Police Department; City Council Resolution No. 5665 – Approving an Amendment to Division 1 – General, Division 2 – City Organization, Division 5 – Benefits, Division 5B – Sick Leave Policy of the City’s Policy & Procedures Manual. The motion carried by the affirmative action of all City Council Members present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDER ADOPTION OF A NEW UPDATE TO THE MOBILE VENDOR ORDINANCE LOCATED IN TITLE 9, CHAPTER 3, ARTICLE 26 OF THE LOS BANOS MUNICIPAL CODE.

Assistant Planner II Elms presented the staff report noting that this item is being continued to the July 1, 2015 meeting to allow staff to time to provide more research on additional questions.

There was Council Member and staff discussion regarding to the timeline for adoption with the new July 2015 introduction date and how it would affect the vendors of concern. Mayor Villalta opened the public hearing. No one came forward to speak.

Motion by Faria, seconded by Silviars to continue the public hearing to July 1, 2015. The motion carried by the affirmative action of all City Council Members present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT REGARDING THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG).

Police Commander Reyna presented the staff report.

There was Council Member and staff discussion regarding speed strips.

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

No action to be taken, just an opportunity for public comment.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF THE APPROPRIATION LIMITATION FOR THE 2015/2016 FISCAL YEAR (FY); CITY COUNCIL RESOLUTION NO. 5666 – SETTING THE TAX RELATED APPROPRIATION LIMIT IN COMPLIANCE WITH PROPOSITION 4 AND PROPOSITION 111 FOR THE 2015/2016 FY.

Finance Director Williams presented staff report.

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

Motion by Stonegrove, seconded by Silveira to adopt City Council Resolution No. 5666 – Setting the Tax Related Appropriation Limit in Compliance with Proposition 4 and Proposition 111 for the 2015/2016 FY. The motion carried by the affirmative action of all City Council Members present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF THE 2015/2016 FISCAL YEAR (FY) BUDGET; CITY COUNCIL RESOLUTION NO. 5667 – ADOPTING THE 2015/2016 FY BUDGET, INCLUDING EMPLOYEE SALARY SCHEDULE (DIVISION 4) OF LOS BANOS POLICY & PROCEDURES MANUAL.

City Manager Carrigan spoke regarding his thoughts on this year's budget. Finance Director Williams presented the staff report, which included a PowerPoint presentation.

There was Council Member and staff discussion regarding licenses and permits, how the City is sending Police Trainees to the Police Academy because of the struggles to hire a Police Officer through many recruitment efforts, increase in Code Enforcement staffing, the grant for an extra Code Enforcement Officer, the staff level in the Community & Economic Development Department compare to years past, and the Senior Planner position.

Mayor Villalta opened the public hearing. KATHY BALLARD, Los Banos, inquired as to the Animal Control on page 108 for which Finance Director Williams explained that it was combined with Code Enforcement. No one else came forward to speak and the public hearing was closed.

Council Member Silveira spoke regarding how this is a comfortable but cautious budget approach, water issues, appreciative to all the City employees and what they do, great job by the Finance staff on the budget, happy to see the extra things being done, and how we need to go down this road slowly.

Mayor Villalta spoke regarding the negative spending position he and Council Member Faria faced when they were first in office, how we are in a much better place financially and doing pretty well but we have to watch it closely.

Council Member Faria spoke to how a Government budget is like a turbo engine, how the economy lags in the recovery by about six months, great job by the Finance Department on the budget noting how the diligence, care and concern put into the budget is very much appreciated.

Council Member Lewis truly appreciates the conservative manner in which the Finance staff presents the budget to the City Council for approval.

Motion by Faria, seconded by Lewis to adopt City Council Resolution No. 5667 – Adopting the 2015/2016 FY Budget, Including Employee Salary Schedule (Division 4) of Los Banos Policy & Procedures Manual. The motion carried by the affirmative action of all City Council Members present.

CONSIDERATION OF INTRODUCTION OF ORDINANCE NO. 1131 – REORGANIZING TITLE 2 CHAPTER 1 OF THE LOS BANOS MUNICIPAL CODE AND RENUMBERING THE ARTICLE AND SECTION NUMBERS FOR ORDINANCE NO. 1123 FOR CODIFICATION PURPOSES. (FIRST READING & INTRODUCTION)

City Attorney Vaughn presented the staff report.

Motion by Silveira, seconded by Stonegrove to waive the first reading of Ordinance No. 1131 – Reorganizing Title 2 Chapter 1 of the Los Banos Municipal Code and Renumbering the Article and Section Numbers for Ordinance No. 1123 for Codification Purposes. The motion carried by the affirmative action of all City Council Members present.

Motion by Silveira, seconded by Stonegrove to introduce Ordinance No. 1131 – Reorganizing Title 2 Chapter 1 of the Los Banos Municipal Code and Renumbering the Article and Section Numbers for Ordinance No. 1123 for Codification Purposes. The motion carried by the following roll call vote: AYES: Faria, Lewis, Silveira, Stonegrove, Villalta; NOES: None; ABSENT: None.

ADVISEMENT OF PUBLIC NOTICES (Two Reports). Assistant Planner II Elms stated that there will be a Public Hearing at the June 24, 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 for China No. 1 Buffet located at 1313 E. Pacheco Boulevard, Suite A; to consider a Conditional Use Permit for an increase in maximum display area for one free standing sign for the property located at 1415 Badger Flat Road.

CITY MANAGER REPORT. City Manager Carrigan thanked the Finance staff for all their hard work – Martha Brazil, Kim Tomas, Rosemarie Souto, & Sonya Williams and wished all a happy Father's Day.

Mayor Villalta asked Fire Chief Marrison to come forward and speak about fireworks and the upcoming 4th of July season, for which he did. Fire Chief Marrison also spoke about dry landscaping which can be a fire hazard. City Manager Carrigan stated that he has spoken to Gene Lieb of the Los Banos Enterprise about putting a story together regarding safe and sane fireworks.

It was requested that a placeholder be put on the next agenda for a fireworks update.

CITY COUNCIL MEMBER REPORTS.

TOM FARIA: Asked the community to please be very careful this fire season with fireworks, spoke regarding the Flag Day ceremony held, how it is the anniversary of engagement day today for he and his wife Bertha, wished all a happy Father's Day, spoke regarding Father's Day in the Park and the events going on that weekend, the Los Banos Arts Theater program this weekend, Los Banos Courthouse groundbreaking on June 19, 2015 and wished for all to have a wonderful Father's Day weekend.

DEBORAH LEWIS: Wished every father out there a happy Father's Day, how it is a great honor and responsibility to be a great father; she would like to make a comment about our Finance Staff and the great job they did on the budget; commended Stacy Elms for taking time to get her degree, what a wonderful job she is doing and hats off to City Manager Carrigan for encouraging staff to get their degrees, congratulated the Golden State Warriors on their NBA championship – they worked hard for this.

SCOTT SILVEIRA: Thanked the Finance staff for the job they do, happy Father's Day and to have a great weekend, how on Flag Day he got invited to go over to Memorial Hospital to see the new mammography machine and how impressive it is.

ELIZABETH STONEGROVE: Thanked the Finance Department for putting the budget together – Sonya Williams, Martha Brazil, Kim Tomas and Rosemarie Souto and wished everyone a happy Father's Day.

MAYOR MICHAEL VILLALTA: Stated how nice it is to see the Flag Day tradition continue, very pleased that our City is doing as well as it is and it is only going to get better, thanked all who worked on the budget, spoke regarding the disposal of hazardous waste and asked Erik Limon to get with MCAG to see what services they are hosting here in Los Banos; he thanked all for those who sent their condolences and/or remembrances regarding his father's passing, it was much appreciated and overwhelming.

ADJOURNMENT. The meeting was adjourned at the hour of 9:13 p.m.

APPROVED:

/s/ Michael Villalta
Michael Villalta, Mayor

ATTEST:

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