



City of  
**Los Banos**  
At the Crossroads of California

[www.losbanos.org](http://www.losbanos.org)

**AGENDA**

**JOINT**  
**CITY COUNCIL AND**  
**REDEVELOPMENT AGENCY MEETING**

CITY HALL COUNCIL CHAMBERS  
520 J Street  
Los Banos, California

**APRIL 15, 2009**

*If you require special assistance to attend or participate in this meeting, please call the City Clerk's Office @ (209) 827-7000 at least 48 hours prior to the meeting.*

*The City of Los Banos complies with the Americans with Disabilities Act (ADA) of 1990.*

*Si requiere asistencia especial para atender o participar en esta junta por favor llame a la oficina de la Secretaria de la ciudad al (209) 827-7000 a lo menos de 48 horas previas de la junta.*

*La Ciudad de Los Banos cumple con la Acta de Americanos con Deshabilidad (ADA) de 1990.*

*Any writings or documents provided to a majority of the City Council / Redevelopment Agency regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 520 J Street, Los Banos, California during normal business hours. In addition, such writings and documents may be posted on the City's website at [www.losbanos.org](http://www.losbanos.org).*

*Cualquier escritura o los documentos proporcionaron a una mayoría de la City Council / Redevelopment Agency con respecto a cualquier artículo en este orden del día será hecho disponible para la inspección pública en la reunión y en la oficina del City Clerk del City Hall, 520 J Street, Los Banos, California durante horas de oficina normales. Además, tales escrituras y los documentos pueden ser anunciados en el website de la Ciudad en [www.losbanos.org](http://www.losbanos.org).*

1. CALL TO ORDER. **7:00 PM**
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL: (City Council and Redevelopment Agency Board Members)  
Faria \_\_\_\_, Sousa \_\_\_\_, Stone \_\_\_\_, Villalta \_\_\_\_, Jones \_\_\_\_
4. CONSIDERATION OF APPROVAL OF AGENDA.

5. PRESENTATIONS.

- A. Proclamation Recognizing the 10<sup>th</sup> Anniversary of Los Banos Volunteers for Animals.
- B. Proclamation Recognizing National Volunteer Week.
- C. Proclamation Recognizing the Week of the Young Child.

6. PUBLIC FORUM. (Members of the public may address the City Council / Redevelopment Agency Members on any item of public interest that is within the jurisdiction of the City Council / Redevelopment Agency; 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.)

7. CONSIDERATION OF APPROVAL OF CONSENT AGENDA. (Items on the Consent Agenda are considered to be routine and will be voted on in one motion unless removed from the Consent Agenda by a City Council / Redevelopment Agency Member.)

- A. Check Register for #115204 - #115429 in the Amount of \$1,150,913.16.

*Recommendation: Approve the check register as submitted.*

- B. Minutes for the April-1, 2009 City Council / Redevelopment Agency Meeting.

*Recommendation: Approve the minutes as submitted.*

- C. Rejection of Claims.

- 1) Los Banos Carrington Limited
- 2) Casey Hedden

*Recommendation: Rejection of claims with referral to claims adjustor.*

- D. Quarterly Investment Report for the Quarter Ending March 31, 2009.

*Recommendation: Approve the report as submitted.*

- E. Third Quarter Budget Review.

*Recommendation: Accept the review as submitted.*

- F. City of Los Banos 2007-2008 Fiscal Year Audit.

*Recommendation: Accept the audit as submitted.*

G. Public Works Capital Project Report for April 2009.

*Recommendation: Accept the report as submitted.*

H. City Council Resolution No. 5130 – Adopting the Vantagecare Health Savings Plan (HSP) Number 801838.

*Recommendation: Adopt the resolution as submitted.*

I. City Council Resolution No. 5131 – Approving a Grant Deed to the County of Merced and Accepting a Grant Deed from the County of Merced and Approving the First Amendment to Lease Agreement.

*Recommendation: Adopt the resolution as submitted.*

8. PUBLIC HEARINGS. (If you challenge the proposed action as described herein in court, you may be limited to raising only those issues you or someone else raised at the public hearing described herein or in written correspondence delivered to the City or Redevelopment Agency at, or prior to, the public hearing.)

A. Public Hearing – To Receive Comment on the City's Proposed Amendments to Chapter 18 of Title 3 of the Los Banos Municipal Code, Regional Transportation Impact Fee (RTIF).

1) Ordinance No. 1086 – Amending Chapter 18 of Title 3 of the Los Banos Municipal Code Relating to the RTIF. **(Second Reading & Adoption)**

*Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, waive the second reading, and adopt the ordinance as submitted.*

B. Public Hearing – To Receive Public Comment on the Consideration of an Ordinance Regulating State Video Franchisees within the City of Los Banos Implementing the Provisions of the Digital Infrastructure and Video Competition Act of 2006 (DIVCA).

1) Ordinance No. 1087 – Adding Chapter 19 to Title 3 of the Los Banos Municipal Code, Which Implements the Provisions of the DIVCA, Codified in California Public Utilities Code Section 5800 et seq., Which the City is Required to Administer and Enforce Throughout the City.

**(First Reading & Introduction)**

*Recommendation: Receive staff report, open the public hearing, receive public comment, waive the first reading, and introduce the ordinance as submitted.*

9. CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 5132 – AUTHORIZING THE CITY MANAGER TO EXECUTE A TEMPORARY OUT OF BOUNDARY WATER SERVICE AGREEMENT WITH THE HOUSING AUTHORITY OF THE COUNTY OF MERCED, UPON LOCAL AGENCY FORMATION COMMISSION (LAFCO) APPROVAL.

*Recommendation: Receive staff report and adopt the resolution as submitted.*

10. CONSIDERATION OF A REQUEST FROM STEVE KIM, SK BANOS, LLC FOR RESTRUCTURING OF A LOS BANOS REDEVELOPMENT AGENCY LOAN.

*Recommendation: Receive staff report and direction from Council on how to proceed.*

11. CONSIDERATION OF A REQUEST TO ADVERTISE FOR MERCED COUNTY MILLIKEN MUSEUM ADVISORY COMMITTEE VACANCIES.

*Recommendation: Receive staff report, authorize staff to advertise for letters of interest, and select a City Council Member to serve with the Mayor on the selection committee.*

12. CONSIDERATION OF A REQUEST TO EXTEND THE ADVERTISING FOR ECONOMIC DEVELOPMENT ADVISORY COMMITTEE (EDAC) MEMBERS.

*Recommendation: Receive staff report, authorize staff to advertise for vacancies, and select a City Council Member to serve with the Mayor on the selection committee.*

13. COUNCIL MEMBER AGENDA REQUESTS. (To see if there is a majority consensus to have staff expend time on the issue and to hear it at a future meeting.)

- A. Consider Request from Council Member Faria to Revise the Los Banos Municipal Code to Allow Limited Serving of Wine and Beer at Enclosed Sidewalk Restaurant to Help Revitalize our Downtown.

*Recommendation: Direction from the City Council on how to proceed.*

14. REDEVELOPMENT AGENCY UPDATE.

15. ADVISEMENT OF PUBLIC NOTICES. (One Report)

16. CITY MANAGER / EXECUTIVE DIRECTOR REPORT.

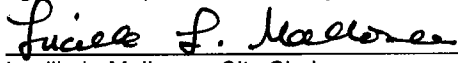
17. CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.

- A. Elizabeth Stone
- B. Mike Villalta
- C. Tom Faria
- D. Joe Sousa
- E. Mayor Tommy Jones

18. MISCELLANEOUS INFORMATION IN CITY COUNCIL PACKET, NO ACTION NECESSARY.

19. ADJOURNMENT.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.



Lucille L. Mallonee, City Clerk

Dated this 10<sup>th</sup> day of April 2009