



City of Los Banos

At the Crossroads of California

www.losbanos.org

AGENDA

JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY MEETING

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

NOVEMBER 19, 2008

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.

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.

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

5. 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.)

6. 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 #112554 - #112811 in the Amount of \$1,034,759.53.
Recommendation: Approve the check register as submitted.

 - B. Rejection of Claim – Michael B. Deldin.
Recommendation: Rejection of claims with referral to claims adjustor

 - C. Los Banos Chamber of Commerce Annual Christmas Parade & Street Closure Request In the Downtown Area, Including Parts of 6th, 5th, H, I, J, & K Streets from 5:00 p.m. to 9:00 p.m. on December 5, 2008.
Recommendation: Authorize parade and street closure request as submitted.

 - D. Re-appointment of Mark Bodley to Serve a Four (4) Year Term as the City's Representative on the Merced County Mosquito Abatement District Board of Trustees.
Recommendation: Approve the re-appointment as submitted.

 - E. City Council Resolution No. 5083 – Approving the Application for Grant Funds from the Bicycle Transportation Account (BTA).
Recommendation: Adopt the resolution as submitted.

 - F. City Council Resolution No. 5084 – Accepting Public Improvements for The Vineyard Unit 18 and Release of Associated Construction Bonds.
Recommendation: Adopt the resolution as submitted.

 - G. City Council Resolution No. 5085 – Accepting Public Improvements for Mission Village North Unit 4 and Release of Associated Construction Bonds.
Recommendation: Adopt the resolution as submitted.

- H. City Council Resolution No. 5086 – Approving the Annual Local Transportation Fund (LTF) Revised Claim to be Filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2008-2009.

Recommendation: Adopt the resolution as submitted.

- I. City Council Resolution No. 5087 – Approving the Installation of “No Truck Parking” Signs on the North and South Sides of H Street from Highway 152 and Seventh Street.

Recommendation: Adopt the resolution as submitted.

- J. City Council Resolution No. 5088 – Approving the Installation of Four-Way Stop Signs at the Intersection of Second Street and H Street.

Recommendation: Adopt the resolution as submitted.

- K. City Council Resolution No. 5089 – Amending the City’s Conflict of Interest Code.

Recommendation: Adopt the resolution as submitted.

- 7. CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 5090 ESTABLISHING THE PURPOSE, MEMBERSHIP, AND MEETING DATES OF THE CITY OF LOS BANOS EMERGENCY BUDGET FINANCE COMMITTEE.

Recommendation: Adopt the resolution as submitted and appoint two (2) Council Members to the Committee.

- 8. NOTICE & ANNOUNCEMENT OF COMMISSION VACANCIES – ONE (1) VACANCY ON THE AIRPORT COMMISSION EXPIRING DECEMBER 31, 2009 ONE (1) VACANCY ON THE CULTURE & THE ARTS COMMISSION, EXPIRING DECEMBER 31, 2010.

Recommendation: Authorization to advertise the vacancies.

- 9. REDEVELOPMENT AGENCY UPDATE.

- 10. ADVISEMENT OF PUBLIC NOTICES. (No Report)

- 11. CITY MANAGER / EXECUTIVE DIRECTOR REPORT.

- 12. CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.

- A. Joe Sousa
- B. Mike Villalta
- C. Anna Brooks

D. Tommy Jones

E. Tom Faria

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

14. ADJOURNMENT.

A. Adjourn to 4:00 p.m., Monday, December 1, 2008 to Attend a Rail Trail Corridor Regulating Code Workshop being held in the Council Chambers, 520 J Street, Los Banos, California.

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 14th day of November 2008

CK #112554 - # 112811 11/19/08 \$1,034,759.53

Bank Reconciliation

Checks By Date



City of
Los Banos
At the Crossroads of California

11/10/2008 - 3:38 PM

User: RSOUTO

Cleared and Not Cleared Checks

Check No	Check Date	Name	Comment	Module	Void	Clear Date	Amount
112554	10/30/2008	Pachetts Ford Mercury		AP			39,372.25
112555	10/31/2008	Scott Brady		AP			800.00
112556	10/31/2008	County Bank		AP			888.24
112557	10/31/2008	County Bank - Cafeteria Plan		AP			210,589.88
112558	10/31/2008	City of Los Banos Utility		AP			25,600.20
112559	10/31/2008	Linda Ellien		AP			409.50
112560	10/31/2008	Erler & Kalinowski Inc.		AP			4,289.54
112561	10/31/2008	Manual Tom Faria		AP			149.29
112562	10/31/2008	Ford Motor Credit		AP			5,274.95
112563	10/31/2008	Darrall Gargano		AP			263.04
112564	10/31/2008	James C Lopez		AP			252.00
112565	10/31/2008	Los Banos Chamber Of		AP			3,054.17
112566	10/31/2008	Los Banos Volunteer		AP			3,166.67
112567	10/31/2008	Los Banos Unified School		AP			729.47
112568	10/31/2008	Steve Macillas		AP			196.00
112569	10/31/2008	Adam Morales		AP	Void		400.00
112570	10/31/2008	Nashira Morales		AP			200.00
112571	10/31/2008	Sam Morales		AP			200.00
112572	10/31/2008	Gerald "Obie" O'Brien		AP			77.14
112573	10/31/2008	Jesse Olguin		AP			300.00
112574	10/31/2008	P G & E Company		AP			251,599.89
112575	10/31/2008	PERS - Public Employees		AP			118,096.83
112576	10/31/2008	Jerry Richard		AP			268.00
112577	10/31/2008	Ronny's Landscaping		AP			71,460.00
112578	10/31/2008	Jacquelyn D. Ross		AP			168.00
112579	10/31/2008	Scott Savage		AP			259.00
112580	10/31/2008	Ralph L. Steverson		AP			168.00
112581	10/31/2008	Us Bank Corp Pymt System		AP			10,290.82
112582	10/31/2008	Law Offices of William A Vaugh		AP			9,000.00
112583	10/31/2008	Verizon Wireless		AP			266.30
112584	10/31/2008	Jennifer Williams		AP			2,131.50
112585	10/31/2008	Windecker Inc		AP			4,045.30
112586	10/31/2008	Al Woods		AP			252.00
112634	11/04/2008	Aflac-Customer Service		AP			239.45
112635	11/04/2008	Aflac-Customer Service		AP			293.10
112636	11/04/2008	Aflac-Customer Service		AP			86.10
112637	11/04/2008	Aflac-Customer Service		AP			159.42
112638	11/04/2008	Bank of America		AP			117,871.85
112639	11/04/2008	Bank of America		AP			2,396.15
112640	11/04/2008	Bank of America		AP			17,032.98
112641	11/04/2008	Hartford Life Ins Co		AP			8,493.49
112642	11/04/2008	Internal Revenue Service		AP	Void		1,060.98
112643	11/04/2008	Los Banos Police Assn		AP			1,055.50
112644	11/04/2008	Merced County Sheriff		AP			100.00
112645	11/04/2008	Merced County Sheriff		AP			171.80
112646	11/04/2008	Nationwide Retiremt Solut		AP			1,855.00
112647	11/04/2008	PERS Long Term Care		AP			362.64
112648	11/04/2008	Professional Fire Fighter		AP			225.00
112649	11/04/2008	State Disbursement Unit		AP			168.00
112650	11/04/2008	State Disbursement Unit		AP			700.00

Check No	Check Date	Name	Comment	ModuleVoid	Clear Date	Amount
112651	11/04/2008	State Disbursement Unit		AP		64.00
112652	11/04/2008	State Disbursement Unit		AP		313.50
112653	11/04/2008	State Disbursement Unit		AP		172.36
112654	11/04/2008	State Disbursement Unit		AP		197.00
112655	11/04/2008	State Disbursement Unit		AP		174.00
112656	11/04/2008	State Disbursement Unit		AP		212.00
112657	11/04/2008	State Disbursement Unit		AP		214.50
112658	11/04/2008	State Disbursement Unit		AP		208.50
112659	11/04/2008	State Disbursement Unit		AP		502.50
112660	11/04/2008	Downey Savings And Loan		AP		16.55
112661	11/04/2008	Amy & Juan Jimenez		AP		60.00
112662	11/04/2008	Todd & Kristina Perreira		AP		5.56
112663	11/04/2008	Marina Ramos		AP		23.50
112664	11/04/2008	Ana Rayo		AP		23.50
112665	11/04/2008	Jose & Maria Rodriguez		AP		17.96
112666	11/04/2008	Sanden Andrews		AP		58.11
112667	11/04/2008	Aldina Real Estate, Joe		AP		56.17
112668	11/04/2008	Century 21 M & M Assoc., Jamie		AP		42.61
112669	11/04/2008	Lowell Chase		AP		19.64
112670	11/04/2008	Baljinder Singh Grewal		AP		10.67
112671	11/04/2008	Alec & Victoria Grijalva		AP		17.70
112672	11/04/2008	Andrea Lahocki		AP		35.07
112673	11/04/2008	Maria Martinez		AP		47.58
112674	11/04/2008	Ilana McClendon		AP		29.04
112675	11/04/2008	Yolanda Ordunez		AP		58.11
112676	11/04/2008	Sandra Pope		AP		14.27
112677	11/04/2008	Andres Razo		AP		1.12
112678	11/04/2008	Claudia Rodriguez		AP		11.89
112679	11/04/2008	Amber Sandoval		AP		4.57
112680	11/04/2008	Emily Vogel		AP		4.57
112681	11/04/2008	PMZ Real Estate, Janet Boyd		AP		30.99
112682	11/04/2008	Remax, Denver Mendiola		AP		58.11
112683	11/04/2008	PMZ Real Estate c/o Wayne Jone		AP		58.11
112684	11/04/2008	PMZ Real Estate, Wayne Jones		AP		78.85
112685	11/04/2008	Lilliana & Truxton Craig		AP		4.74
112686	11/04/2008	Greg & Christina Torres		AP		6.08
112687	11/04/2008	Maureen & Ronny Upp		AP		5.58
112688	11/04/2008	Westhill Property Mgmt		AP		19.37
112689	11/04/2008	Raul/Rosario Arredondo		AP		6.08
112690	11/04/2008	Prudential California Realty,		AP		9.70
112691	11/04/2008	Bessie Santos		AP		4.36
112692	11/04/2008	Sanden Andrews		AP		115.93
112693	11/04/2008	Sanden Andrews		AP		50.14
112694	11/04/2008	Aldina Real Estate, Joe Trinid		AP		4.43
112695	11/04/2008	Wachovia		AP		94.44
112696	11/04/2008	Irene Cabrera		AP		48.19
112697	11/04/2008	Lori Kraus		AP		29.74
112698	11/04/2008	Coit Restoration		AP		70.00
112699	11/04/2008	Stacy Jones		AP		70.00
112700	11/04/2008	Sam & Amanda Leyva		AP		70.00
112701	11/04/2008	PMZ Real Estate, John Smith		AP		71.53
112702	11/04/2008	Guillermo & Nohemi Rincom		AP		50.63
112703	11/04/2008	Family Realty Group, Paul Andr		AP		92.96
112704	11/04/2008	Isabela Montero		AP		70.00
112705	11/04/2008	Help-U-Sell Merced		AP		94.90
112706	11/04/2008	World Savings Wacovia		AP		90.12
112707	11/04/2008	A & A Electrical Service		AP		576.70
112708	11/04/2008	A & A Portables Inc		AP		362.42
112709	11/04/2008	All American Plumbing		AP		1,308.51
112710	11/04/2008	Ameripride Valley Uniform		AP		304.56
112711	11/04/2008	American Self Storage		AP		1,801.00
112712	11/04/2008	The Appraisal Group		AP		400.00

Check No	Check Date	Name	Comment	Module Void	Clear Date	Amount
112713	11/04/2008	Aramark Uniform Ser Inc		AP		1,036.45
112714	11/04/2008	AT&T/MCI		AP		1,457.92
112715	11/04/2008	AT&T Mobility		AP		100.07
112716	11/04/2008	Auto Zone Commercial		AP		62.48
112717	11/04/2008	B & B		AP		92.83
112718	11/04/2008	BMW of Fresno		AP		284.18
112719	11/04/2008	BJ's Consumers Choice		AP		572.00
112720	11/04/2008	Borges & Mahoney Inc		AP		2,131.76
112721	11/04/2008	Brinks Inc.		AP		7.65
112722	11/04/2008	Bruce's Tire Inc		AP		577.41
112723	11/04/2008	BSK		AP		7,467.00
112724	11/04/2008	Bulldog Automotive		AP		144.00
112725	11/04/2008	Ca Dept of Justice		AP		32.00
112726	11/04/2008	Capture Technologies Inc		AP		13,108.69
112727	11/04/2008	Carquest Auto Parts		AP		105.90
112728	11/04/2008	Certifion Corp.		AP		88.95
112729	11/04/2008	Central Concrete		AP		198.81
112730	11/04/2008	Coffee Break Service		AP		400.20
112731	11/04/2008	Comcast		AP		209.65
112732	11/04/2008	CSK Proshop		AP		626.11
112733	11/04/2008	LN Curtis & Sons		AP		1,121.68
112734	11/04/2008	Dell Marketing L P		AP		3,700.83
112735	11/04/2008	Deluxe Cleaners		AP		8.25
112736	11/04/2008	Dept of Motor Vehicles		AP		49.66
112737	11/04/2008	Dept of Transportation		AP		761.29
112738	11/04/2008	Electric Drives Inc		AP		97.50
112739	11/04/2008	F S Rod Inc		AP		1,778.48
112740	11/04/2008	Fastenal Company		AP		706.45
112741	11/04/2008	Fast Track Car Wash		AP		14.00
112742	11/04/2008	Federal Express		AP		5.08
112743	11/04/2008	Ferguson Enterprises Inc		AP		487.04
112744	11/04/2008	Ford Assoc Lighting Inc		AP		1,518.93
112745	11/04/2008	Fresno Tool & Industrial Suppl		AP		23.73
112746	11/04/2008	GCS Western Power &		AP		15.87
112747	11/04/2008	Heppner Precision Machine		AP		1,428.15
112748	11/04/2008	Hoffman Electronic		AP		148.10
112749	11/04/2008	Holt Bros		AP		1,553.99
112750	11/04/2008	Home Depot		AP		522.60
112751	11/04/2008	Costco		AP		104.36
112752	11/04/2008	Ingraham Trophies & Gifts		AP		2,814.12
112753	11/04/2008	Integrated Electronics		AP		90.00
112754	11/04/2008	J W Professional Janitor		AP		6,274.00
112755	11/04/2008	Key Seal Products, Inc.		AP		587.01
112756	11/04/2008	Lab Safety Supply Inc		AP		109.54
112757	11/04/2008	Language Line Services		AP		23.34
112758	11/04/2008	Lorensen Propane Gas Inc		AP		54.09
112759	11/04/2008	Los Banos Car Wash Inc		AP		156.00
112760	11/04/2008	Los Banos Paint Co. Inc.		AP		321.89
112761	11/04/2008	Los Banos Truck & Trailer		AP		545.90
112762	11/04/2008	Marwest Access Controls		AP		102.43
112763	11/04/2008	Marfab Inc		AP		181.40
112764	11/04/2008	Merced County Health Dept		AP		320.00
112765	11/04/2008	Merced County Tax Collect		AP		24,774.68
112766	11/04/2008	Merced Sun Star		AP		1,389.47
112767	11/04/2008	MyTopo/MapTech		AP		1,155.95
112768	11/04/2008	Nextel Communications		AP		1,791.79
112769	11/04/2008	Northern Tool & Equipment		AP		308.16
112770	11/04/2008	The Office City		AP		440.19
112771	11/04/2008	Office Equipment Fin Serv		AP		447.16
112772	11/04/2008	OSE		AP		685.00
112773	11/04/2008	Old Dominion Brush		AP		966.10
112774	11/04/2008	OnTrac		AP		66.12

Check No	Check Date	Name	Comment	Module Void	Clear Date	Amount
112775	11/04/2008	Shelley Orth		AP		240.00
112776	11/04/2008	Parreira's Performance		AP		43.46
112777	11/04/2008	Pepper's Auto Parts Inc		AP		598.32
112778	11/04/2008	Protech Security & Electronics		AP		192.00
112779	11/04/2008	Radio Shack Accounts Rec		AP		40.93
112780	11/04/2008	Royal Chemical		AP		3,997.16
112781	11/04/2008	Safe T Lite		AP		29.63
112782	11/04/2008	Santos Ford Lincoln-		AP		961.54
112783	11/04/2008	Sauceda Vehicle		AP		210.00
112784	11/04/2008	Schoettler Tire Inc		AP		897.19
112785	11/04/2008	Sharpening Shop		AP		85.52
112786	11/04/2008	Sherwin Williams Co		AP		1,186.21
112787	11/04/2008	Snap On Tools		AP		297.40
112788	11/04/2008	Soares Lumber & Fence Inc		AP		75.43
112789	11/04/2008	Sol's Mobile Service		AP		3,343.25
112790	11/04/2008	Sorensens True Value		AP		996.86
112791	11/04/2008	Specialty Company		AP		1,069.93
112792	11/04/2008	Sprint		AP		408.70
112793	11/04/2008	Staples Credit Plan		AP		423.80
112794	11/04/2008	Starlight Video Services		AP		350.00
112795	11/04/2008	Stradling Yocca Carlson &		AP		255.24
112796	11/04/2008	Tee-Dee-Us Auto Service		AP		220.02
112797	11/04/2008	Terminix International		AP		75.00
112798	11/04/2008	Toscano Upholstery		AP		612.34
112799	11/04/2008	Triangle Rock Products		AP		1,241.89
112800	11/04/2008	U S Bank		AP		1,825.00
112801	11/04/2008	USA Blue Book		AP		358.79
112802	11/04/2008	Walmart Community		AP		90.50
112803	11/04/2008	Westside Water Conditioni		AP		116.35
112804	11/04/2008	Windecker Inc		AP		880.67
112805	11/04/2008	West Wind Studio		AP		1,909.93
112806	11/04/2008	Young's Air Conditioning		AP		493.00
112807	11/04/2008	Zee Medical Service Co		AP		114.92
112809	11/05/2008	Internal Revenue Service		AP		770.36
112810	11/05/2008	Frank Mike Minor		AP		290.62

Total for Valid Checks: 1,034,759.53

Total Valid Checks: 207

Total Void Checks: 2

Total Checks: 209

Break in Check Sequence due to the following
 Check # 112587 - # 112633 (Payroll Checks)
 Check # 112808 (Payroll)
 Check # 112811 (Payroll)



CLAIM FORM
(Please Type Or Print)

SEP 11 2008 PM 1:55 84

CLAIM AGAINST CITY OF LOS BANOS
(Name of Entity)

Claimant's Name Michael B. Deldin S.S. #: _____

Claimant's Date of Birth _____ Telephone # (____) _____

Claimant's Address _____

Address where Notices about Claim are to be sent, if different from above:

Day3 Church PO Box 2274 Los Banos, CA 93635

Date of Incident/Accident/Arrest: Damages occured during upgrade to City sidewalk - work began August 18, 2008

Date Injuries, Damages or Losses were discovered: Damages discovered approx. August 25, 2008

Location of Incident/Accident/Arrest: 518 I Street, Los Banos, CA 93635 (209) 826-1072

What did Entity or Employee do to cause this Loss, Damage or Injury?

During upgrade to city sidewalk heavy machinery was used to remove existing sidewalk, which caused damage to water pipes.

(Use Back of this Form or Separate Sheet if necessary to answer this Question in Detail.)

What are the Names of the Entity's Employees who caused this Injury, Damage or Loss (if known)?

What specific Injuries, Damages or Losses did Claimant receive? Damage to building water line.

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking, or if amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]

Please see attached repair bid from All American Plumbing.

(Use back of this form or separate sheet if necessary to answer this question in detail.)

How was this amount calculated (please itemize)? Acquired repair bids from plumbing companies.

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: 9/10/08 Signature: Michael B. Deldin

If signed by Representative:

Representative's Name _____

Address _____

Telephone # _____

Relationship to Claimant _____



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Honorable Mayor and City Council
FROM: Dan Fitchie, Commander 
DATE: November 19, 2008
SUBJECT: Street Closure Request for Chamber of Commerce – Christmas Parade
TYPE OF REPORT: Consent Agenda

Recommendation:
Authorize Street Closure

Discussion:
The Los Banos Chamber of Commerce is requesting street closures on Friday, December 5, 2008 for the annual Christmas Parade.

Please refer to the attached letter and street closure map from the Chamber.

Fiscal Impact:
None

Reviewed by:



Steve Rath, City Manager



LOS BANOS
CHAMBER
of Commerce
202.826.2495

Memorandum

Date: November 12, 2008

To: Los Banos Police Department, Acting Chief Fitchie

From: Keith Groninga, Executive Director

Subject: Street Closures for Christmas Parade – City Council Agenda 11/19/08

Acting Chief Fitchie:

We are requesting street closures for the Christmas Parade on December 5th. Attached is the map of our intended route.

The route and details have changed from last year. This year we have provided for three (3) staging areas and the participants will have locations assigned prior to the event. We've seen that this alleviated the blocked traffic on 7th Street leading up to the parade. We intend to start the parade at 6th and K Streets, proceed north on 6th Street, turn right on H Street and the parade ends at H & 7th Streets. We anticipate that most entries will turn right on 7th Street or simply move into the plaza area following the parade.

The parade does require the posting of "No Parking" signs along the parade route 24 hours in advance of the parade.

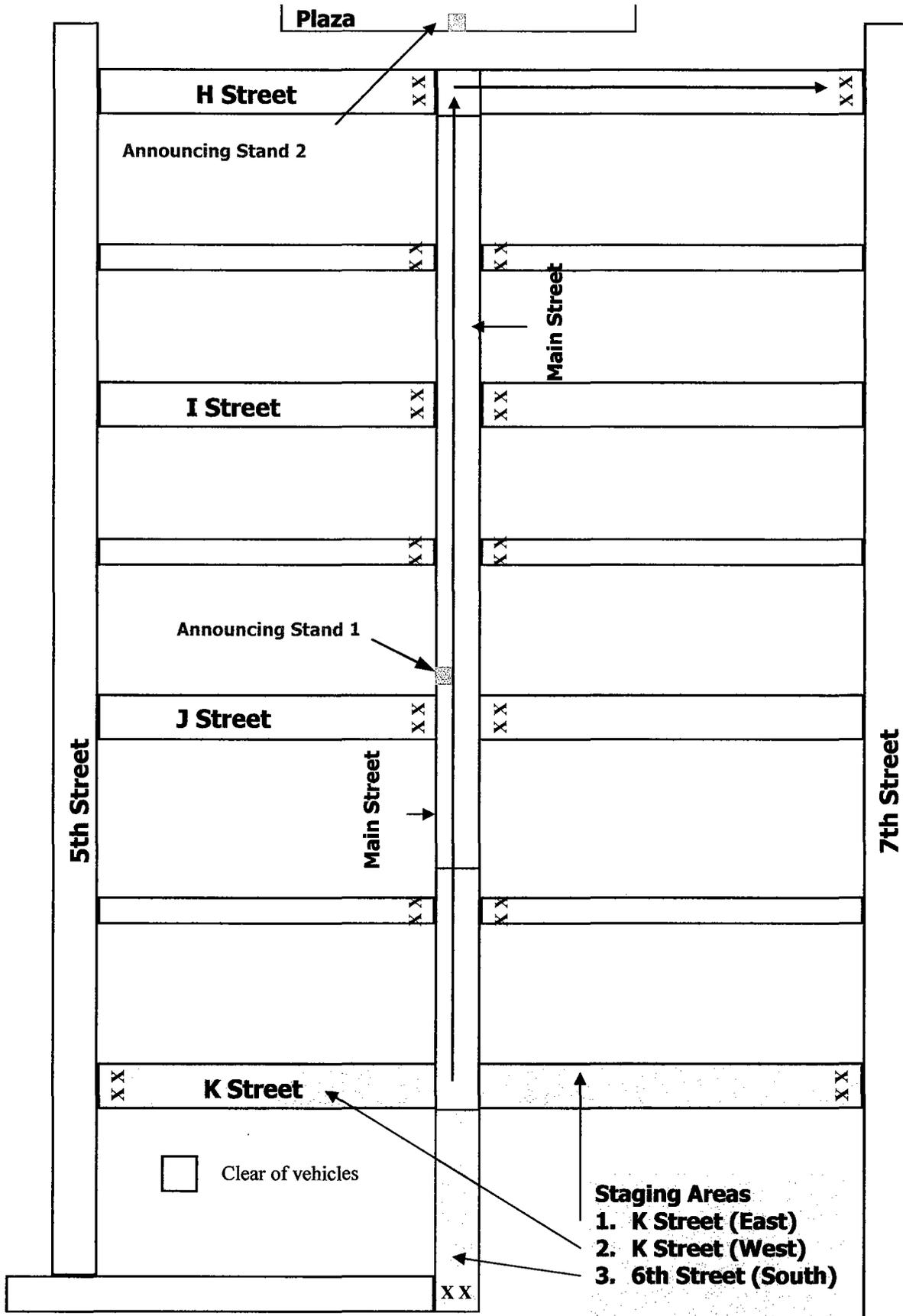
We ask that officers and volunteers keep members of the public from coming out too far onto the street during the parade and need some attention paid to both sides of the street while the parade is in progress. We would also like a uniformed officer to be present at Main & K Streets to observe floats, and other entries, for unsafe riding positions, particularly children.

At this point the chamber has not authorized sidewalk stands or vendors on the parade route. I will notify you should that change. I don't worry about the non-profits that just show up, but will have concerns if commercial vendors, other than downtown merchants, start appearing. There are liability issues as well as local ordinances that come into play and, though it hasn't been a big problem, we need to monitor those that do appear.

Please feel free to call should you have any questions or require further explanations. We will also invite you to our Parade Committee meeting once they begin to meet.

Kindest Regards,
Keith Groninga – Los Banos Chamber Office
675-1405 (cell)

2008 Christmas Parade Route



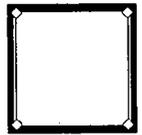
Staging 5:00 PM to 6:00 PM—Parade starts at 6:00 PM. Awards presentation will take place at the Henry Miller Plaza about 15 minutes after the parade is completed.



MERCED COUNTY MOSQUITO ABATEMENT DISTRICT

3478 Beachwood Drive • P.O. Box 909 • Merced, California 95341
209-722-1527 • 800-622-3242 • Fax: 209-722-3051

M E M B E R



MVC
ASSOCIATION
OF CALIFORNIA

November 5, 2008

RECEIVED
CITY OF LOS BANOS

NOV 07 2008

Steve Rath
City Manager
City of Los Banos
520 "J" Street
Los Banos, CA 95635

- CC
- PD
- FD
- PLN
- PS
- PW
- FIN
- HR
- MGR
- CLK
- ATY
- FILE
- FOLLOW UP _____

RE: Board Appointment

Dear Mr. Rath,

The current term of Mr. Mark Bodley, your representative on the Merced County Mosquito Abatement District Board of Trustees, will expire on December 31, 2008. Mr. Bodley has ably represented the City of Los Banos and has expressed his willingness to serve a four-year term. Mr. Bodley may be appointed to either a two or four-year term.

Please submit a copy of your minute order or resolution of appointment to the District Office at your earliest convenience to insure continuous representation.

Respectfully submitted,

Allan D. Inman
Manager-Entomologist

CC: Mark Bodley



City of Los Banos

At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council

FROM: Mark Fachin, Interim Public Works Director/City Engineer

DATE: November 19, 2008

SUBJECT: Los Banos Rail Trail Extension

TYPE OF REPORT: Consent Agenda

Recommendation:

Adopt a Resolution authorizing the submittal of a Bicycle Transportation Account (BTA) grant application to Caltrans.

Background:

The Rail Trail has been identified in the City Of Los Banos General Plan as a component of the City's proposed Bike/Pedestrian Trail System. The Rail Trail is currently completed between Second Street and the Pacheco Blvd. /Mercey Springs Rd. intersection.

The Rail Trail between the Pacheco Blvd. /Mercey Springs Rd. intersection and Place Rd. is being leased by the Los Banos Redevelopment Agency. The lease is for twenty years which will end in 2022. Union Pacific Railroad is the current owners of the property and staff has received written permission to construct the trail improvements.

Staff has applied for an extension to the lease with Union Pacific Railroad. The railroad has agreed to extend the lease to 2028.

The Rail Trail between Place Rd. and Ward Rd. was purchased in 2002 by the Los Banos Redevelopment Agency.

The Rail Trail between the Pacheco Blvd. /Mercey Springs Rd. intersection and Ward Rd. is currently partially constructed. Staff proposes to complete construction of this portion of the Rail Trail to the standards used on the existing Rail Trail between Second St. and the Pacheco Blvd. /Mercey Springs Rd. intersection.

The proposed Rail Trail Extension, if funded, is one project split into two sections:

Section 1: This portion lies between the Pacheco Blvd. /Mercey Springs Rd. intersection and Place Rd. The Public Works Department received grant funding to install trees and irrigation along this section in early 2008.

Staff proposes to install paving, signage, lighting, benches, waste receptacles, drinking fountains, dog waste stations, and shrubs along with additional irrigation. Staff also proposes to install an entry treatment similar to the existing entry to the west with a monument sign and palm trees.

Section 2: This portion lies between Place Rd. and Ward Rd. Paving, trees, and irrigation was installed on this portion approximately four years ago. Grant funding was received to install those improvements.

Staff proposes to install signage, lighting, benches, waste receptacles, drinking fountains, and shrubs along with additional irrigation.

The existing irrigation system will be evaluated and upgraded as necessary to allow for the addition of shrubs. Only the native shrubs that are flourishing on the existing trail will be installed. Irrigation will be provided by bubblers which are a form of drip system. This type of irrigation provides excellent water conservation measures.

Staff has determined that storm drainage facilities will not be needed at this time. The trees on both sections have irrigation provided by bubblers which need no drainage facilities. As adjacent developments occur they will be required to install paved outlet paths to the trail and provide drainage to portions that abut the trail through each development's storm drainage system.

As part of the improvements an accessible crossing will be installed across Place Rd. to provide safe access to each trail head.

The completion of this portion of trail will provide an additional 1.05 miles of completed trail to the existing 1.06 miles of Rail Trail. The Rail Trail, once completed, will allow Bike and Pedestrian access to the downtown area and adjacent shopping centers from developments east of Mercey Springs Rd.

Staff has provided the Planning Department the necessary environmental documents to review and complete. The Planning Department has determined this project "Categorically Exempt" under Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA).

Discussion:

The Council has endorsed this project and authorized the application of the grant for the Recreation Trails Program. This occurred at the City Council meeting of September 17, 2008.

Staff is currently requesting authorization to apply for the Bicycle Transportation Account (BTA) through Caltrans Local Assistance Agency.

If funded, the Public Works Department, through the Redevelopment Agency, would install trail improvements to the Rail Trail between the intersection of Pacheco Boulevard and Mercey Springs Road to Place Road. The portion of the Rail Trail project is referred to as Section 1 in the cost estimate exhibit.

Section 1 currently has trees and irrigation installed. These improvements were installed with a tree grant the City received earlier in the year. Due to the timing requirements of the grant, the trees had to be installed immediately.

Fiscal Impact:

Completion of the two sections of Rail Trail is estimated to be approximately \$891,800.00. With this amount requested the local agency match is required to provide \$80,498.00 in funding and In-Kind Services (Local Agency Services).

There are three grants the City of Los Banos and the Merced County Association of Governments are applying for to receive funding. Two of the three grants require local agency funding matches of varying percentages. The local matches will be provided by the Redevelopment Agency through improvement funding and in-house Public Works Department project management and construction inspections.

The Bicycle Transportation Account (BTA) is a Caltrans grant staff is currently requesting application authorization from the City Council.

Staff will be requesting \$383,310.00 with this BTA grant. The BTA grant requires a local agency fund match of 10%.

The 10% local match is \$42,590.00. The Los Banos Redevelopment Agency will provide \$22,040.00 of the local agency match for funding of the improvements. The City Of Los Banos Public Works Department will provide \$20,550.00 in services "In-Kind" to complete the funding obligation. "In-Kind" services to be used include in-house Project Management and Construction Inspection.

Reviewed by:



Melinda J. Wall, Chief Financial Officer



Steve Rath, City Manager

Attachments:

Exhibit 1 Cost Estimate and Grant Funding Detail
Exhibit 2 Project Location Map
Resolution

EXHIBIT 1**Los Banos Rail Trail Extension****Los Banos Redevelopment Agency****Project Cost Breakdown**

<u>Construction Items</u>	<u>Section 2 Rec. Trails Grant</u>	<u>Section 1 BTA Grant</u>	<u>Section 1 Remove II Grant</u>	<u>Total</u>
PG&E Service	\$8,500.00	\$8,500.00	\$0	\$17,000.00
Mobilization	\$15,000.00	\$15,000.00	\$0	\$30,000.00
Traffic Control	\$2,500.00	\$2,500.00	\$0	\$5,000.00
Erosion Control Maint.	\$5,000.00	\$5,000.00	\$0	\$10,000.00
Concrete	\$6,000.00	\$6,000.00	\$0	\$12,000.00
Irrigation/Plantings	\$75,500.00	\$135,500.00	\$0	\$211,000.00
Plant Establishment	\$4,000.00	\$6,000.00	\$0	\$10,000.00
Monument Sign	\$0	\$10,000.00	\$0	\$10,000.00
Electric Conduit/Wire	\$30,000.00	\$36,000.00	\$0	\$66,000.00
Trail Lighting/Foundation	\$80,000.00	\$80,000.00	\$0	\$160,000.00
Benches/Waste Cans Drinking Fountains/ Dog Mitt Stations	\$36,850.00	\$36,850.00	\$0	\$73,700.00
Subgrade Prep/Excavation	\$0	\$0	\$37,000.00	\$37,000.00
Aggregate Base	\$0	\$0	\$37,500.00	\$37,500.00
Asphalt	\$0	\$0	\$73,000.00	\$73,000.00
Signs/Striping	\$3,750.00	\$1,750.00	\$2,500.00	\$8,000.00
CONST. SUBTOTAL	\$267,100.00	\$343,100.00	\$150,000.00	\$760,200.00

<u>Non-Construction Items</u>	<u>Section 2 Rec. Trails Grant</u>	<u>Section 1 BTA Grant</u>	<u>Section1 Remove II Grant</u>	<u>Total</u>
Engineering/Plans	\$15,000.00	\$35,000.00	\$0	\$50,000.00
Const. Staking	\$6,000.00	\$12,000.00	\$0	\$18,000.00
PG&E Service App.	\$250.00	\$250.00	\$0	\$500.00
Geotechnical Testing	\$1,000.00	\$9,000.00	\$0	\$10,000.00
Storm Water Pollution Prevention Plan	\$2,500.00	\$2,500.00	\$0	\$5,000.00
<u>Grant Administration</u>	<u>\$3,500.00</u>	<u>\$3,500.00</u>	<u>\$0</u>	<u>\$7,000.00</u>
NON-CONST. SUBTOTAL	\$28,250.00	\$62,250.00	\$0	\$90,500.00
<u>In-Kind Services (Public Works Dept.) Items</u>	<u>Rec. Trails Grant</u>	<u>BTA Grant</u>	<u>Remove II Grant</u>	<u>Total</u>
Project Management	\$10,250.00	\$10,250.00	\$0	\$20,500.00
<u>Project Field Inspections</u>	<u>\$10,300.00</u>	<u>\$10,300.00</u>	<u>\$0</u>	<u>\$20,600.00</u>
IN-KIND SERVICES SUBTOTAL	\$20,550.00	\$20,550.00	\$0	\$41,100.00
PROJECT TOTAL	\$315,900.00	\$425,900.00	\$150,000.00	\$891,800.00

Los Banos Rail Trail Extension

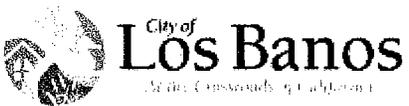
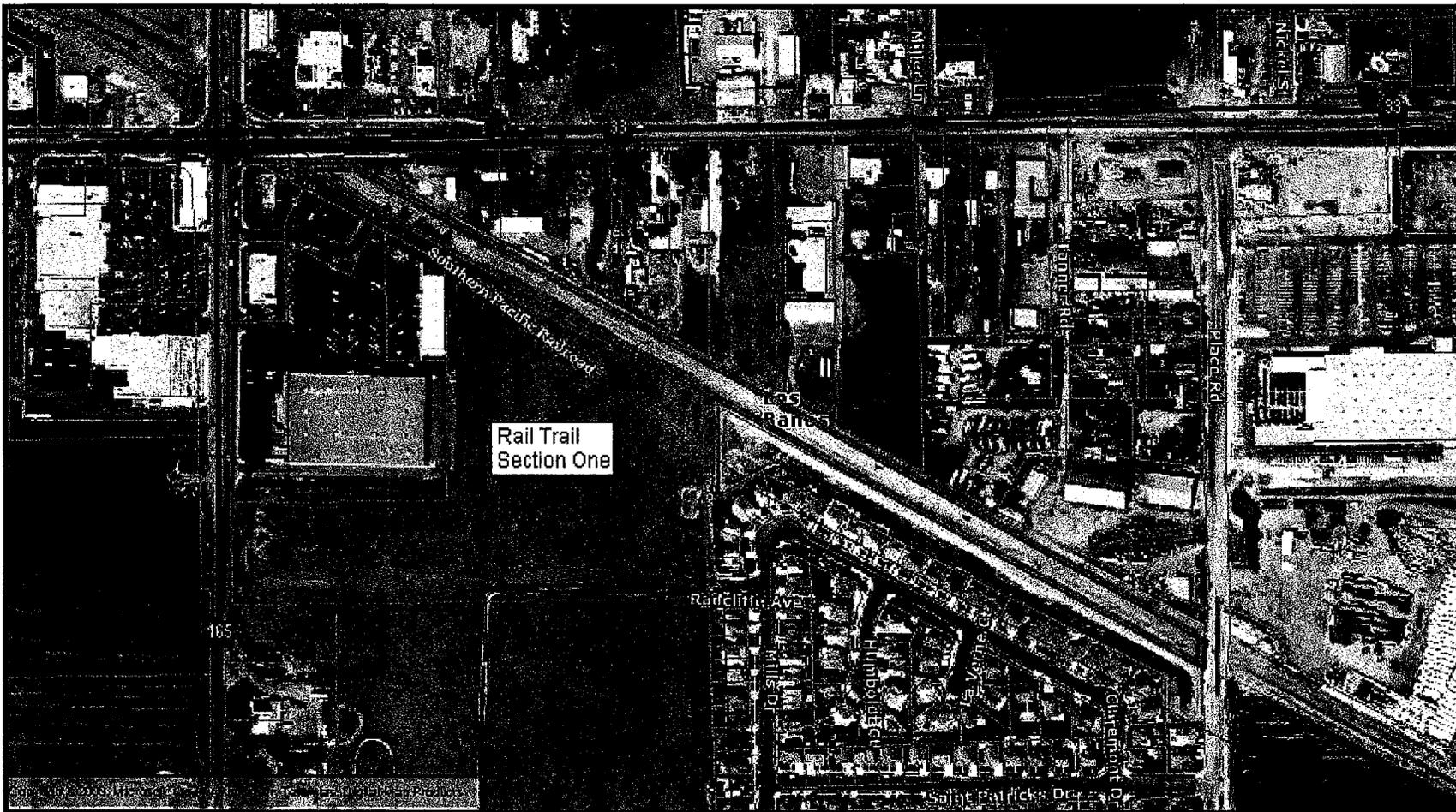
Los Banos Redevelopment Agency

Grant Spread Analysis

	<u>Section 2 Rec. Trails Grant</u>	<u>Section 1 BTA Grant</u>	<u>Section 1 Remove II Grant</u>	<u>Total</u>
Project Totals	\$315,900.00	\$425,900.00	\$150,000.00	\$891,800.00
12% Local Match	(\$37,908.00)	N/A	N/A	(\$37,908.00)
10% Local Match	N/A	(\$42,590.00)	N/A	(\$42,590.00)
0% Local Match	N/A	N/A	(\$0)	(\$0)
Grant Totals Less Local Funding Match	\$277,992.00	\$383,310.00	\$150,000.00	\$811,302.00

Local Funding Match Spread

<u>Item</u>	<u>Rec. Trails Grant</u>	<u>BTA Grant</u>	<u>Remove II Grant</u>	<u>Total</u>
Local Funding Obligation	\$37,908.00	\$42,590.00	\$0	\$80,498.00
Public Works Project Management	(\$10,250.00)	(\$10,250.00)	\$0	(\$20,500.00)
Public Works Field Inspection Services	(\$10,300.00)	(\$10,300.00)	\$0	(\$20,600.00)
Los Banos Redevelopment Agency Funding	(\$17,358.00)	(\$22,040.00)	\$0	(\$39,398.00)
Local Match Balance	\$0	\$0	\$0	\$0
Local Funding Match Total	\$44,508.00	\$37,090.00	\$0	\$80,498.00



Rail Trail Section 1
Project Location Map



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EXHIBIT 2

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS APPROVING THE
APPLICATION FOR GRANT FUNDS FROM THE
BICYCLE TRANSPORTATION ACCOUNT (BTA)**

WHEREAS, the City Council of the City of Los Banos has received a written request from City staff dated November 19, 2008, for approval of entering into an agreement with the Merced County Association of Governments to apply for a Bicycle Transportation Account grant in the amount of \$425,900.00 and

WHEREAS, said request has been reviewed and examined by the City Council of the City of Los Banos and the City Council authorizes matching funds in the amount of \$42,590 (ten percent of the grant amount requested).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos hereby:

1. Approves the filing of an Application for the Bicycle Transportation Account; and
2. Certifies that the Project is consistent with the Applicant's general plan or the equivalent planning document; and
3. Certifies that said Applicant has or will have available prior to commencement of any work on the Project(s) included in this Application, sufficient funds to operate and maintain the Project(s); and
4. Appoints the Public Works Director/City Engineer as agent to conduct all negotiations, execute and submit all documents, including, but not limited to Applications, agreements, amendments, which may be necessary for the completion of the Project; and
5. Authorizes the Redevelopment Agency to fund \$22,040.00 as a portion of the local agency grant match.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 19th day of November 2008, by Council Member _____, who moved its adoption, which motion was seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Tommy Jones, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of Los Banos

At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council

FROM: Mark Fachin, Interim Public Works Director/ City Engineer

A handwritten signature in black ink that reads "Mark Fachin".

DATE: November 19, 2008

SUBJECT: Acceptance of Public Improvements and Release of Construction Bonds for The Vineyard Unit 18, Ranchwood Contractors

TYPE OF REPORT: Consent Agenda

Recommendation:

1. Accept the Public Improvements for Tract No. 96-01 The Vineyard Unit 18
2. Release the construction bonds associated with Tract No. 96-01 The Vineyard Unit 18

Background:

Tract No. 96-01 The Vineyard Unit 17 is an 11 lot residential unit constructed by Ranchwood Contractors. This unit is a portion of the 18 unit residential subdivision named The Vineyard. The Vineyard Subdivision extends from Nantes Avenue to Mercey Springs Road. The Vineyard Subdivision Unit 18 abuts Mercey Springs Road.

The Vineyard residential subdivision is encompassed in the Lamoglia Annexation Territory Development Agreement which was approved in June of 1998. This development agreement set the developer impact fee schedule. Included in the fee schedule is a supplemental traffic impact fee to cover the cost of construction of the frontage of Mercey Springs Road. Each single family dwelling is required to pay a supplemental traffic fee of \$675.00. This is in addition to the approved traffic mitigation fee of \$500.00 per residential unit. The development agreement allows the developer to

pay this supplemental fee in lieu of constructing the Mercey Springs Road frontage improvements. The Finance Department has been collecting this supplemental traffic fee and inserting into its own account fund. The current account balance is approximately \$703,000.00. The development fees for Unit 18 will be paid at the building permit stage and added to this amount.

Discussion:

The public improvements associated with The Vineyard Unit 18 are complete and ready to be accepted.

Staff is requesting release of the following construction bonds:

- | | |
|-------------------------|--------------|
| 1. Faithful Performance | \$248,765.00 |
| 2. Labor and Materials | \$124,383.00 |
| 3. Monument | \$3,500.00 |

There is a warranty bond of \$24,877.00 in place and will extend for one year from the date of acceptance.

Fiscal Impact:

The acceptance of the development will add 11 residential lots to the City of Los Banos. The addition of housing to the City of Los Banos will require the typical services that the City provides. As the City adds more residential dwellings the City services must expand to accommodate the demand.

Reviewed by:



Melinda J. Wall, Chief Financial Officer



Steve Rath, City Manager

Attachments:

Exhibit 1 – Vineyard Unit 18 Location Map
Resolution



Vineyard Unit 18
Location Map



CityGIS

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EXHIBIT 1

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS ACCEPTING PUBLIC
IMPROVEMENTS FOR THE VINEYARD UNIT
18 AND RELEASE OF ASSOCIATED
CONSTRUCTION BONDS**

WHEREAS, the City Council of the City of Los Banos has received a request from the developers of The Vineyard Unit 18 that the Public Improvements for The Vineyard Unit 18 improvements be accepted by the City of Los Banos; and

WHEREAS, the City Council of the City of Los Banos has reviewed said request and finds that the Public Improvements of said project are in a position to be accepted by the City of Los Banos; and

WHEREAS, construction bonds in association with The Vineyard Unit 18 shall be released,

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby accept the Public Improvements for The Vineyard Unit 18 and release the construction bonds, as presented.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 19th day of November, 2008, by Council Member _____, who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Tommy Jones, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of Los Banos

At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council

FROM: Mark Fachin, Interim Public Works Director/ City Engineer

DATE: November 19, 2008

SUBJECT: Acceptance of Public Improvements and Release of Construction Bonds for Mission Village North Unit 4, Ranchwood Contractors

TYPE OF REPORT: Consent Agenda

Recommendation:

1. Accept the Public Improvements for Mission Village North Unit 4
2. Release the construction bonds associated with Mission Village North Unit 4

Background:

Mission Village North Unit 4 is a 61 lot residential unit constructed by Ranchwood Contractors. This unit is a portion of the four unit residential subdivision named Mission Village North. Mission Village North is located east of Mercey Springs Road at the east end of Overland Avenue. It also abuts the western side of Place Road. With the acceptance of Mission Village Unit 4, Place Road will now be opened from B Street to Overland Avenue, which will create additional access to the signalized intersection of Overland Avenue and Mercey Springs Road.

Discussion:

The public improvements associated with Mission Village North Unit 4 are complete and ready to be accepted.

Staff is requesting release of the following construction bonds:

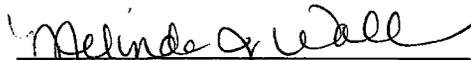
- | | |
|-------------------------|--------------|
| 1. Faithful Performance | \$244,467.36 |
| 2. Labor and Materials | \$122,233.68 |
| 3. Monument | \$3,500.00 |

There is a warranty bond of \$116,947.00 in place and will extend for one year from the date of acceptance.

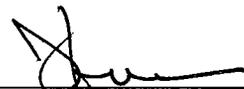
Fiscal Impact:

The acceptance of the development will add 61 residential lots to the City of Los Banos. The addition of housing to the City of Los Banos will require the typical services that the City provides. As the City adds more residential dwellings the City services must expand to accommodate the demand.

Reviewed by:



Melinda J. Wall, Chief Financial Officer



Steve Rath, City Manager

Attachments:

Exhibit 1 – Mission Village North Unit 4 Location Map

Resolution



Mission Village North Unit 4

Location Map



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EXHIBIT 1

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS ACCEPTING PUBLIC
IMPROVEMENTS FOR MISSION VILLAGE NORTH
UNIT 4 AND RELEASE OF ASSOCIATED
CONSTRUCTION BONDS**

WHEREAS, the City Council of the City of Los Banos has received a request from the developers of Mission Village North Unit 4 that the Public Improvements for Mission Village North Unit 4 improvements be accepted by the City of Los Banos; and

WHEREAS, the City Council of the City of Los Banos has reviewed said request and finds that the Public Improvements of said project are in a position to be accepted by the City of Los Banos; and

WHEREAS, construction bonds in association with Mission Village North Unit 4 shall be released.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby accept the Public Improvements for Mission Village North Unit 4 and release the construction bonds, as presented.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 19th day of November, 2008, by Council Member _____, who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Tommy Jones, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of Los Banos

At the Crossroads of California

Agenda Staff Report

TO: Honorable Mayor & City Council Members

FROM: Mark Fachin, P.E., Interim Public Works Director/City Engineer *Mark Fachin*

DATE: November 19, 2008

SUBJECT: Revised Fiscal Year 2008-2009 Local Transportation Funds (LTF)

TYPE OF REPORT: Consent Agenda

Recommendation:

That the City Council adopt the Resolution authorizing the City Manager and the Chief Financial Officer to submit revised claim forms on behalf of the City of Los Banos for Fiscal Year 2008-2009 Local Transportation Funds (LTF) in the amount of \$88,747.00 to Merced County Association of Governments (MCAG).

Background:

The City Council, at their meeting on June 18, 2008, authorized the submittal of claim forms to MCAG for Fiscal Year 2008-2009 LTF in the amount of \$240,824.00. MCAG recently informed the City that due to a transit budget shortfall, a portion of LTF previously claimed by the City of Los Banos for allocation during Fiscal Year 2008-2009 is required to be shifted back to Merced County Transit, minus the first quarter payment already allocated. The amount available to claim by the City of Los Banos is \$88,747.00, which is a difference of \$152,077.00 from the original estimate of \$240,824.00.

Discussion:

Attached for City Council review is the Resolution and revised claim forms with which the City of Los Banos may claim the revised Fiscal Year 2008-2009 Local Transportation Funds. The amount available to claim by the City of Los Banos is \$88,747.00.

Fiscal Impact:

The disbursement of the LTF that are available to the City of Los Banos will be used in conjunction with Proposition 1B funding for street and road improvements in the Fiscal Year 2008-2009 budget. There is no foreseen additional impact to the City.

Reviewed by:



Melinda J. Wall, Chief Financial Officer



Steve Rath, City Manager

Attachments:

Resolution

LTF Claim Forms

LTF Apportionment Schedule for FY 2008-2009

LTF STREETS & ROADS CLAIM 2008 - 2009

Claimant: City of Los Banos

Project Title, Location and Description (may use additional paper)

1½" Hot Mix Overlay to include Ortigalita Road
(Cardoza Road to Pacheco Blvd.)

Project Cost by Funding Source

LTF	\$ 88,747
General Fund	\$ 0
Other	\$ 300,000
<u>TOTAL</u>	<u>\$ 388,747</u>

1. For entities with a population of more than 5,000, is the claim for streets and roads (exclusive of capital requirements for major new facilities) less than 50% of the total streets and roads expenditures?

Yes No

2. Is the project in conformity with the MCAG Regional Transportation Plan?

Yes No

Preparer:

Mark Fachin
Signature

Mark Fachin, Interim Public Works Director/City Engineer
Type name

**LOCAL TRANSPORTATION FUND CLAIM
FY 2008 - 2009**

Claimant: City of Los Banos

Type of Claim:	Amount of Claim:
<input type="checkbox"/> PUBLIC TRANSPORTATION	SB 325
<input type="checkbox"/> TRANSPORTATION PLANNING APPORTIONMENT	\$ * N/A
<input checked="" type="checkbox"/> STREETS & ROADS	\$ ** N/A
<input type="checkbox"/> PEDESTRIAN & BICYCLE FACILITIES	\$ 88,747
<input type="checkbox"/> OTHER (indicate purpose & TDA Section number _____)	\$ _____
TOTAL	\$ 88,747

It is understood by this claimant that payment of the claim is subject to approval by MCAG, to such monies being on hand and available for distribution, and to the provision that such monies (and the interest earned on such monies subsequent to allocation) will be used only for those purposes for which the claim is approved and in accordance with the terms of the allocation instructions.

Further, the Chief Financial Officer of the claimant certifies that the financial information contained herein, is reasonable and accurate to the best of my knowledge.

Authorized Representative: _____
 Signature
Steve Rath
 Print or type name
City Manager
 Title
November 19, 2008
 Date

 Signature of Chief Financial Officer

*Merced County Transit will receive the city's LTF contribution to public transportation directly from the County Auditor.

**MCAG will receive the city's LTF contribution for transportation planning directly from the County Auditor.

Local Transportation Fund Apportionments Schedule
Fiscal Year 2008 - 2009
January 2008 estimate

Table 1: LTF Apportionment Less Expenditures

Total FY 08-09 LTF Apportionment	\$ 5,800,000
County Auditor	\$ 2,850
MCAG Administration	\$ 62,100
MCAG Planning	\$ 133,360
Capital Transit Purchases	\$ 553,104
Total Expenditures	\$ 751,414
Remainder	\$ 5,048,586

Table 2: LTF Shares by Jurisdiction prior to Transit

Jurisdiction	Pop - Depart of Fin Jan 2007	% of Population	MCAG Planning Share	Remaining portion before Transit
Atwater	27,618	10.98%	\$ 14,644	\$ 554,379
Dos Palos	4,899	1.95%	\$ 2,598	\$ 98,338
Gustine	5,152	2.05%	\$ 2,732	\$ 103,417
Livingston	13,287	5.28%	\$ 7,045	\$ 266,711
Los Banos	35,211	14.00%	\$ 18,670	\$ 706,794
Merced	79,715	31.69%	\$ 42,268	\$ 1,600,127
Unincorporated	85,628	34.05%	\$ 45,403	\$ 1,718,820
TOTAL	251,510	100.00%	\$ 133,360	\$ 5,048,586

Table 3: LTF Funds Needed for Transit

Remaining LTF before Transit	\$ 5,048,586
LTF Needed for Rural Service	\$ 1,550,649
LTF Needed for Urban Service	\$ 1,900,799
Total Needed for Transit Operations	\$ 3,451,448
Balance left for Streets and Roads	\$ 1,597,138
Budget Shortfall	\$ 993,987
Balance left for Streets and Roads	\$ 603,151
1st Quarter Payments	\$ 399,285
Balance to be distributed	\$ 203,867

Table 4: LTF Transit Costs by Jurisdiction

Jurisdiction	Remaining portion before Transit	% of Rural Transit Service	Rural Transit Service Deduction	% of Urban Transit Service	Urban Transit Service Deduction	Population Split in Urban Area**	50% Population Share	Total Urban Share	Transit Share Deduction	Amount Available January 2008 Estimate	1st Quarter Payment	Distribution after Transit Shortfall (based on population)	Amount Available to Claim FY08-09
Atwater	\$ 554,379			16.38%	\$ 155,685	21%	\$ 199,584	\$ 355,269	\$ 355,269	\$ 199,110	\$ 49,777	\$ 22,386	\$ 72,164
Dos Palos	\$ 98,338	3.78%	\$ 58,615						\$ 58,615	\$ 39,724	\$ 9,931	\$ 3,971	\$ 13,902
Gustine	\$ 103,417	3.66%	\$ 56,754						\$ 56,754	\$ 46,663	\$ 11,666	\$ 4,176	\$ 15,842
Livingston	\$ 266,711	8.89%	\$ 137,853						\$ 137,853	\$ 128,859	\$ 32,215	\$ 10,770	\$ 42,985
Los Banos	\$ 706,794	30.05%	\$ 465,970						\$ 465,970	\$ 240,824	\$ 60,206	\$ 28,541	\$ 88,747
Merced	\$ 1,600,127			72.26%	\$ 686,759	58%	\$ 553,133	\$ 1,239,891	\$ 1,239,891	\$ 360,236	\$ 90,059	\$ 64,615	\$ 154,674
Unincorporated	\$ 1,718,820	53.62%	\$ 831,458	11.36%	\$ 107,956	21%	\$ 197,683	\$ 305,639	\$ 1,137,097	\$ 581,723	\$ 145,431	\$ 69,408	\$ 214,838
TOTAL	\$ 5,048,586	100.00%	\$ 1,550,649	100.00%	\$ 950,400	100%	\$ 950,400	\$ 1,900,799	\$ 3,451,448	\$ 1,597,138	\$ 399,284	\$ 203,867	\$ 603,151

** Based on 2000 Census

Table 5: Historic Use of LTF Funding

	FY 06-07	FY 07-08	FY 08-09
Apportionment	\$ 7,775,000	\$ 7,300,000	\$ 5,800,000
County Auditor	\$ 2,700	\$ 2,850	\$ 2,850
MCAG Administration	\$ 62,100	\$ 62,100	\$ 62,100
MCAG Planning	\$ 133,360	\$ 183,360	\$ 133,360
Capital Transit Purchases	\$ 381,861	\$ 689,196	\$ 553,104
Transit Budget Shortfall	\$ 384,490	\$ -	\$ 993,987.00
Balance	\$ 964,511	\$ 937,506	\$ 1,745,401
LTF Needed for Rural Service	\$ 1,362,326	\$ 1,907,460	\$ 1,550,649
LTF Needed for Urban Service	\$ 1,413,850	\$ 2,269,796	\$ 1,900,799
More STAF = Less LTF	\$ (1,371,467)	\$ (464,480)	
Total Transit Service	\$ 1,404,709	\$ 4,177,256	\$ 4,445,435
Remaining for Streets	\$ 5,405,780	\$ 2,185,238	\$ 603,151

Table 6: Historic Apportionments for Streets and Roads

Jurisdiction	Apportionment Claimed by Jurisdiction				
	Original FY 2007-08	Aug Adjustment to Transit Budget	Additional STAF = More LTF	07-08 Final	Draft 08-09
Atwater	\$ 198,191	\$ 233,160	\$ 54,672	\$ 287,832	\$ 72,164
Dos Palos	\$ 42,891	\$ 50,411	\$ 6,208	\$ 56,617	\$ 13,902
Gustine	\$ 50,581	\$ 52,909	\$ 6,639	\$ 59,548	\$ 15,842
Livingston	\$ 127,046	\$ 190,868	\$ 10,782	\$ 201,650	\$ 42,985
Los Banos	\$ 201,826	\$ 273,357	\$ 48,865	\$ 322,222	\$ 88,747
Merced	\$ 172,666	\$ 261,025	\$ 197,866	\$ 458,891	\$ 154,674
Unincorporated	\$ 609,101	\$ 659,028	\$ 139,451	\$ 798,479	\$ 214,838
TOTAL	\$ 1,401,842	\$ 1,720,758	\$ 464,481	\$ 2,185,239	\$ 603,151
		A	B	A+B	

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS APPROVING THE ANNUAL
LOCAL TRANSPORTATION FUND (LTF)
REVISED CLAIM TO BE FILED WITH THE
MERCED COUNTY ASSOCIATION OF
GOVERNMENTS (MCAG) FOR FISCAL YEAR
2008-2009**

WHEREAS, under the Transportation Development Act (TDA) of 1971, Local Transportation Fund (LTF) monies are available to cities for public transportation, construction and maintenance of local streets and roads, and for pedestrian or bicycle facilities under certain circumstances; and

WHEREAS, the City of Los Banos meets all requirements to qualify for said apportionment allocated through the Merced County Association of Governments (MCAG), as the designated local transportation and planning agency; and

WHEREAS, the annual allocations of LTF monies to each jurisdiction have been calculated by population and the percentage of level of public transit service for Fiscal Year 2008-2009; and

WHEREAS, the City of Los Banos has LTF monies available to claim in the amount of \$88,747.00 for Fiscal Year 2008-2009; and

WHEREAS, the City's proposed expenditures of LTF monies are in conformity with the Regional Transportation Plan as prepared by MCAG; and

WHEREAS, the City has submitted a certified fiscal audit within 180 days after the end of the fiscal year, except where an extension (90-day maximum) was granted by MCAG.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby authorize the filing of the revised annual LTF claim for Fiscal Year 2008-2009 in the amount of \$88,747.00.

BE IT FURTHER RESOLVED it is deemed in the best interest of the City of Los Banos that the City Manager and the Chief Financial Officer be authorized to sign the LTF claim form for Fiscal Year 2008-2009, and to submit said claim to MCAG for processing.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 19th day of November 2008, by Council Member _____ who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Tommy Jones, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Honorable Mayor & City Council

FROM: Mark Fachin, P.E., Interim Public Works Director/City Engineer *Mark Fachin*

DATE: November 19, 2008

SUBJECT: Installation of No Truck Parking Signs on H Street between Highway 152 and Seventh Street

TYPE OF REPORT: Consent Agenda

Recommendation:

That the City Council approve the installation of No Truck Parking signs on H Street between Highway 152 and Seventh Street.

Background:

H Street between Seventh Street and Highway 152 is a two lane bi-directional local street. In recent years this section of road has been designated as a Class II bike lane in both directions. H Street between Seventh Street and Highway 152 currently has partial restrictions for parking. The north side of H Street between Ninth Street and Highway 152, the street is unrestricted parallel parking. On the south side of H Street between Ninth and Tenth is also unrestricted parallel parking.

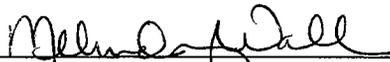
Discussion:

The Traffic Safety Committee received a request from Public Works for the installation of additional No Truck Parking signs on H Street from Ninth Street to Tenth Street. After review of said request, the Traffic Safety Committee passed and adopted the approval of the installation of No Truck Parking signs on H Street from Seventh Street to Highway 152. The street already had some parking restriction in place. The sections of street where signs are needed include H Street from Ninth Street to Tenth Street on the south side of the street and from Ninth Street to Highway 152 on the north side of the street. This action would complete the parking restrictions for all trucks parking on H Street between Seventh Street and Highway 152.

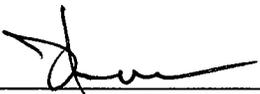
Fiscal Impact:

The installation of the signs will be performed by our Public Works maintenance personnel. The estimated expenditure is \$1,450.00, and will be funded from the current street services/supplies budget.

Reviewed by:



Melinda J. Wall, Chief Financial Officer



Steve Rath, City Manager

Attachments:

Resolution
Resolution No. 2008 - 08
Map of Area

**RESOLUTION NO. 2008 - 08
TRAFFIC SAFETY COMMITTEE**

**A RESOLUTION OF THE CITY OF LOS BANOS
TRAFFIC SAFETY COMMITTEE PURSUANT TO
AUTHORITY GRANTED BY ORDINANCE NO. 860**

WHEREAS, the committee has reviewed the necessity for designating, modifying or eliminating certain traffic control measures in the City of Los Banos; and

WHEREAS, the committee has determined that designation, modification or elimination of certain traffic control measures is necessary and appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Los Banos Traffic Safety Committee:

1. Consideration of a request to install "No Truck Parking" signs on H Street between 9th and 10th Street.
2. After review of said request, it was ordered to install "No Truck Parking" signs on the north and south sides of H Street from Highway 152 to Seventh Street.
3. Said signs shall be governed by provisions of Section 4-5.01 of the Los Banos Municipal Code pertaining to traffic.

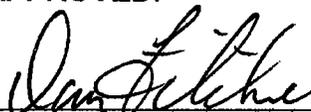
PASSED AND ADOPTED this 7th day of October 2008, at a regular meeting of the Traffic Safety Committee by the following vote:

AYES: Chisam, Donovan, Fitchie, Fitzgerald, Guintini

NOES: None

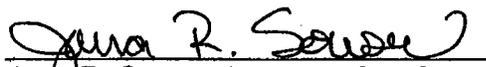
ABSENT: None

APPROVED:



Dan Fitchie, Chairman

ATTEST:



Jana R. Sousa, Assistant City Clerk



H Street between Seventh & 152

Sign Modification Presentation



CityGIS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS BANOS APPROVING THE INSTALLATION OF "NO TRUCK PARKING" SIGNS ON THE NORTH AND SOUTH SIDES OF H STREET FROM HIGHWAY 152 AND SEVENTH STREET

WHEREAS, the City Council of the City of Los Banos has ultimate responsibility for traffic control measures; and

WHEREAS, the Traffic Safety Committee, at their meeting of October 7, 2008, reviewed and adopted Resolution No. 2008 - 08 for the placement of "No Truck Parking" signs on the north and south sides of H Street from Highway 152 to Seventh Street; and

WHEREAS, the said signs shall be governed by provisions of Section 4-5.01 of the Los Banos Municipal Code pertaining to traffic.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby approve the installation of "No Truck Parking" signs on the north and south sides of H Street from Highway 152 to Seventh Street.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 19th day of November 2008, by Council Member _____ who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Tommy Jones, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Honorable Mayor & City Council

FROM: Mark Fachin, P.E., Interim Public Works Director/City Engineer *Mark Fachin*

DATE: November 19, 2008

SUBJECT: Installation of 4-Way STOP's at Corner of Second Street and H Street

TYPE OF REPORT: Consent Agenda

Recommendation:

That the City Council approve the installation of a 4-way controlled STOP at the intersection of Second Street and H Street.

Background:

Second Street at H Street is currently a two way controlled intersection. Second Street approaches the intersection north/south and is controlled by STOP signs and street markings. Both the north/south lanes have one lane through traffic and one left turn pocket. The speed limit on Second Street is posted 30 mph. H Street at Second Street is currently an uncontrolled intersection with unrestricted right-of-way. H Street approaches the intersection east/west. The speed limit in the area of H Street, and through the intersection at Second Street, is 35 mph.

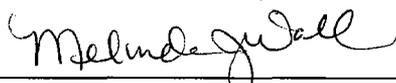
Discussion:

The Traffic Safety Committee received a request from Public Works for the installation of additional STOP signs at the intersection of Second Street and H Street. After review of said request, the Traffic Safety Committee passed and adopted the approval of the installation of STOP signs at the east and west ends of the intersection of Second Street and H Street.

Fiscal Impact:

The installation of the signs and street markings will be performed by our Public Works maintenance personnel. The estimated expenditure is \$2,500.00, and will be funded from the current street services/supplies budget.

Reviewed by:



Melinda J. Wall, Chief Financial Officer



Steve Rath, City Manager

Attachments:

Resolution

Resolution No. 2008 - 09

Map of Area

**RESOLUTION NO. 2008 - 09
TRAFFIC SAFETY COMMITTEE**

**A RESOLUTION OF THE CITY OF LOS BANOS
TRAFFIC SAFETY COMMITTEE PURSUANT TO
AUTHORITY GRANTED BY ORDINANCE NO. 860**

WHEREAS, the committee has reviewed the necessity for designating, modifying or eliminating certain traffic control measures in the City of Los Banos; and

WHEREAS, the committee has determined that designation, modification or elimination of certain traffic control measures is necessary and appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Los Banos Traffic Safety Committee:

1. Consideration of a request to install stop signs at the east and west intersection of Second Street and H Street.
2. After review of said request, it was ordered to install stop signs on H Street at the east and west ends of the intersection of Second Street.
3. Said signs shall be governed by provisions of Section 4-5.01 of the Los Banos Municipal Code pertaining to traffic.

PASSED AND ADOPTED this 7th day of October 2008, at a regular meeting of the Traffic Safety Committee by the following vote:

AYES: Chisam, Donovan, Fitchie, Fitzgerald, Guintini

NOES: None

ABSENT: None

APPROVED:



Dan Fitchie, Chairman

ATTEST:



Jana R. Sousa, Assistant City Clerk



Intersection of Second & H
Sign Modification Presentation



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS BANOS APPROVING THE INSTALLATION OF FOUR-WAY STOP SIGNS AT THE INTERSECTION OF SECOND STREET AND H STREET

WHEREAS, the City Council of the City of Los Banos has ultimate responsibility for traffic control measures; and

WHEREAS, the Traffic Safety Committee, at their meeting of October 7, 2008, reviewed and adopted Resolution No. 2008 – 09 for the installation of STOP signs at Second Street and H Street; and

WHEREAS, the said signs shall be governed by provisions of Section 4-5.01 of the Los Banos Municipal Code pertaining to traffic.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby approve the installation of four-way STOP signs at the intersection of Second Street and H Street.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 19th day of November 2008, by Council Member _____ who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Tommy Jones, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of Los Banos

At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council Members

FROM: Lucy Mallonee, CMC *LM*
City Clerk/Human Resources Director

DATE: November 19, 2008

SUBJECT: 2008 Conflict-of-Interest Code Update

TYPE OF REPORT: Consent Agenda

Recommendation:

Adopt City Council Resolution amending the City's Conflict of Interest Code.

Background:

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or, alternatively, that the code must be amended. Once the determination has been made, a notice must be submitted to the code reviewing body, in this case the City Council, no later than October 1st of even-numbered years.

On June 18, 2008, the City Council directed staff to review the City's current Conflict of Interest Code to determine whether or not an amendment was necessary.

With the assistance of the City Attorney, the City's current Conflict of Interest Code has been reviewed and it was determined that an amendment to the code is required to designate additional positions and amend/expand the disclosure categories.

Discussion:

The terms of the code comprise the main body of a code and include such provisions as the manner to report financial interests, the disqualification procedures, etc. The Fair Political Practices Commission (FPPC) recommends that agencies incorporate

FPPC Regulation 18730 by reference because the type of information required to be in the main body of the code is quite complex and Regulation 18730 contains all of these provisions.

The code must specifically list positions that make or participate in making decisions. Typically, positions that involve voting on matters, appointing a person, or commits the City to any course of action, is defined as making a governmental decision. Typically positions that involve negotiating contracts, making recommendations on purchases without substantive review, advising or making recommendations to the decision maker by conducting research or an investigation, preparing or presenting a report, analysis or opinion which requires the exercise of judgment to influence a decision is defined as participating in the making of a governmental decision.

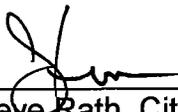
A primary purpose of the code is to require disclosure of those types of investments, interests in real property, sources of income and business positions that designated positions may affect in their decision-making. For example, the manager of an agency should be assigned full disclosure (all investments, interests in real property, and sources of income and business positions) because the manager makes decisions that affect a wide range of interests. Alternatively, a purchasing agent whose decision-making is limited to the purchase of office supplies should only be assigned disclosure of investments, sources of income and business positions in entities that provide office supplies, equipment or merchandise of the type used by the agency.

In short, a designated employee is an officer, employee, member or consultant of the City whose position is designated in the code because the position entails the making or participation in the making of governmental decisions which may foreseeably have a material effect on that person's financial interest. Positions listed in Government Code Section 87200 (i.e., City Council Members, Planning Commissioners, City Attorneys, City Managers, City Treasurer, ect.) are not required to be included in the code, because these positions are required by statue to file Form 700.

Fiscal Impact:

None.

Reviewed by:



Steve Rath, City Manager

Attachments:

2008 Local Agency Biennial Notice
City Council Resolution No. ____

COPY

TK



City of
Los Banos

At the Crossroads of California

Agenda Staff Report

Office of the City Clerk
Approved by City Council

6/18/08

gm

TO: Mayor & City Council Members

FROM: Lucy Mallonee, CMC *gm*
City Clerk/Human Resources Director

DATE: June 18, 2008

SUBJECT: 2008 Conflict-of-Interest Code Local Agency Biennial Notice

TYPE OF REPORT: Consent Agenda

Recommendation:

Direct staff to review the City's Conflict of Interest Code to determine whether or not an amendment is necessary.

Discussion:

The Political Reform Act requires every local government agency to review its Conflict-of-Interest Code biennially.

Fiscal Impact:

None.

Reviewed by:



Steve Rath, City Manager

Attachments:

2008 Local Agency Biennial Notice

MAY 21 2008

FAIR POLITICAL PRACTICES COMMISSION

2008 Conflict-of-Interest Code Biennial Notice for City Attorneys and City Clerks

CC CS MGR
 PD PW CLK
 FD FIN ATY
 PLN HR FILE
 FOLLOW UP

The Political Reform Act requires every local government agency to review its conflict-of-interest code biennially. No later than July 1 of each even-numbered year, code reviewing bodies must notify each agency within their jurisdiction to review its conflict-of-interest code. No later than October 1 of each even-numbered year, each agency must submit to the code reviewing body a notice indicating whether or not an amendment is necessary.

The City Council is the code reviewing body for city agencies. Therefore, no later than July 1, 2008, the City Council must notify any city agency not covered under the city's conflict-of-interest code to review its code and submit a biennial notice to the City Council.

The Biennial Notice for the city's conflict-of-interest code and any separate city agency is due to the City Council by October 1, 2008. We have prepared a 2008 Local Biennial Notice form that you may send to the agencies. Please remember to put your return address at the bottom of the form. *These notices are not sent to the FPPC.*

If amendments to an agency's code are necessary, the code must be forwarded to the City Council for approval within **90 days**. For example, if an agency files its notice on October 1, 2008, indicating that an amendment is necessary, the amendment is due to the City Council by December 30, 2008. An agency's amended code is not effective until it has been approved by the City Council.

Should you have any questions regarding this mailing, please feel free to call the FPPC at (866) ASK-FPPC. Copies of this mailing and additional information can be found on our website at www.fppc.ca.gov.

Please plan to attend one of the seminars for a thorough discussion of the conflict-of-interest code amendment process.

Amending a Conflict-of-Interest Code Seminar Locations and Dates

- **Santa Monica Council Chambers**
Tuesday, June 3
1685 Main Street
1:00 p.m. – 3:00 p.m.
- **San Rafael Council Chambers**
Thursday, June 5
1400 Fifth Avenue
10:00 a.m. – 12:00 p.m.
- **Sacramento, FPPC 8th Fl. Hearing Room**
Wednesday, June 11
428 J Street
1:00 p.m. – 3:00 p.m.
- **Modesto, County Board Chambers**
Tuesday, June 17
1010 Tenth Street
10:00 a.m. – 12:00 p.m.
- **Sacramento, FPPC 8th Fl. Hearing Room**
Wednesday, June 18
428 J Street
10:00 a.m. – 12:00 p.m.
- **Adelanto Council Chambers**
Wednesday, June 18
11600 Air Expressway
2:00 p.m. – 4:00 p.m.
- **San Diego County Admin Bldg., Rm 402**
Thursday, June 19
1600 Pacific Highway
9:00 a.m. – 11:00 a.m.
2:00 p.m. – 4:00 p.m.
- **Sacramento, FPPC 8th Fl. Hearing Room**
Wednesday, June 25
428 J Street
1:00 p.m. – 3:00 p.m.
- **Santa Ana, County Board Rm, 1st Fl.**
Thursday, June 26
333 W. Santa Ana Blvd.
1:00 p.m. – 3:00 p.m.

To register for a seminar, call the FPPC
at (866) ASK-FPPC, press 4.
Seminars are subject to change.

2008 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Office Phone No: _____

E-mail: _____ Fax No: _____

This agency has reviewed its conflict-of-interest code and has determined that:

An amendment is required. The following amendments are necessary:
(Check all that apply.)

- Include new positions (including consultants) that must be designated.
- Delete positions that manage public investments from the list of designated positions.
- Revise disclosure categories.
- Revise the titles of existing positions.
- Delete titles of positions that have been abolished.
- Other (describe) _____

Code is currently under review by the code-reviewing body.

No amendment is required.

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

Complete this notice regardless of how recently your code was approved or amended.
Please return this notice no later than **October 1, 2008**, to:

(PLACE RETURN ADDRESS OF CODE- REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

Fair Political Practices Commission
428 J Street, Suite 620, Sacramento, CA 95833
For Technical Assistance: (866) ASK-FPPC

RESOLUTION NO. 4568

**A RESOLUTION OF THE CITY OF LOS BANOS AMENDING
THE CITY'S CONFLICT OF INTEREST CODE**

WHEREAS, the City Council previously adopted Resolution No. 4378 amending the City's Conflict of Interest Code by incorporating by reference the Fair Political Practices commission's standard model conflict of interest code and updating the list of designated positions required to file a conflict of interest statement; and

WHEREAS, The Political Reform Act requires that the City Council review its Conflict of Interest Code biennially to determine accuracy; and

WHEREAS, Resolution 4378 adopted on January 15, 2003 amended the Conflict of Interest Code by updating Appendix A (list of designated positions and their disclosure categories; and

WHEREAS, upon a review of the City's Conflict of Interest Code and Appendices it has been determined that amendments are necessary to reflect changes in job titles, positions and classifications; and further that amendments are needed to add disclosure categories specifying those financial interests that designated positions must disclose.

NOW THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 4378 is hereby rescinded.
2. The terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Los Banos.
3. Persons holding designated positions shall file statements of economic interest pursuant to the provisions of this Code.
4. All designated officials and employees shall file their statements of economic interests with the City Clerk of the City of Los Banos to whom the City Council hereby delegates the authority to carry out the duties of the filing officer. Statements shall be available for inspection and reproduction pursuant to Government code Section 81008.

The forgoing resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 1st day of December 2004, by Council Member Smith, who moved its adoption, which motion was duly seconded by Council Member Balatti, and the Resolution adopted by the following vote:

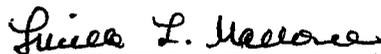
AYES: Council Member Balatti, Jones, McAdam, Smith, Mayor Amabile
NOES: None
ABSENT: None

APPROVED:



Michael S. Amabile, Mayor

ATTEST:



Lucille L. Mallonee, City Clerk

Appendix A

**CITY OF LOS BANOS
LIST OF DESIGNATED POSITIONS
AND DISCLOSURE CATEGORIES¹**

<u>Designated Positions Category</u>	<u>Disclosure</u>
<u>Administration</u>	
Assistant City Manager	1
City Clerk	1
Human Resources Director/Administrative Assistant	1
Administrative Clerk II	2
<u>Police</u>	
Chief of Police	1
Police Commander	1
Police Services Manager	2
<u>Public Safety</u>	
Fire Chief	1
Asst Fire Chief	1
<u>Finance</u>	
Accounting/Budget Supervisor	1
<u>Community Development</u>	
Community Development Director	1
Planning Manager	3
RDA Manager	3
Senior Planner	3
Associate Planner	3
Assistant Planner	3
RDA Project Coordinator	3
Permit Coordinator	3
Planning Lead Clerk	2

¹ The Mayor and Council Members, Planning Commissioners, City Manager, City Attorney, and Treasurer/Finance Director are required to file statements of economic interest pursuant to Government Code Section 87200, and are therefore, not included in the List of Designated Positions required to file pursuant to the City's conflict of interest code.

Public Services

Public Services Director	1
Public Services Superintendent	1
Admin Coordinator	2
Recreation Supervisor	2
Public Services Supervisor	2
Public Services Office Manager	2
Public Services Lead Clerk	2

Public Works

Public Works Director	1
Superintendent	1
Supervisor	2
Lead Clerk	2

Commissions, Committees, and Boards

City of Los Banos Redevelopment Agency Board Members	1
--	---

Other Positions

City Engineer	1
Consultants ²	1
Temporary Positions ³	

² Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The City Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

³ Temporary positions may be required to file a conflict of interest statement upon determination by the city attorney that the temporary position is the functional equivalent of a designated position.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS AMENDING THE CITY'S
CONFLICT OF INTEREST CODE**

WHEREAS, the City Council previously adopted Resolution No. 4568 amending the City's Conflict of Interest Code by incorporating by reference the Fair Political Practices Commission's standard model Conflict of Interest Code and updating the list of designated positions required to file a Conflict of Interest statement; and

WHEREAS, The Political Reform Act requires that the City Council review its Conflict of Interest Code biennially to determine accuracy; and

WHEREAS, Resolution 4568 adopted on December 1, 2004 amended the Conflict of Interest Code by updating Appendix A (list of designated positions and their disclosure categories); and

WHEREAS, upon a review of the City's Conflict of Interest Code and Appendices it has been determined that amendments are necessary to reflect changes in job titles, positions and classifications, and further that amendments are needed to add disclosure categories specifying those financial interests that designated positions must disclose.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 4568 is hereby rescinded.
2. The terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Los Banos.
3. Persons holding designated positions shall file statements of economic interest pursuant to the provisions of this Code.
4. All designated officials and employees shall file their statements of economic interests with the City Clerk of the City of Los Banos to whom the City Council hereby delegates the authority to carry out the duties of the filing officer. Statements shall be available for inspection and reproduction pursuant to Government Code Section 81008.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 17th day of September 2008, by Council Member _____ who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Tommy Jones, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk

Appendix A

CITY OF LOS BANOS LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES¹

Designated Positions	Disclosure Category
<u>Administration</u>	
Assistant City Manager	1
City Clerk	1
Human Resources Director/ Administrative Assistant	1
<u>Assistant City Clerk/HR Technician</u>	<u>2</u>
<u>Administrative Assistant</u>	<u>2</u>
Administrative Clerk II	2
<u>Administrative Clerk I</u>	<u>2</u>
<u>Police</u>	
Chief of Police	1
Police Commander	1
Police Services Manager	2
<u>Police Sergeants</u>	<u>2</u>
<u>Dispatch Supervisor</u>	<u>2</u>
<u>Fire</u>	
Fire Chief	1
Asst Fire Chief	4
<u>Assistant Fire Chief</u>	<u>1</u>
<u>Fire Captain</u>	<u>2</u>
<u>Administrative Assistant</u>	<u>2</u>
<u>Finance</u>	
Accounting/Budget Supervisor	1
<u>Accountant II</u>	<u>2</u>
<u>Accountant I</u>	<u>2</u>
<u>Utility Billing Technician</u>	<u>2</u>
<u>Accounts Payable Technician</u>	<u>2</u>
<u>Payroll Technician</u>	<u>2</u>
<u>Community Development</u>	
<u>Planning</u>	
Community Development Director	4
Planning Manager	3
<u>Planning Director</u>	1

RDA Manager	4
Senior Planner	3
Associate Planner	3
Assistant Planner	3
Permit Coordinator	3
Planning Lead Clerk	2
<u>Administrative Assistant</u>	<u>2</u>

Redevelopment Agency

<u>Redevelopment Agency Director</u>	<u>1</u>
<u>Administrative Clerk I</u>	<u>2</u>

Public Services Works

Public Services Director	4
Public Services Superintendent	2
Admin Coordinator	2
Public Services Supervisor	2
Public Services Office Manager	2
Public Services Lead Clerk	2
Public Works Director	4
Superintendent	4
<u>Public Works Director/City Engineer</u>	1
<u>Assistant City Engineer</u>	1
<u>Assistant City Public Works Director</u>	1
<u>Public Works Operations Manager</u>	<u>2</u>
<u>Parks & Recreation Operations Manager</u>	<u>2</u>
Recreation Supervisor	2
<u>Fleet Supervisor</u>	<u>2</u>
Supervisor	2
<u>Office Manager</u>	<u>2</u>
<u>Administrative Assistant</u>	<u>2</u>
Lead Clerk	2

Information Technology

<u>Information Technology Director</u>	<u>1</u>
<u>Information Technology Technician</u>	<u>2</u>

Commissions, Committees, and Boards

City of Los Banos Redevelopment Agency Board Members	1
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Other Positions

City Engineer	4
Consultants ²	1
Temporary Positions ³	1

¹ The Mayor and Council Members, Planning Commissioners, City Manager, City Attorney, and Treasurer/Chief Financial Officer are required to file statements of economic interest pursuant to Government Code Section 87200, and are therefore, not included in the List of Designated Positions required to file pursuant to the City's conflict of interest code.

² Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadcast disclosure category in the code subject to the following limitation.

The City Manager may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

³ Temporary positions may be required to file a conflict of interest statement upon determination by the city attorney that the temporary position is the functional equivalent of a designated position.

Appendix B

CITY OF LOS BANOS DISCLOSURE CATEGORIES

<u>Category</u>	<u>Reportable Interests</u>
1	Investments, business positions, income from sources located in or doing business in the jurisdiction, interests in real property located in the jurisdiction, including property located within a two-mile radius of any property owned or used by the City.
2	Investments, business positions, and sources of income of the type which provide services, supplies, materials, machinery or equipment of the type utilized by the City.
3	Investments, business positions, and sources of income of the type, which engage in, land development, construction or the acquisition or sale of property, interests in real property located within the jurisdiction, including property located within a two-mile radius of any property owned or used by the City.

General Provisions

When a designated employee is required to disclose investments and sources of income, he/she need only disclose investments in business entities and sources of income, which do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interest in real property, he/she need only disclose real property, which is located in whole or in part within, or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix A.

A retention period for forms that have been filed from previous years is hereby established. That retention period shall be four years or two years after the designated employee leaves office.



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor Jones & City Council Members
FROM: Melinda Wall, Chief Financial Officer *M. Wall*
DATE: November 19, 2008
SUBJECT: Emergency Budget Finance Committee Formation
TYPE OF REPORT: Non Consent Agenda

Recommendation:

Staff is requesting:

1. The adoption of the Resolution "A resolution of the City Council of the City of Los Banos establishing the purpose, membership, and meeting dates of the City of Los Banos Emergency Budget Finance Committee" ; and
2. The appointment of two council members to the committee.

Background:

As Council and staff is aware the current sales tax revenue report is down 16%. In addition, with home values significantly declining we are anticipating a 25% reduction in property tax revenue after the first of the year. Currently General Fund expenditures will exceed incoming revenue.

To balance our budget requires immediate action to preserve our operating reserve account and balance the General Fund budget.

During the last City Council meeting, the 1st Quarter Budget Report clearly demonstrated that the General Fund had collected only 3% of the General Fund revenues for the first quarter and as of this date, the City has only collected 6% of it's General Fund revenues for the first five months. Additionally, the City has exceeded incoming revenues by it's expenditures in the amount of \$3 Million (M) in the first

quarter alone. Because of county property tax allocations the City lags in the timing of its revenues because property taxes are not received until January and May. With the severe economic downturn General Fund revenues are showing signs of reduction greater than anticipated.

In preparation for the anticipated reduced revenue of the current 2008-09 Fiscal Year (FY) budget the City cut \$1.3 M in expenditures from what had been budgeted in the prior fiscal year. At the same time the City had anticipated a \$1.3 M increase in revenues creating a balanced budget with a \$4 million dollar reserve, this created a scenario in which the City modestly improved the Fund balance by \$385,000.

In the 2008-09 Budget property taxes had been budgeted with a 10% reduction, we now anticipate a 25%+ reduction in property taxes in this FY and estimate an additional 15-20% in the 2009-10 FY. A 25% reduction equals approximately \$500,000 reduction. Additionally anticipated sales tax in 2007-08 FY came in significantly lower at year end and in the 2008-09 FY has significantly declined by 16% and the trend is downward, this is an approximately \$800,000 reduction. Also no new Single Family Dwelling (SFD) permits have been issued in this fiscal year.

Staff is currently reviewing all General Fund revenues and at this time, the loss of over a million dollars of revenues requires that we reopen the current budget and make necessary changes to rebalance the budget and prevent further structural deficits in the General Fund for this year and to plan for known structural deficits in the 2009-2010 FY.

Discussion:

In order to restructure and bring the General Fund into balance for the current year and the next fiscal year and additionally, to exam a variety of options, staff is requesting that City Council establish an emergency City of Los Banos Budget Finance Committee.

In reviewing other city finance committees, the members of the Committee usually consist of two City Council Members and members of the administrative management staff, we are requesting that staff consists of the City Manager, Human Resources Director, and the City Treasurer. Other staff members may participate, but their presences would not be mandatory.

Because of the urgent nature, we are requesting the committee meet on Thursday, December 11, 2008 and hold regular bi-weekly meetings or to be determined until the committee has completed its task.

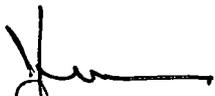
The duties of the Committee shall be, but are not limited to, the review and recommendations of financial issues; to evaluate recommendations and solutions related to City expenditures, revenues, and fund balances; to provide City staff with recommendations in the evaluation of policies and procedures of City funds; and to assist City staff with identifying and prioritizing activities related to the budget.

Our intention is to bring the City Council a complete update of the City's financial condition, identify General Fund core services, and budget options available to implement as cost savings measure in this current year and the 2009-2010 FY by the end of January for Council's review and adoption.

Fiscal Impact:

Fiscal Impact of the formation of this committee would result in adjustments in General Fund revenues to reflect the change in the current economy and conditions. Additionally the committee would examine cuts or adjustments in expenditures to bring the General Fund back into balance. These could include personnel cuts, services and supply adjustments and postponing capital projects that may be included in the General Fund.

Reviewed by:



Steve Rath, City Manager

Attachments:

Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS ESTABLISHING THE
PURPOSE, MEMBERSHIP, AND MEETING
DATES OF THE CITY OF LOS BANOS
EMERGENCY BUDGET FINANCE COMMITTEE**

WHEREAS, the City Council of the City of Los Banos desires to establish an oversight committee for the review of the City's budget financial issues concentrating on the City's General fund for the current fiscal year and the next coming fiscal year; and

WHEREAS, the City Council of the City of Los Banos desires to demonstrate a high level of credibility and accountability in providing public services; and

WHEREAS, the City Council of the City of Los Banos desires to provide successful public service through the building of public trust and confidence.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby approve the following:

1. That the City of Los Banos Emergency Budget Finance Committee is hereby established.
2. The Committee shall start on Thursday, December 11, 2008 and hold regular bi-weekly meetings or TBD until the committee has completed it's task.
3. The membership of the Committee shall consist of two (2) City Council Members, City Manager, Human Resources Director, and the City Treasurer.
4. The duties of the Committee shall be, but are not limited to, the review and recommendations of financial issues; to evaluate recommendations related to City expenditures, revenues, and fund balances; to provide City staff direction in the evaluation of policies and procedures of City funds; and to assist City staff with identifying and prioritizing City activities related to the City budget.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 19th day of November 2008, by Council Member _____ who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Tommy Jones, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of
Los Banos

At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council Members

FROM: Lucy Mallonee, CMC *lm*
City Clerk/Human Resources Director

DATE: November 19, 2008

SUBJECT: Current City Commission Vacancies – Airport Commission
Culture and the Arts Commission

TYPE OF REPORT: Non Consent Agenda

Recommendation:

Authorize staff to advertise vacancies.

Discussion:

According to the new City Commission appointment policy adopted by City Council Resolution No. 5008, the City Clerk must report to the City Council with any existing vacancies on City Commissions.

There will be one (1) Airport Commission unexpired term open as of November 20, 2008. There is currently one (1) Culture and the Arts Commission two (2) year term. The appointment of a Council Member to serve with the Mayor on the selection committee is scheduled for the City Council Meeting of December 3, 2008.

Fiscal Impact:

Four (3) advertisements running in the local newspaper at a total cost of \$421.20 to be funded equally between the Public Works Department and Redevelopment Agency.

Reviewed by:



Melinda J. Wall, Chief Financial Officer



Steve Rath, City Manager

LM:js

Attachments:

Notice of Vacancy

Local Appointments List

City Council Resolution 5008



City of Los Banos

At the Crossroads of California

NOTICE OF VACANCY ON CITY COMMISSIONS

Notice is hereby given that the City of Los Banos is now accepting applications from citizens 18 or older residing within the City limits of Los Banos interested in serving on the following commission:

Airport Advisory Commission

One (1) Vacancy: One (1) Unexpired Term – Expiring December 31, 2009

Culture and the Arts Commission

One (1) Vacancy: One (1) Two (2) Year Term – Expiring December 31, 2010

The various commissions meet once or twice a month and serve as advisory bodies to the City Council and Administrative Officials on such actions as they deem necessary, proper or advisable for the proper administration of City functions. The City Code provides for a limit of four (4) consecutive two year terms. Board members receive no compensation for their time, although they may be requested to attend training workshops or seminars at City expense.

If you are interested in volunteering to serve on any of the City Commissions and are a resident of the City of Los Banos, please contact the City Clerk's Office at City Hall, 520 J Street, 827-7000 ext 148 to request an application or access an application on the City's website: www.losbanos.org. ***The deadline for submitting applications to the City Clerk is Friday, December 5, 2008 before 5:00 p.m., and the appointments are tentatively scheduled for the City Council meeting of Wednesday, December 17, 2008.***

Local Appointments List

Planning Commission

	<u>Term</u>	
1 Norm Donovan	March 10, 2004	- December 31, 2009
2 Jose Manzo	January 1, 2006	- December 31, 2009
3 Stephen Hammond	January 8, 2007	- December 31, 2010
4 Tom Mello	May 7, 2008	- December 31, 2010
5 Shirley Napolitano	May 7, 2008	- December 31, 2010
6 Ann McCauley	May 7, 2008	- December 31, 2010
7 Erasmo Viveros	February 13, 2008	- December 31, 2011

Parks & Recreation Commission

	<u>Term</u>	
1 John Spevak, City Appointed	January 1, 2005	- December 31, 2008
2 Diana Ingram, City Appointed	February 20, 2008	- December 31, 2008
3 Tesse Mazzina, County Appointed	February 1, 2005	- January 1, 2009
4 Arturo Herrera, City Appointed	May 7, 2008	- December 31, 2010
5 Michael Neu, County Appointed	February 13, 2007	- January 1, 2011
6 Mario Gonzalez, School Board Appointed	January 11, 2008	- December 31, 2011
7 Jacqueline Skinner, City Appointed	February 20, 2008	- December 31, 2011

Airport Advisory Commission

	<u>Term</u>	
1 Ramona Giuliani	July 22, 2008	- December 31, 2009
2 Ronald Ingram, Chairperson	January 17, 2007	- December 31, 2010
3 Alan Wilber	January 17, 2007	- December 31, 2010
4 Jack Aguilar, Jr.	January 17, 2007	- December 31, 2010
5 Larry Leonardo, Sr.	February 20, 2008	- December 31, 2011

Culture & the Arts Commission

	<u>Term</u>	
1 Ramona Giuliani	November 5, 2008	- December 31, 2010
2 Margaret Patricio	November 5, 2008	- December 31, 2010
3 Dean Young	November 5, 2008	- December 31, 2010
4 Colleen Menefee	November 5, 2008	- December 31, 2010
5 Elna Pedersen	November 5, 2008	- December 31, 2010
6 Rebecca Palmer	November 5, 2008	- December 31, 2010
7 Vacant		- December 31, 2010

RESOLUTION NO. 5008

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS ESTABLISHING A POLICY
FOR APPOINTMENTS TO CITY COMMISSIONS
AND BOARDS**

WHEREAS, the City Council adopted Ordinance No. 1069 amending Title 2, Chapter 2 of the Los Banos Municipal Code relating to appointments to City Commissions and Boards; and

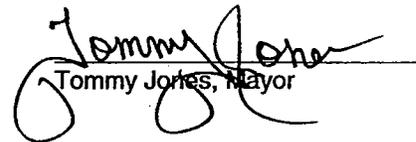
WHEREAS, the City Council desires to adopt a policy for appointments to City Commissions and Boards.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby approve the attached policy entitled "Policy and Procedures for Appointments to City Commissions And Boards" as set forth in forth in Exhibit A attached hereto and incorporated herein by this reference.

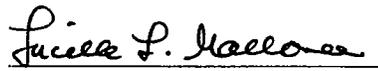
The foregoing resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 2nd day of April 2008, by Council Member Faria, who moved its adoption, which motion was duly seconded by Council Member Sousa, and the Resolution is hereby adopted by the following vote:

AYES: Council Members Brooks, Faria, Sousa, Villalta, Mayor Jones
NOES: None
ABSENT: None

APPROVED:


Tommy Jones, Mayor

ATTEST:


Lucille L. Mallonee, City Clerk

"EXHIBIT A"

**POLICY AND PROCEDURES FOR APPOINTMENTS TO
CITY COMMISSIONS AND BOARDS**

PURPOSE. To establish a more formal and inclusive selection process for the recruitment and appointment of the best qualified candidates for Commissioners to City Commissions and Boards that allows for all community members the opportunity to become involved in local government by serving on City Commissions and Boards.

1. Local Appointment List. The City Clerk shall maintain and provide the Local Appointment List as required by Government Code.

a. On or before December 31 of each year, the City Clerk shall prepare an appointments list of all regular and ongoing boards, commissions, and committees which are appointed by the City Council. This list shall be known as the Local Appointments List. The list shall contain the following information:

(i) A list of all appointive terms which will expire during the next calendar year, with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position.

(ii) A list of all boards, commissions, and committees whose members serve at the pleasure of the legislative body, and the necessary qualifications for each position.

b. The Local Appointments List shall be made available to members of the public for a reasonable fee which shall not exceed actual cost. The City Clerk shall forward a copy of the list to the Merced County Public Library Los Banos Branch

2. Notice of Vacancy. At a regular City Council Meeting the City Clerk will report to the City Council approximately sixty days prior to the date of expiration of a term of office of a commissioner or board member. At a regular City Council Meeting the City Clerk will also report to the City Council any board or commission unscheduled vacancy for reasons other than the expiration of the term of office.

3. Advertisement. The City Clerk will post notice of the vacancies and application deadlines at the City Clerk's Office, the Merced County Public Library, the City website, and a newspaper of general circulation within the City. For unscheduled vacancies, the City Clerk will post notice of the vacancy not earlier than twenty days before or not later than twenty days after the vacancy occurs.

4. Applications.

a. A standard application form together with supplemental questions will be provided by the City Clerk to persons interested in appointment to a vacant office.

b. Incumbent commissioners and board members seeking reappointment, as well as new applicants, will complete the application forms and return them to the City Clerk by the designated deadline in order to be considered for appointment. However, a board member or commissioner who has been appointed to fill an unexpired term within the previous twelve months will not be required to complete and file a new application.

c. Applicants are expected to have attended at least one meeting of the board or commission for which they are seeking appointment.

d. Applications will only be accepted for specific vacancies. Persons who have applied for previous vacancies will be kept on an interest list for a period of two years by the City Clerk and be mailed notices of pending vacancies during that period.

e. In the event there are not two or more applicants than vacancies the application filing deadline may be extended by the City Clerk.

5. Interview Committee. The Mayor and a selected Council Member and appropriate Department Head will review applications and interview applicants.

a. The Committee will interview all of the applicants, including incumbents, who have submitted applications by the designated deadline. The Committee may conduct interviews by telephone. A candidate who is unable to be interviewed will be dropped from consideration.

6. Appointments.

a. With the input of the other Interview Committee members, the Mayor shall recommend a candidate for appointment to the full City Council. Appointments are made at regular or special meetings of the City Council.

b. If the City Council is unable to reach the necessary number of appointments for whatever reason, the City Council may then proceed to seek additional applicants and continue the appointment process.