



City of Los Banos

At the Crossroads of California

www.losbanos.org

Corrected 10/10/14 @ 1:30 PM

AGENDA

CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

OCTOBER 15, 2014

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 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 del Ayuntamiento respecto a cualquier artículo en este orden del día será hecho disponible para la inspección pública en la reunión y en la oficina de la Secretaria de la ciudad en 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 Members)

Faria ____, Lewis ____, Silveira ____, Stonegrove ____, Villalta ____
4. CONSIDERATION OF APPROVAL OF AGENDA.
5. PRESENTATION – PROCLAMATION RECOGNIZING CANCER AWARENESS DAY.

6. PUBLIC FORUM. (Members of the public may address the City Council Members on any item of public interest that is within the jurisdiction of the City Council; includes agenda and non-agenda items. No action will be taken on non-agenda items. Speakers are limited to a five (5) minute presentation. Detailed guidelines are posted on the Council Chamber informational table.)

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

A. Check Register for #149698 – #149899 in the Amount of \$1,019,653.32.

Recommendation: Approve the check register as submitted.

B. First Quarter Investment Report for Fiscal Year 2014-2015.

Recommendation: Accept the report as submitted.

C. City Council Meeting Minutes:

- 1) August 6, 2014.
- 2) August 20, 2014.

Recommendation: Approve the minutes as submitted.

D. Street Closure Request from Los Banos Fellowship of Believers to Close Off H Street, Between 5th Street & 7th Street, and at the End of 6th Street in Front of the Henry Miller Plaza from 3:00 PM to 8:00 PM on Friday, October 31, 2014 for the Annual Harvest of Fun Event.

Recommendation: Approve the street closure request as submitted.

E. Street Closure Request from the Veterans of Foreign War (VFW) Post 2487 to Hold a Veterans Parade on Saturday, November 8, 2014 and to Close 6th Street from Pacheco Boulevard to H Street, H Street between 5th Street and 6th Street, 5th Street between H Street and K Street, and K Street between 5th Street and 6th Street from 8:00 AM to 2:00 PM.

Recommendation: Approve the street closure request as submitted.

F. Waiver of Administrative Permit Fee for Evangelical Free Church.

Recommendation: Waive the Administrative Permit Fee as submitted.

G. City Council Resolution No. 5616 – Approving a Tentative Agreement/Memorandum of Understanding By and Between the City of Los Banos and the Los Banos Police Dispatchers/Community Service Officers Association.

Recommendation: Adopt the resolution as submitted.

- H. City Council Resolution No. 5617 – Establishing a Policy and Fee Regarding Display of Street Banners in the Downtown Area Across Sixth Street.

Recommendation: Adopt the resolution as submitted.

- I. City Council Resolution No. 5618 – Approving an Amendment to Division 18 – Drug and Alcohol Free Workplace Policy of the City's Policy & Procedures Manual.

Recommendation: Adopt the resolution as submitted.

- J. City Council Resolution No. 5619 – Adopting a Records Retention Policy and Retention Schedules and Authorizing the Destruction of City Records in Accordance with the Provisions of the Policy.

Recommendation: Adopt the resolution as submitted.

- K. City Council Resolution No. 5620 – Approving Budget Amendment for an Increase in Expenditures for a Combination Sewer Cleaner Truck in the Amount of \$393,655.

Recommendation: Adopt the resolution as submitted.

- L. City Council Resolution No. 5621 – Amending the 2014-2015 Fiscal Year Budget by Increasing the Appropriation Amount for Expenditures in the Amount of \$509 Related to a Three (3) Month Extension to a 2013-2014 Fiscal Year American Society for the Prevention of Cruelty to Animals (ASPCA) Grant.

Recommendation: Adopt the resolution as submitted.

- M. City Council Resolution No. 5622 – Approving the Acceptance of a \$44,016 Grant (PT15137) from the California Office of Traffic Safety (OTS) and Amending the 2014-2015 Fiscal Year Budget by Increasing the Appropriation Amount of the State Grant Fund Account for Expenditures and Revenues in the Amount of \$44,016.

Recommendation: Adopt the resolution as submitted.

8. PRESENTATION BY RIGGS AMBULANCE REGARDING PULSE POINT CELLULAR TELEPHONE APPLICATION.

Recommendation: Informational item only.

9. ADVISEMENT OF PUBLIC NOTICES. (Two Reports)

10. NOTICE AND ANNOUNCEMENT OF VACANCIES ON THE FOLLOWING COMMISSIONS/COMMITTEES:

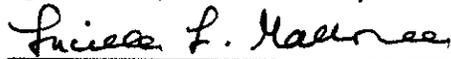
- A. Parks & Recreation Commission – ~~Two (2)~~ Three (3) Vacancies

- B. Planning Commission – Four (4) Vacancies
- C. Tree Commission – Two (2) Vacancies
- D. Economic Development Advisory Commission – Three (3) Vacancies
- E. Airport Advisory Commission – Three (3) Vacancies
- F. Measure P Committee – Two (2) Vacancies

Recommendation: Informational item only, no action to be taken.

- 11. CITY MANAGER REPORT.
- 12. CITY COUNCIL MEMBER REPORTS.
 - A. Scott Silveira
 - B. Elizabeth Stonegrove
 - C. Tom Faria
 - D. Deborah Lewis
 - E. Mayor Mike Villalta
- 13. ADJOURNMENT.

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



Lucille L. Mallonee, City Clerk

Dated this 10th day of October 2014



Corrected 10/10/14 @1:30 PM

City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council Members
FROM: Lucy Mallonee, MMC *gm*
City Clerk/Human Resources Director
DATE: October 15, 2014
SUBJECT: Announcement of City Commission Vacancies
TYPE OF REPORT: Informational Item

Recommendation:

Informational Item only.

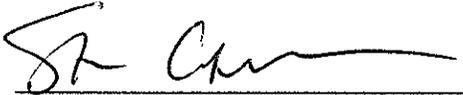
Discussion:

The City Clerk must report to the City Council any vacancies on City Commissions; those vacancies will be advertised in the Los Banos Enterprise and on the City's website. The deadline to submit an application to serve on a City Commission in 2014 is Tuesday, November 18, 2014.

Fiscal Impact:

Four (4) newspaper advertisements (October 24th, 31st, November 7th, 14th) at a total cost of approximately \$460 funded by various affected departments.

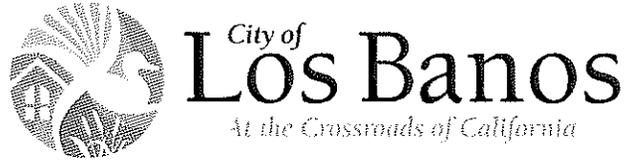
Reviewed by:



Steve Carrigan, City Manager

Attachments:

Notice of Vacancy
Local Appointments List
City Council Resolution No. 5008



NOTICE OF VACANCIES 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 a City Commission.

Los Banos Parks & Recreation Commission

~~Two (2)~~ ~~Three (3)~~ Vacancies: ~~Two (2)~~ ~~Three (3)~~ (2) Two (2) Year Terms – Expiring December 31, 2016

Los Banos Planning Commission

Four (4) Vacancies: Four (4) Two (2) Year Terms – Expiring December 31, 2016

Los Banos Tree Commission

Two (2) Vacancies: Two (2) Two (2) Year Terms – Expiring December 31, 2016

Economic Development Advisory Commission

Three (3) Vacancies: Three (3) Two (2) Year Terms – Expiring December 31, 2016

Airport Advisory Commission

Three (3) Vacancies: Three (3) Two (2) Year Terms – Expiring December 31, 2016

Measure P Committee

Two (2) Vacancies: Two (2) Three (3) Year Terms – Expiring December 31, 2017

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. 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 and qualified elector of the City of Los Banos, please contact the City Clerk's Office at City Hall, 520 J Street, 827-7000 ext 124 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 **Tuesday, November 18, 2014 before 5:00 p.m.**, and the appointments are tentatively scheduled for the City Council meeting of Wednesday, December 17, 2014.



LOCAL APPOINTMENTS LIST

LOS BANOS PARKS AND RECREATION COMMISSION

Meets the 3rd Tuesday of each month at 6:00 p.m.

COMMISSIONER	DATE APPOINTED	TERM EXPIRES
Palmer McCoy	3/5/2014	12/31/2014
Ronald George	3/5/2014	12/31/2014
Norberto Rodriguez	1/2/2014	12/31/2015
Vacant (LBUSD Appt.)	N/A	12/31/2015
Michael Neu (County Appt.)	1/4/2011	1/1/2015

LOS BANOS PLANNING COMMISSION

Meets the 2nd and 4th Wednesday of each month at 7:00 p.m.

COMMISSIONER	DATE APPOINTED	TERM EXPIRES
Arkady Faktorovich	1/1/2013	12/31/2014
Tom Mello	1/1/2013	12/31/2014
Tom Spada	1/1/2013	12/31/2014
Susan Toscano	1/1/2013	12/31/2014
Todd Baker	1/2/2014	12/31/2015
John Cates	1/2/2014	12/31/2015
Steve Hammond	1/1/2014	12/31/2015

LOS BANOS TREE COMMISSION

Meets the 2nd Wednesday in February, May, August, and November at 5:00 p.m.

COMMISSIONER	DATE APPOINTED	TERM EXPIRES
Mary Coakley	1/1/2014	12/31/2014
Tom Kaljian	1/1/2014	12/31/2014
Rebecca Tietjen	1/1/2014	12/31/2015
John Spevak	1/1/2014	12/31/2015
Colleen Menefee	1/1/2014	12/31/2015

ECONOMIC DEVELOPMENT ADVISORY COMMISSION

Meets the 3rd Monday of each month at 4:00 p.m.

COMMISSIONER	DATE APPOINTED	TERM EXPIRES
Margaret (Peggy) Edwards	1/1/2013	12/31/2014
Ann McCauley	6/5/2013	12/31/2014
Kathy Ballard	1/1/2013	12/31/2014
Tom Faria	1/1/2013	12/31/2014
Elizabeth Stonegrove	1/1/2013	12/31/2014
Brett Jones	1/2/2014	12/31/2015
Aleksey Y. Dvorkin	1/2/2014	12/31/2015

LOS BANOS AIRPORT ADVISORY COMMISSION

Meets the 2nd and 4th Wednesday of each month at 5:00 p.m.

COMMISSIONER	DATE APPOINTED	TERM EXPIRES
David Anderson	2/6/2013	12/31/2014
Alan Wilber	1/1/2013	12/31/2014
Daniel Beasworrick	1/1/2013	12/31/2014
Heiko Stichel	2/5/2014	12/31/2015
Larry Leonardo, Sr.	1/2/2014	12/31/2015

MEASURE P COMMITTEE

Meets Semi-annually or as often as it deems necessary to accomplish objectives.

COMMITTEE MEMBER	DATE APPOINTED	TERM EXPIRES
Diana Ingram	1/1/2012	12/31/2014
Rhonda Rusk	1/1/2012	12/31/2014
Mark Bodley	1/1/2013	12/31/2015
Hoang (Ichabod) Nguyen	1/1/2013	12/31/2015
Arlene Cardoza	1/15/2014	12/31/2016
Gerald Giesel	1/15/2014	12/31/2016
Tom Neeb	1/15/2014	12/31/2016

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

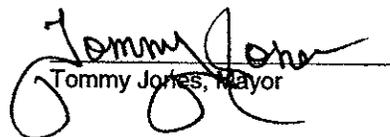
WHEREAS, the City Council desires to adopt a policy for appointments to City Commissions and Boards

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

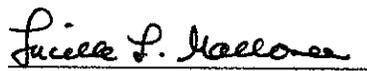
The foregoing resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 2nd day of April 2008, by Council Member Fana, who moved its adoption, which motion was duly seconded by Council Member Sousa, and the Resolution is hereby adopted by the following vote

AYES	Council Members Brooks, Fana, 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.