



City of Los Banos

At the Crossroads of California

www.losbanos.org

AGENDA

CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

NOVEMBER 5, 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 VETERANS 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 #149900 – #150194 in the Amount of \$1,319,498.95.
Recommendation: Approve the check register as submitted.

 - B. City Council Meeting Minutes:
 - 1) September 17, 2014.
 - 2) October 1, 2014.*Recommendation: Approve the minutes as submitted.*

 - C. City Council Resolution No. 5623 – Approving Closure of Non-Essential City Offices on Wednesday, December 24, 2014, Friday, December 26, 2014, and Friday, January 2, 2015.
Recommendation: Adopt the resolution as submitted.

 - D. City Council Resolution No. 5624 – Authorizing the City Manager to Execute an Administrative Services Agreement with the Merced Designated Local Authority, as Successor Agency of the Redevelopment Agency of the City of Merced.
Recommendation: Adopt the resolution as submitted.

8. PRESENTATION BY PG & E REGARDING THE PATHWAYS PROJECT.
Recommendation: Informational item only.

9. ADVISEMENT OF PUBLIC NOTICES. (One Report)

10. CITY MANAGER REPORT.

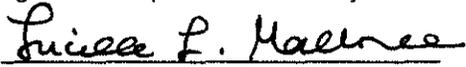
11. CITY COUNCIL MEMBER REPORTS.
 - A. Elizabeth Stonegrove

 - B. Tom Faria

- C. Deborah Lewis
- D. Scott Silveira
- E. Mayor Mike Villalta

12. 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 30th day of October 2014



City of
Los Banos
At the Crossroads of California

**PROCLAMATION RECOGNIZING
VETERANS DAY**

WHEREAS, America was founded on the principles of liberty, opportunity, and justice for all; and

WHEREAS, Veterans Day is a day in which we recognize the men and women of our Armed Forces who have valiantly defended our country's values throughout this Nation's history; and

WHEREAS, by answering the call of duty and risking their lives to protect their fellow countrymen, these patriots have inspired us with their courage, compassion, and dedication; and

WHEREAS, universal recognition is given to the celebrated ending of World War I fighting at 11 a.m., November 11, 1918 (the 11th hour of the 11th day of the 11th month); and

WHEREAS, there are currently more than 25 million living American veterans, many of whom put their lives on the line to preserve our freedoms; and

WHEREAS, our proud veterans have given our country an extraordinary legacy of patriotism and honor, and their service represents the highest form of citizenship; and

WHEREAS, in honor of all our proud veterans, the ones that are here today and the ones that have gone before, we invite our community to give a moment of silence in respect and thank you on November 11, 2014.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and City Council Members of the City of Los Banos do hereby celebrate the day of November 11, 2014 as **VETERANS DAY** and encourage all citizens to give thought to the history, valor, and sacrifice of our veterans through appropriate ceremonies and prayers.

In witness whereof, I have hereunto set my hand and caused to be affixed the seal of the City of Los Banos, this 5th day of November 2014.

APPROVED:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk

CK # 149900 - 150194

11/05/2014

\$1,319,498.95

Checks by Date

User: sorozco
 Printed: 10/30/2014 - 10:23AM
 Cleared and Not Cleared Checks
 Print Void Checks



City of
Los Banos
At the Crossroads of California

Check	Check Date	Name	Module	Void Amount
149900	10/10/2014	Norma Calderon	AP	600.00
149901	10/10/2014	City of Los Banos Escrow Account	AP	1,643.06
149902	10/10/2014	Daniel Freeman	AP	345.00
149903	10/10/2014	Golden Valley Health Centers	AP	250.00
149904	10/10/2014	Joshua Houtekamer	AP	345.00
149905	10/10/2014	Law Offices of William A Vaughn	AP	7,658.75
149906	10/10/2014	Los Banos Vet Clinic	AP	2,022.00
149907	10/10/2014	Los Banos Vet Clinic	AP	467.30
149908	10/10/2014	Los Banos Vet Clinic	AP	425.30
149909	10/10/2014	Lucille L Mallonee	AP	56.56
149910	10/10/2014	Meyers, Nave, Riback, Silver & Wilson	AP	2,643.54
149911	10/10/2014	Nielsen Merksamer Parrinello Gross & Leoni, LLP	AP	2,295.63
149912	10/10/2014	Yesenia Padilla	AP	350.00
149913	10/10/2014	PERS - Public Employees	AP	116,457.37
149914	10/10/2014	Portfolio Recovery Associates, Inc.	AP	896.22
149915	10/10/2014	U.S. Bank Equipment Finance	AP	1,890.82
149916	10/10/2014	Guadalupe Vargas-Rivera	AP	500.00
149917	10/10/2014	ABS Direct, Inc.	AP	4,382.63
149918	10/10/2014	Anthony Gomes	AP	50.00
149919	10/10/2014	Aramark Uniform Ser Inc	AP	362.75
149920	10/10/2014	BJ's Consumers Choice	AP	72.00
149921	10/10/2014	BSK Associates	AP	462.00
149922	10/10/2014	Cal Traffic	AP	1,397.24
149923	10/10/2014	Century MFG	AP	987.80
149924	10/10/2014	Custom Locksmith & Alarm Inc.	AP	12.92
149925	10/10/2014	Dell Marketing L P	AP	2,445.95
149926	10/10/2014	Dept of Housing & Community Development State	AP	13,361.00
149927	10/10/2014	Electrical Distributors Co.	AP	10.93
149928	10/10/2014	Employee Relations, Inc.	AP	50.00
149929	10/10/2014	Espana's Restaurant	AP	2,067.00
149930	10/10/2014	Fastenal Company	AP	51.69
149931	10/10/2014	Ferrellgas, Inc.	AP	65.93
149932	10/10/2014	Galls Inc	AP	119.02
149933	10/10/2014	IIMC	AP	290.00
149934	10/10/2014	Calvin Lotz	AP	68.70
149935	10/10/2014	International Council of Shopping Centers	AP	100.00
149936	10/10/2014	Jerry Witt	AP	3,827.00
149937	10/10/2014	Lexipol LLC	AP	4,655.00
149938	10/10/2014	Lucas Business Systems	AP	440.75
149939	10/10/2014	Marfab Inc	AP	45.88

Check	Check Date	Name	Module	Void Amount
149940	10/10/2014	Matson Alarm Co Inc	AP	180.00
149941	10/10/2014	Jose Melendrez Sr.	AP	292.00
149942	10/10/2014	Napa Auto Parts	AP	38.82
149943	10/10/2014	The Office City	AP	313.97
149944	10/10/2014	Play Power LT Farmington, INC.	AP	1,370.58
149945	10/10/2014	Ronny's Landscaping	AP	100.00
149946	10/10/2014	Sherwin Williams Co	AP	385.40
149947	10/10/2014	Springbrook Software, Inc.	AP	1,110.00
149948	10/10/2014	Sorensens True Value	AP	640.91
149949	10/10/2014	Terryberry Company LLC	AP	300.92
149950	10/10/2014	Windecker Inc	AP	318.51
149951	10/10/2014	Young's Air Conditioning	AP	470.00
149953	10/13/2014	Bank of America	AP	58.54
149955	10/15/2014	Bank of America	AP	116.43
149980	10/17/2014	Aflac-Customer Service	AP	95.81
149981	10/17/2014	Aflac-Customer Service	AP	143.95
149982	10/17/2014	Aflac-Customer Service	AP	41.26
149983	10/17/2014	Aflac-Customer Service	AP	83.59
149984	10/17/2014	Bank of America	AP	85,689.55
149985	10/17/2014	Bank of America	AP	2,608.23
149986	10/17/2014	Bank of America	AP	11,092.62
149987	10/17/2014	Los Banos Fitness &	AP	695.00
149988	10/17/2014	Los Banos Police Assn	AP	1,915.00
149989	10/17/2014	MassMutual	AP	1,332.40
149990	10/17/2014	MassMutual	AP	4,992.00
149991	10/17/2014	Nationwide Retirement Solutions	AP	1,590.00
149992	10/17/2014	Professional Fire Fighter	AP	630.00
149993	10/17/2014	State Disbursement Unit	AP	2,085.00
149994	10/17/2014	Vantagepont Transfer Agents - 306797	AP	455.00
149995	10/17/2014	Vantagepoint Transfer Agents - 705827	AP	25.00
149996	10/17/2014	Vantagepoint Transfer Agents - 801838	AP	825.00
149997	10/17/2014	Tammy D. Allard	AP	152.00
149998	10/17/2014	Brian Butler	AP	36.00
149999	10/17/2014	CACEO - CA Assoc of Code Enforcement Officers	AP	424.00
150000	10/17/2014	CACEO - CA Assoc of Code Enforcement Officers	AP	424.00
150001	10/17/2014	Jesse Ceja	AP	152.00
150002	10/17/2014	City of Los Banos Utility	AP	40,107.53
150003	10/17/2014	Stephen Frates	AP	36.00
150004	10/17/2014	Fresno City College	AP	69.00
150005	10/17/2014	Darrall Gargano	AP	206.40
150006	10/17/2014	Chester Guintini	AP	333.43
150007	10/17/2014	Lucille L Mallonee	AP	450.00
150008	10/17/2014	Justin Melden	AP	120.00
150009	10/17/2014	Jesus Parras	AP	120.00
150010	10/17/2014	Eduardo Solis	AP	36.00
150011	10/17/2014	South Bay Regional Training Consortium	AP	250.00
150012	10/17/2014	South Bay Regional Training Consortium	AP	250.00
150013	10/17/2014	Stanislaus County Sheriff	AP	210.00
150014	10/17/2014	Stanislaus County Sheriff	AP	210.00
150015	10/17/2014	Ed Vierra	AP	13.95
150016	10/17/2014	Vinyl Products MFG., Inc.	AP	534.60
150017	10/17/2014	Alhambra	AP	180.72
150018	10/17/2014	Alert-O-Lite, Inc.	AP	1,069.20

Check	Check Date	Name	Module	Void Amount
150019	10/17/2014	Ameripride Valley Uniform Services Inc.	AP	320.22
150020	10/17/2014	Anderson Pump Company Inc	AP	142.50
150021	10/17/2014	Anthony Gomes	AP	828.61
150022	10/17/2014	Aramark Uniform Ser Inc	AP	245.79
150023	10/17/2014	AT&T	AP	251.00
150024	10/17/2014	Battery Systems, Inc.	AP	97.20
150025	10/17/2014	BJ's Consumers Choice	AP	463.00
150026	10/17/2014	BlueTarp Financial, Inc.	AP	39.99
150027	10/17/2014	Board of Equalization	AP	890.00
150028	10/17/2014	Bonander Pontiac, Inc.	AP	13.39
150029	10/17/2014	Bryce Consulting Inc.	AP	14,750.50
150030	10/17/2014	BSK Associates	AP	4,754.50
150031	10/17/2014	BSK Associates	AP	6,648.50
150032	10/17/2014	Ca Dept of Justice	AP	2,496.50
150033	10/17/2014	Comcast	AP	10.57
150034	10/17/2014	LN Curtis & Sons	AP	541.85
150035	10/17/2014	Darrell Mello	AP	50.00
150036	10/17/2014	Electrical Distributors Co.	AP	165.47
150037	10/17/2014	Fastenal Company	AP	72.64
150038	10/17/2014	Fast Track Car Wash	AP	21.00
150039	10/17/2014	Ferguson Enterprises Inc DBA Groeniger & Comp:	AP	508.82
150040	10/17/2014	Force Flow	AP	3,340.16
150041	10/17/2014	Galls Inc	AP	354.52
150042	10/17/2014	Grainger Parts Operations	AP	300.82
150043	10/17/2014	Hach Company	AP	1,676.65
150044	10/17/2014	Heppler Precision Machine	AP	60.84
150045	10/17/2014	Holt of California	AP	30.50
150046	10/17/2014	Krazan & Associates Inc	AP	4,180.75
150047	10/17/2014	Language Line Services	AP	7.39
150048	10/17/2014	Los Banos Car Wash Inc	AP	16.00
150049	10/17/2014	Los Banos Express Oil & Lube	AP	67.87
150050	10/17/2014	Lucas Business Systems	AP	324.26
150051	10/17/2014	Madera Carports, Inc.	AP	1,603.80
150052	10/17/2014	Marfab Inc	AP	206.52
150053	10/17/2014	Merced County Dept Of Agriculture	AP	368.00
150054	10/17/2014	Merced Truck & Trailer Inc	AP	24.13
150055	10/17/2014	Merced Uniform & Accessories	AP	685.59
150056	10/17/2014	Napa Auto Parts	AP	80.70
150057	10/17/2014	New Pig Corporation	AP	218.46
150058	10/17/2014	O'Dell Engineering	AP	800.00
150059	10/17/2014	The Office City	AP	807.85
150060	10/17/2014	OSE	AP	85.90
150061	10/17/2014	OnTrac	AP	74.62
150062	10/17/2014	Owen Equipment Sales	AP	1,059.77
150063	10/17/2014	PB Loader Corporation	AP	6,293.38
150064	10/17/2014	P G & E Company	AP	7.89
150065	10/17/2014	P H & S Products LLC	AP	1,320.00
150066	10/17/2014	Provost and Pritchard Engineering, Inc.	AP	2,112.00
150067	10/17/2014	Protech Security & Electronics, Inc.	AP	255.00
150068	10/17/2014	Micheal Quinn	AP	250.00
150069	10/17/2014	Recall Secure Destruction Services Inc	AP	431.69
150070	10/17/2014	Rick's Auto Body	AP	2,124.33
150071	10/17/2014	Yanet Reyes	AP	600.00

Check	Check Date	Name	Module	Void	Amount
150072	10/17/2014	SJVUAPCD	AP		117.00
150073	10/17/2014	Save Mart Supermarkets	AP		323.66
150074	10/17/2014	Sierra Chemical Co	AP		2,517.95
150075	10/17/2014	Robert & Susan Hansen	AP		378.00
150076	10/17/2014	Smith & Loveless Inc	AP		2,364.17
150077	10/17/2014	Snap On Tools	AP		193.32
150078	10/17/2014	Sol's Mobile Service	AP		299.90
150079	10/17/2014	Sorensens True Value	AP		976.56
150080	10/17/2014	Specialty Distributors, Inc.	AP	Void	218.53
150081	10/17/2014	San Luis & Delta-Mendota Water Authority	AP		500.00
150082	10/17/2014	Thomas Ochoa	AP		2,861.03
150083	10/17/2014	Terryberry Company LLC	AP		77.31
150084	10/17/2014	Toscano Upholstery	AP		37.80
150085	10/17/2014	US Bank Corp Pymt System	AP		12,326.35
150086	10/17/2014	Jose Orozco-Aguilera	AP		35.83
150087	10/17/2014	Gabriel Garcia	AP		9.96
150088	10/17/2014	Jose & Patricia De La Torre	AP		46.35
150089	10/17/2014	George and Cathy Toste	AP		87.28
150090	10/17/2014	Jesse Riopel	AP		43.57
150091	10/17/2014	Elvia Munoz	AP		38.17
150092	10/17/2014	Pablo M or Josephine Dominguez	AP		1.78
150093	10/17/2014	Bourdet Family Trust	AP		83.63
150094	10/17/2014	Parreira Properties	AP		19.07
150095	10/17/2014	William Filice	AP		23.61
150096	10/17/2014	Angelica Barba Heredia	AP		23.61
150097	10/17/2014	David and Mayra Cenovio	AP		29.06
150098	10/17/2014	Olga Ornelas	AP		18.15
150099	10/17/2014	Loi Dang	AP		27.26
150100	10/17/2014	Rosalia and Tammy Jo Ojeda	AP		34.52
150101	10/17/2014	Jose Cortez	AP		67.27
150102	10/17/2014	Ruben Alcala Sr.	AP		6.45
150103	10/17/2014	Jose and Maria Guzman	AP		18.15
150104	10/17/2014	Gilberto Ruiz	AP		18.15
150105	10/17/2014	Shanna Bell	AP		43.41
150106	10/17/2014	Blossom Valley Realty, JR Souza	AP		29.98
150107	10/17/2014	Octavio Lopez	AP		12.69
150108	10/17/2014	Louis & Amanda Martinez	AP		9.96
150109	10/17/2014	Home Sweet Home Property Management	AP		92.74
150110	10/17/2014	Home Sweet Home Property Management	AP		26.26
150111	10/17/2014	Sloan Realty - Richard Angel	AP		89.13
150112	10/17/2014	Jihong Chen	AP		50.89
150113	10/17/2014	Paul and Kimber Baran	AP		37.24
150114	10/17/2014	Christopher & Deveny Jou	AP		4.51
150115	10/17/2014	Felipe Pedraza	AP		67.26
150116	10/17/2014	Estela Lopez	AP		39.96
150117	10/17/2014	Ennid Villasenor	AP		600.00
150118	10/17/2014	Windecker Inc	AP		26,308.16
150119	10/17/2014	Young's Air Conditioning	AP		700.50
150120	10/24/2014	ABS Direct, Inc.	AP		8,285.46
150121	10/24/2014	Veronica Aldama	AP		250.00
150122	10/24/2014	Alert-O-Lite, Inc.	AP		1,107.01
150123	10/24/2014	American Planning Association, CA Chapter	AP		295.00
150124	10/24/2014	Aramark Uniform Ser Inc	AP		528.48

Check	Check Date	Name	Module	Void	Amount
150125	10/24/2014	AT&T	AP		360.87
150126	10/24/2014	AT&T	AP		1,956.85
150127	10/24/2014	Dorothy June Baker	AP		276.72
150128	10/24/2014	Belkorp Ag, LLC	AP		29.58
150129	10/24/2014	Brinks Inc.	AP		539.78
150130	10/24/2014	BSK Associates	AP		178.00
150131	10/24/2014	Cal Traffic	AP		1,494.29
150132	10/24/2014	California Building Standards Commission	AP		255.60
150133	10/24/2014	Carrot Top Industries Inc	AP		805.03
150134	10/24/2014	CCID	AP		108.10
150135	10/24/2014	Cen-Cal Air	AP		200.00
150136	10/24/2014	Coffee Break Service	AP		119.00
150137	10/24/2014	Comcast	AP		98.89
150138	10/24/2014	Comcast	AP		420.00
150139	10/24/2014	Cook's Communications Corp.	AP		946.61
150140	10/24/2014	Roy Robert Dickinson	AP		830.68
150141	10/24/2014	Electrical Distributors Co.	AP		155.65
150142	10/24/2014	Ernest Packaging Solutions	AP		148.16
150143	10/24/2014	Ferguson Enterprises Inc DBA Groeniger & Comp	AP		704.18
150144	10/24/2014	Fisher Scientific Company, LLC	AP		206.01
150145	10/24/2014	Ford Motor Credit Company LLC	AP		4,420.32
150146	10/24/2014	Galls Inc	AP		154.92
150147	10/24/2014	Golden State Flow	AP		4,242.05
150148	10/24/2014	Goodwin Consulting Group	AP		1,250.00
150149	10/24/2014	Greater San Joaquin Softball Association	AP		198.00
150150	10/24/2014	Johnnie's Cleaners	AP		67.25
150151	10/24/2014	Marfab Inc	AP		31.25
150152	10/24/2014	Merced County Auditor Controller	AP		1,078.00
150153	10/24/2014	Merced County Auditor Controller	AP		1,015.00
150154	10/24/2014	Merced County EMS Agency	AP		2,126.00
150155	10/24/2014	Merced Uniform & Accessories	AP		777.67
150156	10/24/2014	Napa Auto Parts	AP		492.10
150157	10/24/2014	New Pig Corporation	AP		338.62
150158	10/24/2014	New Year Group Corp	AP		279.36
150159	10/24/2014	O'Reilly Auto Parts	AP		257.20
150160	10/24/2014	The Office City	AP		553.07
150161	10/24/2014	OnTrac	AP		10.77
150162	10/24/2014	OSE	AP		551.07
150163	10/24/2014	P G & E Company	AP		4,910.23
150164	10/24/2014	PERS - Public Employees	AP		116,755.89
150165	10/24/2014	Pinnacle Medical Group	AP		585.00
150166	10/24/2014	Price Paige and Company Accountancy Corporatio	AP		12,825.00
150167	10/24/2014	Protech Security & Electronics, Inc.	AP		60.00
150168	10/24/2014	Quad Knopf, Inc.	AP		728.70
150169	10/24/2014	Jeremy Rahn	AP		3,082.82
150170	10/24/2014	Safe T Lite	AP		131.49
150171	10/24/2014	Sherwin Williams Co	AP		339.74
150172	10/24/2014	Sierra Chemical Co	AP		1,444.72
150173	10/24/2014	Sorensens True Value	AP		735.54
150174	10/24/2014	Spriggs Inc.	AP		692.83
150175	10/24/2014	Tractor Supply Credit Plan	AP		403.06
150176	10/24/2014	USA Blue Book	AP		497.66
150177	10/24/2014	Verizon Wireless	AP		126.19

Check	Check Date	Name	Module	Void	Amount
150178	10/24/2014	Walmart	AP		424.01
150179	10/24/2014	Windecker Inc	AP		1,793.67
150180	10/24/2014	Young's Air Conditioning	AP		347.00
150181	10/24/2014	Tim Baptista Jr.	AP		150.00
150182	10/24/2014	Calpers - Health Benefits	AP		204,538.19
150183	10/24/2014	CSG Consultants Inc.	AP		15,922.83
150184	10/24/2014	Dell Marketing L P	AP		12,800.54
150185	10/24/2014	Mary Lou Gilardi	AP		26.90
150186	10/24/2014	Liebert Cassidy Whitmore	AP		883.10
150187	10/24/2014	Jose Melendrez Sr.	AP		592.00
150188	10/24/2014	Owen Equipment Sales	AP		393,654.60
150189	10/24/2014	Premier Access Insurance Co.	AP		16,165.91
150190	10/24/2014	Quad Knopf, Inc.	AP		17,194.06
150191	10/24/2014	Quality Painting & Maintenance	AP		7,355.49
150192	10/24/2014	Ranchwood Homes	AP		2,104.96
150193	10/24/2014	State Water Resources Control Board	AP		105.00
150194	10/24/2014	SWRCB Accounting Office	AP		9,408.58

Break in check sequence due to the following:

Check #149952 (Payroll)

Check #149954 (Payroll)

Check #149956 - 149979 (Payroll)

Total	1
Total	218.53
Total	268
Total	1,319,280.42
Total	269
Total	1,319,498.95

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
SEPTEMBER 17, 2014**

ACTION MINUTES – These minutes are prepared to depict action taken for agenda items presented to the City Council. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.

CALL TO ORDER: Mayor Villalta called the City Council Meeting to order at the hour of 7:02 p.m.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Police Commander Reyna.

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Council Members Tom Faria (7:10 PM), Deborah Lewis, Scott Silveira, Elizabeth Stonegrove, Mayor Michael Villalta; Absent: None.

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

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

PRESENTATION – PROCLAMATION RECOGNIZING THE 2014 LOS BANOS VARSITY TRAP SQUAD. Mayor Villalta presented proclamations to the Varsity Trap Squad members in attendance: Aaron Buamgartner, Josh Lopes, Jared Crist, DJ Mello, and Jason Chew.

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.) CASSANDRA HELMRICK, VFW Post 2487, spoke regarding the Veterans Parade being held November 8, 2014 in conjunction with American Legion Post 156 and invited all to come; ERIC LIMON, representing Allied Waste, spoke regarding the free Fall Clean Up Day being held on September 27, 2014; JOSH HOUTEKAMER, Los Banos Fire Fighter, spoke regarding the Pink Shirt Campaign in support of Cancer Awareness coming up next month (October); City Manager Carrigan stated that October 15, 2014 will be

Cancer Awareness Day at the City of Los Banos and encouraged all to participate and purchase the Fire Department pink shirts and support the cause; NANCY YOUNG BERGMAN, representing CASA, spoke regarding the upcoming fundraiser event being held on October 11, 2014 at the Los Banos Community Center and encouraged all to attend the event; BONNIE ROBERTS, representing Salvation Army, spoke regarding the upcoming Fundraising Golf Tournament being held on October 10, 2014 at Stevenson Ranch; SANDY LEMOS, Los Banos, encouraged all to participate in the Salvation Army Golf Tournament and spoke regarding the services that the Salvation Army provides; JOE MELLO, Los Banos, spoke regarding his item on the consent agenda regarding getting his home(s) hooked up to the City water system and hopes for the Council's support of approval; RICK TOSCANO, Los Banos, spoke regarding the upcoming Job & Resource Fair being held on September 25, 2014 at the Los Banos Veteran's Memorial Hall and the events happening that day, especially the services provided to the veterans in the community; BERTHA FARIA, Los Banos Chamber of Commerce, gave a report on the recent events happening with the Chamber of Commerce, notably celebrating the business grand opening of Wal-Mart, spoke regarding the Downtown Fall Street Faire, Rabobank Opening, Fast n Affordable Divorces, the Tomato Festival being held on October 4, 2014. Council Member Lewis inquired with the Salvation Army if they were going to have the banquet/luncheon that they had last year for which they stated they were. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Lewis, seconded by Silveira to approve the consent agenda as amended as follows, with items I, City Council Resolution No. 5610 – Authorizing the City Manager to Execute an Out of Boundary Service Agreement Between the City of Los Banos and Helen M. Mello for Water Service at 13529 Mercey Springs Road (Assessor's Parcel Number 082-020-025) and 7J, City Council Resolution No. 5611 – Authorizing the City Manager to Execute an Out of Boundary Service Agreement Between the City of Los Banos and Joseph F. & Charlotte M. Mello for Water Service at 13749 Mercey Springs Road (Assessor's Parcel Number will be Assigned at a Later Date) being removed from the consent agenda and to be heard as a separate item: Check Register for #149040 – #149500 in the Amount of \$1,868,816.90; Minutes for the May 7, 2014 City Council Meeting; Minutes for the May 21, 2014 City Council Meeting; City Council Resolution No. 5605 – Amending City Council Resolution No. 5421 Relating to the 2014 Conflict-of-Interest Code Update; City Council Resolution No. 5606 – Authorizing the City Manger to Sign a Memorandum of Understanding with the Merced County Office of Education for School Resource Services for the 2014-15 School Year; City Council Resolution No. 5607 – Amending the Mass Mutual Deferred Compensation Plan for City Employees to Incorporate a ROTH IRA Option; City Council Resolution No. 5608 – Approving a Tentative Agreement / Memorandum of Understanding By and Between the City of Los Banos and the Los Banos Fire Fighters Association; City Council Resolution No. 5609 – Accepting the Exterior Painting of One (1) Five (5) Million Gallon Storage Tank as Complete and Authorizing the Filing of a Notice of Completion with the Merced County Recorder; ~~City Council Resolution No. 5610 – Authorizing the City Manager to Execute an Out of Boundary Service Agreement Between the City of Los Banos and Helen M.~~

~~Mello for Water Service at 13529 Mercey Springs Road (Assessor's Parcel Number 082-020-025); City Council Resolution No. 5611 Authorizing the City Manager to Execute an Out of Boundary Service Agreement Between the City of Los Banos and Joseph F. & Charlotte M. Mello for Water Service at 13749 Mercey Springs Road (Assessor's Parcel Number will be Assigned at a Later Date). The motion carried by the affirmative action of all City Council Members present.~~

CITY COUNCIL RESOLUTION NO. 5610 – AUTHORIZING THE CITY MANAGER TO EXECUTE AN OUT OF BOUNDARY SERVICE AGREEMENT BETWEEN THE CITY OF LOS BANOS AND HELEN M. MELLO FOR WATER SERVICE AT 13529 MERCEY SPRINGS ROAD (ASSESSOR'S PARCEL NUMBER 082-020-025).

CITY COUNCIL RESOLUTION NO. 5611 – AUTHORIZING THE CITY MANAGER TO EXECUTE AN OUT OF BOUNDARY SERVICE AGREEMENT BETWEEN THE CITY OF LOS BANOS AND JOSEPH F. & CHARLOTTE M. MELLO FOR WATER SERVICE AT 13749 MERCEY SPRINGS ROAD (ASSESSOR'S PARCEL NUMBER WILL BE ASSIGNED AT A LATER DATE). Public Works Director/City Engineer Fachin presented the staff report.

Council Member Faria inquired as to if this property will be tapping into an already existing main for which Mr. Fachin stated there was.

Motion by Silveira, seconded by Faria to adopt City Council Resolution No. 5610 – Authorizing the City Manager to Execute an Out of Boundary Service Agreement Between the City of Los Banos and Helen M. Mello for Water Service at 13529 Mercey Springs Road (Assessor's Parcel Number 082-020-025). The motion carried by the affirmative action of all City Council Members present.

Motion by Silveira, seconded by Faria to adopt City Council Resolution No. 5611 – Authorizing the City Manager to Execute an Out of Boundary Service Agreement Between the City of Los Banos and Joseph F. & Charlotte M. Mello for Water Service at 13749 Mercey Springs Road (Assessor's Parcel Number will be Assigned at a Later Date). The motion carried by the affirmative action of all City Council Members present.

TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF GENERAL PLAN AMENDMENT #2014-01 AND ZONE CHANGE #2014-01 FROM NEIGHBORHOOD COMMERCIAL (C-N) TO LOW DENSITY RESIDENTIAL (R-1) FOR THE PROPERTY LOCATED AT 310 WEST I STREET, APN 027-044-006, APPLICANT DEBBIE PERRY; ORDINANCE NO. 1122 – AMENDING THE OFFICIAL ZONING MAP BY REZONING PROPERTY LOCATED AT 310 WEST I STREET FROM NEIGHBORHOOD COMMERCIAL (C-N) TO LOW DENSITY RESIDENTIAL (R-1). (FIRST READING & INTRODUCTION); CITY COUNCIL RESOLUTION NO. 5612 – APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE MAP FROM NEIGHBORHOOD COMMERCIAL TO LOW DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 310 WEST I STREET, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 027-044-006. (TO BE

CONTINUED) Assistant Planner II Elms presented the staff report, which included a PowerPoint presentation.

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

Council Member Lewis stated that she is really happy to see this property convert back to residential from commercial, it is just her personal concern that we not pull out a single home and pocket zone like we did with this property.

Motion by Faria, seconded by Silveira to waive the first reading of Ordinance No. 1122 – Amending the Official Zoning Map by Rezoning Property Located at 310 West I Street from Neighborhood Commercial (C-N) to Low Density Residential (R-1). The motion carried by the affirmative action of all City Council Members present.

Motion by Faria, seconded by Silveira to introduce Ordinance No. 1122 – Amending the Official Zoning Map by Rezoning Property Located at 310 West I Street from Neighborhood Commercial (C-N) to Low Density Residential (R-1). The motion carried by the following roll call vote: AYES: Faria, Lewis, Silveira, Stonegrove, Villalta; NOES: None; ABSENT: None.

Motion by Faria, seconded by Silveira to continue City Council Resolution No. 5612 – Approving an Amendment to the General Plan Land Use Map from Neighborhood Commercial to Low Density Residential for Property Located at 310 West I Street, More Specifically Identified as Assessor's Parcel Number 027-044-006 to be considered for adoption following adoption of the ordinance at the next meeting. The motion carried by the affirmative action of all City Council Members present.

CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 5613 – REQUESTING ACTION BY CONGRESS ON DROUGHT LEGISLATION. CANNON MICHAEL, local Los Banos farmer, thanked the City Council for the job they do for the City of Los Banos, spoke to the drought situation and how he is requesting the City's support on this issue.

Mayor Villalta stated that when he was in Washington, D.C. last week water and the drought was a popular topic of discussion. Council Member Silveira whole-heartedly supports this issue and spoke to his personal connection to the issue. Council Member Faria stated that his is pleased to see this resolution and is in total support of this very important issue. Council Member Lewis thanked Mr. Michael for bringing this forward and is also in total support of the issue.

Motion by Silveira, seconded by Faria to adopt City Council Resolution No. 5613 – Requesting Action by Congress on Drought Legislation. The motion carried by the affirmative action of all City Council Members present.

PRESENTATION REGARDING REVENUE SHARING. (CONTINUED FROM THE AUGUST 20, 2014 CITY COUNCIL MEETING) City Manager Carrigan presented the staff report and provided an update as to the revenue sharing negotiations between the County of Merced and the City to date.

Mayor Villalta stated that he is a real proponent of getting a deal done that would be more favorable to the City of Los Banos, he would hope that whoever is in the seat after the November 4, 2014 election and to not sign an agreement like this "in perpetuity". Council Member Faria stated that if a new agreement is reached there needs to be a clause to allow for renegotiating and to not get stuck in a perpetual contract.

ADVISEMENT OF PUBLIC NOTICES. (NO REPORT)

CITY MANAGER REPORT. City Manager Carrigan spoke regarding how last Friday he attended Fire Chief Guintini's retirement party and thanked all for the great party, the League of California Cities Conference he attended last week with Council Members Lewis and Silveira, City Attorney Vaughn and Finance Director Williams, and thanked the Fire Department for coordinating the pink t-shirts in support of Cancer Awareness Campaign.

CITY COUNCIL MEMBER REPORTS.

TOM FARIA: Congratulations to the Trap Team Members great to see, congratulations to Fire Chief Guintini on his retirement, good to see we are moving on the water issue and how it is the life blood of the community, spoke regarding the upcoming Tomato Festival encouraging all to come out and have a good time, the CASA event of October 11, 2014 and spoke to how volunteers are much needed at CASA, and the upcoming Elks Lodge Black Hat Social.

DEBORAH LEWIS: Reminded all about the Fall Clean Up on September 27, 2014, the Salvation Army Golf Tournament and spoke to all they do for the community.

SCOTT SILVEIRA: Congratulated Acting Fire Chief Marrison, spoke regarding the League of California Cities Conference he recently attended and how he heard that there are cities out there that are still financially struggling and concession-bargaining, the Los Banos Arts Council Quilt Show and he was very impressed with the Quilts of Valor which were presented to veterans.

ELIZABETH STONEGROVE: Reminded all about the upcoming Veterans Day Parade being held on November 8, 2014.

MAYOR MICHAEL VILLALTA: Spoke regarding the Veterans Outreach on September 25, 2014, how the EDD is back in town, Quilts of Valor event was quite an honor to be there because his father was a recipient of one of the quilts, how he was in Washington, D.C. last week with the Valley Voice Group (at no cost to the City) and spoke to issues they spoke about (roads, bridges, water), the City's reserve account and why it is how it

is – smart money management, welcomed Acting Fire Chief Marrison, noting what a great event Fire Chief Guintini’s retirement party was.

ADJOURNMENT. The meeting was adjourned at the hour of 8:22 PM.

APPROVED:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
OCTOBER 1, 2014**

ACTION MINUTES – These minutes are prepared to depict action taken for agenda items presented to the City Council. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.

CALL TO ORDER: Mayor Villalta called the City Council Meeting to order at the hour of 7:01 PM.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Police Chief Brizzee.

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Council Members Tom Faria, Deborah Lewis, Scott Silveira, Elizabeth Stonegrove, Mayor Michael Villalta; Absent: None.

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

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

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.) Mayor Villalta opened the public forum. CASSANDRA HELMRICK, Los Banos VFW, spoke regarding the Veterans Parade being held on November 8, 2014 and the breakfast being held that morning also; JOE COX, Los Banos, spoke regarding the re-dedication of the Veterans memorials at Merced College – Los Banos Campus on October 13, 2014 at 10:00 AM; ANN McCAULEY, Los Banos, thanked the Public Works Department and the State department that was involved in improving the intersection near Savemart, it is very nice as are all the streets resurfaced in town; MARIE MACHADO, Los Banos, complimented Mayor Villalta on working so hard to bring the much needed EDD office back to Los Banos which is now located in the WorkNet location; BERTHA FARIA, representing Los Banos Chamber of Commerce, spoke regarding the Tomato Festival being held this weekend at the Los Banos Fairgrounds and the events going on, the ADA Compliance Presentation on October 14, 2014 at 10:00 AM, and new page on the Chamber website

encouraging business growth in Los Banos; AUNDRE GARCIA, Los Banos Police Department, spoke regarding her position of Police Services Manager and what her job entails a, the upcoming Los Banos Police Department Open House being held on October 15, 2014 from 5:00-7:00 PM and the events going on that day; REFUGIO LLAMAS, Los Banos, candidate for the Los Banos City Council, spoke regarding moving to Los Banos Los Banos, his views of the communities, and running for City Council, he noted that people do not feel that the City Council is open, and if how, if elected, he looks forward to working with the Council Members; RICK TOSCANO, Los Banos, spoke regarding the events that will take place at the end of the Veterans Parade on November 8, 2014; Mayor Villalta came forward to speak about the event that happened out at the San Joaquin National Cemetery and how he is trying to gather photos of the 15 service men from Los Banos buried out there for a special presentation, how a stone will be presented with the 15 names on it and will be placed out front of City Hall and encouraged donations to this important project. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Silveira, seconded by Faria to approve the consent agenda as submitted: Check Register for #149501 – #149697 in the Amount of \$1,280,966.99; City Council Meeting Minutes: June 4, 2014 Regular City Council Meeting, June 18, 2014 Regular City Council Meeting, July 2, 2014 Regular City Council Meeting, July 16, 2014 Regular City Council Meeting; Street Closure Request from the Los Banos Police Department to Hold an Open House Event for Recruitment of Police Volunteers on Wednesday, October 15, 2014 at 945 5th Street (Los Banos Police Department) and to Close 5th Street from I Street to J Street and the Westside Alley at 6th Street Between I Street and J Street to Vehicle Traffic from 4:00 p.m. – 7:00 p.m. The motion carried by the affirmative action of all City Council Members present.

TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF GENERAL PLAN AMENDMENT #2014-01 AND ZONE CHANGE #2014-01 FROM NEIGHBORHOOD COMMERCIAL (C-N) TO LOW DENSITY RESIDENTIAL (R-1) FOR THE PROPERTY LOCATED AT 310 WEST I STREET, APN 027-044-006, APPLICANT DEBBIE PERRY; ORDINANCE NO. 1122 – AMENDING THE OFFICIAL ZONING MAP BY REZONING PROPERTY LOCATED AT 310 WEST I STREET FROM NEIGHBORHOOD COMMERCIAL (C-N) TO LOW DENSITY RESIDENTIAL (R-1). (SECOND READING & ADOPTION); CITY COUNCIL RESOLUTION NO. 5612 – APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE MAP FROM NEIGHBORHOOD COMMERCIAL TO LOW DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 310 WEST I STREET, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER 027-044-006. (TO BE CONTINUED) Assistant Planner II Elms presented the staff report.

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

Motion by Faria, seconded by Lewis to waive the second reading of Ordinance No. 1122 – Amending the Official Zoning Map by Rezoning Property Located at 310 West I Street from Neighborhood Commercial (C-N) to Low Density Residential (R-1). The motion carried by the affirmative action of all City Council Members present.

Motion by Faria, seconded by Lewis to introduce Ordinance No. 1122 – Amending the Official Zoning Map by Rezoning Property Located at 310 West I Street from Neighborhood Commercial (C-N) to Low Density Residential (R-1). The motion carried by the following roll call vote: AYES: Faria, Lewis, Silveira, Stonegrove, Villalta; NOES: None; ABSENT: None.

Motion by Faria, seconded by Lewis to adopt City Council Resolution No. 5612 – Approving an Amendment to the General Plan Land Use Map from Neighborhood Commercial to Low Density Residential for Property Located at 310 West I Street, More Specifically Identified as Assessor’s Parcel Number 027-044-006. The motion carried by the affirmative action of all City Council Members present.

CONSIDERATION OF ADOPTION OF RESOLUTION NO. 5614 – AUTHORIZING AWARD OF LANDSCAPE MAINTENANCE CONTRACT TO RONNY’S INC. Public Works Director/City Engineer Fachin presented the staff report.

Motion by Silveira, seconded by Faria to adopt City Council Resolution No. 5614 – Authorizing Award of Landscape Maintenance Contract to Ronny’s Inc. The motion carried by the affirmative action of all City Council Members present.

CONSIDERATION OF ADOPTION OF RESOLUTION NO. 5615 – AWARDING THE BID APPROVING THE PURCHASE OF ONE (1) 2015 TYPE 1 CLASS A FIRE APPARATUS FROM ROSENBAUER DIRECT – CALIFORNIA IN THE AMOUNT OF \$513,566.00 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE CONTRACT OR ISSUE A PURCHASE ORDER. Public Works Director/City Engineer Fachin presented the staff report

Council Member Silveira inquired as to if the new fire apparatus will be a 2013 or 2015, model for which Acting Fire Chief Marrison stated it is a 2015.

Motion by Silveira, seconded by Faria to adopt City Council Resolution No. 5614 – Awarding the Bid Approving the Purchase of One (1) 2015 Type 1 Class A Fire Apparatus from Rosenbauer Direct – California in the Amount of \$513,566 and Authorizing the City Manager to Enter into a Purchase Contract or Issue a Purchase Order. The motion carried by the affirmative action of all City Council Members present

PRESENTATION REGARDING YOSEMITE REGIONAL TRANSPORTATION (YARTS). Dick Wittington, YARTS Manager, spoke regarding what YARTS represents, the area it services, and the services it provides.

No action taken, informational item only.

PRESENTATION REGARDING THE DOWNTOWN BEAUTIFICATION IMPROVEMENTS. Planning Technician I Benetti presented the staff report, which included a PowerPoint presentation.

Council Member Faria stated that he would like to see if CalTrans could decorate the highway through town.

No action taken, informational item only.

ADVISEMENT OF PUBLIC NOTICES. (ONE REPORT) Assistant Planner II Elms stated that public hearing notice included in the packet has been withdrawn.

CITY MANAGER REPORT. Reminded all about the Los Banos Police Department Open House on October 15, 2014 from 5-7:00 PM, spoke regarding the recent Ribbon Cutting Opening of the Merced Urgent Center, how he attended the School Board Candidates Forum, and spoke regarding the upcoming Council Member Candidate Forum and Mayoral Candidate forum, how last week he attended the graduation ceremony of the two newest police officers: Richard Mancera and Luis Castellaneous.

Mayor Villalta spoke regarding the recruitment process the Police Chief goes through when recruiting for new police officers.

CITY COUNCIL MEMBER REPORTS.

DEBORAH LEWIS: Reminded all that on October 7, 2014 at 5:00 PM there will be a Charles Sawyer Memorial Lecture at the Milliken Museum, mentioned that we had an excellent turnout at the Salute to Seniors event last week, and give a special shout out to senior Rosie who was very nice and kind for all that she said.

SCOTT SILVEIRA: Spoke regarding the ADA Compliance Presentation the Los Banos Chamber of Commerce will be putting on October 14, 2014 at 10:00 AM and how important it is for business owners to be in compliance, especially with the litigants going around trying to find business owners in violation, how he enjoyed the Salute to Seniors event which was very well this year, and he was invited to be involved an upcoming Fire Side Chat program.

ELIZABETH STONEGROVE: Reminded all about the upcoming Tomato Festival at the Los Banos Fairgrounds and the CASA fundraising dinner at the Los Banos Community Center.

TOM FARIA: Stated that there is a lot going on this fall, the Valley Crisis Center will be celebrating their kick off on Saturday, the Tomato Festival also on Saturday, October 13, 2014 Merced College Los Banos Campus will be rededicating the Veterans Memorial, the Veterans Parade on November 8, 2014 – a first in Los Banos, Merced County Office of Education recently recognized Outstanding Employee and Teacher of the Year Susie Sagouspe and Ila Nelson, and spoke regarding the Farmers Market and his discovery of the cream top milk in town.

MAYOR MICHAEL VILLALTA: Stated that he attended the Salute to Seniors event which was very nice, spoke regarding the Excellence in Education Awards congratulating Susie Sagouspe and Ila Nelson noting how educators don't get that much praise but last night was wonderful and Los Banos was well represented, how the flu season is upon us and tomorrow there will be a free flu shot clinic at the Community Center from 10:00 AM – 3:00 PM which has been extended to 4:00 PM to accommodate students, the CASA event being held on October 11, 2014, thanked Rick Toscano for coming tonight to talk about the veterans presentation being created for the fifteen war heroes that died in conflict from the City of Los Banos which will happen at the steps of City Hall at the conclusion of the Veterans Day parade on November 8, 2014.

ADJOURNMENT. The meeting was adjourned at the hour of 8:42 PM.

APPROVED:

Michael Villalta, 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, MMC *LM*
City Clerk/Human Resources Director

DATE: November 5, 2014

SUBJECT: Closure of Non-Essential City Offices

TYPE OF REPORT: Consent Agenda

Recommendation:

Approve closure on non-essential City offices on Christmas Eve, Wednesday, December 24, 2014, the day after Christmas, Friday, December 26, 2014 and the day after New Years Day, Friday, January 2, 2015.

Background:

City policy provides a paid holiday to City employees for Christmas Day and New Years Day; however, the day before and after the Christmas and New Years Day holidays are regular business days for City staff. With Christmas Day and New Years Day falling on a Thursday, it is reasonably certain that the preceding Wednesdays and following Fridays will be exceptionally slow business days. Thus, it is a good opportunity to close all non-essential functions in an effort to realize energy cost savings.

Discussion:

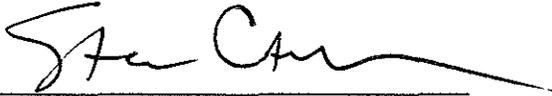
Under this scenario, all offices located at 520 J Street, 411 Madison Avenue, 830 6th Street, and 1015 F Street would be closed on December 24, 25 and 26, 2014 and January 1 and 2, 2015. All non-essential functions outside of these offices would also be closed and departments may reduce staffing in other areas to only that are necessary for the provision of essential services.

Employees affected by the closures may utilize accrued leave balances such as Vacation and Compensatory Time Off (CTO) which is accrued by overtime eligible employees in lieu of accepting actual cash payment for overtime. As a result, the City may realize additional cost savings by reducing the long-term liability associated with these accrued leaves.

Fiscal Impact:

The City will realize cost savings through reduced energy usage on the business closure days and reduce the unfunded liability associated with the accrued leave balances.

Reviewed by:

A handwritten signature in black ink, appearing to read "Steve Carrigan", written over a horizontal line.

Steve Carrigan, City Manager

Attachments:

Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS APPROVING CLOSURE OF
NON-ESSENTIAL CITY OFFICES ON WEDNESDAY,
DECEMBER 24, 2014, FRIDAY, DECEMBER 26,
2014 AND FRIDAY, JANUARY 2, 2015**

WHEREAS, the City Manager has approved staff's recommendation to close non-essential City offices on Christmas Eve, Wednesday, December 24, 2014, the day after Christmas, Friday, December 26, 2014 and the day after New Year's Day, Friday, January 2, 2015 allowing employees to utilize accrued leave balances such as Vacation or Compensatory Time Off (CTO).

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Los Banos does hereby approve the closure of all non-essential City offices on Wednesday, December 24, 2014, Friday, December 26, 2014 and Friday, January 2, 2015.

BE IT FURTHER RESOLVED that employees may utilize accrued leave balances such as Vacation or Compensatory Time Off (CTO).

The foregoing Resolution was introduced at an adjourned meeting of the City Council of the City of Los Banos held on the 5th day of November 2014, by Council Member _____ who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES: Council Members
NOES:
ABSENT:

APPROVED:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor Villalta and City Council Members

FROM: Sonya Williams, Finance Director *sw*

DATE: November 5, 2014

SUBJECT: Authorize the City Manager to Execute an Administrative Services Agreement with the Merced Designated Local Authority (DLA), as Successor Agency of the Redevelopment Agency of the City of Merced

TYPE OF REPORT: Consent Agenda

Recommendation:

Staff recommends that the City Council authorize the City Manager to execute an Administrative Services Agreement between the Merced Designated Local Authority (DLA) and the City of Los Banos (City) for Administrative Services.

Background:

The DLA was established by statute to take all action necessary to wind down the affairs of the former Redevelopment Agency of the City of Merced (RDA). Most recently the Merced County Auditor Controller has been receiving cash and making selected payments on behalf of the DLA.

Discussion:

In order to fulfill its obligations with respect to the affairs of the former RDA, the DLA requires accounting and administrative services above and beyond those currently provided. In addition to the receipt of cash and check writing, the City will prepare and maintain books and records, tax reporting forms and files with respect to both receivable and payable obligations of the DLA.

The City currently provides the same Administrative Services for the Los Banos Designated Local Authority. With Council approval, the City will begin performing services and charging for the administrative services in January 2015, provided funds have been transferred from the County to the City.

Fiscal Impact:

The City will receive a total of \$2,000 per month, plus actual costs incurred, to provide administrative and accounting services to the DLA. The contracted amount will recoup all costs incurred by City Staff and will be accounted for in General Fund Revenue.

Reviewed by:

A handwritten signature in black ink, appearing to read "Steve Carrigan", written over a horizontal line.

Steve Carrigan, City Manager

Attachments:

Resolution
Administrative Service Agreement

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS BANOS AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADMINISTRATIVE SERVICES AGREEMENT WITH THE MERCED DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF MERCED

WHEREAS, the Merced Designated Local Authority (DLA), has solicited the City of Los Banos to provide administrative and accounting services, as detailed in the attached Administrative Services Agreement.

WHEREAS, there has been presented to the City Council of the City of Los Banos a proposal to enter into an Administrative Service Agreement with the DLA to provide administrative and accounting services; and

WHEREAS, the City of Los Banos will receive \$2,000 per month, plus actual costs incurred, to provide these services;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Los Banos authorizes the City Manager to execute an Administrative Services Agreement with the DLA.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 5th day of November 2014 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:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk

ADMINISTRATIVE SERVICES AGREEMENT

This Administrative Services Agreement ("Agreement") is made and entered into as of the 1st day of January, 2015, by and between the **City of Los Banos**, a municipal corporation ("City") and the **Merced Designated Local Authority, as Successor Agency of the Redevelopment Agency of the City of Merced**, a public body, acting under the authority of Part 1.85 of the California Health and Safety Code ("Successor Agency").

RECITALS

A. The Merced Designated Local Authority, acting pursuant to the provisions of Part 1.85 of the Health and Safety Code (Part 1.85), is the Successor Agency to the former Redevelopment Agency of the City of Merced within the meaning of Part 1.85. Any capitalized terms that are not specifically defined in this Agreement shall have the same meaning as set forth in Part 1.85.

B. In accordance with Section 34171 of Part 1.85, the Successor Agency is entitled to an Administrative Cost Budget that is payable from redevelopment property tax revenues ("RPTTF") allocated to the Redevelopment Obligation Retirement Fund ("RORF") by the county Auditor-Controller.

C. The Successor Agency and its Oversight Board periodically approve an Administrative Cost Budget which includes certain City Staff Support Costs and other operating costs which are or may be supplied by the City to the Successor Agency. The Successor Agency and its Oversight Board are expected to continue to approve additional Administrative Cost Budgets as part of their respective approval of the Recognized Obligation Payment Schedule ("ROPS") in six month increments for the operation of the Successor Agency.

D. To ensure the effective implementation of Part 1.85, the City and Successor Agency desire to enter into this Agreement as of January 1, 2015, to allow the Successor Agency's utilization of City staff, facilities, and administrative resources (collectively, "City Services") in consideration for the Successor Agency's timely payment to City of a portion of the Administrative Cost Budget as set forth on an applicable ROPS approved by the California Department of Finance ("DOF").

E. The Successor Agency is a separate legal entity and public agency from the City, and the City will establish accounts for the Successor Agency separate from City accounts, including accounts separate from the City's General Fund.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and promises hereinafter contained, City and Successor Agency agree as follows:

Section 1. Scope of City Services. Effective January 1, 2015, the City shall provide Administrative Services agreed to by the City and Successor Agency included

in any Administrative Cost Budget approved by the Successor Agency and its Oversight Board and set forth on a ROPS approved by DOF to implement the Successor Agency's duties under Part 1.85. City shall maintain an accounting of the costs of providing such services to the Successor Agency.

(a) City shall provide City services, which such City Services shall include the following:

- maintenance of the RORF on behalf of the Successor Agency and acceptance and deposit of RPTTF into such fund;
- investment of the RORF as directed and approved by the Successor Agency in Permitted Investments or maintenance thereof in a bank or "LAIF" account separate from any assets of the City and in the name of the Successor Agency;
- upon receipt of written notice signed or electronically transmitted by an Authorized Representative of Successor Agency to disburse RORF funds (the "Disbursement Instruction"), prepare and deliver checks signed by an Authorized Signator and/or wire transfers to the party indicated in the Disbursement Instruction after confirming that an invoice or other supporting documentation has been submitted to verify the disbursement and that such disbursement appears on a ROPS approved by DOF;
- prepare and maintain monthly and/or quarterly Bank Reconciliations, General Ledger, Trial Balance and Warrant Lists records/reports, as requested by Successor Agency staff for presentation at Successor Agency and Oversight Board meetings and for purposes of an annual audit of the Successor Agency;
- report payments of income as required by law, by providing IRS Form 1099-B or other applicable form reporting the aggregate amount of income received by any person from the Successor Agency;

(b) "Permitted Investments" shall be one or more of the following:

i. direct obligations of, or obligations fully guaranteed as to principal and interest by, the United States or any agency or instrumentality thereof, provided such obligations are backed by the full faith and credit of the United States, including but not limited to, the HighMark Funds U.S. Government Money Market Fund; or

ii. a deposit account insured by the Federal Deposit Insurance Corporation, provided, however, that such deposit account shall not exceed \$250,000.

Any interest earned on Permitted Investments shall be the property of, and credited to the accounts of, the Successor Agency.

(c) "Authorized Representative" shall mean (i) Christopher Jicha, or such other employee of Kosmont Companies as shall be designated by Kosmont Companies, or, (ii) in the absence of a Kosmont Companies representative, Joy Otsuki, or such other employee of Leibold, McClendon & Mann, PC ("LMM") as shall be designated by LMM.

(d) "Authorized Signator" shall mean Michael Amabile or such other party authorized by the Successor Agency Board (but excluding any Authorized Representative), except that wire transfers for bond payments due in accordance with an applicable bond payment amortization schedules shall be made upon the instruction of the Authorized Representative.

Section 2. Payment for City Services. In consideration for the Successor Agency's utilization of City Services, Successor Agency shall pay the City in accordance with the schedule attached hereto as Exhibit A (the "Schedule of Charges"). Notwithstanding the foregoing, City acknowledges that the Successor Agency is not permitted to make payments except pursuant to a ROPS approved by DOF. Successor Agency agrees to place appropriate payments for the City Services on each ROPS during the effectiveness of this Agreement. Successor Agency shall promptly notify City if the City Services on any ROPS are not approved by DOF, or if the County Auditor-Controller reduces the Administrative Cost Budget to an amount less than that approved by DOF. Any change in the Scope of Services or change in the Schedule of Charges shall be subject to the prior approval of the City, and in the event of City's election not to approve any such change, City shall have the right to terminate this Agreement in accordance with Section 14.

City shall bill Successor Agency on a monthly basis based on the Schedule of Charges. City shall provide a revised Schedule of Charges to Agency at least sixty (60) days before the due date of the ROPS for the period in which City desires an increase in the Schedule of Charges to go into effect. Any increases requested by the City shall be subject to the approval of the Successor Agency Board, the Oversight Board to the Successor Agency, and DOF. The Administrative Cost Budget monies shall be paid to the City no later than fifteen (15) business days from receipt of a bill from City.

Section 3. Records for City Services. City shall maintain complete and accurate records with respect to the City Services performed under this Agreement. All such records shall be maintained on a generally-accepted accounting basis and shall be clearly identified and readily accessible. City shall provide free access to the representatives of Successor Agency at all proper times to such books and records, and Successor Agency shall have the right to audit the same, and to make transcripts therefrom as necessary, and to inspect all work, data, documents, proceedings, and activities related to the performance of this Agreement for a period of five (5) years from the date of final payment for work performed under this Agreement. In addition to the above accounting records, City shall maintain records to show actual time and allowable costs submitted for reimbursement with respect to the scope of services set forth herein.

Section 4. Personnel and Working Relationship. All of the City services hereunder to be provided shall be performed by City personnel, and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under state and local law to perform such service. None of the work or services covered by this Agreement shall be subcontracted by City unless approved in writing in advance by the Successor Agency. Neither City personnel nor the City Attorney shall be permitted to perform legal services on behalf of the Successor Agency.

Section 5. Project Costs. Project Costs shall be charged separately to the Successor Agency and reimbursed separately by the Successor Agency from RPTTF deposited into the RORF.

Section 6. Sole Agreement. This Agreement supersedes and cancels all other discussions, representations and agreements, which may exist between the City and Successor Agency regarding the subject matter hereof.

Section 7. Notice of Default. If either party defaults with regard to the provisions of this Agreement, the non-defaulting party shall serve written notice of such default upon the defaulting party. Except for a default by Successor Agency resulting from a failure to make timely payment to City for the City Services in accordance with Section 2, which such default shall be cured within ten (10) days after service of the notice of default, if the default is not cured by the defaulting party within thirty (30) days after service of the notice of default, or if the default is not commenced to be cured within thirty (30) days after service of the notice of default and is not cured promptly within a reasonable period of time after commencement, the defaulting party shall be liable to the non-defaulting party in accordance with applicable law and shall have the right to terminate this Agreement without further notice; provided, however, that nothing herein shall obligate the City to make any payments or transfer of any assets from the City's General Fund, except in the form of City Services provided to the Successor Agency, and nothing herein shall obligate the Successor Agency to make any payments or transfer of assets from any source other than the RORF. City shall not be required to expend or risk any of its own funds or otherwise incur any liability, financial or otherwise, in the performance of any of its duties hereunder, except as set forth herein.

Section 8. Termination For Convenience of Successor Agency or City. Either party hereto may terminate this Agreement without cause at any time by giving written notice of such termination to the other party and specifying the effective date thereof, at least forty five (45) days before the due date of the ROPS for the effective date of such termination. In that event, City shall be reimbursed its allowable costs in accordance with this Agreement to the date of termination.

Section 9. No Waiver of Reservation of Rights or Limitation of Liability. Notwithstanding anything to the contrary herein, nothing herein shall be deemed as a waiver by City or Successor Agency of any reservation of rights to challenge the application or effectiveness of Assembly Bill No. 26 (2011-2012 1st Ex. Sess.), or any portions thereof, or as a waiver of any limitations of liability granted to City or Successor Agency under AB x1 26, as amended by AB 1484.

data, drawings, specifications, reports, estimates, summaries, and such other information and materials as may have been accumulated by the City in performing work under this Agreement, whether completed or in process. City shall take commercially reasonable steps to maintain such Successor Agency materials in accordance with all applicable laws.

Section 16. Amendments. This Agreement may be modified or amended only by a written document executed by both the City and the Successor Agency and approved as to form by the City Attorney.

Section 17. Controlling Law and Venue. The City and the Successor Agency agree that the law governing this Agreement shall be that of the State of California. Any suit brought by either party against the other arising out of the performance of or otherwise relating to this Agreement shall be filed and maintained in the County of Merced.

Section 18. Notices. All notices and demands of any kind that either party may be required or desires to serve upon the other party shall be in writing and shall be served upon the other party by personal service or by mail, certified or registered, postage prepaid, addressed as follows:

If to City:	City of Los Banos Attn: City Manager 520 J Street Los Banos, CA 95322
Courtesy copy to:	Sonya Williams Finance Director 520 J Street Los Banos, CA 93635
If to Successor Agency:	Kosmont Companies Attn: Christopher Jicha 865 S. Figueroa Street, Suite 3500 Los Angeles, CA 90017

Section 19. Severability. If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall remain in full force and effect.

(signatures on following page)

IN WITNESS THEREOF, the parties have executed this Agreement as of the date first above written.

CITY OF LOS BANOS

By: _____
Steve Carrigan, City Manager

ATTEST:

APPROVED AS TO FORM:

Lucy Mallonee, City Clerk

By: _____
William A. Vaughn, City Attorney

MERCED DESIGNATED LOCAL
AUTHORITY, AS SUCCESSOR AGENCY OF
THE REDEVELOPMENT AGENCY OF THE
CITY OF MERCED

By: _____
Michael Amabile, Chair

EXHIBIT A
SCHEDULE OF CHARGES

Fee for services

Successor Agency shall pay City \$12,000 per each six (6) month ROPS period at the rate of \$2,000.00 per month, plus actual costs incurred, due on the first (1st) day of every month.

Travel costs

City shall be reimbursed for actual costs incurred for travel expenses and subsistence where such expenses are directly related to the performance of this Agreement. All travel shall be approved in advance by Successor Agency.

Other direct costs.

In addition to fees for services, the City shall be reimbursed for direct expenses, including, but not limited to, mileage, photocopying, data sources, courier, overnight delivery, and long distance phone calls.



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council Members

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

Mark Fachin

DATE: November 5, 2014

SUBJECT: PG&E Pathways Project

TYPE OF REPORT: Informational Item

Recommendation:

Informational item only, no action to be taken.

Discussion:

There will be a brief presentation regarding the PG&E Pathways Project from Anna Brooks, PG&E Manager of Government Relations.

Reviewed by:

Steve Carrigan

Steve Carrigan, City Manager



City of
Los Banos
At the Crossroads of California

COMMUNITY DEVELOPMENT DEPARTMENT

Date: October 31, 2014

Regarding: Notice of Public Hearing

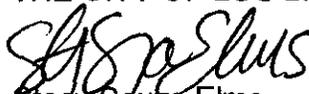
Proposal: Mitigated Negative Declaration (SCH #2014091056, Annexation and Prezone #2013-01, and Pre-Annexation Development Agreement – AMG & Associates

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider Annexation and Prezone #2013-01, Pre-Annexation Development Agreement, and associated Mitigated Negative Declaration for AMG & Associates. The project proposal is to incorporate approximately 28.5 acres into the City of Los Banos for future development of industrial type uses. The subject property is generally located on the southeast corner of Johnson Road and Overland Avenue; more specifically described as Assessor's Parcel Number: 081-110-007.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos Planning Commission on Wednesday, November 12, 2014 at 7:00 p.m. in the Council Chambers of Los Banos City Hall located at 520 "J" Street. Questions regarding the above-referenced item may be directed to Stacy Souza Elms, Assistant Planner II at City Hall or at (209) 827-7000, Ext. 133.

Persons wishing to provide oral comments on the proposed project may do so at this meeting or may provide written comments on this matter prior to the public meeting. Written comments may be sent by U.S. Mail or hand delivered to the City of Los Banos City Hall at 520 "J" Street, Los Banos, California 93635. Please be advised that should the action by the City Council be challenged in court, you may be limited to only those issues raised at the hearings or by written comment per Government Code Section 65009.

THE CITY OF LOS BANOS


Stacy Souza Elms
Assistant Planner II