



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

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

## **AGENDA**

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

CITY HALL COUNCIL CHAMBERS  
520 J Street  
Los Banos, California

**JUNE 18, 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.*

1. **CLOSED SESSION.** **6:00 PM**  
(Members of the public may address the City Council / Redevelopment Agency on the following closed session items. Speakers are limited to a five (5) minute presentation. Detailed guidelines are posted on the Council Chamber informational table.)
  - A. Conference with Labor Negotiators, Pursuant to Government Code Section 54957.6. Agency Designated Representatives: City Manager, City Attorney, Police Chief, Human Resources Director; Employee Organization: Los Banos Police Sergeants Association.
  - B. Conference with Legal Counsel – Existing Litigation, Pursuant to Subdivision (a) of Section 54956.9 of the Government Code. Name of Case: Summit Development Corp. vs. City of Los Banos, Merced Superior Court Case No. 149066.

- C. Conference with Real Property Negotiators – Pursuant to Government Code 54956.8. Property: Approximately 67.57 Acres Located on the Northeast Corner of Ward Road and B Street, Bounded on the East by the San Luis Canal, Los Banos, California; Agency Negotiators: City Manager & City Attorney; Negotiating Parties: City of Los Banos & Los Banos Unified School District; Negotiation: Purchase Price and Terms of Sale.

2. CALL TO ORDER. **7:00 PM**

3. PLEDGE OF ALLEGIANCE.

4. ROLL CALL: (City Council and Redevelopment Agency Board Members)

Brooks \_\_\_\_, Faria \_\_\_\_, Sousa \_\_\_\_, Villalta \_\_\_\_, Jones \_\_\_\_

5. CONSIDERATION OF APPROVAL OF AGENDA.

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

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

A. City Council / Redevelopment Agency Meeting Minutes of May 21, 2008.

*Recommendation: Approve the minutes as submitted.*

B. Adjourned City Council Meeting Minutes of June 2, 2008.

*Recommendation: Approve the minutes as submitted.*

C. City Council / Redevelopment Agency Meeting Minutes of June 4, 2008.

*Recommendation: Approve the minutes as submitted.*

D. Check Register for #108808 - #109226 in the Amount of \$6,014,412.70.

*Recommendation: Approve the check register as submitted.*

E. Block Party/Street Closure Request for Friday, July 4, 2008 from 3:00 p.m. to 11:00 p.m., on the 500 Block of Sixth Street.

*Recommendation: Approve the block party/street closure request as submitted.*

- F. Block Party/Street Closure Request for Wednesday, July 4, 2008 from 10:00 a.m. to 10:00 p.m., on the 2100-2245 Block of Park Crest Drive.

*Recommendation: Approve the block party/street closure request as submitted.*

- G. Block Party/Street Closure Request for Wednesday, July 4, 2008 from 5:00 p.m. to 10:00 p.m., on the 100 Block of Spumonte Court.

*Recommendation: Approve the block party/street closure request as submitted.*

- H. Block Party/Street Closure Request for Saturday, July 12, 2008 from 11:00 a.m. to 7:00 p.m., on the 100 Block of Tangelo Avenue.

*Recommendation: Approve the block party/street closure request as submitted.*

- I. City of Los Banos and Los Banos Unified School District Agreement for School Resource Officer (SRO) for the Period of July 1, 2008 – June 30, 2009.

*Recommendation: Approve the agreement as submitted.*

- J. City of Los Banos and Merced County Office of Education (MCOE) Agreement for School Resource Office (SRO) for the Period of July 1, 2008 – June 30, 2009.

*Recommendation: Approve the agreement as submitted.*

- K. 2008 Conflict-of-Interest Code Local Agency Biennial Notice.

*Recommendation: Direct staff to review the Conflict-of-Interest Code to determine whether or not an amendment is necessary.*

- L. City Council Resolution No. 5028 – Amending the Fiscal Year 2007-2008 Budget by Increasing the Appropriation Limit for the Public Safety Augmentation Fire Fund for Expenditures by \$338,439 and Reducing the Appropriation Limit by \$338,439 for the Public Safety Augmentation Police Fund by \$338,439.

*Recommendation: Adopt the resolution as submitted.*

- M. City Council Resolution No. 5029 – Authorizing the Public Works Director/City Engineer to Proceed with the Purchase of A John Deere Gator Utility Vehicle from San Joaquin Equipment Co. for \$5,314.20.

*Recommendation: Adopt the resolution as submitted.*

- N. City Council Resolution No. 5030 – Approving the Annual Local Transportation Fund (LTF) Claim to be Filed with the Merced County Association of Governments (MCAG) for Fiscal year 2008-2009.

*Recommendation: Adopt the resolution as submitted.*

8. COMMUNITY CENTER PROPOSED COST ESTIMATE AND REVENUE OPPORTUNITIES.

*Recommendation: Receive staff report. Informational item only, no action to be taken.*

9. CONSIDERATION OF ADOPTION OF REDEVELOPMENT AGENCY RESOLUTION NO. 2008-06 – APPROVING GREG OPINSKI CONSTRUCTION, INC. AS THE PRE-CONSTRUCTION CONTRACTOR FOR THE COMMUNITY CENTER AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GREG OPINKSI CONSTRUCTION, INC. TO PROVIDE PRE-CONSTRUCTION SERVICES FOR THE COMMUNITY CENTER FOR THE CITY OF LOS BANOS.

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

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

A. Public Hearing – Consideration of the Appropriation Limitation for the Fiscal Year 2008-2009.

- 1) City Council Resolution No. 5031 – Setting the Tax Related Appropriation Limit in Compliance with Proposition 4 and Proposition 111 for Fiscal Year 2008-2009 Appropriation Limit.

*Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.*

B. Public Hearing – Consideration of the 2008-2009 Fiscal Year Budget.

- 1) City Council Resolution No. 5032 – Adopting Fiscal Year 2008-2009 Budget Including Division 4 – Employee Classifications & Salary Schedules.

*Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.*

11. CONSIDERATION OF A HEALTH SAVINGS PLAN (HSP).

A. City Council Resolution No. 5033 – Rescinding City Council Resolution No. 4329 Election to Establish a Health Benefit Vesting Requirement for Future Retirees under Public Employee’s Medical and Hospital Care Act.

B. City Council Resolution No. 5034 – Fixing the Employer’s Contribution under the Public Employer’s Medical and Hospital Care Act

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

12. CONSIDERATION OF THE INTRODUCTION OF ORDINANCE NO. 1072 – ADDING CHAPTER 14 “ALARMS AND ALARM SYSTEMS” TO TITLE 4 OF THE LOS BANOS MUNICIPAL CODE. **(First Reading & Introduction)**

*Recommendation: Receive staff report, waive the first reading of the ordinance, and introduce the ordinance as submitted.*

13. AMENITY FEE/PRE-ANNEXATION AGREEMENT FEE/COMMUNITY BENEFIT POLICY.

*Recommendation: Receive staff report and direct staff to place this item on the July 16, 2008 Agenda for discussion and approval.*

14. CONSIDERATION OF COMMISSION MEMBER APPOINTMENTS.

- A. Airport Commission – One (1) Vacancy, One (1) Unexpired Term, Expiring December 31, 2009.

*Recommendation: Appointments made by the Mayor with approval of the City Council.*

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

- A. Consider Request from Council Member Brooks & Mayor Pro Tem Sousa to Review \$366,000 for a Solid Waste/Street Impact Fee.

*Recommendation: Direction from the City Council.*

16. REDEVELOPMENT AGENCY UPDATE.

17. ADVISEMENT OF PUBLIC NOTICES. (Two Reports)

18. CITY MANAGER / EXECUTIVE DIRECTOR REPORT.

19. CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.

A. Mike Villalta

B. Anna Brooks

C. Tommy Jones

D. Tom Faria

E. Joe Sousa

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

21. 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.

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Lucille L. Mallonee, City Clerk

Dated this 13<sup>th</sup> day of June 2008