



City of Los Banos

At the Crossroads of California

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JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY MEETING

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

FEBRUARY 20, 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 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 54957.6; Agency Designated Representative: City Manager; Unrepresented Employees: Assistant City Engineer, Assistant City Manager, Assistant Fire Chief, Assistant Public Works Director, Chief Financial Officer, City Clerk, Fire Chief, Human Resources Director, Information Technology Manager, Information Technology Technician, Planning Director, Police Chief, Police Commander, Public Works Director/City Engineer, Redevelopment Manager.
 - B. Public Employee Performance Evaluation, Pursuant to Government Code Section 54957. Title: City Manager.
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. Minutes for the October 17, 2007 City Council / Redevelopment Agency Meeting.
Recommendation: Approve the minutes as submitted.
 - B. Minutes for the February 6, 2008 City Council / Redevelopment Agency Meeting.
Recommendation: Approve the minutes as submitted.
 - C. Minutes for the February 11, 2008 Adjourned City Council / Redevelopment Agency Meeting.
Recommendation: Approve the minutes as submitted.
 - D. Check Register for #105801 - #106064 in the Amount of \$5,167,696.85.
Recommendation: Approve the check register as submitted.
 - E. Progress Payment No. 4, for Professional Services Related to the Wastewater Treatment Plant Expansion Project to Eler & Kalinowski, Inc. in the Amount of \$6,892.25.
Recommendation: Approve the progress payment as submitted.
 - F. Progress Payment No. 20, for Professional Services Related to the Wastewater Treatment Plant Expansion and Upgrade Phase II Project to Eco:Logic in the Amount of \$749.18.
Recommendation: Approve the progress payment as submitted.
 - G. City Council Resolution No. 4989 – Awarding Bid for the Purchase of 1000 Trees for the Urban Forestry Tree Grant to Frantz Nursery in the Amount of \$28,765.15
Recommendation: Adopt the resolution as submitted.

8. CONSIDERATION OF IMPLEMENTING A PROCESS TO CREATE AN ELECTRONIC VERSION OF CITY COUNCIL AGENDA PACKET (“PAPERLESS AGENDAS”).

Recommendation: Receive staff report, approve the process as submitted, and authorize the City Manager to direct staff to prepare the electronic version for future City Council Meetings.

9. MID YEAR BUDGET REVIEW.

Recommendation: Accept the report 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 a Use Permit for a Type 41 Alcohol License Located at 651 I Street, APN 025-231-007; Applicant: Teodoro Loredo.

- 1) City Council Resolution No. 4990 – Approving Use Permit 2007-15 to Permit the Use of a Type 41 Alcohol License for the On-sale of Beer and Wine in Conjunction with a Restaurant at 651 I Street.

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

B. Public Hearing – Consideration of a Use Permit for a Type 21 Alcohol License for the Off-sale of General Alcohol. The Project is Located at the Northeast Corner of North Mercey Springs Road and Overland Avenue, APN: 424-120-006, Applicant: Halferty Development Company (Rite Aid).

Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and make the appropriate findings to approve by or deny the use permit.

C. Public Hearing – Consideration of Recommendations on the Pioneer Corridor Environmental Impact Report, and Three Annexation Requests and Associated Area Plans: The West Center Area Plan/Annexation Includes about 456 Acres North and South of Pioneer Road, West of Center Avenue and Mostly East of Ortigalita Road; The Presidential Estates Area Plan/Annexation Includes about 116 Acres North of Pioneer Road and West of Mercey Springs Road; and The Ward/Place Area Plan/Annexation Includes about 377 Acres North and South of Pioneer Road, between Mercey Springs Road and Ward Road. Each Project Includes a Request for Annexation, Pre-zoning, and a Pre-annexation Development Agreement. As Required by Los Banos General Plan Policy LU18.1, an Area Plan has been Prepared to Guide Development of the Land Proposed for Annexation. Proposed Land Uses are Low and Medium Density Single-family Residential, Professional Office, and Neighborhood Commercial. Many of the Areas Would be Developed under

Planned Development Zoning. Subdivision Maps, Final Development Plans, and/or Site Plan Reviews Would Require Separate Approvals Following Annexation and Prior to Development. Assessor Parcel Numbers of the Proposed Annexations are as Follows: West Center Area Plan: 083-030-012; 083-030-013; 083-030-016; 083-030-017; 083-030-018; 083-030-019; 083-030-020; 083-030-021; 083-030-022; 083-030-023; 083-030-025; 083-030-026; 083-030-027; 083-030-032; 083-030-033; 083-090-002; 083-090-004; 083-090-005; 083-090-006; 083-090-007; 083-090-008; 083-090-011; 083-090-012; 083-090-013; 083-090-014; 083-090-015; 083-090-016; 083-090-017; 083-090-018; 083-090-019; 083-090-020; 083-090-021; 083-090-022; 083-090-023; 083-180-016; 083-180-017; 083-180-019; 083-180-032; 083-180-033; 083-180-034; 083-180-035; Presidential Estates Area Plan: 083-110-009, 083-110-010, 083-110-015, 083-110-016, 083-110-031, 083-120-012, 083-120-013, 083-120-014, 083-120-015, 083-120-016, 083-120-017, 083-120-018, 083-120-019, 083-120-020, 083-120-021, 083-120-022, 083-120-023, 083-120-024, 083-120-027, 083-120-028; Ward/Place Area Plan: 083-010-022, 083-010-023, 083-010-024, 083-010-025, 083-100-011, 083-100-013, 083-100-033, 083-100-038, 083-100-039, 083-100-071, 083-100-075, 083-100-076, 083-150-041, 083-150-047, 083-150-048; Applicant: Ranchwood Homes.

Recommendation: Receive staff report, open the public hearing, receive public comment, and close the public hearing. Note: Staff will be holding a study session on February 28, 2008 to discuss this project.

11. CONSIDERATION OF ACQUISITION OF APPROXIMATELY ONE ACRE OF REAL PROPERTY LOCATED ADJACENT TO FIRE STATION #1 (333 7th STREET) FOR CONSTRUCTION OF A TRAINING TOWER.

Recommendation: Receive staff report, approve the general terms of the transaction, and direct the City Attorney to prepare an agreement to complete the transaction.

12. LOS BANOS POLICE DEPARTMENT ANNUAL REPORT.

Recommendation: Accept the report as submitted.

13. PRESENTATION OF PROMOTIONAL CITY VIDEOS PROVIDED BY CGI.

Recommendation: Receive staff report and provide feedback to staff.

14. CONSIDERATION OF THE INTRODUCTION OF ORDINANCE NO. 1069 – AMENDING AND RENUMBERING TITLE 2, CHAPTER 2, ARTICLE 1 LOS BANOS AREA PARKS AND RECREATION COMMISSION, ARTICLE 2 LOS BANOS PLANNING COMMISSION, ARTICLE 3 LOS BANOS YOUTH ASSISTANCE COMMISSION, ARTICLE 5 LOS BANOS AIRPORT ADVISORY COMMISSION, ARTICLE 6 LOS BANOS CULTURAL HERITAGE COMMISSION; AMENDING THE SELECTION/APPOINTMENT PROCESS, LENGTH OF TERMS/TERM LIMITS. **(First Reading & Introduction)**

Recommendation: Receive staff report and introduce the ordinance as submitted.

15. CONSIDERATION OF COMMISSION MEMBER APPOINTMENTS.
 - A. Parks & Recreation Commission – Two (2) Terms, One Expiring December 31, 2008 and the other Expiring December 21, 2011.
Recommendation: Appointment made by the Mayor with approval of the City Council.
 - B. Airport Advisory Commission – One (1) Term, Expiring December 31, 2011.
Recommendation: Appointment made by the Mayor with approval of the City Council.
16. COUNCIL MEMBER AGENDA REQUESTS. (To see if there is a majority consensus to have staff expend time on the issue and to hear it at a future meeting.)
 - A. Consider Request from Council Member Faria for Staff to Research Lighting of the New CCID Canalside Trail Pedestrian Bridge.
Recommendation: Direction from the City Council.
 - B. Consider Request from Council Member Faria to Retain an Environmental Remediation/Water Quality Specialist Firm to Evaluate and the Environmental Issues Related to Connection of Los Banos Foods to the City Water System.
Recommendation: Direction from the City Council.
 - C. Consider Request from Mayor Pro Tem Sousa to Adopt a Policy on Annexation/Community Amenity Fee for Future Annexations.
Recommendation: Direction from the City Council.
17. REDEVELOPMENT AGENCY UPDATE.
18. ADVISEMENT OF PUBLIC NOTICES. (Two Reports)
19. CITY MANAGER / EXECUTIVE DIRECTOR REPORT.
20. CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.
 - A. Tommy Jones
 - B. Tom Faria
 - C. Joe Sousa
 - D. Mike Villalta
 - E. Anna Brooks

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

22. ADJOURNMENT.

A. Adjourn to 7:00 p.m., Thursday, February 21, 2008 to Review Plans for the Community Center in the Cesar Chavez Community Room at the Martin Luther King Jr. Child Development Center, 1624 San Luis Street, Los Banos, California.

B. Adjourn to 6:00 p.m., Thursday, February 28, 2008 to Hold a Study Session to Discuss the Pioneer Corridor Area Plans EIR, West Center Area Plan/Annexation, Presidential Estates Area Plan/Annexation and Ward/Place Area Plan/Annexation in the Cesar Chavez Community Room at the Martin Luther King Jr. Child Development Center, 1624 San Luis Street, Los Banos, California.

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

Lucille L. Mallonee, City Clerk

Dated this 15th day of February 2008