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AGENDA

CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

APRIL 6, 2005

7:00 PM

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.

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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. CALL TO ORDER.
2. ROLL CALL: Council Members Balatti, Jones, McAdam, Smith, Mayor Amabile
3. APPROVAL OF AGENDA.
4. PUBLIC FORUM: Members of the public may address the City Council 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.
5. APPROVAL OF CONSENT AGENDA. (Items on the Consent Agenda will be voted on in one motion unless removed from the calendar by a Council Member.)
 - A. Minutes for the Meeting of March 2, 2005.
Recommendation: Approve the check minutes as submitted.
 - B. Minutes for the Meeting of March 16, 2005.
Recommendation: Approve the check minutes as submitted.

- C. Check Register for #81855 - #82226 in the amount of \$925,373.83.
Recommendation: Approve the check register as submitted.
- D. Merced County Association of Governments Fiscal Year 2005/2006 Budget & Work Program.
Recommendation: Approve the Work Program as submitted
- E. Tender Agreement with St. Paul Travelers Terminating their Obligation on the Henry Miller Plaza Project and enter into an Agreement with Granite Construction Company for the Completion for the Henry Miller Plaza.
(Continued from March 16, 2005)
Recommendation: Approve the agreement as submitted.
- F. Memorandum of Understanding (MOU) between the City of Los Banos and the Los Banos Police Sergeants Association for the period of July 1, 2005 - June 30, 2008.
Recommendation: Approve the MOU as submitted.
- G. Award of Bid to Stan Morri Ford for Two (2) New Heavy Duty Police Patrol Sedans in the Amount of \$46,187.92.
Recommendation: Award the bid as submitted.
- H. Progress Payment No. 1 to McElvany Inc. in the amount of \$116,307.00 for Construction of the Business Park.
Recommendation: Approve the progress payment as submitted.
- I. Street Closure Request from the Los Banos Chamber of Commerce – Main Street from the alley south of K Street to H Street and also to close, to through traffic, K Street, J Street and I Street on April 16, 2005 from 5:00 a.m. to 5:00 p.m. for the annual Downtown Spring Street Faire.
Recommendation: Approve the street closure request as submitted.
- J. Street Closure for the City Spring Clean-up Day – G Street, from Ninth Street to San Juan Street, on April 9, 2005 from 7:00 a.m. to 3:00 p.m.
Recommendation: Approve the street closure request as submitted.
- K. Resolution No. 4594 – Authorizing the Examination of Transaction (Sales) and Use Tax Records.
Recommendation: Approve the resolution as submitted.

- L. Resolution No. 4595 – Authorizing the City Manager to File Additional Regional Surface Transportation Program (RSTP) Exchange Funds Claim for Fiscal Year 2003/04.

Recommendation: Approve the resolution as submitted.

- M. Resolution No. 4596 – Approving the Sale of Property to the Los Banos Redevelopment Agency and Authorizing Execution of a Purchase and Sale Agreement with the Los Banos Redevelopment Agency. (644/646 I Street)

Recommendation: Approve the resolution as submitted.

- N. Resolution No. 4597 – Accepting Public Improvements for Mission Village North, Unit 2 Subdivision.

Recommendation: Approve the resolution as submitted.

- O. Resolution No. 4598 – Accepting Public Improvements for Regency Park Estates, Unit 3 Subdivision.

Recommendation: Approve the resolution as submitted.

6. PUBLIC HEARING – ISSUANCE OF TAX-EXEMPT BONDS FOR AFFORDABLE HOUSING PROJECT. To consider approval of the issuance by the California Statewide Communities Development Authority of multi-family housing revenue bonds in the aggregate principal amount of approximately \$1,200,000, the proceeds of which will be applied to the financing of the acquisition and rehabilitation of a 50-unit multi-family residential rental facility commonly known as the MacArthur Apartments, located at 1130 F Street.

- A. Resolution No. 4599 – Approving the Issuance of Multifamily Housing Revenue Bonds for the Purpose of Financing the Acquisition and Rehabilitation of the MacArthur Apartments

Recommendation: Open the public hearing, receive public comment, and adopt the ordinance as submitted.

7. PUBLIC HEARING – DISPOSITION AND DEVELOPMENT AGREEMENT WITH STOCKMEN'S BANCORP, INC. To consider the sale of approximately 29,400 square feet of property to allow the construction of a new bank building totaling 3,580 square feet in the C2 zone district, at 7th and H Streets, APN 025-070-035. **(Continued from February 16, 2005 and to be continued to April 20, 2005)**

Recommendation: Continue to April 20, 2005.

8. CONSIDERATION OF ORDINANCES.

- A. Ordinance No. 1025 – Regulating the Possession, Sale, and Use of Fireworks. **(Second Reading & Adoption)**

Recommendation: Adopt the ordinance as submitted and by motion designate the City Clerk to prepare and publish summary ordinance.

- B. Ordinance No. 1026 – Authorizing the Mayor to Execute a Development Agreement on Behalf of the City for that Certain Development Project Known as The Provinces. **(Second Reading & Adoption)**

Recommendation: Adopt the ordinance as submitted and by motion designate the City Clerk to prepare and publish summary ordinance.

- C. Ordinance No. 1027 – Regulating the Location and Extent of Outdoor Lighting in the City of Los Banos. **(Second Reading & Adoption)**

Recommendation: Adopt the ordinance as submitted and by motion designate the City Clerk to prepare and publish summary ordinance.

- D. Ordinance No. 1028 – Establishing Density Bonuses and other Incentives for Development of Certain Affordable Housing Units within the City of Los Banos. **(Second Reading & Adoption)**

Recommendation: Adopt the ordinance as submitted and by motion designate the City Clerk to prepare and publish summary ordinance.

- E. Ordinance No. 1029 – Adding a New Subsection to the Los Banos Municipal Code Relating to Nuisances. **(Second Reading & Adoption)**

Recommendation: Adopt the ordinance as submitted.

9. ADVISEMENT OF PUBLIC NOTICES. (3 Reports)

10. CITY MANAGER REPORT.

11. MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) REPORT.

12. CITY COUNCIL REPORTS.

- A. Council Member Balatti
B. Council Member Jones
C. Council Member McAdam
D. Mayor Pro Tem Smith

E. Mayor Amabile

13. MISCELLANEOUS INFORMATION IN COUNCIL PACKET, NO ACTION NECESSARY.
14. CLOSED SESSION. (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 & City Attorney; Employee Organization: Los Banos Police Sergeants Association, Los Banos Police Officers Association, Los Banos Police Dispatcher/Clerk/Matron/Community Services Officers, Los Banos Fire Fighters.
 - B. Conference with Real Property Negotiators – Pursuant to Government Code 54956.8. Property: Northwest Corner of 7th and H Streets, Los Banos, California, APN 25-070-35; Agency Negotiators: City Manager & City Attorney. Negotiating Parties: City of Los Banos, Los Banos Redevelopment Agency & Stockmen’s Bank; Under Negotiation: Purchase Price and Terms of Sale.
15. ADJOURNMENT.
 - A. Adjourn to 8:00 a.m., Thursday, April 14, 2005 to attend a Council Members Leadership Workshop being held in the Public Works Department Conference Room, 411 Madison Avenue, 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 1st day of April 2005