



City of
Los Banos
At the Crossroads of California

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AGENDA

**CITY COUNCIL AND
REDEVELOPMENT AGENCY MEETING**

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

AUGUST 1, 2007

*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. **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 Legal Counsel – Existing Litigation, Pursuant to Government Code Section 54956.9 (a). Name of Case: Felix M. Lopez and Elizabeth Ruiz vs. County of Merced, et al., United States District Court, Eastern District of California, Fresno Division, Case No. 06-CV-01526-OWW-DLB.
 - B. 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 Dispatchers/Community Services Officers Association.

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 will be voted on in one motion unless removed from the calendar by a City Council / Redevelopment Agency Member.)
 - A. Minutes for the June 6, 2007 City Council / Redevelopment Agency Meeting.
Recommendation: Approve the minutes as submitted.
 - B. Minutes for the July 18, 2007 City Council / Redevelopment Agency Meeting.
Recommendation: Approve the minutes as submitted.
 - C. Minutes for the July 23, 2007 Adjourned City Council Meeting.
Recommendation: Approve the minutes as submitted.
 - D. Check Register for #100958 - #101288 in the Amount of \$1,269,830.44.
Recommendation: Approve the check register as submitted.
 - E. Public Works Capital Project Report for August 2007.
Recommendation: Accept the report as submitted.
 - F. Progress Payment No. 7 for Construction of the Los Banos Child Development Center in the amount of \$410,758.45 to Greg Opinski Construction, Inc.
Recommendation: Approve the progress payment as submitted.
 - G. Progress Payment No. 8 and 22 for Professional Services Related to the Wastewater Treatment Plant Expansion Project Totaling \$3,532.69 to Erler & Kalinowski, Inc. (EKI).
Recommendation: Approve the progress payment as submitted.

- H. Progress Payment No. 10 for Construction of Seventh and H Street Improvements Project in the amount of \$121,635.20 to Granite Construction Company.

Recommendation: Approve the progress payment as submitted.

- I. Progress Payment No. 11, 12, 13, and 14 for Professional Services Related to the Wastewater Treatment Plant Expansion and Upgrade Phase II Project Totaling \$23,538.72 to Eco:Logic.

Recommendation: Approve the progress payments as submitted.

- J. Street Closure Request to Close off the 900 block of 5th Street from 8:00 a.m. to 1:30 p.m. on Thursday, August 2, 2007 for the Honorable Judge Robert Falasco Justice Center Dedication Ceremony.

Recommendation: Approve the street closure request as submitted.

- K. Street Closure Request to Close Main Street from K Street to H Street from 3:00 p.m. to 9:30 p.m. on Saturday, August 11, 2007 for the Downtown Car Show, Centennial Movie and Entertainment at Henry Miller Plaza.

Recommendation: Approve the street closure request as submitted.

- L. Notice of Completion for the Security Fencing and Gate Improvements Project for the Los Banos Municipal Airport and Retention Payment in the Amount of \$16,465.67 to Woida Enterprises dba Arrow Fencing Thirty-five (35) Days Following Recordation of the Notice of Completion.

Recommendation: Approve the notice of completion as submitted and authorize recordation and retention payment as submitted.

- M. City Council Resolution No. 4901 – Accepting Public Utility Easements and Dedications for Parcel Map No. 2005-07 (Menezes Industrial Park).

Recommendation: Approve the resolution as submitted.

- N. City Council Resolution No. 4902 – Amending Division 4, Salary Schedule Relating to Changes Associated with Section 403, Regular Full Time Employee Classifications, Section F - Public Works & Section 404, Part Time Employee Classifications - Police Officer.

Recommendation: Approve the resolution as submitted.

- O. City Council Resolution No. 4903 – Authorizing the City Manager to Recruit and Fill the Information Technology Department Positions.

Recommendation: Approve the resolution as submitted.

- P. City Council Resolution No. 4904 – Accepting Reduction of Set Aside Letter for the Villages at Stonecreek Unit 4 Southbrook, Phase 1B, Tract No. 2005-05 and the North Sewer and Storm Drain Improvements, Phase 2.

Recommendation: Approve the resolution as submitted.

8. CONSIDERATION OF PROPOSALS FOR A TEN (10) YEAR CONTRACT FOR RECYCLING GREEN WASTE AND SOLID WASTE COLLECTION FROM ALLIED WASTE & SUNSET WASTE.

- A. City Council Resolution No. 4905 – Authorizing the Acceptance of the Proposal for a Ten (10) Year Contract for Recycling Green Waste and Solid Waste Collection.

Recommendation: Select the desired contractor and adopt the resolution as submitted,

9. PUBLIC HEARINGS. (If you challenge the City Council / Redevelopment Agency action in court, you will be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.)

- A. Public Hearing – Consideration of Landscaping & Lighting Districts No. 1-7 & No. 9-19 Annual Assessments for the Fiscal Year 2007-2008.

- 1) City Council Resolution No. 4906 – Confirming Diagram and Assessment and Levying Assessments for Assessment Districts No. 1-7 and No. 9-19 for Fiscal Year 2007-2008.

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

- B. Public Hearing – Consideration of a Zone Change to Rezone a 1.1 Acre Parcel from R-2 (Medium Density Residential) to PD (Planned Development) and Approve a Final Development Plan on Property Located at the Southwest Corner of First and F Streets, APN 025-042-001; Applicant: Community Housing Improvement Systems and Planning Association, Inc. (CHISPA).
(Continued from July 18, 2007)

- 1) Ordinance No. 1057 – Adding Section 9-3.2399.78 to Chapter 3, Title 9 of the Los Banos Municipal Code to Rezone from R-2 (Medium Density Residential) To PD (Planned Development). **(Second Reading & Adoption)**
- 2) City Council Resolution No. 4898 – Approving of Final Development Plan 2007-02.

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

- C. Public Hearing to Discuss CalTrans' Plan to Install a Traffic Signal at H Street & Highway 152 and City Proposed Alternative.

Recommendation: Open the public hearing, receive public comment, and direct staff to submit the proposed conceptual plan for approval by CalTrans and that staff negotiate a cooperative agreement for the proposed improvements.

- D. Public Hearing to Discuss the Highway 152 Realignment Project (By-Pass).

Recommendation: Open the public hearing and receive public comment. No Council action required.

10. CONSIDERATION OF ORDINANCE NO. 1058 – AMENDING TITLE 4, CHAPTER 3, SECTION 4-3.12 OF THE LOS BANOS MUNICIPAL CODE RELATING TO FIRE ALARM SYSTEMS. **(First Reading & Introduction)**

Recommendation: Introduce the ordinance as submitted.

11. REDEVELOPMENT AGENCY UPDATE.

12. ADVISEMENT OF PUBLIC NOTICES. (Two Reports)

13. CITY MANAGER / EXECUTIVE DIRECTOR REPORT.

14. CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.

- A. Joe Sousa
- B. Mike Villalta
- C. Anna Brooks
- D. Tommy Jones
- E. Tom Faria

15. MISCELLANEOUS INFORMATION IN COUNCIL PACKET, NO ACTION NECESSARY.

16. ADJOURNMENT.

- A. Adjourn to 6:00 p.m., Monday, August 14, 2007 to Review Community Center Designs Being Held at the Miller & Lux Building, 830 6th 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 27th day of July 2007