



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

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

## **AGENDA**

### **CITY COUNCIL AND REDEVELOPMENT AGENCY MEETING**

CITY HALL COUNCIL CHAMBERS  
520 J Street  
Los Banos, California

**SEPTEMBER 5, 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.*  
\* \* \* \* \*

*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. 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 will be voted on in one motion unless removed from the Consent Agenda by a City Council / Redevelopment Agency Member.)
  - A. Minutes for the August 14, 2007 Adjourned City Council / Redevelopment Agency Meeting.  
*Recommendation: Approve the minutes as submitted.*
  - B. Check Register for #101582 - #102170 in the Amount of \$2,208,041.51.  
*Recommendation: Approve the check register as submitted.*
  - C. Retention Payment for the Highway 165 & Overland Avenue Reconstruction Project in the Amount of \$56,934.73 to Tom Mayo Construction.  
*Recommendation: Approve the retention payment as submitted.*
  - D. Progress Payments No. 9, 10, 23 and 24 for Professional Services Related to the Wastewater Treatment Plant Expansion Project Totaling \$8,842.18 to Eler & Kalinowski, Inc. (EKI).  
*Recommendation: Approve the progress payments as submitted.*
  - E. Progress Payment No. 11 for the Construction of Seventh & H Streets Improvement Project in the Amount of \$1,930.50 to Granite Construction Company.  
*Recommendation: Approve the progress payment as submitted.*
  - F. Progress Payments No. 15, 16 and 17 for Professional Services Related to the Wastewater Treatment Plant Expansion and Upgrade Phase II Project Totaling \$37,881.75 to Eco: Logic.  
*Recommendation: Approve the progress payments as submitted.*
  - G. Authorization to Purchase a Kenworth 2008 T-800 Cab and Chassis for the New Water Tender from Pape Trucks, Inc. in the Amount of \$121,786.58.  
*Recommendation: Approve the purchase as submitted.*

- H. Authorization to purchase by Sole Source the Build Up of the Water Tender Body with Ferrara Fire Apparatus in the Amount of \$180,000.00.

*Recommendation: Approve the purchase as requested.*

- I. Agreement between the City of Los Banos and the City of Gustine to Provide Assistance for the Provision of Law Enforcement Services in Connection with the 2007 Our Lady of Miracles Celebration in the City of Gustine on September 8th and 9th 2007.

*Recommendation: Approve the agreement as submitted and authorize the execution by the Chief of Police.*

- J. Subordination Agreement between the Los Banos Redevelopment Agency and James E. Lemon – Property located at 650 I Street.

*Recommendation: Approve the agreement as submitted and authorize the execution by the Executive Director.*

- K. Acceptance of a Dedication of a Grant of Easement for Property Located North of Pioneer Road, West of the Los Banos Creek, South of Cardoza Road, and East of the Villages at Stonecreek IV Southbrook Subdivision (Frank & Theresa Borge).

- A. City Council Resolution No. 4912 – Accepting a Grant of Easement for Assessor Parcel Number 083-030-058.

*Recommendation: Adopt the resolution as submitted.*

- L. Authorizing a Budget Adjustment in the Amount of \$26,301.08 and Approving Statement of Work by Computer Logistics for the Network Segmentation and Configuration of the City/Police Computer Network.

- A. City Council Resolution No. 4913 – Approving the Statement of Work by Computer Logistics for the Network Segmentation and Configuration of the City/Police Computer Network.

*Recommendation: Adopt the resolution as submitted.*

- 8. 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 the Introduction of Ordinance No. 1059 – Amending Article 16, Title 9, Chapter 2 of the Los Banos Municipal Code, Land for Parks and Recreation.

**(Continued from August 15, 2007)**

**(First Reading & Introduction)**

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

9. DISCUSSION AND CONSIDERATION OF COMMEMORATIVE NAMING OF STREETS AND PUBLIC FACILITIES.

*Recommendation: Direction from Council on how to proceed.*

10. CONSIDERATION OF PROPOSALS FROM EMC PLANNING GROUP AND DYETT & BHATIA IN RESPONSE TO REQUEST FOR PROPOSAL (RFP) TO PERFORM AN UPDATE TO THE ZONING AND SUBDIVISION CODES FOR THE CITY OF LOS BANOS.

*Recommendation: Review proposals and provide direction on firm selection.*

11. PRESENTATION AND RELEASE OF THE WASTEWATER TREATMENT PLANT STRATEGIC PLAN.

*Recommendation: Accept the report and schedule a discussion item for the City Council meeting of October 3, 2007.*

12. PRESENTATION BY MERCED COUNTY ECONOMIC DEVELOPMENT CORPORATION (MCEDCO) REGARDING THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDs).

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

13. CONSIDERATION OF SELECTION OF A SOLID WASTE COLLECTION CONTRACTOR AND ACCEPTANCE OF THE PROPOSAL FOR A TEN (10) YEAR CONTRACT FOR RECYCLING, GREEN WASTE, AND SOLID WASTE COLLECTION.

- A. City Council Resolution No. 4914 – Authorizing the Acceptance of the Proposal From *[Allied Waste or Sunset Waste]* for a 10 Year Contract for Recycling, Green Waste, and Solid Waste Collection.

*Recommendation: Select a solid waste collection contractor and adopt the resolution as submitted.*

14. 2007 FALL CLEANUP DAY – INFORMATIONAL ITEM ONLY.

15. REDEVELOPMENT AGENCY UPDATE.

16. ADVISEMENT OF PUBLIC NOTICES. (One Report)

17. CITY MANAGER / EXECUTIVE DIRECTOR REPORT.

18. CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.

- A. Anna Brooks

- B. Tommy Jones

C. Tom Faria

D. Joe Sousa

E. Mike Villalta

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

20. ADJOURNMENT.

A. Adjourn to 5:30 p.m., Thursday, September 13, 2007, at Miller & Lux Building, 830 6<sup>th</sup> Street, Los Banos, California to Attend a Workshop on the Rail Corridor Master Plan.

B. Adjourn to 6:00 p.m., Monday, September 17, 2007, at the Miller & Lux Building, 830 6<sup>th</sup> Street, Los Banos, California to Review Community Center Designs.

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.

/s/ Jana R. Sousa  
Jana R. Sousa, Assistant City Clerk

Dated this 31<sup>st</sup> day of August 2007