



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

OCTOBER 3, 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 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.
 - B. Conference with Legal Council – Existing Litigation Pursuant to Subdivision (a) of Section 54956.9 of the Government Code. One (1) Case, In Re: U.S. Land and Cattle Company, (Debtor in Possession) U.S. Bankruptcy court, Eastern District of California, Sacramento Division No. 06-24478-B-11.
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 September 17, 2007 Adjourned City Council / Redevelopment Agency Meeting.

Recommendation: Approve the minutes as submitted.

B. Check Register for #102495 - #102811 in the Amount of \$694,915.66.

Recommendation: Approve the check register as submitted.

C. Street Closure Request from the Los Banos Chamber of Commerce to Close Off 6th Street between K Street and H Street from 5:00 a.m. to 5:00 p.m. on October 6, 2007 for the Downtown Fall Street Faire.

Recommendation: Approve the street closure request as submitted.

D. Progress Payments No. 25, 11, and 1 for Professional Services related to the Wastewater Treatment Plant Expansion Project, totaling \$10,376.81, to Erler & Kalinowski, Inc. (EKI).

Recommendation: Approve the progress payments as submitted.

E. Progress Payments No. 1 and 2 for Construction of the CCID Canal Pedestrian Bridge Project to Clark Bros. Inc. in the amount of \$144,438.12.

Recommendation: Approve the progress payments as submitted.

F. Progress Payment No. 3 for Construction of the Highway 152 and Place Road Widening and Signal Light Project to Teichert Construction in the amount of \$82,801.54.

Recommendation: Approve the progress payment as submitted.

- G. Request to Authorize City Staff Participation in the Census Local Update of Census Address (LUCA) Program and for the Mayor to Sign the Required Documents for Entry into this Program.

Recommendation: Authorize the requests as submitted.

- H. Authorization to Purchase Two (2) Police Motorcycles through the State Pooling System Purchase Program not to exceed \$28,000.

Recommendation: Authorize the purchase as submitted.

- I. City Council Resolution No. 4923 – Approving the Professional Service Agreement with the Consultant Dyett & Bhatia to Prepare the Zoning & Subdivision Code Update.

Recommendation: Adopt the resolution as submitted.

- J. City Council Resolution No. 4924 – Amending Division 4, Salary Schedule Relating to Changes Associated with Section E – Information Technology, to Include an Information Technology Assistant.

Recommendation: Adopt the resolution as submitted.

- K. City Council Resolution No. 4925 – Amending Division 4, Salary Schedule Relating to Changes Associated with Section F – Public Works, to Include an Assistant City Engineer Position and to Amend the Assistant Public Works Director's Salary Range.

Recommendation: Adopt the resolution as submitted.

- L. City Council Resolution No. 4926 – Accepting Dedication for Parcel Map No. 2007-07, Generally Located on the South East Corner of Highway 152 and Ortigalita Road, APN 083-030-046. (Applicant: PMB Development)

Recommendation: Adopt the resolution as submitted.

- M. City Council Resolution No. 4927 – Approving Amendments to the Home Housing Rehabilitation/Income Reuse Program Guidelines.

Recommendation: Adopt the resolution as submitted.

- N. Redevelopment Agency Resolution No. 2007-11 – Approving the Purchase of the Real Property Located at the Northwest Corner of F & 9th Streets, Los Banos, California (APNs 025-102-006 & 007) Cassinerio Family, LLC.

Recommendation: Adopt the resolution as submitted.

8. PRESENTATION BY DISTRICT ATTORNEY LARRY MORSE II REGARDING LAW ENFORCEMENT.

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

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 a Final Development Plan No. 2006-12 and Development Agreement for Quail Meadows at Stonecreek. The Site is about Seventy-six (76) Acres within the Stonecreek Area Plan, South of Pacheco Boulevard between Badger Flat Road and Los Banos Creek, APNs 083-040-007, 083-040-008, 083-040-050, 083-040-051, and 083-020-032. Applicant: Stonecreek Properties. **(Continued from September 19, 2007)**

1) Ordinance No. 1060 – Authorizing the Mayor to Execute a Development Agreement on behalf of the City for that Certain Development Project known as Quail Meadows at Stonecreek. **(First Reading & Introduction)**

2) City Council Resolution No. 4921 – Approving of the Quail Meadows at Stonecreek Final Development Plan No. 2006-12.

Recommendation: Open the public hearing, receive public comment, and deny Development Agreement and deny the Final Development Plan.

B. Public Hearing – Consideration of Amendments to Title 10, Parks & Recreation, Chapters 2, of the Los Banos Municipal Code “Water Conservation in Landscaping” in its Entirety and Add Chapter 3 Relating to “Community Preservation”.

1) Ordinance No. 1059 – Amending Title 10, Chapter 2 of the Los Banos Municipal Code “Water Conservation in Landscaping” in its Entirety and Add Chapter 3 Relating to “Community Preservation”. **(First Reading & Introduction)**

2) City Council Resolution No. 4928 – Adopting Procedures for Landscape Plan Review, Schedule of Fees, Guidelines for Preparation of Landscape Document, Tree List, and Twelve Landscape Standard Plans.

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

C. Public Hearing – Consideration of the City of Los Banos 2007-08 Disadvantaged Business Enterprise Program Update.

- 1) City Council Resolution No. 4929 – Adopting the 2007-08 Disadvantaged Business Enterprise (DBE) Program Update for city of Los Banos in Accordance with the Requirements of the Code of Federal Regulations.

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

10. CONSIDERATION OF ADOPTION OF THE WASTEWATER STRATEGIC PLAN AND IMPLEMENTATION OF PHASE I.

- A. City Council Resolution No. 4930 – Authorizing Adopting the City of Los Banos Wastewater Strategic Plan and Implementing Phase I of the Strategic Plan.

Recommendation: Adopt the resolution as submitted.

11. PUBLIC WORKS CAPITAL PROJECT REPORT FOR OCTOBER 2007.

Recommendation: Direction from Council on how to proceed.

12. CONSIDERATION OF APPOINTMENT TO COMMEMORATIVE STREET NAME COMMITTEE.

Recommendation: Direction from Council on how to proceed.

13. REDEVELOPMENT AGENCY UPDATE.

14. ADVISEMENT OF PUBLIC NOTICES. (Three Reports)

15. CITY MANAGER / EXECUTIVE DIRECTOR REPORT.

16. CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.

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

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

18. ADJOURNMENT.

- A. Adjourn to 6:30 a.m., Thursday, October 4, 2007, at the City Hall, 520 J Street, Los Banos, California for a Residential Design Standards Tour Located in Sacramento, Tracy, and San Jose: Sacramento City Hall, 915 " I " Street, Sacramento, CA 95814; Tracy City Hall, 333 Civic Center Plaza, Tracy, CA 95376; ROEM Corporation, 1650 Lafayette Street, Santa Clara, CA 95050.

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 28th ay of September 2007