



City of
Los Banos
At the Crossroads of California

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AGENDA

CITY COUNCIL MEETING

**CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California**

OCTOBER 5, 2005

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 Legal Counsel – Existing Litigation, Pursuant to Subdivision (a) of Section 54956.9 of the Government Code. Name of Case: Ranchwood Corp. vs. City of Los Banos, Merced Superior Court Case No. 144254.**

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2. **CALL TO ORDER. 7:00 PM**
3. **ROLL CALL: Council Members Balatti, Jones, McAdam, Pruitt, Mayor Amabile**
4. **APPROVAL OF AGENDA.**
5. **CEREMONIAL OATH OF OFFICE FOR COUNCIL MEMBER ROGER PRUITT.**
6. **PRESENTATION – AMERICAN HEART WALK DAY PROCLAMATION.**

7. **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.

8. **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 September 17, 2005 Adjourned Meeting.**
Recommendation: Approve the minutes as submitted.

 - B. **Minutes for the September 20, 2005 Adjourned Meeting.**
Recommendation: Approve the minutes as submitted.

 - C. **Check Register for #85824 - #86456 in the Amount of \$2,278,295.80.**
Recommendation: Approve the check register as submitted.

 - D. **Progress Payment No. 1 to Granite Construction in the Amount of \$351,497.70 for the Main Street Improvements Project.**
Recommendation: Approve the progress payment as submitted.

 - E. **Progress Payment No. 1 to Harry Bunfill Urethane Roofing in the Amount of \$49,257.00 for in Kind Roofing for City of Los Banos Facilities: City Hall Building, Police Annex Building, Police Station, Animal Shelter Building, Fires Station No. 1, and Public Works Office Building.**
Recommendation: Approve the progress payment as submitted

 - F. **Progress Payment No. 5 to McElvany Inc. in the Amount of \$110,978.98 for Construction of the Los Banos Industrial Park – Phase I.**
Recommendation: Approve the progress payment as submitted.

 - G. **Progress Payment No. 5 to Granite Construction in the Amount of \$183,763.58 for the Henry Miller Plaza Project.**
Recommendation: Approve the progress payment as submitted.

 - H. **Progress Payment No. 6 to Granite Construction in the Amount of \$124,986.83 for the Henry Miller Plaza Project.**
Recommendation: Approve the progress payment as submitted.

I. Rejection of Claim – Nicole & Natalie Levario

Recommendation: Rejection of claim with referral to claims adjustor.

J. Street Closure Request from the Los Banos Police Department – J Street between 5th & 6th Streets from 6:30 p.m. to 9:00 p.m. on October 13, 2005 for Take Back the Night March.

Recommendation: Approve the street closure request as submitted.

K. 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 October 22, 2005 from 5:00 a.m. to 5:00 p.m. for the annual Downtown Spring Street Faire and Downtown Car Show.

Recommendation: Approve the street closure request as submitted.

L. Resolution No. 4649 – Accepting Final Parcel Map #2005-02 (Stonecreek Commercial Shopping Center).

Recommendation: Approve the resolution as submitted.

M. Resolution No. 4650 – Amending the 2005-2006 Fiscal Year Budget by Creating a Separate Fund for the Regional Transportation Impact Fees (RTIF) and Increasing the Estimated Revenues and Proposed Expenditures by \$976,250.

Recommendation: Approve the resolution as submitted.

N. Resolution No. 4651 – Amending the 2005-2006 Fiscal Year Budget by Decreasing the Projected Expenditures by \$70,000 for the General Fund and Increasing Projected Expenditures by \$70,000 for the Comcast Grant Fund.

Recommendation: Approve the resolution as submitted.

O. Resolution No. 4652 – Accepting Grant Easement for Public Utility Easement (Lot 2, Meadowlands Unit No. 3 - KB Home South Bay, Inc.).

Recommendation: Approve the resolution as submitted.

9. GENERAL PLAN UPDATE / PROGRESS REPORT / GENERAL PLAN ADVISORY COMMITTEE.

Recommendation: City Council direction on selection of Advisory Committee.

10. ADVISEMENT OF PUBLIC NOTICES. (1 Report)

11. CITY MANAGER REPORT.

12. **MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) REPORT.**

13. **CITY COUNCIL REPORTS.**

A. **Council Member Balatti**

B. **Council Member Jones**

C. **Council Member Pruitt**

D. **Mayor Pro Tem McAdam**

E. **Mayor Amabile**

14. **MISCELLANEOUS INFORMATION IN COUNCIL PACKET, NO ACTION NECESSARY.**

15. **ADJOURNMENT.**

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 30^h day of September