



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

NOVEMBER 7, 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. CALL TO ORDER. **7:00 PM**
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL: (City Council and Redevelopment Agency Board Members)
Brooks ____, Faria ____, Sousa ____, Villalta ____, Jones ____
4. CONSIDERATION OF APPROVAL OF AGENDA.
5. PRESENTATIONS.
 - A. Veterans Day Proclamation.
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 are considered to be routine and will be voted on in one motion unless removed from the Consent Agenda by a City Council / Redevelopment Agency Member.)

A. Minutes.

- 1) August 15, 2007 City Council / Redevelopment Agency Meeting.
- 2) October 4-5, 2007 Adjourned City Council / Redevelopment Agency Meeting.
- 3) October 30, 2007 Adjourned City Council / Redevelopment Agency Meeting.
- 4) November 1, 2007 Adjourned City Council / Redevelopment Agency Meeting.

Recommendation: Approve the minutes as submitted.

B. Check Register for #103279 - #103815 in the Amount of \$2,294,956.23.

Recommendation: Approve the check register as submitted.

C. First Quarter Budget Report for Fiscal Year 2007-2008.

Recommendation: Accept the report as submitted.

D. Quarterly Investment Report for the Quarter Ending September 30, 2007.

Recommendation: Accept the report as submitted.

E. Progress Payment No. 4, Final Payment, for Construction of the Highway 152 & Place Road Widening and Signal Light Project, in the amount of \$11,803.50 to Teichert Construction; Authorization to File a Notice Completion with the Merced County Recorder; and Authorize Payment of the Ten Percent (10%) Retention in the amount of \$98,712.58 Thirty (30) Days After Recordation of the Notice of Completion.

Recommendation: Approve the progress payment as submitted, authorize staff to file the notice of completion, and authorize the retention payment as requested.

F. Progress Payment Nos. 26 & 2 for Professional Services Related to the Wastewater Treatment Plant Expansion Project totaling \$7,615.62 to Erler & Kalinkowski, Inc. (EKI).

Recommendation: Approve the progress payments as submitted.

- G. Agreement by and between the City of Los Banos and the City of Inglewood for Computerized Parking Services – Inglewood Citation Management Services (ICMS) effective December 1, 2007.

Recommendation: Approve the agreement as submitted and authorize City Manager to sign.

- H. Award of Bid to Construct a 150' Self Supporting Public Safety Communications Tower & Install a 10' X 12' X 8' Equipment Shelter to Tashjian Towers in the amount of \$165,753.00.

Recommendation: Award the bid as submitted.

- I. City Council Resolution No. 4939 – Authorizing Entering into a Facility Lease Agreement with Merced County Community Action Agency Board for Rental of the Early Childhood Development Center located at 1624 San Luis Street for the term of November 1, 2007 – October 31, 2013.

Recommendation: Adopt the resolution as submitted.

- J. City Council Resolution No. 4940 – Accepting Public Improvements and Elimination of Amount Balance of Set Aside Letter for the Villages at Stonecreek Northern Sewer Main Installation Phase 2 in the amount of \$572,300.00.

Recommendation: Adopt the resolution as submitted.

- K. City Council Resolution No. 4941 – Accepting Public Improvements and Release of Performance Bonds for Stonecreek Properties Tract Map #2005-05 Villages at Stonecreek Subdivision Unit 4 Southbrook Phase 1B and Tract Map #2004-05 Stonecreek at Los Banos Villages IIA, Phase I.

Recommendation: Adopt the resolution as submitted.

- L. City Council Resolution No. 4942 – Approving the Submittal of a Safe Routes to School (SRTS) Grant Application to CalTrans; Authorizing the City Manager to Sign all Necessary Documents Related to the Grant Application.

Recommendation: Adopt the resolution as submitted.

- M. City Council Resolution No. 4943 – Amending the Fiscal Year 2007-2008 Budget by Increasing the Appropriation Limit in Expenditures by \$348,000 for the Orchard Terrace Park Development Fund Relating to Developer Reimbursements.

Recommendation: Adopt the resolution as submitted.

- N. City Council Resolution No. 4944 – Authorizing Developing the City of Los Banos Sewer System Management Plan (SSMP).

Recommendation: Adopt the resolution as submitted.

- O. City Council Resolution No. 4945 – Authorizing the Public Works Director/City Engineer to Enter into Lease Agreements with Enterprise Fleet Leasing Services for the Procurement of Ten (10) Leased Vehicles and Continue to Monitor the Leasing Plan to Determine the Actual Cost Savings that Can be Realized.

Recommendation: Adopt the resolution as submitted.

- 8. PUBLIC HEARINGS. (If you challenge the proposed action as described herein in court, you may be limited to raising only those issues you or someone else raised at the public hearing described herein or in written correspondence delivered to the City or Redevelopment Agency at, or prior to, the public hearing.)

- A. 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 Adding Chapter 3 Relating to “Community Preservation”. **(Continued from October 17, 2007)**

- 1) Ordinance No. 1059 – Amending Title 10, Chapter 2 of the Los Banos Municipal Code “Water Conservation in Landscaping” in its Entirety and Adding Chapter 3 Relating to “Community Preservation”. **(Second Reading & Adoption)**
- 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: Receive staff report, open the public hearing, receive public comment, close the public hearing, waive the second reading of the ordinance, adopt the ordinance as submitted, and adopt the resolution as submitted.

- B. Public Hearing – Consideration of an Ordinance Amendment to the Los Banos Municipal Code Regarding Mobile Vendors. The Ordinance Amendment Would Apply City-wide.

- 1) Ordinance No. 1061 – Amending Title 9, Chapter 3, Section 9-3.1725 of the Los Banos Municipal Code Revising Regulations Regarding Moveable Structure Businesses. **(First Reading & Introduction)**
(To be Continued to December 19, 2007)

Recommendation: Receive staff report, open the public hearing, receive public comment, and continue the public hearing to the December 19, 2007 meeting so that staff can work with the Planning Commission to bring back a recommendation for consideration.

C. Public Hearing – Consideration of an Ordinance Amendment to the Los Banos Municipal Code Regarding Land for Parks and Recreation, Revising the Park and Recreation Facilities Fees in Accordance with State Statute.

- 1) Ordinance No. 1062 – Amending Article 16, Title 9, Chapter 2 of the Los Banos Municipal Code Land for Parks & Recreation. **(First Reading & Introduction)**

Recommendation: Receive staff report, open the public hearing, receive public comment, waive the first reading of the ordinance, and introduce the ordinance as submitted.

9. CONSIDERATION OF AMENDMENT TO RESOLUTION NO. 4938, DIRECTING BEVERLY PRIOR ARCHITECTS TO COMPLETE CONSTRUCTION DOCUMENTS FOR COMMUNITY CENTER, PHASE 2 (CLASSROOMS/ACTIVITIES ROOM)

- A. City Council Resolution No. 4946 – Amending City Council Resolution No. 4938, Approving the Design Proposal for the Construction of the Community Center as Outlined in Beverly Prior Architects Proposed Work Plan and Fee Estimate to Include Complete Construction Documents for Community Center Phase 2 (Classroom/Activities Rooms).

Recommendation: Discussion by Council and motion to adopt or deny the resolution.

10. REDEVELOPMENT AGENCY UPDATE.

11. ADVISEMENT OF PUBLIC NOTICES. (Three Reports)

12. CITY MANAGER / EXECUTIVE DIRECTOR REPORT.

13. CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.

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

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

15. ADJOURNMENT.

- A. The next City Council / Redevelopment Agency Meeting will be held on Monday, November 19, 2007 at 7:00 p.m. at City Hall Council Chambers, 520 J Street, Los Banos, California (*due to the Thanksgiving Day Holiday*).

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/s Lucille L. Mallonee
Lucille L. Mallonee, City Clerk

Dated this 2nd day of November 2007