



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

MAY 2, 2007,

**(TO BE ADJOURNED TO MAY 3, 2007, AT 7:00 PM
AT CITY HALL COUNCIL CHAMBERS, 520 J STREET,
LOS BANOS, CALIFORNIA - Due to a Lack of Quorum)**

*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. 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 / Agency Members; 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.

6. 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 April 18, 2007 City Council/Redevelopment Agency Meeting.

Recommendation: Approve the minutes as submitted.

- B. Check Register for #98933 - #99244 in the Amount of \$830,685.27.

Recommendation: Approve the check register as submitted.

- C. City of Los Banos Third Quarter Budget Review for Fiscal Year 2006/2007.

Recommendation: Accept the report as submitted.

- D. Progress Payment No. 2 in the amount of \$420,267.05 to Teichert Construction for Highway 152 and Place Road Widening and Signal Light Project.

Recommendation: Approve the progress payment as submitted.

- E. Progress Payment No. 3 in the amount of \$12,380.00 to Parsons Brinckerhoff Construction Services, Inc. for Highway 152 and Place Road Widening and Signal Light Project.

Recommendation: Approve the progress payment as submitted.

- F. Progress Payment No. 7 in the amount of \$107,095.51 to Granite Construction Company for Construction of 7th and H Street Improvements.

Recommendation: Approve the progress payment as submitted.

- G. Merced County Spring Fair Street Closure Request for the Following Streets to be Closed from Monday, April 30, 2007 to May 6, 2007: 3rd Street from E Street to D Street to North Avenue, F Street from 3rd Street to 5th Street, 4th Street from G Street to F Street.

Recommendation: Approve the street closure request as submitted.

- H. Approval of a Land Lease Agreement between Sagouspe Enterprises LLC and the City of Los Banos for the placement of a Portable Hangar at the Los Banos Municipal Airport.

Recommendation: Approve the land lease agreement as submitted.

- I. City Council Resolution No. 4857 – Approving Establishing a New T-Hangar Rental Rate and Land Lease Rate for New Temporary Hangars at the Los Banos Municipal Airport.

Recommendation: Approve the resolution as submitted.

- J. City Council Resolution No. 4858 – Authorizing Purchase of Portion of Property of Assessor Parcel No. 083-241-001 (Francisco and Florinda Perez).

Recommendation: Approve the resolution as submitted.

7. **PUBLIC HEARING** – CONSIDERATION OF USE PERMIT #2007-02 - TYPE 20 (OFF SALE BEER AND WINE - PACKAGE STORE) ALCOHOL LICENSE IN CONJUNCTION WITH A WINE TASTING AND GOURMET CULINARY STORE IN THE RETAIL COMMERCIAL ZONE DISTRICT. THE PROJECT IS LOCATED AT 1001 6TH STREET (CORNER OF 6TH AND J STREET), APN 026-052-006. (APPLICANT: MMJ INVESTMENTS, LLC)

- A. Resolution No. 4859 – Approving Use Permit #2007-02.

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

8. **PUBLIC HEARING** – CONSIDERATION OF AN AMENDMENT TO THE LOS BANOS MUNICIPAL CODE SECTION 9-3.1725 TO ALLOW MOBILE FOOD VENDORS TO OPERATE 365 DAYS A YEAR. (APPLICANT: WOODY'S CHICAGO STYLE)

Recommendation: Open the public hearing, receive public comment, and direction from Council on how to proceed.

9. CONSIDERATION OF FUNDING REQUEST BY THE LOS BANOS COMMUNITY ACCESS GROUP, INC.

Recommendation: Direction from Council on how to proceed.

10. CONSIDERATION OF THE INTRODUCTION OF ORDINANCE NO. 1055 – ADDING SECTION 4-13.01 – 4.13-07 OF THE LOS BANOS MUNICIPAL CODE RELATING TO ABANDONED SHOPPING CARTS. (**First Reading & introduction**)

Recommendation: Waive the first reading and introduce the ordinance as submitted.

11. CONSIDERATION OF AUTHORIZATION TO SOLICIT PROPOSALS FOR UPDATING THE CURRENT WATER DISTRIBUTION, SEWER COLLECTION, AND STORM DRAIN MASTER PLAN.

Recommendation: Authorization from Council to solicit proposals.

12. REDEVELOPMENT AGENCY UPDATE.

13. ADVISEMENT OF PUBLIC NOTICES. (Three Reports)

14. CITY MANAGER/EXECUTIVE DIRECTOR REPORT.

15. CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.
 - A. Tom Faria
 - B. Joe Sousa
 - C. Mike Villalta
 - D. Anna Brooks
 - E. Tommy Jones
16. MISCELLANEOUS INFORMATION IN COUNCIL PACKET, NO ACTION NECESSARY.
17. ADJOURNMENT.
 - A. Adjourn to 7:00 p.m., May 8, 2007, to Hold a City Council Meeting Being Held at Henry Miller Plaza, 600 H Street, Los Banos, California to Recognize and Celebrate the City's 100th Year Anniversary of Incorporation.
 - B. Adjourn to 5:30 p.m., Thursday, May 10, 2007 to Attend an Annexation Policy Workshop Being Held at the Police Annex, 545 J 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 April 2007