



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

**NOVEMBER 19, 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. 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 / 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.)
6. 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) September 5, 2007 City Council / Redevelopment Agency Meeting.
  - 2) November 7, 2007 City Council / Redevelopment Agency Meeting.
- Recommendation: Approve the minutes as submitted.*
- B. Check Register for #103816 - #104150 in the Amount of \$10,531,188.81.
- Recommendation: Approve the check register as submitted.*
- C. Progress Payment No. 3 to Clark Bros. Inc. for Construction of the CCID Canal Pedestrian Bridge Project in the amount of \$13,054.30.
- Recommendation: Approve the progress payment as submitted.*
- D. Progress Payment No. 7 to Erler & Kalinowski, Inc. (EKI) for Professional Services Related to the Wastewater Treatment Plant Expansion Project in the amount of \$2,698.36.
- Recommendation: Approve the progress payment as submitted.*
- E. Authorization to Install Solar Powered Speed Limit Signs on Cardoza Road.
- Recommendation: Authorize staff to install speed limit signs as submitted.*
- F. City Council Resolution No. 4947 – Accepting a Storm Drain Easement for Assessor Parcel Numbers 081-110-032, 081-110-033 & 081-110-034.
- Recommendation: Adopt the resolution as submitted.*
- G. City Council Resolution No. 4948 – Authorizing the Public Works Director/City Engineer to Proceed with the Sole Source Purchase of a New Tymco 600 BAH Street Sweeper from GCS Western Inc. in the Amount of \$187,353.55.
- Recommendation: Adopt the resolution as submitted.*
- H. City Council Resolution No. 4949 – Authorizing the Public Works Director/City Engineer to Proceed with the Sole Source Purchase of a Caterpillar 914G Wheeled Loader from Holt of California in the Amount of \$86,032.85.
- Recommendation: Adopt the resolution as submitted.*
- I. City Council Resolution No. 4950 – Accepting Dedications for Final Parcel Map No. 2007-11 (Ward Road Apartments).
- Recommendation: Adopt the resolution as submitted.*

7. CONSIDERATION OF APPROVAL OF AN AGREEMENT AND FIRST AMENDMENT BETWEEN THE CITY OF LOS BANOS AND ALLIED WASTE SERVICES OF NORTH AMERICA, LLC FOR COLLECTION AND TRANSPORTATION OF WASTE, RECYCLABLE MATERIALS, AND GREEN WASTE; CONSIDERATION OF APPROVAL OF A SOLID WASTE STUDY PREPARED BY HILTON FARNKOPF & HOBSON (HF & H) CONSULTANTS AND INITIATING A PROPOSITION 218 PROTEST PROCESS TO ADJUST RATES AND FEES ACCORDING TO THE STUDY; AND SET A PUBLIC HEARING FOR JANUARY 16, 2008 TO CONSIDER THE RESULTS OF THE PROTEST RESPONSE AND TO ACT ON THE PROPOSED RATE ADJUSTMENT.

A. City Council Resolution No. 4951 – Approving a Ten (10) Year Contract AND First Amendment with Allied Waste Services of North America, LCC for Collection and Transportation of Solid Waste, Recyclable Materials, and Green Waste within the City of Los Banos.

B. City Council Resolution No. 4952 – Accepting the Refuse Vehicle Street Maintenance Cost Analysis Report and Initiating a Proposition 218 Protest Process.

*Recommendation: Receive staff report, adopt the resolutions as submitted, direct staff to prepare a recommendation on contribution to the Salvation Army to administer a universal Relief for Energy Assistance through Community Help (REACH) Type Fund for reducing the rate impact for senior citizens and others who qualify for the REACH Type Program.*

8. PRESENTATION & DISCUSSION ON LEGAL AND PLANNING ISSUES AND CONSIDERATIONS FOR FUTURE ANNEXATIONS TO THE CITY OF LOS BANOS – Presented by William W. Abbott, Special Legal Counsel.

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

9. 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 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. **(Second Reading & Adoption)**

*Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, waive the second reading of the ordinance, and adopt the ordinance as submitted.*

10. ADVISEMENT OF PUBLIC NOTICES. (Four Reports)

11. CITY MANAGER / EXECUTIVE DIRECTOR REPORT.
12. CITY COUNCIL / REDEVELOPMENT AGENCY MEMBER REPORTS.
  - A. Anna Brooks
  - B. Tommy Jones
  - C. Tom Faria
  - D. Joe Sousa
  - E. Mike Villalta
13. MISCELLANEOUS INFORMATION IN CITY COUNCIL PACKET, NO ACTION NECESSARY.
14. ADJOURNMENT.
  - A. Adjourn to 6:00 p.m., Wednesday, November 28, 2007 in the Council Chambers, 520 J Street, Los Banos, California to hold a Closed Session – Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8); Property: Approximately 5 acres generally located on Ward Road, approximately ½ mile south of SR 152, portion of APN 083-100-010; Negotiator: Redevelopment Manager, Agency Attorney; Negotiating Parties: Los Banos Redevelopment Agency & Corporation for Better Housing; Under Negotiation: Price and Terms of Sale.

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

Dated this 16<sup>th</sup> day of November 2007