



# City of Los Banos

*At the Crossroads of California*

[www.losbanos.org](http://www.losbanos.org)

## AGENDA

### CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS  
520 J Street  
Los Banos, California

**OCTOBER 7, 2015**

*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.*

*Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 520 J Street, Los Banos, California during normal business hours. In addition, such writings and documents may be posted on the City's website at [www.losbanos.org](http://www.losbanos.org).*

*Cualquier escritura o los documentos proporcionaron a una mayoría del Ayuntamiento respecto a cualquier artículo en este orden del día será hecho disponible para la inspección pública en la reunión y en la oficina de la Secretaria de la ciudad en City Hall, 520 J Street, Los Banos, California durante horas de oficina normales. Además, tales escrituras y los documentos pueden ser anunciados en el website de la ciudad en [www.losbanos.org](http://www.losbanos.org).*

1. CALL TO ORDER. **7:00 PM**
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL: (City Council Members)  
Faria \_\_\_\_, Lewis \_\_\_\_, Silveira \_\_\_\_, Stonegrove \_\_\_\_, Villalta \_\_\_\_
4. CONSIDERATION OF APPROVAL OF AGENDA.
5. PRESENTATION – Proclamation Recognizing the 125<sup>th</sup> Anniversary of the Los Banos Fire Department and Video.

6. PUBLIC FORUM. (Members of the public may address the City Council Members 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.)
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 Member.)

- A. Check Register for #155557 – #155866 in the Amount of \$2,052,916.22.

*Recommendation: Approve the check register as submitted.*

- B. Street Closure/Usage Request from the Our Lady of Fatima Society for Annual Religious Ceremonies and Events on **October 10, 2015 from 11:00 a.m. - 1:00 p.m.** Exiting the Alley behind Our Lady of Fatima School turning Left on Center Avenue, Right on Madison Avenue, Left on 4<sup>th</sup> Street Left on Jefferson Avenue, Left on Center Avenue, and Back to the School Parking Lot; **October 10, 2015 from 8:00 p.m. – 9:30 p.m.** Exiting St. Joseph's Church Parking Lot onto Center Avenue, East on Adams Avenue to 6<sup>th</sup> Street, South on 6<sup>th</sup> Street to Jefferson Avenue, West on Jefferson Avenue to Center Avenue and back to St Joseph's Church; and **October 11, 2015 12:00 p.m. – 2:00 p.m.** Leaving St. Joseph's Church Parking Lot onto Center Avenue, East on Adams Avenue to 6<sup>th</sup> Street, South on 6<sup>th</sup> Street to Jefferson Avenue, West on Jefferson Avenue to Center Avenue and back to St Joseph's Church.

*Recommendation: Approve the street closure/usage request as submitted.*

- C. City Council Resolution No. 5701 – Amending the Fiscal Year 2015-2016 Budget by Increasing the Appropriations in the General Fund for Engineering Revenue and Expenditures.

*Recommendation: Adopt the resolution as submitted.*

- D. City Council Resolution No. 5702 – Authorizing the City Manager to Execute a Professional Services Agreement for Utility Bill Printing and Mailing Services with Infosend.

*Recommendation: Adopt the resolution as submitted.*

- E. City Council Resolution No. 5703 – Authorizing the City Manager, or his Designee, to Sign and File for and on Behalf of the City of Los Banos, a Financial Assistance Application for a Financing Agreement from the State Water Resources Control Board for the Planning of the Mitigation Measures for the City of Los Banos' Municipal Water System to Conform o the State of California's Maximum Contaminant Level (MCL) for Hexavalent Chromium.

*Recommendation: Adopt the resolution as submitted.*

8. PUBLIC HEARING. (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 at, or prior to, the public hearing.)

A. Public Hearing – To Receive Public Comment and Consideration of Amendments to the City Fire Prevention Code Ordinance as it Pertains to Allowing for an Exemption Permit to be Issued to an Eligible Organization for the Purpose of Sponsoring or Contributing to a 4<sup>th</sup> of July Fireworks Display.

- 1) Ordinance No. 1138 – Amending Amendment No. 11 to the California Fire Code 2013 Edition Set Forth in Section 4-3.07 of the Los Banos Municipal Code. **(Second Reading & Adoption)**

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

B. Public Hearing – To Receive Public Comment and Consideration of Adopting a Proposed Ordinance for Regulation of Farmers' Markets Located in Title 9 and Chapter 3 of the Los Banos Municipal Code.

**(Continued from September 16, 2015 City Council Meeting)**

- 1) Ordinance No. 1135 – Adding Article 42 Chapter 3 to Title 9 of the Los Banos Municipal Code Relating to Certified Farmers' Market. **(First Reading & Introduction)**

- 2) City Council Resolution No. 5699 – Establishing Permit Fees for the Administration and Issuance of Certified Farmers' Markets.

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

C. Public Hearing – To Receive Public Comment and Consideration of Annexation #2014-01, Prezone #2014-02, Pre-Annexation Development Agreement, and Associated Mitigate Negative Declaration (SCH #2015061056) for Presidential Estates East Area Plan and Annexation of Approximately 106 Acres on Unincorporated Lands Lying North of Pioneer Road, West of Mercey Springs Road (SR 1658) and East of eleventh Street, APNs 026-290-001, 002, 003, 004, 005, 083-120-012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, and 028.

- 1) City Council Resolution No. 5704 – Approving Mitigated Negative Declaration (SCH #2015061056) and Mitigation Monitoring Plan.

- 2) Ordinance No. 1139 – Amending the Zoning Map to Pre-Zone Approximately 106 Acres Bound by Pioneer Road to the South (Unincorporated), Developed Residential Property to the West and Eleventh Street, Developed Commercial Property to the North, and Mercey Springs Road (SR 165) to the East.

**(First Reading & Introduction)**

- 3) Ordinance No. 1140 – Authorizing the Mayor to Execute a Pre-Annexation Development Agreement Between the City of Los Banos and Stonefield Communities, LLC Relative to the Presidential Estates East Annexation. **(First Reading & Introduction)**
- 4) Ordinance No. 1141 – Authorizing the Mayor to Execute a Pre-Annexation Development Agreement Between the City of Los Banos and Manual M. Cardoza Life Estate Relative to Presidential Estates East Annexation. **(First Reading & Introduction)**
- 5) City Council Resolution No. 5705 – Requesting the Annexation and Pre-Zone of Approximately 106 Acres of Property Located North of Pioneer Road, East of Eleventh Street, South of Developed Commercial Property to the North, and West of Mercey Springs Road (SR 165).

*Recommendation: Receive staff report, open public hearing, receive public comment, adopt the resolution as submitted, waive the first readings, and introduce the ordinances as submitted.*

9. COUNCIL MEMBER AGENDA REQUESTS. (To see if there is a majority consensus to have staff expend time on the issue and to hear it at a future meeting.)

- A. Request from Mayor Villalta for Discussion and Consideration of Placing a Veterans Wall at Henry Miller Plaza.

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

10. ADVISEMENT OF PUBLIC NOTICES. (No Report)

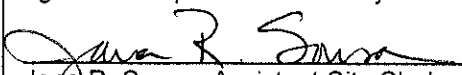
11. CITY MANAGER REPORT.

12. CITY COUNCIL MEMBER REPORTS.

- A. Scott Silveira
- B. Elizabeth Stonegrove
- C. Tom Faria
- D. Deborah Lewis
- E. Mayor Mike Villalta

13. 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.

  
 Jana R. Sousa, Assistant City Clerk

Dated this 30<sup>th</sup> day of September