



# 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

**NOVEMBER 7, 2018**

*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 \_\_\_\_, Johnson-Santos \_\_\_\_, Lewis \_\_\_\_, Silveira \_\_\_\_, Villalta \_\_\_\_
4. CONSIDERATION OF APPROVAL OF AGENDA.

5. PRESENTATIONS.

- A. Recognition of Entry Awards from the VFW Post 2487 and American Legion Post 166 Veterans Day Parade.
- B. Recognition of ACE 10 Participants.

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 #213032 – #213348 in the Amount of \$1,628,470.72.

*Recommendation: Approve the check register as submitted.*

- B. First Quarter Investment Report for Fiscal Year 2018-2019.

*Recommendation: Accept the report as submitted.*

- C. Minutes for the October 17, 2018 City Council Meeting.

*Recommendation: Approve the minutes as submitted.*

8. BOYS & GIRL CLUB PRESENTATION – Steering Committee Member, Chuck Erreca.

*Recommendation: Informational item only, no action to be taken.*

9. 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 Adopting an Ordinance to Amend and Reorganize Article 20 Chapter 3 of Title 9 of the Los Banos Municipal Code Relating to Off-street Parking and Amend and Reorganize Article 32 Chapter 3 of Title 9 of the Los Banos Municipal Code Relating to Recreational Vehicles.

**(Continued from October 17, 2018 Meeting)**

- 1) Ordinance No. 1165 – Amending and Reorganizing Article 20 Chapter 3 of Title 9 of the Los Banos Municipal Code Relating to Off-street Parking;

Amending and Reorganizing Article 32 Chapter 3 of Title 9 of the Los Banos Municipal Code Relating to Recreational Vehicles.

**(First Reading & Introduction)**

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

- B. Public Hearing – To Receive Public Comment and Consideration of a Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to Section 15322, In-Fill Development Projects and Conditional Use Permit #2018-10 for an ABC Type 20 Off Sale Beer and Wine License for a Proposed Convenience Store within the Proposed Shopping Center, located at the South East Corner of Mercey Springs Road and Overland Avenue, APN 424-120-017.

- 1) City Council Resolution No. 6020 – Approving Conditional Use Permit #2018-10 to Allow for the Sale of Alcohol Under a Type 20 Off-Sale Beer and Wine License for 7-11 Located at the South East Corner of Mercey Springs Road and Overland Avenue, APN 424-120-017.

*Recommendation: Receive the staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.*

- C. Public Hearing – To Receive Public Comment and Consideration of a Revision to Conditional Use Permit #2016-01 to Allow the Expansion of the Use of a Type 23 Alcohol License for a Small Beer Manufacturer Onsite Tasting Room to the Expanded Floor Area of the Building, Paraiso Brewery, Located at 80 West G Street, Suite C and D, APNs 081-190-008 and 081-190-009.

- 1) City Council Resolution No. 6021 – Approving a Revision of Conditional Use Permit #2016-01 to Allow for an Expansion of the Sale of Alcohol Under a Type 23 Small Beer Manufacturer for Paraiso Brewery Located at 80 West G Street, APN 081-190-008 and 081-190-009.

*Recommendation: Receive the staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.*

- D. Public Hearing – To Receive Public Comment and Consideration of Conditional Use Permit and Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to Section 15301 (Existing Facilities) to Allow the Use of a Type 41 Alcohol License for the On-Sale of Beer and Wine in Conjunction with a Bona-Fide Easting Establishment, Round Table Pizza, Located at 1462 Mercey Springs Road, APN 083-130-038.

- 1) City Council Resolution No. 6022 – Approving a Conditional Use Permit #2018-12 for the Use of a Type 41 Alcohol License for the On-Sale of

Beer and Wine in Conjunction with an Eating Place for Round Table  
Pizza Located 1462 Mercey Springs Road, APN 083-130-038.

*Recommendation: Receive the staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.*

10. CONSIDERATION OF ENTERING INTO AGREEMENTS RELATED TO GROUND  
WATER SUSTAINABILITY.

- A. City Council Resolution No. 6023 – Acting as the City of Los Banos Groundwater Sustainability Agency (GSA), Authorizing the City Manager to Enter into: (A) Delta-Mendota Subbasin Coordination Among the Groundwater Sustainability Agencies (GSA's) within the Delta-Mendota Subbasin; (B) the Cost Sharing Agreement Among the GSA's of the Delta-Mendota Subbasin; and (C) the Memorandum of Understanding between the City of Los Banos GSA and the San Joaquin River Exchange Contractors GSA.

*Recommendation: Receive staff report and adopt the resolution as submitted.*

11. CANCELLATION OF THE REGULAR CITY COUNCIL MEETING SCHEDULED  
FOR WEDNESDAY, NOVEMBER 21, 2018 DUE TO THE THANKSGIVING  
HOLIDAYS.

*Recommendation: Cancel the meeting as stated.*

12. ADVISEMENT OF PUBLIC NOTICES. (Two Reports)

13. CITY MANAGER REPORT.

14. CITY COUNCIL MEMBER REPORTS.

- A. Deborah Lewis  
B. Scott Silveira  
C. Tom Faria  
D. Daronica Johnson-Santos  
E. Mayor Mike Villalta

15. CLOSED SESSION.

- A. Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9 of the Government Code: 90-day Notice of Violations and Intent to File Suit

Under the Resource Conservation and Recovery Act from California River Watch, Dated September 3, 2018.

- B. Conference with Labor Negotiators, Pursuant to Government Code Section 54957.6, Agency Designated Representatives: City Manager Terrazas, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Finance Director Williams, Police Chief Brizzee, Legal Counsel Tuffo; Employee Organizations: Los Banos Police Officers Association (LBPOA) and Los Banos Police Dispatchers/Community Services Officers Association (LBPDCSOA).

16. 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 1<sup>st</sup> day of November 2018