



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

AUGUST 6, 2014

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 Secretaría 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.

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.

1. **CLOSED SESSION.** **6:00 PM**
(Members of the public may address the City Council on the following closed session items. Speakers are limited to a five (5) minute presentation. Detailed guidelines are posted on the Council Chamber informational table.)
 - A. Conference with Labor Negotiators, Pursuant to Government Code Section 54957.6, Agency Designated Representatives: City Manager Carrigan, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Finance Director Williams, Legal Counsel Tuffo; Employee Organizations: Los Banos Police Dispatchers/Community Services Officers Association (LBPDCSOA), Los Banos Fire Fighters Association (LBFFA).

2. **CALL TO ORDER.** **7:00 PM**

3. PLEDGE OF ALLEGIANCE.

4. ROLL CALL: (City Council Members)

Faria ____, Lewis ____, Silveira ____, Stonegrove ____, Villalta ____

5. CONSIDERATION OF APPROVAL OF AGENDA.

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 #148525 – #148839 in the Amount of \$2,871,768.33.

Recommendation: Approve the check register as submitted.

B. Minutes for the July 30, 2014 Special City Council Meeting.

Recommendation: Approve the minutes as submitted.

C. Agreement by and between CAL Office of Emergency Services (OES) and the Los Banos City Fire Department for Temporary Assignment of Vehicular Equipment for an Additional Ten (10) Years.

Recommendation: Approve the agreement as submitted and authorize the Fire Chief to execute the agreement.

D. City Council Resolution No. 5595 – Approving the Operation of a Taxicab License for Martinez Taxi and Deeming the Operation a Public Convenience and Necessity.

Recommendation: Adopt the resolution as submitted.

E. City Council Resolution No. 5596 – Authorizing a Contract Agreement with BSK Associates for the Clean Closure of the Old Los Banos Landfill in the Amount of \$273,000.

Recommendation: Adopt the resolution as submitted.

F. City Council Resolution No. 5597 – Authorizing the City Manager to Execute Professional Services Agreements and the Public Works Director/City Engineer to Execute Individual Project Service Requests with Gouveia Engineering, O'Dell Engineering, and Provost & Pritchard Consulting Group for On-Call Engineering Services.

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 Approval of Conditional Use Permit #2014-09 for the Use of a Type 20 Alcohol License for the Off-sale of Beer and Wine for Mi Barrio Food & Gas Mart Located at 403 N. Mercey Springs Road, Assessor's Parcel Number 082-072-024.

1) City Council Resolution No. 5598 – Approving Conditional Use Permit #2014-09 for the Off-sale of Beer and Wine for Mi Barrio Food & Gas Mart Located at 403 N. Mercey Springs Road.

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

B. Public Hearing – To Receive Public Comment and Consideration of an Appeal of the Los Banos Planning Commission Approval of Mitigated Negative Declaration (MND) SCH#2014011068 and Tentative Tract Map #2013-01 for AMG & Associates, for Property Located at the Northeast Corner of Willmott Avenue and North Street, Assessor's Parcel Number 082-050-066.

1) City Council Resolution No. 5599 – Denying the Appeal from the Los Banos Unified School District and Upholding the Decision of the Los Banos Planning Commission and Approving Mitigated Negative Declaration (SCH #2014011068) and Approving Tentative Tract Map #2013-01 for AMG & Associates.

Recommendation: Open the public hearing, receive public comment, close the public hearing and approve, amend, deny or continue the mitigated negative declaration and tentative tract map.

C. Public Hearing – To Receive Public Comment and Consideration of Levying Properties for Weed Abatement Services Performed During the Fiscal Year 2013/14 or Prior for Areas of Land Located in the City of Los Banos, Merced County as Follows: Assessor Parcel Numbers 026-082-022, 082-357-012, 025-101-006, 027-081-007, 027-031-032, 025-103-004, 027-053-001, 027-161-040, 027-055-019, 027-086-009.

1) City Council Resolution No. 5600 – Authorizing the Levy and Collection of Assessments for Weed Abatement within the City of Los Banos.

Recommendation: 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 Approval of an Urgency Ordinance of the City of Los Banos Changing the Irrigation Restriction Schedule from Three (3) Days to Two (2) Days and Make the

Schedule Year Round Due to Public Health, Safety and Welfare as a Result of the Statewide Drought.

- 1) Ordinance No. 1120 – Amending Title 10 Chapter 2 Section 10-2.03.10 (a)(2) of the Los Banos Municipal Code Regarding Scheduling of Landscape Irrigation. **(Urgency Adoption)**

Recommendation: Open the public hearing, receive public comment, close the public hearing and adopt the urgency ordinance as submitted.

- E. **Public Hearing** – To Receive Public Comment and Consideration of Approval of an Ordinance to Indefinitely Suspend the Collection of All Regional Transportation Impact Fees (RTIF) Established by Ordinance No. 1031.

- 1) Ordinance No. 1121 – Indefinitely Suspending the Collection of Regional Transportation Impact Fees Established by Ordinance No. 1031 as Amended and Codified in Title 3 Chapter 18 of the Los Banos Municipal Code. **(First Reading & Introduction)**

Recommendation: Open the public hearing, receive public comment, close the public hearing and adopt the urgency ordinance as submitted.

9. SUBMISSION OF BY-DISTRICT METHOD ELECTION OF CITY COUNCIL MEMBERS TO THE VOTERS PURSUANT TO CALIFORNIA GOVERNMENT CODE § 34871 AND APPROVAL OF BALLOT ARGUMENT IN FAVOR.

- A. City Council Resolution No. 5601 – Calling and Giving Notice of a Special Municipal Election to be Held on Tuesday, November 4, 2014, for the Submission to the Qualified Voters of the City a Measure to Establish electoral Districts for election of members of the Los Banos City Council By Districts and Election of the Mayor of Los Banos City-wide, and Requesting the Board of Supervisors of the County of Merced, California, to Provide for the Consolidation of the Special Ballot Measure Election with the Statewide General Election to be Held on November 4, 2014, Pursuant to Section 10403 of the Elections Code.

- B. City Council Resolution No. 5602 – Approving and Submitting a Ballot Argument in Favor of a Measure to Establish Electoral Districts for Election of Members of the Los Banos City Council by Districts and Election of the Mayor of Los Banos City-Wide, to be Voted on November 4, 2014, Pursuant to Section 9282(B) of the Elections Code.

Recommendation: Receive staff report and adopt the resolutions as submitted.

10. ADVISEMENT OF PUBLIC NOTICES. (Two Reports)

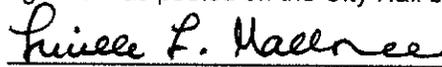
11. CITY MANAGER REPORT.

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.



Lucille L. Mallonee, City Clerk

Dated this 31st day of July 2014