



City of Los Banos

At the Crossroads of California

www.losbanos.org

AGENDA

CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS

520 J Street

Los Banos, California

FEBRUARY 17, 2016

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.

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. 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 Deolinda Brasil – Secondary Principal of the Year from the Association of California School Administrators.

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 #157690 – #158017 in the Amount of \$4,406,675.52.
Recommendation: Approve the check register as submitted.
 - B. Minutes for the January 6, 2016 City Council Meeting.
Recommendation: Approve the minutes as submitted.
 - C. Minutes for the January 20, 2016 City Council Meeting.
Recommendation: Approve the minutes as submitted.
 - D. Minutes for the February 3, 2016 City Council Meeting.
Recommendation: Approve the minutes as submitted.
 - E. City Council Resolution No. 5726 – Authorizing Submittal of Application(s) for the CalRecycle Legacy Disposal Site Abatement Partial Grant Program and Authorizing the Public Works Director/City Engineer to Execute All Documents Necessary to Secure and Implement Approved Grant Funding.
Recommendation: Adopt the resolution as submitted.
 - F. City Council Resolution No. 5727 – Authorizing the Submittal of CalRecycle Application for Payment Programs and Related Authorizations and Authorizing the Public Works Director/City Engineer to Execute All Documents Necessary to Implement and Secure Payment.
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 a Conditional Use Permit to Allow the Use of Type 23 Alcohol License for a

Small Beer Manufacturer Onsite Tasting Room, Paraiso Brewery, Located at 80 West G Street, Assessor's Parcel Number 081-190-008.

- 1) City Council Resolution No. 5728 – Approving Conditional Use Permit #2016-01 to Allow the On and Off Sale of Beer in Conjunction with a Type 23 Alcohol License for Paraiso Brewery Located at 80 West G Street, Suite C.

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

9. MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) CIVICSPARK PRESENTATION.

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

10. CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 5729 – ADOPTING A REVISED BUDGET FOR THE 2015-2016 FISCAL YEAR BUDGET AS IT PERTAINS TO EXPENDITURES ASSOCIATED WITH THE MID YEAR BUDGET REVIEW.

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

11. APPOINTMENT OF COMMISSION MEMBERS FOR THE FOLLOWING:

- A. Economic Development Advisory Commission – One (1) Vacancy, Two (2) Year Term Expiring December 31, 2017.
- B. Airport Advisory Commission – One (1) Vacancy, Unexpired Two (2) Year Term Expiring December 31, 2016.

Recommendation: Appointments made by the Mayor with the consensus of the City Council.

12. ADVISEMENT OF PUBLIC NOTICES. (One Report)

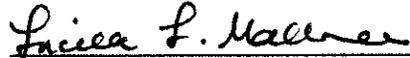
13. CITY MANAGER REPORT.

14. CITY COUNCIL MEMBER REPORTS.

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

15. CLOSED SESSION – Public Employee Employment, City Manager, Pursuant to Government Code Section 54957.
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 11th day of February 2016

CK # 157690 - 158017

02/17/2016

\$4,406,675.52

Bank Reconciliation

Checks by Date

User: sorozco
 Printed: 02/09/2016 - 8:08AM
 Cleared and Not Cleared Checks
 Print Void Checks



City of
Los Banos
 At the Crossroads of California

Check No	Check Date	Name	Module	Void	Amount
157690	1/26/2016	Luis Beltran	AP		264.00
157691	1/26/2016	Fresno County Sherriff's Office	AP		477.36
157692	1/26/2016	Merced County Auditor Controller	AP		450.00
157693	1/26/2016	Westamerica Bank - Cafeteria Plan	AP		49,378.25
157694	1/28/2016	Westamerica Bank - Cafeteria Plan	AP		376,292.18
157695	1/29/2016	Alhambra	AP		76.00
157696	1/29/2016	A & A Portables Inc	AP		111.65
157697	1/29/2016	All American Plumbing	AP	Void	189.91
157698	1/29/2016	Amerigas Propane, LP	AP		615.27
157699	1/29/2016	Ameripride Valley Uniform Services Inc.	AP		195.40
157700	1/29/2016	Henry A Anderson Jr	AP		40.00
157701	1/29/2016	Anthony Gomes	AP		480.00
157702	1/29/2016	Aramark Uniform Ser Inc	AP		677.32
157703	1/29/2016	AT&T	AP		1,950.36
157704	1/29/2016	AT&T	AP		60.00
157705	1/29/2016	Auto Zone Commercial	AP		107.99
157706	1/29/2016	Backflow Apparatus & Valve Co.	AP		303.72
157707	1/29/2016	Barton Overhead Door Inc	AP		63.43
157708	1/29/2016	BJ's Consumers Choice	AP		386.00
157709	1/29/2016	Bollinger	AP		300.00
157710	1/29/2016	Bruce's Tire Inc	AP		1,954.01
157711	1/29/2016	BSK Associates	AP		4,781.00
157712	1/29/2016	Ca Dept of Justice	AP		51.00
157713	1/29/2016	California Dairies Inc	AP		90.70
157714	1/29/2016	Cen-Cal Air	AP		606.00
157715	1/29/2016	Comcast	AP		321.37
157716	1/29/2016	Comcast	AP		420.00
157717	1/29/2016	Comcast	AP		112.12
157718	1/29/2016	City of Los Banos Utility	AP		4,433.23
157719	1/29/2016	CVCIAA	AP		50.00
157720	1/29/2016	Jose Ruben Cisneros	AP		450.00
157721	1/29/2016	Downstream Aviation LP	AP		45.00
157722	1/29/2016	Fastenal Company	AP		8.10
157723	1/29/2016	Ferguson Enterprises Inc DBA Groeniger & Company	AP		6,117.21
157724	1/29/2016	Filipino-American Association Los Banos	AP		600.00
157725	1/29/2016	Golden State Flow Measurement	AP		2,598.00
157726	1/29/2016	Galls Inc	AP		269.90
157727	1/29/2016	Halo Branded Solutions Inc.	AP		322.82
157728	1/29/2016	Heppner Precision Machine	AP		57.45
157729	1/29/2016	Hi Tech Emergency Vehicle Services, Inc	AP		3,206.83
157730	1/29/2016	Holt of California	AP		824.63
157731	1/29/2016	Kellogg's Supply	AP		831.59
157732	1/29/2016	Los Banos Express Oil & Lube	AP		67.87
157733	1/29/2016	Los Banos Enterprise	AP		58.00

Check No	Check Date	Name	Module	Void	Amount
157734	1/29/2016	Los Banos Medical Group A Medical Corp.	AP		400.00
157735	1/29/2016	Lucas Business Systems	AP		641.46
157736	1/29/2016	Steve Macillas	AP		192.50
157737	1/29/2016	Marfab Inc	AP		265.94
157738	1/29/2016	McNamara Sports Inc	AP		108.54
157739	1/29/2016	Merced County Law Enforcement Chief's Association	AP		100.00
157740	1/29/2016	Mariyah Martin	AP		500.00
157741	1/29/2016	Napa Auto Parts	AP		56.79
157742	1/29/2016	The Office City	AP		405.52
157743	1/29/2016	OSE	AP		331.08
157744	1/29/2016	O'Reilly Auto Parts	AP		271.04
157745	1/29/2016	P G & E Company	AP		16.14
157746	1/29/2016	Provost and Pritchard Engineering, Inc.	AP		7,388.23
157747	1/29/2016	Protech Security & Electronics, Inc.	AP		231.00
157748	1/29/2016	Recall Secure Destruction Services Inc	AP		471.10
157749	1/29/2016	Rick's Auto Body	AP		883.96
157750	1/29/2016	Scott Savage	AP		455.00
157751	1/29/2016	Save Mart Supermarkets	AP		105.50
157752	1/29/2016	Sherwin Williams Co	AP		13.23
157753	1/29/2016	Frank Silveria	AP		332.50
157754	1/29/2016	Snap On Tools	AP		18.09
157755	1/29/2016	Sorensens True Value	AP		619.48
157756	1/29/2016	Sprint Solutions, Inc.	AP		759.81
157757	1/29/2016	Terryberry Company LLC	AP		126.08
157758	1/29/2016	Tulare Firestone	AP		53.78
157759	1/29/2016	Manuel Areia	AP		834.35
157760	1/29/2016	John Locatelli	AP		49.99
157761	1/29/2016	Graystone Property Mgmt	AP		97.11
157762	1/29/2016	UC Construction	AP		74.50
157763	1/29/2016	UC Construction	AP		73.08
157764	1/29/2016	Daniel Iniguez	AP		30.79
157765	1/29/2016	UC Construction	AP		73.08
157766	1/29/2016	Bernard Gullo	AP		30.79
157767	1/29/2016	Jasbir Kaur	AP		38.53
157768	1/29/2016	Sergio or Cynthia Munoz	AP		36.57
157769	1/29/2016	UC Construction	AP		67.12
157770	1/29/2016	UC Construction	AP		63.84
157771	1/29/2016	Mayte Campos	AP		64.43
157772	1/29/2016	Kim Ribeiro 401(K) Profit Sharing Plan	AP		71.17
157773	1/29/2016	Ignacio Garcia	AP		71.17
157774	1/29/2016	Home Sweet Home Property Management	AP		71.17
157775	1/29/2016	Valley Vanguard Properties Inc.	AP		73.79
157776	1/29/2016	Aldina Real Estate Property Management	AP		13.49
157777	1/29/2016	Manny's Auto Repair	AP		48.97
157778	1/29/2016	Century 21 M&M- Maria Pina	AP		100.00
157779	1/29/2016	UC Construction	AP		76.62
157780	1/29/2016	Madeline or Karen Pereira	AP		45.21
157781	1/29/2016	UC Construction	AP		133.51
157782	1/29/2016	Valley Vanguard Properties Inc.	AP		70.03
157783	1/29/2016	Valley Vanguard Properties Inc.	AP		74.49
157784	1/29/2016	Ruben & Virginia Huerta	AP		30.79
157785	1/29/2016	Leticia Gomez	AP		79.82
157786	1/29/2016	Alan Carmo	AP		13.49
157787	1/29/2016	Tim Costa	AP		13.49
157788	1/29/2016	Lorenzo Rosales	AP		11.85
157789	1/29/2016	Amarjit Sangha	AP		13.49
157790	1/29/2016	Marcelino Calzada Delgadillo	AP		13.49

Check No	Check Date	Name	Module	Void	Amount
157791	1/29/2016	Trinidad Zamaripa	AP		13.49
157792	1/29/2016	Marina & Erick Mendez	AP		13.49
157793	1/29/2016	Jose Justiniano Maytin	AP		13.49
157794	1/29/2016	Antonio Ramirez	AP		13.49
157795	1/29/2016	Alonzo & Erlinda Perez	AP		100.00
157796	1/29/2016	Larry Wick	AP		13.49
157797	1/29/2016	Michelle Escalera Castillo	AP		13.49
157798	1/29/2016	Shazad Ali	AP		100.00
157799	1/29/2016	Laures Lopez	AP		13.49
157800	1/29/2016	Lynn Lambert	AP		13.49
157801	1/29/2016	Willy and Sonia Borja	AP		13.49
157802	1/29/2016	Rafael Esparza	AP		13.49
157803	1/29/2016	Lisa and Joseph De La Rosa	AP		11.03
157804	1/29/2016	Margarita Rameno	AP		13.49
157805	1/29/2016	Apolonio Serrano	AP		100.00
157806	1/29/2016	Steven and Kimberly Huckobey	AP		13.49
157807	1/29/2016	Dawn Duran	AP		13.49
157808	1/29/2016	Angel Campos	AP		13.49
157809	1/29/2016	Daniel Seidel	AP		100.00
157810	1/29/2016	Marisol and Miguel Diaz	AP		13.49
157811	1/29/2016	Hugh Dawson	AP		13.49
157812	1/29/2016	Pedro Navarrete	AP		13.49
157813	1/29/2016	Mary Valdez	AP		13.49
157814	1/29/2016	Ibrahim and Lorena Barrios	AP		13.49
157815	1/29/2016	Maria or Angel Gomez	AP		13.49
157816	1/29/2016	Daric Gunn	AP		13.49
157817	1/29/2016	Veronica Morales	AP		13.49
157818	1/29/2016	Yan Fang	AP		13.49
157819	1/29/2016	Maria Duran	AP		13.49
157820	1/29/2016	Manuel Flores	AP		13.49
157821	1/29/2016	Leopoldo & Lizbeth Morales	AP		13.49
157822	1/29/2016	Ralph Orozco	AP		13.49
157823	1/29/2016	Phil Coleman	AP		13.49
157824	1/29/2016	Raul Souto	AP		13.49
157825	1/29/2016	Gary Silva	AP		13.49
157826	1/29/2016	Stella and Menno Vanderveen	AP		12.67
157827	1/29/2016	Carlos & Patty Gonzalez	AP		13.49
157828	1/29/2016	Chad Wooten	AP		13.49
157829	1/29/2016	Byron Watkins	AP		13.49
157830	1/29/2016	Yeon Park	AP		13.49
157831	1/29/2016	Carlos Miranda	AP		13.49
157832	1/29/2016	John Coleman	AP		13.49
157833	1/29/2016	Margarita Casas	AP		13.49
157834	1/29/2016	Rodolfo Javier	AP		13.49
157835	1/29/2016	Ferdinand and Pamela Adamos	AP		13.49
157836	1/29/2016	Brijesh Kadam	AP		100.00
157837	1/29/2016	Godofredo Corral Jr.	AP		13.49
157838	1/29/2016	Ronald Cermeno	AP		13.49
157839	1/29/2016	Tony and Debra Lopez	AP		9.39
157840	1/29/2016	Alicia Miramontes Gonzalez	AP		13.49
157841	1/29/2016	Angelica Valencia-Nunez	AP		13.49
157842	1/29/2016	Manjinder Badwal	AP		13.49
157843	1/29/2016	John Van Artsdalen III	AP		100.00
157844	1/29/2016	Miguel Solano	AP		13.49
157845	1/29/2016	Thomas Benett	AP		13.49
157846	1/29/2016	Sheila Moore	AP		51.48
157847	1/29/2016	Fernando Gutierrez Serrano	AP		13.49

Check No	Check Date	Name	Module	Void	Amount
157848	1/29/2016	Edgardo Agredano	AP		13.49
157849	1/29/2016	April Booher	AP		12.67
157850	1/29/2016	Eric Engleman	AP		13.49
157851	1/29/2016	Salma Arellano	AP		13.49
157852	1/29/2016	Olga Israde	AP		51.48
157853	1/29/2016	Dominic Alvarado	AP		13.49
157854	1/29/2016	Beverly Viets	AP		13.49
157855	1/29/2016	Oscar Lara	AP		13.49
157856	1/29/2016	Bridgette Robinson	AP		13.49
157857	1/29/2016	John Llamas	AP		13.49
157858	1/29/2016	Andrea and Johnny Cannon	AP		13.49
157859	1/29/2016	Jean Schrum	AP		13.49
157860	1/29/2016	Guillermo Ponce Ruiz	AP		13.49
157861	1/29/2016	Vavrinek, Trine, Day & Co., LLP	AP		2,240.00
157862	1/29/2016	Verizon Wireless	AP		197.86
157863	1/29/2016	Jennifer Williams	AP		605.00
157864	1/29/2016	Windecker Inc	AP		357.12
157865	1/29/2016	Young's Air Conditioning	AP		213.64
157866	1/29/2016	Young's Automotive	AP		1,082.72
157867	1/29/2016	Zee Medical Service Co	AP		92.75
157868	1/29/2016	Allied Waste Services #917	AP		248,775.33
157869	1/29/2016	Armando Baltazar	AP		80.00
157870	1/29/2016	Tim Baptista Jr.	AP		80.00
157871	1/29/2016	BELFOR USA Group, Inc.	AP		243,027.15
157872	1/29/2016	Luis Beltran	AP		48.00
157873	1/29/2016	Richard A Blak Phd	AP		350.00
157874	1/29/2016	Marcelino Cortez	AP		58.00
157875	1/29/2016	LN Curtis & Sons	AP		9,109.82
157876	1/29/2016	Fresno County Sherriff's Office	AP		50.00
157877	1/29/2016	Fresno City College	AP		110.00
157878	1/29/2016	Liebert Cassidy Whitmore	AP		1,029.00
157879	1/29/2016	Los Banos Volunteer	AP		2,000.00
157880	1/29/2016	Ivan Mendez	AP		60.00
157881	1/29/2016	Gerald "Obie" O'Brien	AP		77.14
157882	1/29/2016	Pinnacle Medical Group	AP		1,424.00
157883	1/29/2016	Sheryl Roy	AP		140.00
157884	1/29/2016	Silveira, Mattos & Lewis Attorneys at Law	AP		225.00
157885	1/29/2016	TASER	AP		225.00
157886	1/29/2016	Law Offices of William A Vaughn	AP		9,000.00
157887	1/29/2016	Lorraine Velarde	AP		300.00
157888	1/29/2016	Patricia Vigil	AP		106.00
157889	1/29/2016	Michael G. Villalta	AP		34.00
157890	2/1/2016	State Water Resources Control Board	AP		140.00
157891	2/1/2016	US Bank Corp Pymt System	AP		14,237.72
157916	2/4/2016	Aflac-Customer Service	AP		95.81
157917	2/4/2016	Aflac-Customer Service	AP		143.95
157918	2/4/2016	Aflac-Customer Service	AP		41.26
157919	2/4/2016	Aflac-Customer Service	AP		57.86
157920	2/4/2016	Bank of America	AP		3,000,000.00
157921	2/4/2016	Bank of America	AP		91,192.90
157922	2/4/2016	Bank of America	AP		11,506.64
157923	2/4/2016	Bank of America	AP		2,395.44
157924	2/4/2016	Franchise Tax Board	AP		442.73
157925	2/4/2016	In Shape Health Clubs Inc	AP		532.00
157926	2/4/2016	Los Banos Police Assn	AP		2,033.00
157927	2/4/2016	MassMutual	AP		1,328.70
157928	2/4/2016	MassMutual	AP		4,240.00

Check No	Check Date	Name	Module	Void	Amount
157929	2/4/2016	Nationwide Retirement Solutions	AP		1,420.00
157930	2/4/2016	Professional Fire Fighter	AP		585.00
157931	2/4/2016	State Disbursement Unit	AP		1,161.00
157932	2/4/2016	Vantagepoint Transfer Agents - 306797	AP		590.43
157933	2/4/2016	Vantagepoint Transfer Agents - 705827	AP		25.00
157934	2/4/2016	Vantagepoint Transfer Agents - 801838	AP		1,500.00
157935	2/5/2016	A & A Portables Inc	AP		111.65
157936	2/5/2016	Abbott & Kindermann, LLP	AP		112.59
157937	2/5/2016	Alert-O-Lite, Inc.	AP		932.81
157938	2/5/2016	Anderson Pump Company Inc	AP		190.00
157939	2/5/2016	Anthony Gomes	AP		254.84
157940	2/5/2016	Aramark Uniform Ser Inc	AP		477.87
157941	2/5/2016	AT&T	AP		1,426.23
157942	2/5/2016	Baxter's Frame Works & Badge Frame, Inc.	AP		790.73
157943	2/5/2016	BJ's Consumers Choice	AP		195.00
157944	2/5/2016	Borelli Real Estate Service, Inc.	AP		90.00
157945	2/5/2016	BSK Associates	AP		462.00
157946	2/5/2016	California Dairies Inc	AP		90.69
157947	2/5/2016	Cemex, Inc	AP		907.01
157948	2/5/2016	Central Valley Concrete inc.	AP		729.52
157949	2/5/2016	Clark Bros. Inc.	AP		93.00
157950	2/5/2016	Cook's Communications Corp.	AP		315.81
157951	2/5/2016	Copy Shipping Solutions	AP		93.84
157952	2/5/2016	Cornflower Farms	AP		437.79
157953	2/5/2016	LN Curtis & Sons	AP		492.30
157954	2/5/2016	Circle Point	AP		250.00
157955	2/5/2016	Edges Electrical Group, LLC	AP		386.13
157956	2/5/2016	Cassandra Ann Helmrick	AP		1,557.00
157957	2/5/2016	Farmer Brothers Coffee	AP		178.36
157958	2/5/2016	Ferguson Enterprises Inc DBA Groeniger & Company	AP		71.28
157959	2/5/2016	Galls Inc	AP		201.66
157960	2/5/2016	Garton Tractor Inc	AP		829.61
157961	2/5/2016	Hach Company	AP		78.37
157962	2/5/2016	Halo Branded Solutions Inc.	AP		800.09
157963	2/5/2016	Heppner Precision Machine	AP		377.84
157964	2/5/2016	JB Anderson Land Use Planning	AP		1,350.00
157965	2/5/2016	Key Seal Products, Inc.	AP		400.69
157966	2/5/2016	Kimball Midwest	AP		265.47
157967	2/5/2016	Lawson Products, Inc.	AP		321.97
157968	2/5/2016	LKCM WM Distribution, LLC	AP		916.97
157969	2/5/2016	Los Banos Express Oil & Lube	AP		41.53
157970	2/5/2016	Los Banos Little League	AP		250.00
157971	2/5/2016	Marfab Inc	AP		186.80
157972	2/5/2016	Matson Alarm Co Inc	AP		186.00
157973	2/5/2016	Merced Chevrolet Inc.	AP		1,485.09
157974	2/5/2016	Merced Uniform & Accessories	AP		365.71
157975	2/5/2016	Mobley Enterprises Inc.	AP		1,075.00
157976	2/5/2016	Napa Auto Parts	AP		99.51
157977	2/5/2016	North Central Laboratories	AP		67.61
157978	2/5/2016	The Office City	AP		54.63
157979	2/5/2016	OSE	AP		102.65
157980	2/5/2016	O'Reilly Auto Parts	AP		71.43
157981	2/5/2016	P G & E Company	AP		86,720.88
157982	2/5/2016	Pro Clean Supply	AP		683.19
157983	2/5/2016	Protech Security & Electronics, Inc.	AP		144.00
157984	2/5/2016	Quality Code Publishing LLC	AP		1,399.29
157985	2/5/2016	Sherwin Williams Co	AP		5.04

Check No	Check Date	Name	Module	Void	Amount
157986	2/5/2016	Snap On Tools	AP		18.31
157987	2/5/2016	Sorensens True Value	AP		1,550.83
157988	2/5/2016	San Luis & Delta Mendota Water Authority	AP		500.00
157989	2/5/2016	Toscana Upholstery	AP		300.88
157990	2/5/2016	Sergio or Cynthia Munoz	AP		63.43
157991	2/5/2016	UC Construction	AP		21.25
157992	2/5/2016	UC Construction	AP		31.91
157993	2/5/2016	UC Construction	AP		21.25
157994	2/5/2016	UC Construction	AP		21.25
157995	2/5/2016	UC Construction	AP		28.63
157996	2/5/2016	UC Construction	AP		21.25
157997	2/5/2016	Jose Cabello, Jr	AP		76.92
157998	2/5/2016	Home Sweet Home Property Management	AP		74.05
157999	2/5/2016	Westside Water Conditioning	AP		70.76
158000	2/5/2016	Young's Automotive	AP		1,558.38
158001	2/5/2016	Ca Dept of Justice	AP		128.00
158002	2/5/2016	Chevron Usa Inc	AP		195.80
158003	2/5/2016	CSMFO	AP		75.00
158004	2/5/2016	City of Los Banos Escrow Account	AP		1,651.53
158005	2/5/2016	Eric Espindola	AP		150.00
158006	2/5/2016	Mary Lou Gilardi	AP		107.45
158007	2/5/2016	Papa	AP		45.00
158008	2/5/2016	PERS - Public Employees	AP		102,565.00
158009	2/5/2016	Pinnacle Medical Group	AP		360.00
158010	2/5/2016	Regency Park Estates LLC	AP		4,664.00
158011	2/5/2016	Ronny's Landscaping	AP		39,471.09
158012	2/5/2016	State Water Resources Control Board	AP		60.00
158013	2/5/2016	Stonecreek Properties	AP		7,451.95
158014	2/5/2016	U.S. Bank Equipment Finance	AP		1,890.82
158016	2/8/2016	Bank of America	AP		247.86
158017	2/8/2016	Bank of America	AP		14.58

Break in check sequence due to the following:

Check # 157892 - 157915 (Payroll)

Check # 158015 (Payroll)

Total Void Check Count:	1
Total Void Check Amount:	189.91
Total Valid Check Count:	302
Total Valid Check Amount:	4,406,675.52
Total Check Count:	303
Total Check Amount:	4,406,865.43

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
JANUARY 6, 2016**

ACTION MINUTES – These minutes are prepared to depict action taken for agenda items presented to the City Council. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.

CALL TO ORDER: Mayor Villalta called the City Council Meeting to order at the hour of 7:02 PM.

PLEDGE OF ALLEGIANCE: Police Chief Brizzee led the pledge of allegiance.

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Council Members Tom Faria, Deborah Lewis, Scott Silveira, Mayor Michael Villalta; Absent: Council Member Elizabeth Stonegrove

STAFF MEMBERS PRESENT: City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, City Manager Carrigan, Police Chief Brizzee, Finance Director Williams, City Treasurer/Accountant I Brazil, Fire Chief Marrison, Senior Planner Elms, Public Works Director/City Engineer Fachin and Information Technology Director Spalding.

CONSIDERATION OF APPROVAL OF AGENDA: Motion by Silveira, seconded by Lewis to approve the City Council Meeting agenda as submitted. The motion carried by the affirmative action of all City Council Members present, Stonegrove absent.

PRESENTATIONS – PROCLAMATIONS RECOGNIZING CITY COMMISSIONERS:
HEIKO STITCHEL – AIRPORT ADVISORY COMMISSION, ALEKSEY DVORKIN – ECONOMIC DEVELOPMENT ADVISORY COMMISSION, BRETT JONES – ECONOMIC DEVELOPMENT ADVISORY COMMISSION, STEPHEN HAMMOND – PLANNING COMMISSION, TODD BAKER – PLANNING COMMISSION, JOHN CATES – PLANNING COMMISSION, REBECCA TIETJEN – TREE COMMISSION, JOHN SPEVAK – TREE COMMISSION, COLLEEN MENELEE – TREE COMMISSION, MARK BODLEY – MEASURE P COMMITTEE, JOANG (ICHABOD) NGUYEN – MEASURE P COMMITTEE. Mayor Villalta presented proclamations to those commissioners in attendance: Heiko Stichel, Stephen Hammond, Todd Baker, Rebecca Tietjen, John Spevak, Colleen Menelee, Mark Bodley thanking them and all recognized for their years of service.

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; 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. ERIK LIMON,

Republic Services and Los Banos resident, spoke regarding the proper disposal of Christmas trees. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Silveira, seconded by Lewis to approve the consent agenda as submitted: Check Register for #156833 – #157343 in the Amount of \$2,111,519.16; Minutes for the December 9, 2015 Special City Council Meeting; Minutes for the December 16, 2015 Adjourned City Council Meeting; Minutes for the December 23, 2015 Adjourned City Council Meeting; City Council Resolution No. 5714 – Appointing Members to the Measure P Citizens Oversight Committee (Mark Bodley & Eric Poppish); City Council Resolution No. 5715 – Adopting a Revised Budget for the 2015/2016 Fiscal Year as it Pertains to Expenditures and Revenues in the Police Department Communications/Special Police Services Accounts. The motion carried by the affirmative action of all City Council Member present, Stonegrove absent.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW THE USE OF TYPE 86 ALCOHOL LICENSE FOR THE INSTRUCTIONAL TASTING OF ALCOHOLIC BEVERAGES ONSITE AT THE WAL-MART STORE LOCATED AT 1575 WEST PACHECO BOULEVARD, ASSESSOR’S PARCEL NUMBER 430-010-012; CITY COUNCIL RESOLUTION NO. 5716 – APPROVING CONDITIONAL USE PERMIT #2015-10 FOR THE USE OF A TYPE 86 ALCOHOL LICENSE, “INSTRUCTIONAL TASTING”, FOR THE WAL-MART LOCATED AT 1575 WEST PACHECO BOULEVARD. Senior Planner Elms presented the staff report, which included a PowerPoint presentation.

Mayor Villalta opened the public hearing. MIRIAM MONTESINOS, Legal Counsel from Gresham Savage Nolan & Tilden, Wal-Mart representative, spoke regarding the Type 86 “Instructional Tasting” request and what exactly will happen at the store through a third party; ROY ROSALES, Los Banos, inquired as to how good are the vendors at spotting fake IDs; KATHY BALLARD, Los Banos, stated that fake ID readers look at not just the front but the back too. No one else came forward to speak and the public hearing was closed.

There was Council Member and staff discussion regarding 3rd party providers, how they are a standalone independent company not affiliated with the distributors or affiliation with Wal-Mart, insuring that no one under 21 would be able to taste, assurance that there will not be any slip ups and that there is a standardization for marketing and tasting, explanation of the tastings of different spirits which is regulated by the State and the Department of Alcoholic and Beverage Control.

Motion by Silveira, seconded by Faria to approve City Council Resolution No. 5716 – Approving Conditional Use Permit #2015-10 for the Use of a Type 86 Alcohol License, “Instructional Tasting”, for the Wal-Mart Located at 1575 West Pacheco Boulevard. The motion carried by the affirmative action of all City Council Member present, Stonegrove absent.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW THE USE OF TYPE 40 ALCOHOL

LICENSE FOR THE ON-SALE OF BEER FOR AQUA ENTERTAINMENT CENTER LOCATED AT 923 WEST PACHECO BOULEVARD, ASSESSOR'S PARCEL NUMBER 431-020-002; CITY COUNCIL RESOLUTION NO. 5717 – APPROVING CONDITIONAL USE PERMIT #2015-11 FOR THE ON-SALE OF BEER FOR THE AQUA ENTERTAINMENT CENTER LOCATED AT 923 WEST PACHECO BOULEVARD. Senior Planner Elms presented the staff report, which included a PowerPoint presentation.

Mayor Villalta opened the public hearing. JASON SERANG, Los Banos & Marketing Director for Aqua Entertainment Center, spoke regarding the plans for the center and hopes to open by March 2016. No one else came forward to speak and the public hearing was closed.

Motion by Silveira, seconded Faria by to approve City Council Resolution No. 5717 – Approving Conditional Use Permit #2015-11 for the On-sale of Beer for the Aqua Entertainment Center Located at 923 West Pacheco Boulevard. The motion carried by the affirmative action of all City Council Member present, Stonegrove absent.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AN ORDINANCE IMPOSING AN EXPRESS BAN ON MARIJUANA CULTIVATION, MARIJUANA PROCESSING, MARIJUANA DELIVERY, AND MARIJUANA DISPENSARIES IN THE CITY OF LOS BANOS; ORDINANCE NO. 1142 – IMPOSING AN EXPRESS BAN ON MARIJUANA CULTIVATION, MARIJUANA PROCESSING, MARIJUANA DELIVERY, AND MARIJUANA DISPENSARIES IN THE CITY OF LOS BANOS (FIRST READING & INTRODUCTION). City Attorney Vaughn presented the staff report, which included a PowerPoint presentation. Police Chief Brizzee spoke in additional detail to the proposed ordinance and the negative impacts medical marijuana, which included a powerpoint presentation.

Mayor Villalta opened the public hearing. APRIL GIBSON, Los Banos, she stated that she could find the same negative information for alcohol, meth, heroin, and prescription drugs, and spoke to how she feels how prohibiting medical marijuana would be denying her access to her medication that treats her arthritis and urged them to remember compassion; TIM OBLETO, San Luis Obispo, stated that the City is trying to get rid of what they can't regulate, is just going to take the system way back and will be a downfall in the City, if you allow medical marijuana you would be able to regulate it and make is a much safer environment for the City; ALBERTO ESCOBETO, Los Banos, compared alcohol to marijuana and how it is not fair to restrict medical marijuana; CASEY CUESTA, Los Banos, stated that she takes medical marijuana instead of taking a narcotic, and finds it funny that she can now go to Wal-Mart for wine tasting; MS. SADIE, Los Banos, stated that she is scared for her rights, how she has a degenerative disk disease and is a patient of medical marijuana, there will be a lot more criminalization if medical marijuana is prohibited, prays that everyone has a right to take care of their pain; MATTHEW GRAYS, Los Banos, stated that this is a tough issue and there are a lot of people who support their right to use medical marijuana, he has loved ones who use medical marijuana to cope with the medical issues that are disabling, it is a form of discrimination to not allow medical marijuana and we should take away that option from the law abiding citizens; GINO RODDICK, Los Banos, what a lot of people

are trying to say is that California voters voted in 1996 to keep medical marijuana, banning safe access is further driving it underground, it is clear that there are problems but in his opinion it is because it is not better regulated, a lot of cities are just reacting to this March deadline and in turn should be taking a step back and regulating it; POLICE CHIEF BRIZZEE stated that he appreciates everyone's comments and reiterated that the City is not trying to prohibit those who have a doctor's recommendation; SGT FRAMSTAD, Merced County's Sherriff's Department, spoke in support of passing this Ordinance regarding their 12 plants per parcel law, dangers with marijuana grows, organized crime issues, and violence; JAIME FLORES, Los Banos, stated that what the City is trying to do is going back in time, there is a benefit in medical marijuana and what we should be trying to do is regulate it not make it harder to get and creating more problems, let them have local access to a medicine that makes them feel better, and compared it to the Wal-Mart getting a permit for wine tasting; JENNIFER WALTON, Los Banos, spoke regarding her personal issues with medical problems and how they are medical marijuana users and not having to use prescriptions drugs and using a natural drug to treat their illnesses; ERNIE LUGO, Los Banos, has a lot of friends, family friends, coworkers who are medical marijuana users, this will make is more difficult to obtain medical marijuana, will turn people to prescription drugs, how there is money generated from allowing medical marijuana and would be a positive thing, this is setting us back with this ban and will not only hurt this town but a lot of people in this town; LUKE DILLER, Los Banos, spoke to the personal needs for the medical marijuana, there is recreational marijuana that is sold illegal but what you are trying to prohibit is what people are trying to sell and use is legal and medically needed, concerns with residential grows, how marijuana does not keep you up late at night, seems to him that the City is showing a complete different picture than what actually is, why not take the route to regulate it, issue the permits and collect the taxes, how he does not support the passage of the ordinance; ROBERT ROSALES, Los Banos, spoke regarding the amount of tax revenue the State of Colorado raised, how 4 out of 27 grows were legal, concerns with showing the weapons that perhaps were to protect their property rights, how marijuana is a schedule 1 drug as is heroin and you do not smell marijuana growing in his yard, he smokes because he has insomnia, wonders who brought this forward and if any of the Council has the courage to come forward and speak for the compassionate marijuana users, he feels that this is politically driven. No one came forward to speak and the public hearing was closed.

Motion by Faria, seconded by Lewis to waive the first reading of Ordinance No. 1142 – Imposing an Express Ban on Marijuana Cultivation, Marijuana Processing, Marijuana Delivery, and Marijuana Dispensaries in the City of Los Banos. The motion carried by the affirmative action of all City Council Member present, Stonegrove absent.

Motion by Faria, seconded by Lewis to introduce Ordinance No. 1142 – Imposing an Express Ban on Marijuana Cultivation, Marijuana Processing, Marijuana Delivery, and Marijuana Dispensaries in the City of Los Banos. The motion carried by the following roll call vote: AYES: Faria, Lewis, Silveira, Villalta; NOES: None; ABSENT: Stonegrove.

**CONSIDERATION OF THE ADOPTION OF CITY COUNCIL RESOLUTION NO. 5718
– REVISING THE SCHEDULE OF LANDSCAPE IRRIGATION FROM TWO (2) DAYS**

A WEEK TO ONE (1) DAY A WEEK. Public Works Director/City Engineer Fachin presented the staff report.

There was Council Member and staff discussion regarding how many cities in California have gone to one day a week watering, how Merced, Atwater, Fresno are some cities that are prohibiting through the winter months completely to mostly to meet the mandate, if the neighboring cities reached their goals, what other neighboring cities are doing to meet their goals instead of cutting back watering, i.e. fixing water lines, those that water too much, being more concerned about the hot summers and people losing landscaping that they have invested in are good for the atmosphere, if we are going to cut the water bills in half, and how this is just a temporary way to bank the water savings and trying to get to the state mandated 28%.

Motion by Silveira, seconded by Faria to adopt City Council Resolution No. 5718 – Revising the Schedule of Landscape Irrigation from Two (2) Days a Week to one (1) Day a Week. The motion carried by the affirmative action of all City Council Member present, Stonegrove absent.

The City Council took a short 5-10 minute recess.

CONSIDERATION OF THE SELECTION OF AN EXECUTIVE SEARCH FIRM FOR THE CITY MANAGER RECRUITMENT. (To be continued to the January 7, 2016 Adjourned Meeting) City attorney Vaughn stated that staff is asking for a continuance of this item to allow Council Member Stonegrove to participate on this item.

Motion by Faria, seconded by Silveira to continue this item to January 7, 2016 at 5:00 PM in the City Hall Council Chambers, 520 J Street, Los Banos. The motion carried by the affirmative action of all City Council Member present, Stonegrove absent.

ADVISEMENT OF PUBLIC NOTICES (Two Reports). Senior Planner Elms stated that there will be two public hearings at the January 13, 2016 Planning Commission Meeting: Consider and make a recommendation to the Los Banos City Council to adopt a proposed ordinance to regulate and create a process for Temporary Uses on private (non-residential) property in the City of Los Banos; Consider a Tentative Parcel Map No. 2015-04 to subdivide approximately 4.2 acres into 2 parcels in the Highway Commercial zoning district (H-C), located at 2160 E. Pacheco Boulevard.

CITY MANAGER REPORT. No report.

CITY COUNCIL MEMBER REPORTS.

Faria – wished Mr. Carrigan on his future endeavors.

DEBORAH LEWIS: Wished City Manager Carrigan the best on his new job and thanked him for his services.

SCOTT SILVEIRA: Stated that Vondel McKenzie asked him to announce the Martin Luther King Jr. March being held on January 18, 2016 and wished Mr. Carrigan all the luck in the world with his new job.

ELIZABETH STONEGROVE: Absent

MIKE VILLALTA: Wished Mr. Carrigan all the best at the City of Merced, they have enjoyed his services the last 3 years, Merced is lucky to get him and will have a great experience just as we have. He spoke regarding the Christmas Golden Agers Dinner and how great it was and encouraged all seniors to go to the dinners, congratulated all the proclamations received for service they provide to Los Banos and encouraged others to do it, to also get involved with Vital and the Community Center.

CLOSED SESSION – PUBLIC EMPLOYMENT, CITY MANAGER, PURSUANT TO GOVERNMENT CODE SECTION 54957 (To be continued to the January 7, 2016 Adjourned Meeting). Motion by Villalta, seconded by Faria to continue this item to January 7, 2016 at 5:00 PM in the City Hall Council Chambers, 520 J Street, Los Banos. The motion carried by the affirmative action of all City Council Member present, Stonegrove absent.

ADJOURNMENT – ADJOURN TO 5:00 PM, THURSDAY, JANUARY 7, 2016 IN THE CITY HALL COUNCIL CHAMBERS, 520 J STREET, LOS BANOS, TO CONSIDER THE SELECTION OF AN EXECUTIVE SEARCH FIRM FOR THE CITY MANAGER RECRUITMENT AND TO HOLD A CLOSED SESSION – PUBLIC EMPLOYMENT, CITY MANAGER, PURSUANT TO GOVERNMENT CODE SECTION 54957. Motion by Lewis, seconded by Silveira the meeting was adjourned at the hour of 9:18 PM to 5:00 P.M., Thursday, January 7, 2016 in the City Hall Council Chambers, 520 J Street, Los Banos, to Consider the Selection of an Executive Search Firm for the City Manager Recruitment and to hold a Closed Session – Public Employment, City Manager, Pursuant to Government Code Section 54957. The motion carried by the affirmative action of all City Council Members present, Stonegrove absent.

APPROVED:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
JANUARY 20, 2016**

ACTION MINUTES – These minutes are prepared to depict action taken for agenda items presented to the City Council. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.

CALL TO ORDER: Mayor Villalta called the City Council Meeting to order at the hour of 7:01 PM.

PLEDGE OF ALLEGIANCE: Police Chief Reyna led the pledge of allegiance.

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Council Members Tom Faria, Deborah Lewis, Scott Silveira, Elizabeth Stonegrove, Mayor Michael Villalta; Absent: None.

STAFF MEMBERS PRESENT: City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Interim City Manager Brizzee, Police Commander Reyna, Finance Director Williams, City Treasurer/Accountant I Brazil, Fire Chief Marrison, Senior Planner Elms, Public Works Director/City Engineer Fachin and Information Technology Director Spalding.

CONSIDERATION OF APPROVAL OF AGENDA: Motion by Faria, seconded by Silveira to approve the City Council Meeting agenda as submitted. The motion carried by the affirmative action of all City Council Members present.

REORGANIZATION OF CITY COUNCIL – SELECTION OF MAYOR PRO TEM. Mayor Villalta nominated Council Member Silveira for Mayor Pro Tem for which Council Member Silveira respectfully declined and in return nominated Council Member Faria to continue as Mayor Pro Tem.

Mayor Villalta therefore removed his recommendation of nominating Council Member Silveira for Mayor Pro Tem.

Motion by Silveira, seconded by Lewis to select Council Member Faria as Mayor Pro Tem. The motion carried by the affirmative action of all City Council Members present.

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; 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. MARY ANDERSON, Los Banos, spoke regarding the Alzheimer's and Dementia Support group

that meets regularly at Los Banos at County Waffles; BERTHA FARIA, Los Banos Chamber of Commerce, welcomed everyone to 2016 and spoke to the new Executive Board Members, the busy and exciting year they have planned, and all the upcoming community events and activities; ERIK LIMON, Los Banos and Republic Services, stated how happy he is to see Mr. Brizzee at the dais now as City Manager, spoke regarding the recycling program that Republic Services provides, the education outreach they are putting in place, the grants they awarded in \$500 to Los Banos Unified School District and Starbucks; JOHN CATES, Los Banos citizen and Planning Commissioner, thanked the Mayor for his recognition of his service on the Planning Commission at the January 6, 2016 Council Meeting which he was unable to attend. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Silveira, seconded by Faria to approve the consent agenda as submitted: Check Register for #157344 – #157486 in the Amount of \$974,237.03; Minutes for the January 7, 2015 Adjourned City Council Meeting; Minutes for the January 12, 2015 Special City Council Meeting; City Council Resolution No. 5719 – Approving and Accepting Parcel Map No. 2015-02, 160 West Santa Barbara Street, APN 081-180-004, Village Green Subdivision; City Council Resolution No. 5720 – Adopting a Revised Budget for the 2015/2016 Fiscal Year as it Pertains to Expenditures in the Special Revenue Fund – Fire Augmentation Professional Services Account; City Council Resolution No. 5721 – Authorizing the Release of Unclaimed Checks Pursuant to California Government Code Section 50055 to the City of Los Banos; City Council Resolution No. 5722 – Approving an Amendment to Division 5-K – Workers’ Compensation Reporting Policy of the City’s Policy & Procedures Manual. The motion carried by the affirmative action of all City Council Member present.

CONSIDERATION OF THE ADOPTION OF CITY COUNCIL RESOLUTION NO. 5723 – ACCEPTING THE 2014-2015 FISCAL YEAR AUDIT REPORTS CONSISTING OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR), THE GOVERNMENT AUDITING STANDARDS REPORT, AND THE TRANSPORTATION DEVELOPMENT ACT PROGRAM FINANCIAL STATEMENTS. Finance Director Williams presented the staff report and in closing thanked all her staff who worked very hard during the audit and throughout the year – Kim Tomas, Martha Brazil, Rosemarie Souto and also Christy Miller with Price Page & Company the City’s independent auditing firm; and then introduced Fausto Hinojosa also with Price Paige & Company who presented the City’s Comprehensive Annual Financial Report (CAFR) in more detail, including the audit process, independent auditors report, management responsibilities and auditors responsibilities, noting that the City has received an unmodified opinion (a clean opinion), he expressed his gratitude to Finance Director Williams and Accountant II Tomas for their assistance in the audit process, noting that there was no audit adjustments, which is a credit to the staff.

Council Member Faria thanked Price Page & Company for the excellent presentation and thanked the Finance staff for the outstanding job they are doing. Mayor Villalta thanked Mr. Fausto for coming tonight and saying what you needed to say, he spoke to

the hard work done by the Finance Department, how this city is in the best financial shape, making note of the reserves and how he is looking forward to the midyear update to see if there are extra funds for additional special projects, fixing infrastructure, he thanked the staff of Los Banos for the ability to have the money when we need this money, no flaws were found. Council Member Lewis thanked Finance Director Williams and her staff for your diligent and hard work that you do, it is pleasing to hear that your audit was clean without adjustments, she also thanked staff for safeguarding our finances and walk in that direction, how you need to take it a day at a time because you never know what tomorrow will hold. Council Member Silveira congratulated the Finance staff for the great work they do, how when he first came here the audit reports were lengthy with numerous findings and now we are down to a clean audit with no findings or notes to report. Mayor Villalta made not of the pension funding that was mentioned and how positive that is for the City, this was just an okay economy and we are on stable ground.

Council Member Stonegrove echoed the sentiments of the Council and thanked Finance Director Sonya Williams, Accountant II Kim Tomas, Accountant I Rosemarie Souto and City Treasurer/Accountant I Martha Brazil for another excellent year of work.

Motion by Silveira, seconded by Stonegrove, to adopt City Council Resolution No. 5723 – Accepting the 2014-2015 Fiscal Year Audit Reports Consisting of the Comprehensive Annual Financial Report (CAFR), the Government Auditing Standards Act Report, and the Transportation Development Act Program Financial Statements. The motion carried by the affirmative action of all City Council Member present.

PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF AN ORDINANCE IMPOSING AN EXPRESS BAN ON MARIJUANA CULTIVATION, MARIJUANA PROCESSING, MARIJUANA DELIVERY, AND MARIJUANA DISPENSARIES IN THE CITY OF LOS BANOS; ORDINANCE NO. 1142 – IMPOSING AN EXPRESS BAN ON MARIJUANA CULTIVATION, MARIJUANA PROCESSING, MARIJUANA DELIVERY, AND MARIJUANA DISPENSARIES IN THE CITY OF LOS BANOS (SECOND READING & ADOPTION). City Attorney Vaughn presented the staff report, which included a PowerPoint presentation.

Mayor Villalta opened the public hearing. Phil Jenkins, New Canaan Church, spoke to the work he does with the at risk kids throughout Merced Union High School District, what he deals with on a daily basis, and spoke in support of the passage of this ordinance. No one else came forward to speak and the public hearing was closed.

Motion by Faria, seconded by Lewis to waive the second reading of Ordinance No. 1142 – Imposing an Express Ban on Marijuana Cultivation, Marijuana Processing, Marijuana Delivery, and Marijuana Dispensaries in the City of Los Banos. The motion carried by the affirmative action of all City Council Member present.

Motion by Faria, seconded by Lewis to adopt Ordinance No. 1142 – Imposing an Express Ban on Marijuana Cultivation, Marijuana Processing, Marijuana Delivery, and

Marijuana Dispensaries in the City of Los Banos. The motion carried by the following roll call vote: AYES: ; NOES: ABSENT: None.

ADVISEMENT OF PUBLIC NOTICES (No Report). Senior Planner Elms stated that there will be three public hearings at the January 27, 2016 Planning Commission Meeting: Consider a Conditional Use Permit to allow the use of a Type 23 Alcohol License for a small beer manufacturer onsite tasting room for Paraiso Brewery located at 80 West G Street; Consider Vesting Tentative Tract Map #2015-04 for the subdivision of approximately 3 acres into 14 residential lots in the Medium Density Zoning District located at the northwest corner of Racquet Club Drive and San Luis Street; consider a Conditional Use Permit to allow the operation of a spray booth for auto restoration at Evolution Collision located at 930 G Street.

CITY MANAGER REPORT. Interim City Manager Brizzee stated that it is a great honor to sit up here with you all again and how challenging it will be, but it will also be a great time and will get some fantastic things done, he spoke regarding how the IT and Public Works Departments are working on the quality of the pictures that are seen here at Council Meeting on the TVs, and thanked Accountant I Souto, City Treasurer/Accountant I Brazil, Accountant II Tomas and Finance Director Williams for the great work on the CAFR and for the job they do every day.

CITY COUNCIL MEMBER REPORTS.

TOM FARIA: Spoke regarding the upcoming Choir fundraiser next week, how there are lots of things going on for kids in town, and for all to have a great evening .

DEBORAH LEWIS: Congratulated Gary Brizzee on his appointment has the Interim City Manager for Los Banos and feels that he is capable of handling this and looks forward to working with him.

SCOTT SILVEIRA: Congratulated Gary Brizzee on his appointment and he is looking forward to moving the ball forward, like starting tonight on the next City Manager recruitment in closed session, how we don't need placeholders, decisions will have to be made, and congratulated the Finance staff on the great job they do.

ELIZABETH STONEGROVE: Welcomed Gary Brizzee back to be the Interim City Manager position and how she is looking forward to working with him.

MIKE VILLALTA: Spoke regarding how last weekend was Martin Luther King's birthday, a march was held beginning here at City Hall and it was a great event, thanking those who put it all together, he welcomed to Gary Brizzee back, thanked Finance Director Williams and her team, and thanked Council Member Silveira for mentioning about moving projects forward.

CLOSED SESSION – PUBLIC EMPLOYMENT, CITY MANAGER, PURSUANT TO GOVERNMENT CODE SECTION 54957. No reportable action.

ADJOURNMENT. The meeting was adjourned at 8:57 PM.

APPROVED:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
FEBRUARY 3, 2016**

ACTION MINUTES – These minutes are prepared to depict action taken for agenda items presented to the City Council. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.

CALL TO ORDER: Mayor Villalta called the City Council Meeting to order at the hour of 7:01 PM.

PLEDGE OF ALLEGIANCE: Acting Police Chief Reyna led the pledge of allegiance.

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Council Members Tom Faria, Deborah Lewis, Elizabeth Stonegrove, Mayor Michael Villalta; Absent: Scott Silveira.

STAFF MEMBERS PRESENT: City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Interim City Manager Brizzee, Acting Police Chief, Finance Director Williams, City Treasurer/Accountant I Brazil, Fire Chief Marrison, Senior Planner Elms, Public Works Director/City Engineer Fachin and Information Technology Director Spalding.

CONSIDERATION OF APPROVAL OF AGENDA: Mayor Villalta stated that staff is requesting the removal of item 7E – City Council Resolution No. 5724 – Approving and Authorizing the City Manager to Execute a Professional Services Agreement for Banking Services with Westamerica Bank from the consent agenda.

Motion by Lewis, seconded by Faria to approve the City Council Meeting agenda as submitted, with the removal of item 7E – City Council Resolution No. 5724 – Approving and Authorizing the City Manager to Execute a Professional Services Agreement for Banking Services with Westamerica Bank from the consent agenda. The motion carried by the affirmative action of all City Council Members present, Silveira absent.

PRESENTATIONS:

PROCLAMATION RECOGNIZING TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH. Mayor Villalta presented the proclamation to Reina Nino, Program Coordinator for Valley Crisis Center.

PROCLAMATION RECOGNIZING PAT ATKINS – HUMAN RESOURCES ADMINISTRATOR OF THE YEAR. Mayor Villalta presented the proclamation to Pat Atkins.

CERTIFICATES OF RECOGNITION TO THE LOS BANOS ROTARY CLUB & LOS BANOS SOROPTIMIST CLUB. Mayor Villalta presented the certificates to Marv Venton and Toni Tomas.

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; 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. GROVER THURSTON & MARY ANDERSON, Los Banos spoke regarding the Alzheimer's Support Group and encouraged anyone who needs support to attend the group meetings, and made note of a seminar he attended at Mercy Hospital in Merced referring to brochures he had for more information; MR. GROVER also spoke regarding the Los Banos Arts Council and the upcoming events going on and encouraged all to attend. Council Member Lewis stated that it might be a good idea to give those brochures to Mental Health and Social Services. No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Council Member Stonegrove stated that she would like to remove item 7F - City Council Resolution No. 5725 – Awarding the Bid for the Purchase of One New 2015/16 Model Hook-Lift Truck and Authorizes the Public Works Director/City Engineer to Issue the Purchase Order for separate vote and discussion.

Motion by Stonegrove, seconded by Faria to approve the consent agenda as amended: Check Register for #157487 – #157689 in the Amount of \$665,847.41; Second Quarter Investment Report for Fiscal Year 2015-2016; Minutes for the December 2, 2015 City Council Meeting; Minutes for the January 14, 2016 Adjourned City Council Meeting; ~~City Council Resolution No. 5724 – Approving and Authorizing the City Manager to Execute a Professional Services Agreement for Banking Services with Westamerica Bank; City Council Resolution No. 5725 – Awarding the Bid for the Purchase of One New 2015/16 Model Hook-Lift Truck and Authorizes the Public Works Director/City Engineer to Issue the Purchase Order.~~ The motion carried by the affirmative action of all City Council Member present, Silveira absent.

ADVISEMENT OF PUBLIC NOTICES (Three Reports). Senior Planner Elms stated that there will be 3 public hearings held at the February 10, 2016 Planning Commission Meeting: Consider and make recommendation to the Los Banos City Council to adopt a proposed ordinance to regulate and create a process for Temporary Uses on private property in the City of Los Banos; Consider a recommendation to the Los Banos City Council for a proposed General Plan amendment that would update the Housing element of the Los Banos General Plan pursuant to State law; Consider recommending to the Los Banos City Council General Plan Amendment #2016-01, Zone Change #2016-01, Conditional Use Permit #2016-02, and amendment of the Stonecreek South Area Plan for Sprig Haven Farms LLC, located at 1725 W. Pacheco Boulevard.

CITY MANAGER REPORT. Interim City Manager Brizzee reported that last year 2015 we pulled 127 housing permits, and just this year so far we have pulled 9, adding that so far in his City Manager position he is having a blast and is surrounded by great department heads and employees.

CITY COUNCIL MEMBER REPORTS.

DEBORAH LEWIS: No report.

SCOTT SILVEIRA: Absent

ELIZABETH STONEGROVE: Reminder of Arbor Day being held on March 4, 2016 at the Los Banos Community Center at 4:00 PM.

TOM FARIA: Thanked the City and County Fire men who cooked the chicken for the Choir drive thru dinner and La Morenita for their help, and for all to have a great night.

MIKE VILLALTA: Stated that last week at Pacheco High school a Children's Concert was held through the generous donations from those in the community and spoke to what it took to provide this opportunity for the 5th graders with the Merced Symphony and how a musician let someone play a very expensive violin.

CLOSED SESSION – PUBLIC EMPLOYMENT, CITY MANAGER, PURSUANT TO GOVERNMENT CODE SECTION 54957. They will not be going into closed session, so there will be nothing to report.

ADJOURNMENT. The meeting was adjourned at 7:29 PM.

APPROVED:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor and City Council Members
FROM: Mark Fachin, P.E., Public Works Director/City Engineer
DATE: February 17, 2016
SUBJECT: Legacy Disposal Site Abatement Partial Grant Program
TYPE OF REPORT: Consent Agenda

Recommendation:

That the City Council adopts the Resolution authorizing submittal of application(s) for the Legacy Disposal Site Abatement Partial Grant Program and authorizes the Public Works Director/City Engineer to execute all documents necessary to secure and implement approved grant funding.

Background:

The City of Los Banos (City) has been regulated by Waste Discharge Requirements Order R5-2012-0062 from the Central Valley Regional Water Quality Control Board (Board) to mitigate the effects of the Old Los Banos Landfill on the quality of the watershed in the region. The solution proposed by the City and approved by the Board is a Clean Closure of the land where the facility is located.

Discussion:

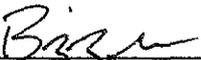
The cost for clean closing the Old Los Banos Landfill has been estimated to be approximately \$4,900,000 including a 20% contingency. The Department of Resources Recycling and Recovery (CalRecycle) offers a Legacy Disposal Site Abatement Partial Grant. Staff is working with its consulting firm, BSK, to prepare a grant application with CalRecycle for the Legacy Grant.

Fiscal Impact:

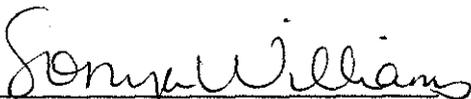
A total of \$1,500,000 is available for the grant cycle the City is applying for, subject to funding availability. The maximum available funding for individual grant awards is \$750,000.

The grant funding awarded must be matched, dollar for dollar, by the applicant. The City's clean closure costs will exceed the maximum available funding. The City has the potential of being awarded from \$0 to \$750,000 toward the cost of clean closing the Old Los Banos Landfill.

Reviewed by:



Gary Brizze, Interim City Manager



Sonya Williams, Finance Director

Attachments:

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS BANOS AUTHORIZING SUBMITTAL OF APPLICATION(S) FOR THE CALRECYCLE LEGACY DISPOSAL SITE ABATEMENT PARTIAL GRANT PROGRAM AND AUTHORIZES THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE ALL DOCUMENTS NECESSARY TO SECURE AND IMPLEMENT APPROVED GRANT FUNDING

WHEREAS, Public Resources Code sections 40000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (grants) in furtherance of the State of California's (state) efforts to reduce, recycle, and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos authorizes the submittal of application(s) to CalRecycle for the Legacy Disposal Site Abatement Partial Grant Program; and

BE IT FURTHER RESOLVED that the Public Works Director/City Engineer is hereby authorized and empowered to execute in the name of the City of Los Banos all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

BE IT FURTHER RESOLVED that the City of Los Banos has reserved matching funds for the requested project, will have sufficient funds to pay for all ineligible work, will have sufficient funds to pay for eligible work in excess of the grant awarded, will have sufficient funds to operate and maintain the project site; and

BE IT FURTHER RESOLVED that these authorizations are effective for five (5) years from the date of adoption of this resolution.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 17th day of February 2016, by Council Member _____ who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor and City Council Members

FROM: Mark Fachin, P.E., Public Works Director/City Engineer 

DATE: February 17, 2016

SUBJECT: Beverage Container Recycling Grant and Payment Program

TYPE OF REPORT: Consent Agenda

Recommendation:

That the City Council adopts the Resolution authorizing submittal of application for Payment Programs and Related Authorizations and authorizes the Public Works Director/City Engineer to execute all documents necessary implement and secure payment.

Background:

In 1999, the City began applying for Beverage Container Recycling Grant and Payment Program associated with the recycling challenges. The effort is intended to aid in increasing beverage container collection and reduce beverage container litter in the waste stream. The City was awarded its first grant in 1999. Staff has applied for the Beverage Container Recycling Grant and Payment Program each year since. The award amount has varied between \$5,000 and \$10,000 each year.

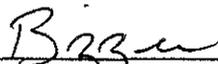
Discussion:

The Department of Resources Recycling and Recovery (CalRecycle) offers the Beverage Container Recycling Grant and Payment Program. CalRecycle is required to establish procedures governing the administration of the payment programs. As such, CalRecycle is initiating this procedure. All applications for the Beverage Container Recycling Grant and Payment Program shall declare the Signature Authority for the applicant's jurisdiction by Resolution. This authorization will remain in effect until rescinded by the Signature Authority or the City Council.

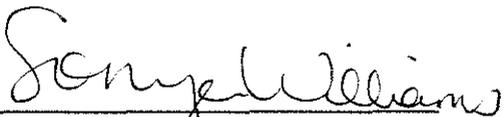
Fiscal Impact:

The award amount is estimated each year to eligible jurisdictions. This year's estimate is \$10,000. The actual award amount is typically slightly higher once CalRecycle has calculated its allotment for the year.

Reviewed by:



Gary Brizzee, Interim City Manager



Sonya Williams, Finance Director

Attachments:

Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS BANOS
AUTHORIZING SUBMITTAL OF CALRECYCLE APPLICATION FOR
PAYMENT PROGRAMS AND RELATED AUTHORIZATIONS AND
AUTHORIZES THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO
EXECUTE ALL DOCUMENTS NECESSARY TO IMPLEMENT AND
SECURE PAYMENT**

WHEREAS, pursuant to Public Resources Code sections 48000 et seq. the Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the payment programs; and

WHEREAS, the CalRecycle procedures for administering payment programs require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the payment program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos is authorized to submit an application to CalRecycle for any and all payment programs offered; and

BE IT FURTHER RESOLVED that the Public Works Director/City Engineer is hereby authorized as Signature Authority to execute all documents necessary to implement and secure payment; and

BE IT FURTHER RESOLVED that this authorization is effective until rescinded by the Signature Authority or this Governing Body.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 17th day of February 2016, by Council Member _____ who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor Villalta and Council Members

FROM: Stacy Souza Elms, Senior Planner *SE*

DATE: February 17, 2016

SUBJECT: Paraiso Brewery Conditional Use Permit #2016-01 - On and Off Sale of Beer (Type 23) for a Small Beer Manufacturer

TYPE OF REPORT: Public Hearing

Recommendation:

That the City Council adopt a resolution of Conditional Use Permit #2016-01 for the on and off-sales of beer for Paraiso Brewery (small beer manufacturer) located at 80 West G Street, Suite C.

Background:

On January 27, 2016, the Los Banos Planning Commission held a Public Hearing to review a request for a Conditional Use Permit for the on and off sale of beer for Paraiso Brewery (small beer manufacturer) located at 80 West G Street, Suite C. At the Public Hearing, the Planning Commission considered the application including the report and presentation by staff and public comment. As the recommending body, the Planning Commission recommended approval of Conditional Use Permit #2016-01 to the Los Banos City Council.

Discussion:

The applicant, De La Paz Enterprises (d.b.a Paraiso Brewery), is currently requesting a Conditional Use Permit for a Type 23 alcohol license for the on and off-sale of beer, for

beer that is manufactured on site at 80 West G Street, Suite C. The micro brewery is proposing to serve only their own brewed products.

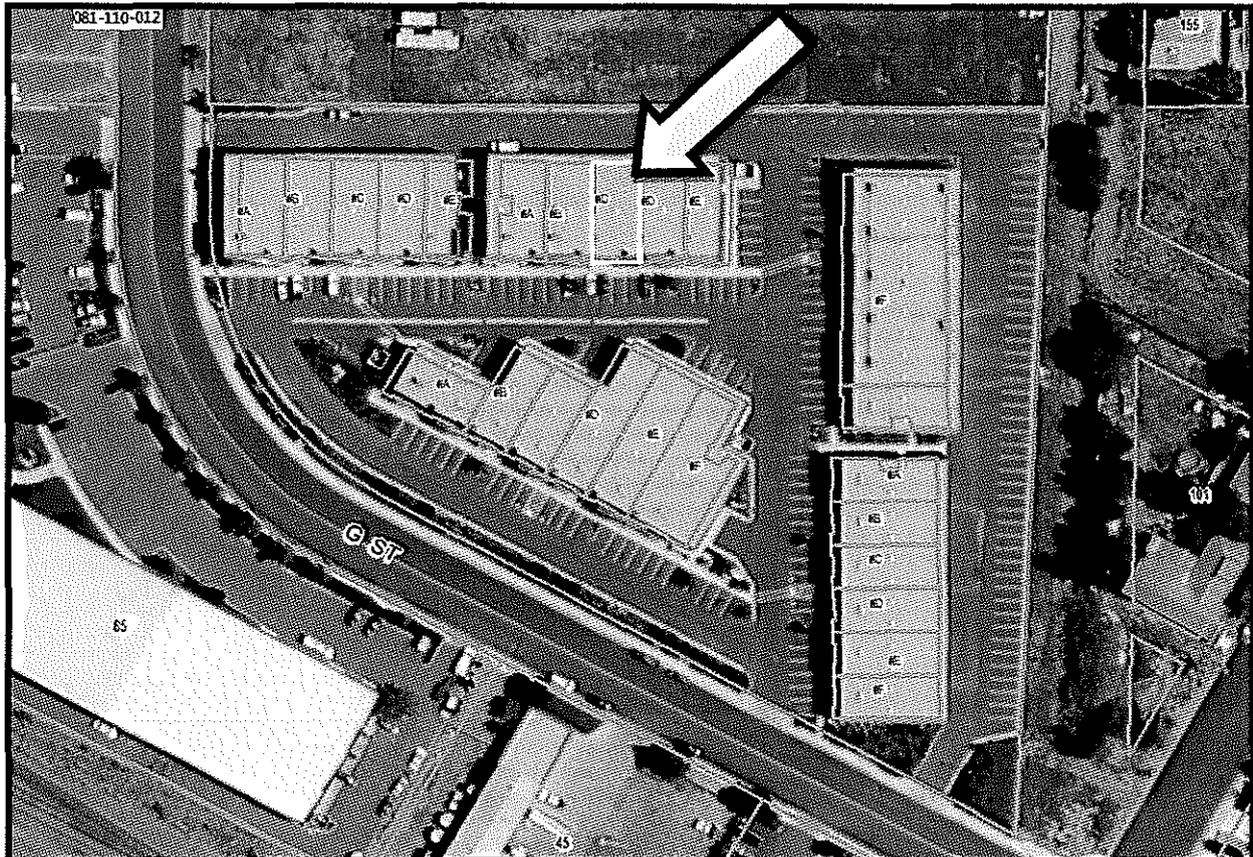
The request consists of a tasting room where people can sample Paraiso Brewery's craft beers and purchase their brewed products for off-site consumption. The tasting area is located at the front of the building and consists of a bar with several taps as well as tables with chairs. The manufacturing of beer will take place at the rear of the building and will be separate from the tasting area. The applicant is proposing their hours of operation to be Thursday through Sunday from 5 p.m. to 10 p.m. on weekdays and 10 a.m. to 10 p.m. on weekends. The applicant will have approximately 2-3 employees and hopes to expand to more in the future.

Paraiso Brewery will be located in the Hacienda Business Park, which is surrounded by various businesses such as Merced County Mental Health, Fastenal, DaVita Dialysis, Tomato Growing Board Association, Windecker Inc., IEM, and Conquer MMA Fitness. The proposed use is not in close proximity to any schools or places of worship.

The proposed micro brewery would be the first in the City and will have the capacity to brew 4 barrels a day.

LOCATION AND ACCESS:

The project site is located at 80 West G Street, Suite C, more specifically identified as Assessor's Parcel Number: 081-190-008.



LAND USE:

Property	Land Use	Zone	General Plan
Project site	Industrial	I	Industrial
North	Industrial	I	Industrial
South	Industrial	I	Industrial
East	Industrial	I	Industrial
West	Industrial	I	Industrial

I = General Industrial

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, it has been determined that this project is categorically exempt from the provisions of CEQA – Article 19, Section 15301. The applicant’s request for the on-sale of beer involves the permitting and licensing of an existing private structure and involves no expansion at 80 West G Street, Suite C.

USE PERMIT ANALYSIS

Code Requirements

Pursuant to the Los Banos Municipal Code Section 9-3.2322, a Conditional Use Permit is required for any establishment dispensing for sale or other consideration alcoholic beverages, including beer and wine, for on-sale or off-sale. The Planning Commission is the recommending body and the City Council is the decision making body for Conditional Use Permits for the on-sale and off-sale of alcoholic beverages. A Conditional Use Permit may be granted if the proposed use is conforming to the following criteria:

General Use Permit Criteria:

1. That the proposed use and project is consistent with the City of Los Banos General Plan, and Los Banos Municipal Code;
2. That the proposed use or project will not be a nuisance or detrimental to the public health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use;
3. That the proposed use is compatible with the adjacent uses, properties and neighborhoods and will not be detrimental or injurious to property and improvement in the neighborhood or to the general welfare of the City.

Specific On-Sale and Off-Sale Alcoholic Beverages Criteria:

1. That the proposal will not contribute to undue proliferation of such uses in an area where additional ones would be undesirable with consideration given to the area’s function and character, problems of crime and loitering, and traffic problems and capacity;

2. That the proposal will not adversely affect adjacent or nearby churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds;
3. That the proposal will not interfere with the movement of people along an important pedestrian street; and
4. That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, the use will be limited in hours of operation, or designed operated so as to avoid the disruption of residents' sleep between the hours of 10:00 p.m. and 7:00 a.m.

Staff has evaluated the proposal pursuant to the above criteria set forth in the Municipal Code and offers the following observations:

The project will not contribute to the proliferation of alcohol in the area or cause an increase in crime in that there are currently no other microbrewers in the City of Los Banos. The tasting room will only sample craft beers brewed on-site and will only sell the beer they produce on site. The proposed on and off-sale of beer manufactured onsite will be conducted pursuant to ABC regulations.

The proposal will not adversely affect adjacent or nearby churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds. The proposed use is not located in close proximity to any of the above mentioned uses.

The proposal will not have an effect on the movement of people in that the proposed business is located in an area of the City consisting of industrial and office uses. On-site consumption will be for tasting purposes only.

The proposed use is not in direct proximity to residential uses and is located more than 100 feet from any bedroom windows. In addition, all beer tasting will be conducted within the premises and the project will be subject to conditions, which will mitigate any adverse affects on the surrounding neighborhood.

Alcoholic Beverage Control

The Alcoholic Beverage Control Board (ABC) is the issuing authority for a Type 23 alcohol license. The City's authority for the sale of alcohol is through its land use powers embodied within the Los Banos Zoning Code.

ABC has the authority according to Section 23801 of the Business and Professions Code to exercise certain conditions under the license, the personal qualifications of the licensee, the conduct of the business or the condition of the premises, which will protect the public welfare and morals, including, but not limited to, the following:

- a) Restrictions as to hours of sale
- b) Display of signs
- c) Employment of designated persons

- d) Types and strengths of alcoholic beverages to be served where such types or strengths are otherwise limited by law
- e) The portion of the privileges to be exercised under the license
- f) The personal conduct of the licensee

ABC may also refuse to issue a license to any person who has violated the Alcoholic Beverage Control Act, has a disqualifying criminal record, or is otherwise disqualified.

ABC provides a Type 23 License for small beer manufacturers. The Type 23 ABC License allows the following:

- Production of specialty beers
- May have a restaurant, but not required
- With additional license may sell wine (not a part of this application)
- May conduct beer tastings under specified conditions pursuant to California Business and Professions Code Section 23357.3
- Minors are allowed on the premises

PUBLIC COMMENT:

A public hearing notice was published in the Los Banos Enterprise and notices were provided to adjacent property owners within a 300 foot radius of the subject property on February 5, 2016. As of the date of this staff report, no comments have been received.

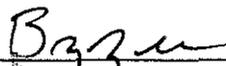
APPLICABLE ORDINANCES/GUIDELINES:

Los Banos General Plan

Los Banos Municipal Code – Section 9-3.2322

ABC Act, California Business and Professions Code

Reviewed by:



Gary Brizzee, Interim City Manager

Attachments:

- 1. Resolution
 - Exhibit A CEQA Findings
 - Exhibit B Project Findings
 - Exhibit C Conditions of Approval
- 2. Floor Plan

3. Site Photos
4. Public Hearing Notice – February 5, 2016

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS BANOS APPROVING CONDITIONAL USE PERMIT #2016-01 TO ALLOW THE ON AND OFF SALE OF BEER IN CONJUNCTION WITH A TYPE 23 ALCOHOL LICENSE FOR PARAISO BREWERY LOCATED AT 80 WEST G STREET, SUITE C

WHEREAS, the applicant, Del La Paz Enterprises (d.b.a. Paraiso Brewery), has requested that the City of Los Banos consider a Conditional Use Permit to allow the use of a Type 23 alcohol license (small beer manufacturer) for the on and off-sale of their own brewed beer located at 80 West G Street, Suite C, more specifically identified as Assessor's Parcel Number: 081-190-008; and

WHEREAS, a public hearing notice was published in the Los Banos Enterprise on February 5, 2016 and notices were mailed to property owners within a 300 foot radius of the project site as required by the Los Banos Municipal Code and Government Code Section 65091; and

WHEREAS, the Los Banos Planning Commission held a public hearing on January 27, 2016 for the purpose of considering Conditional Use Permit #2016-01 and at the completion of the public hearing, duly considered the evidence presented and recommended approval of Conditional Use Permit #2016-01 to the Los Banos City Council; and

WHEREAS, the Los Banos City Council has held a public hearing, reviewed said Conditional Use Permit request and staff report, has studied the compatibility of the applicant's request with adjacent land uses and has considered this request in accordance with the Conditional Use Permit criteria established in Section 9-3.2322 of the Los Banos Municipal Code; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, Conditional Use Permit #2016-01 for Paraiso Brewery was determined to be categorically exempt from the provisions of CEQA per Article 19, Section 15301 as the project site is an existing facility; and

WHEREAS, the request/proposed use satisfies the criteria of the Los Banos Municipal Code.

BASED UPON THE EVIDENCE PRESENTED AT THE PUBLIC HEARING, the Planning Commission of the City of Los Banos hereby make the appropriate findings set

forth in Exhibit A (California Environmental Quality Act (CEQA) Findings), and Exhibit B (Findings for Approval), attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby approve Conditional Use Permit #2016-01 to allow on and off sale of beer manufactured on-site in conjunction with an ABC License, Type 23, for Paraiso Brewery located at 80 West G Street, Suite C, more specifically identified as Assessor's Parcel Number: 081-190-008, subject to the Conditions of Approval set forth in Exhibit C, attached hereto and incorporated herein by this reference.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 17th day of February 2016, by Council Member _____ who moved its adoption, which motion was duly seconded by Council Member _____ and the Resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS CONDITIONAL USE PERMIT #2016-01 – PARAISO BREWERY

Pursuant to the requirements of California Public Resources Code Section 21000 et seq. ("CEQA") and Title 14, California Code of Regulations Section 15000 et seq. (the "CEQA Guidelines"), the City as Lead Agency under CEQA adopts the following findings required by CEQA, along with the facts and evidence upon which each finding is based.

The City of Los Banos City Council hereby finds as follows:

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, Conditional Use Permit #2016-01 was evaluated and determined to be categorically exempt per Article 19, Section 15301 as the request for the instructional tasting of alcohol involves the permitting and licensing of an existing private structure and involves no expansion at 80 West G Street, Suite C.
2. Conditional Use Permit #2016-01 was adequately noticed on February 5, 2016 for consideration at a public meeting on February 17, 2016.
3. No further environmental documentation is required as the Conditional Use Permit was contemplated and adequately analyzed in the initial review.
4. Prior to considering the proposed Project, the City Council considered the Categorical Exemption.

EXHIBIT B

FINDINGS FOR APPROVAL OF CONDITIONAL USE PERMIT #2016-01 – PARAISO BREWERY

A. General Findings

1. That the proposed use and project is consistent with the City of Los Banos general plan, and the Los Banos Municipal Code.

The existing General Plan land use designation for the project site is Industrial, which allows primary manufacturing, R&D, whole sale and distribution, agricultural sales and services, and similar activities including those with outdoor facilities. It also accommodates warehousing and distribution, with support commercial services and ancillary office space. The zoning designation for the project site is General Industrial (I). The purpose of the General Industrial District is to provide a district exclusively for industrial development wherein manufacturing and other industries can locate and operate away from the restricting influences on non-industrial uses while maintaining an environment free from offensive or objectionable noise, dust, odor, or other nuisances.

The following specific General Plan Goals, Objectives, and Policies are applicable to the proposed project:

ECONOMIC DEVELOPMENT POLICY ED-G-7:

Seek and promote particular businesses or economic opportunities that provide needed local goods, services, employment, or those that enhance the City's physical and social well being.

LAND USE POLICY LU-G-13:

Foster high quality design and allow secondary uses in Employment Park or industrial areas if they can complement or enhance the primary use.

Evidence/Analysis: The on and off-sale of the distilled beer manufactured on-site will help serve the needs of the community at large, including residents, visitors, and the surrounding region. The proposed craft beer tasting would be compatible with and complementary to the primary use of the facility as a microbrewery. In addition, the project would also be consistent with General Plan land use policies as set forth above.

2. That the proposed use or project will not be a nuisance or detrimental to the public health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use.

Evidence/Analysis: The on and off-sale of the distilled beer manufactured on-site will be conducted in accordance with ABC regulations and therefore, will not be a nuisance or detrimental to the neighborhood in which the brewery is located. The project would include conditions of approval which regulate the operational characteristics of the serving and sale of alcohol and are intended to preserve the public health, safety, or welfare of persons and property in the vicinity.

3. That the proposed use is compatible with the adjacent uses, properties, and neighborhoods and will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Evidence/Analysis: The proposed on and off-sale of alcohol will be complimentary to the primary use of the facility as a small beer manufacturer, and will be conducted pursuant to ABC regulations. The proposed conditions of approval would ensure consistency with other uses in the industrial park and promote compatibility.

B. Specific Findings

1. That the proposal will not contribute to undue proliferation of such uses in an area where additional ones would be undesirable with consideration given to the area's function and character, problems of crime and loitering, and traffic problems and capacity.

Evidence/Analysis: Currently there are no other breweries in the City of Los Banos. Paraiso Brewery will conduct their business in accordance with ABC regulations and will implement security measures to combat crime and loitering. The proposed use is not anticipated to generate significant traffic. The General Industrial zoning district is the only land use which allows breweries, and the on and off-sale of the distilled beer from the brewery will be secondary to the primary use as a small beer manufacturer.

2. That the proposal will not adversely affect adjacent or nearby churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds.

Evidence/Analysis: There are no such uses in the immediate vicinity of the brewery.

3. That the proposal will not interfere with the movement of people along an important pedestrian street.

Evidence/Analysis: Sampling of alcohol will only be allowed inside the premises and the use will be regulated by City, State and Federal regulations. The purpose of the requested use is to benefit customers and will not interfere with the movement of people along an important pedestrian street.

4. That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, the use will be limited in hours of operation, or designed operated so as to avoid the disruption of residents' sleep between the hours of 10:00 p.m. and 7:00 a.m.

Evidence/Analysis: The project site is not in close proximity to any residential uses and the operational statement states that the brewery will not open before 10 a.m. and will close by 10 p.m.

EXHIBIT C

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #2016-01 – PARAISO BREWERY

Planning:

1. The following conditions of approval shall apply to and be applicable to the applicant, property owner, and/or operator. Reference to applicant, property owner, and/or operator shall be interpreted to include all.
2. Conditional Use Permit 2016-01 is for Paraiso Brewery located at 80 West G Street, Suite C; more specifically identified as Assessor's Parcel Number: 081-190-008 and the requested use shall expire after one (1) year from date of approval by the Los Banos City Council unless implemented. The City for cause may revoke this Conditional Use Permit. Any expansion, intensification, or changes to the uses approved under this Conditional Use Permit shall be permitted only upon modification of this Conditional Use Permit or approval of a separate Conditional Use Permit application.
3. The applicant/operator shall comply with all other requirements, laws and policies of other governmental agencies in the conduct and operation of said business. The applicant/operator shall comply with the conditions of approval of related project permits and approvals.
4. The applicant/operator shall obtain and maintain an active Type 23 "small beer manufacturer" license as defined by the Department of Alcoholic Beverage Control and shall provide a copy of said license upon issuance by the Alcoholic Beverage Control to the Community Development Department prior to any instructional tasting events on the premises. The approval of this Conditional Use Permit shall allow only on-site beer tastings and off-sale of beer manufactured by the brewer. The applicant shall be required to comply with all regulations of the Department of Alcoholic Beverage Control.
5. A copy of these Conditions of Approval and the California Department of Alcoholic Beverage Control license are required to be kept on the premises and presented to any law enforcement officer or authorized City official upon request.
6. The applicant/operator shall be responsible for maintaining the property free of litter at all times in the parking lot area and the areas adjacent to the premises over which they have control.
7. The Planning Commission shall have the right to review and/or revoke this permit should the applicant not adhere to the Conditions of Approval. The

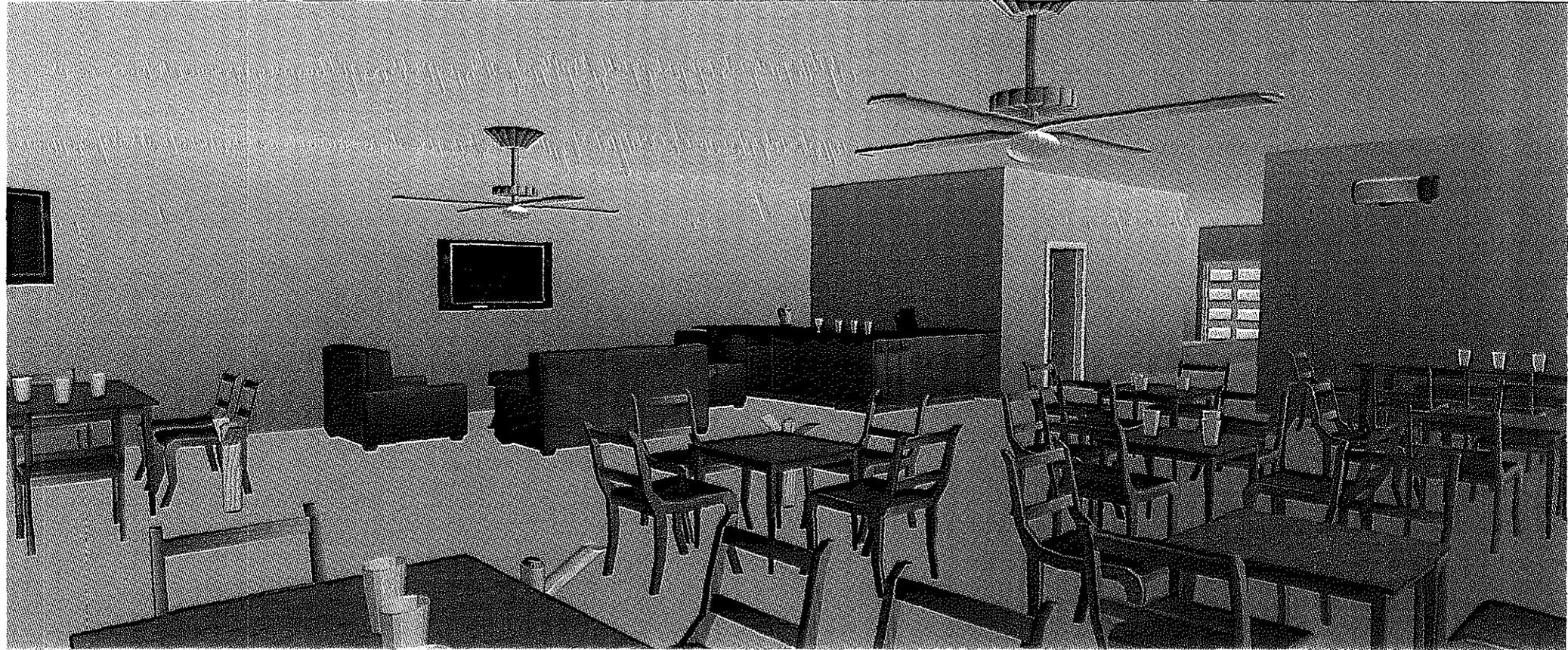
City may amend or impose new conditions to mitigate adverse affects in the neighborhood resulting from the use of alcohol on the premises.

8. The applicant/operator agrees to indemnify, hold harmless, and defend the City of Los Banos, its officers, agents and employees from any and all liability or claims that may be brought against the City of Los Banos arising out of its approval of this permit, or the environmental determination rendered in connection with the permit approval, or arising out of the operation of the use or uses allowed under the permit, save and except that caused solely by the City's active negligence.
9. The exterior of the premises, including adjacent public sidewalks and the parking lot areas, shall be illuminated during all hours of darkness when the premises are open for business in a manner so that persons standing in those areas at night are identifiable by law enforcement personnel.
10. The premises shall be operated primarily as a small beer manufacturer with tasting as described in the application prepared by the applicant and filed with the Community and Economic Development Department. Any substantial or significant changes in use or operation of the premises from the Operational Statement may cause a review, amendment or revocation of the Conditional Use Permit.
11. The use of the premises of the subject site shall be consistent with the Conditions of Approval and shall not be operated in a manner that deviates from the approved Conditional Use Permit filed application and operational statement, which shall constitute a violation and may result in the revocation or modification of the permit upon written notice to the owner of the subject site.
12. Authorization of a Conditional Use Permit granted pursuant to the provisions of Section 9-3.2322 of the Los Banos Municipal Code shall run with the land and shall continue to be valid upon change of ownership of the site or structure which was the subject of the Conditional Use Permit application provided the use shall be subject to all provisions of the Municipal Code and all conditions placed on approval of the Conditional Use Permit are continually met.
13. This Conditional Use Permit shall be subject to revocation by the Community and Economic Development Director or the Planning Commission upon a finding that:
 - a. Conditions of approval have not been fulfilled;
 - b. A significant change or intensification of the approved use;
 - c. The use has resulted in a nuisance or detriment to the public health, safety, morals, comfort, and general welfare of the persons residing or

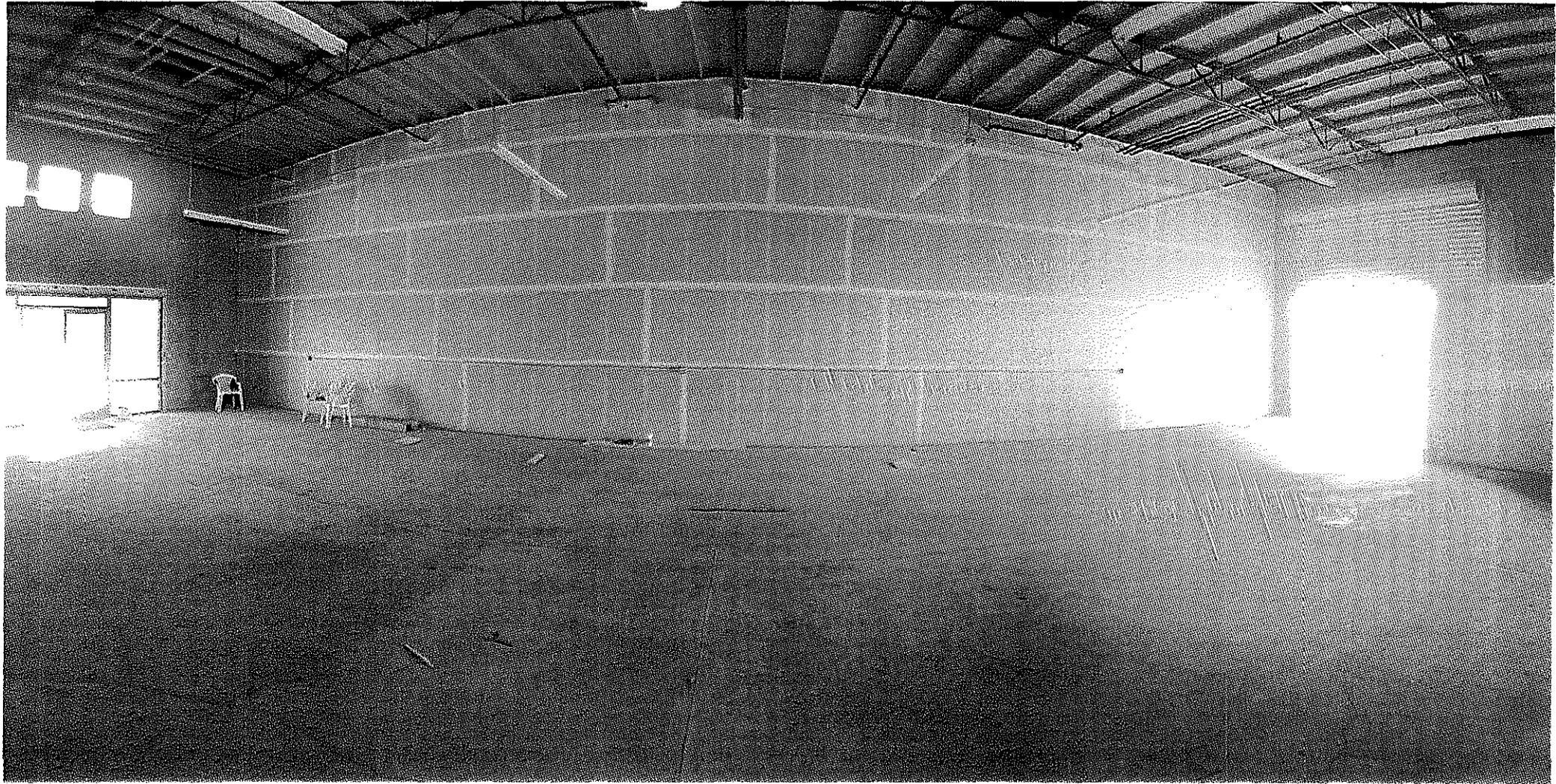
working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

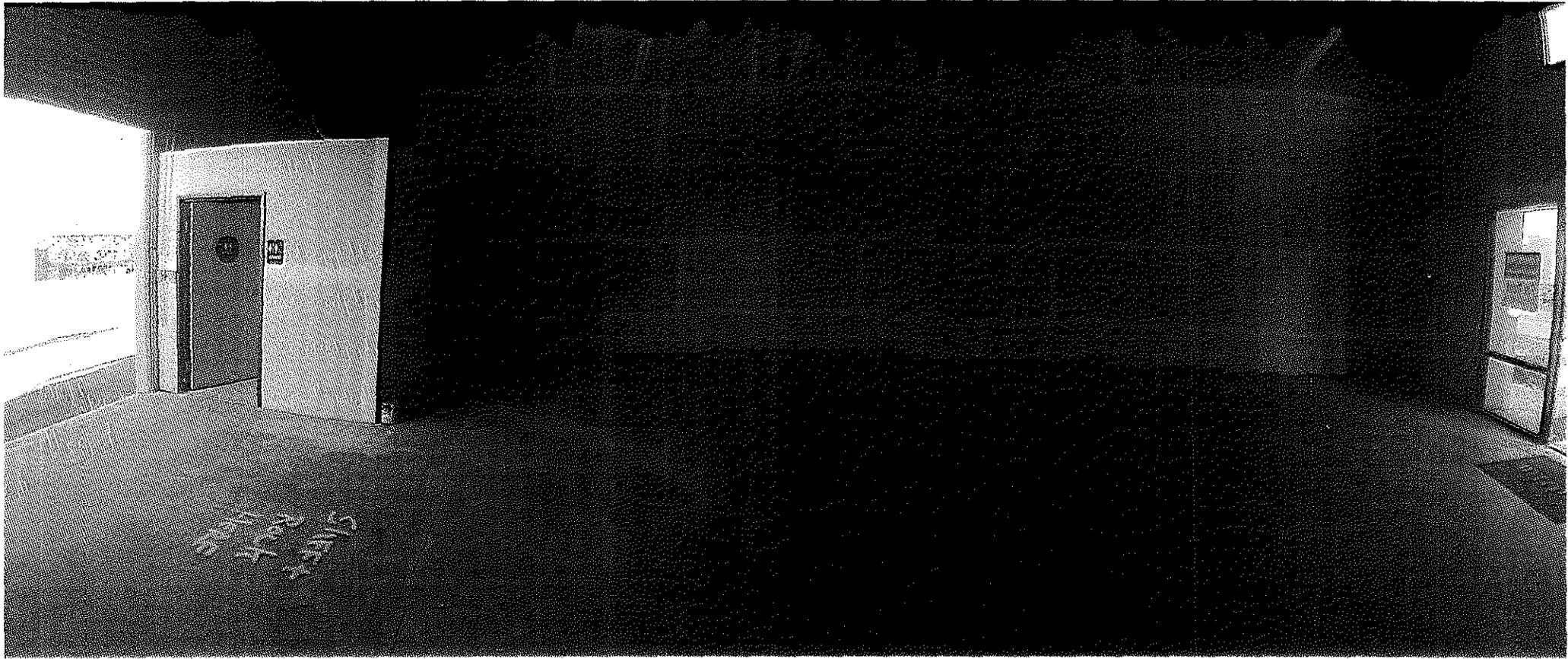
14. No person under 21 years of age shall serve, or be served alcohol on the premises.
15. On-site beer tastings shall only take place between the hours of 10:00 a.m. and 9:00 p.m. All activities shall take place inside the building.
16. Customers shall be prohibited from leaving the premises with an open container of alcohol.
17. The applicant shall post the maximum occupancy loads per Building Code and Fire Code requirements.
18. Anyone under the age of 21 entering the microbrewery must be accompanied by a parent or guardian.
19. No other brands of beer or alcoholic beverages may be sold at this location other than that manufactured by this facility.
20. The applicant or an employee of the licensee must be present to monitor all areas of the establishment during all times that alcoholic beverages are being served or consumed.
21. All employees serving alcoholic beverages must complete Responsible Beverage Service Training, or an equivalent approved by the State Department of Alcoholic Beverage Control, prior to being able to serve alcoholic beverages to patrons. Evidence of the completion of such training must be maintained on the premises and available for inspection upon request by the City.
22. All disruptive and/or intoxicated patrons shall be denied entry.
23. No entertainment, including but not limited to, amplified music, karaoke, performers and dancing, shall be held at this location, except in-house sound system is permitted.
24. The permittee shall install a video surveillance monitoring system; the video system shall be capable of recording a clear view of all areas of the subject property. Copies of recording shall be provided to the Los Banos Police Department upon request.

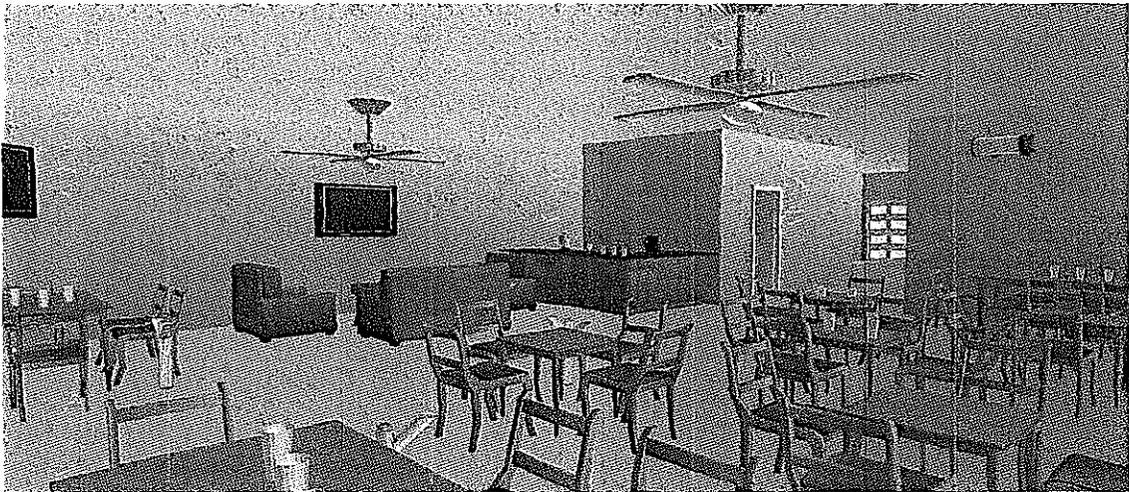


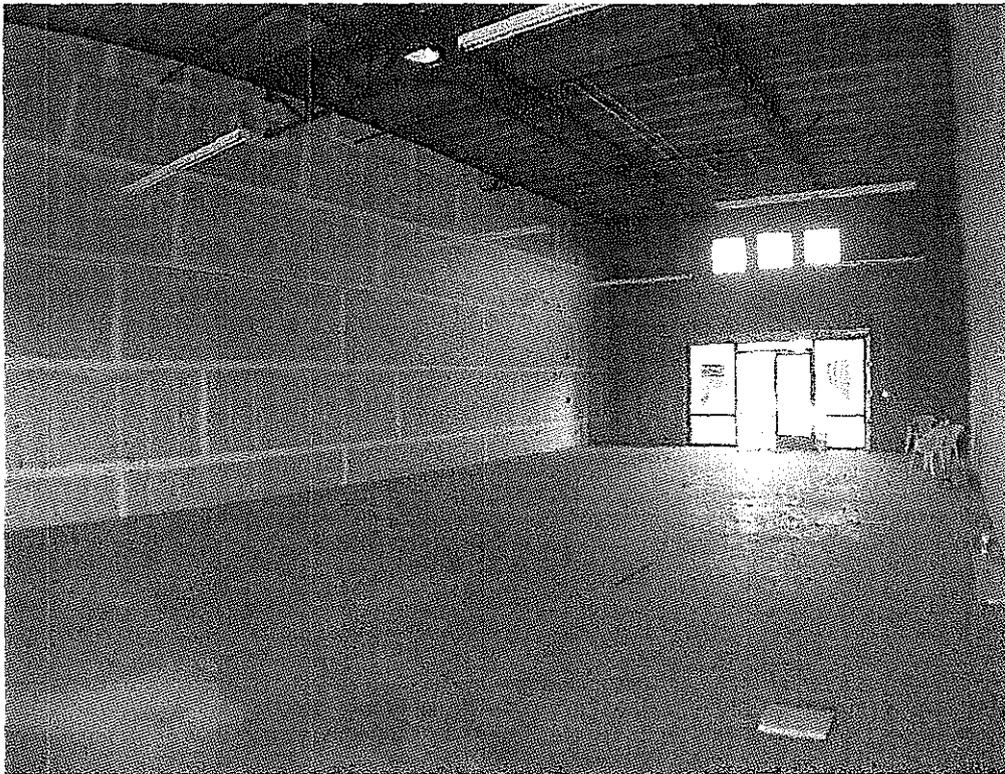
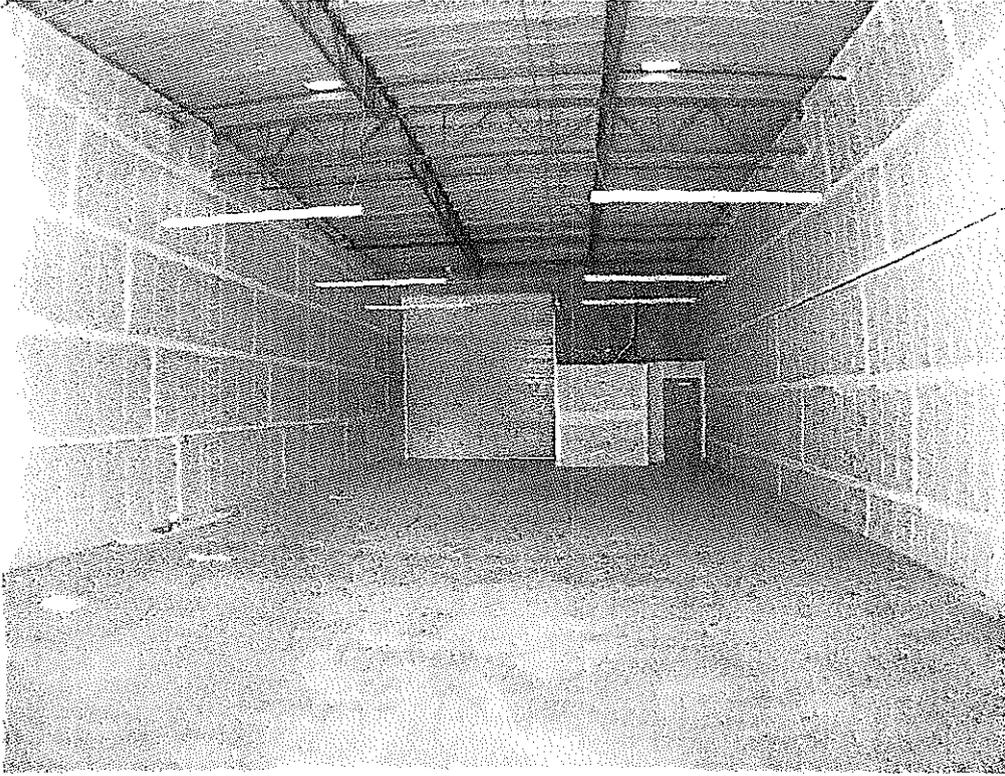


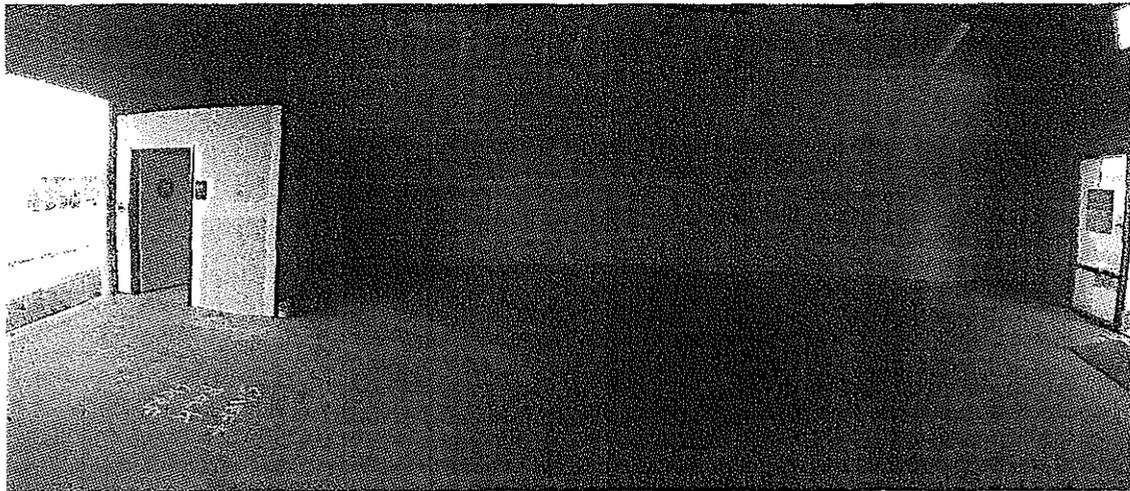
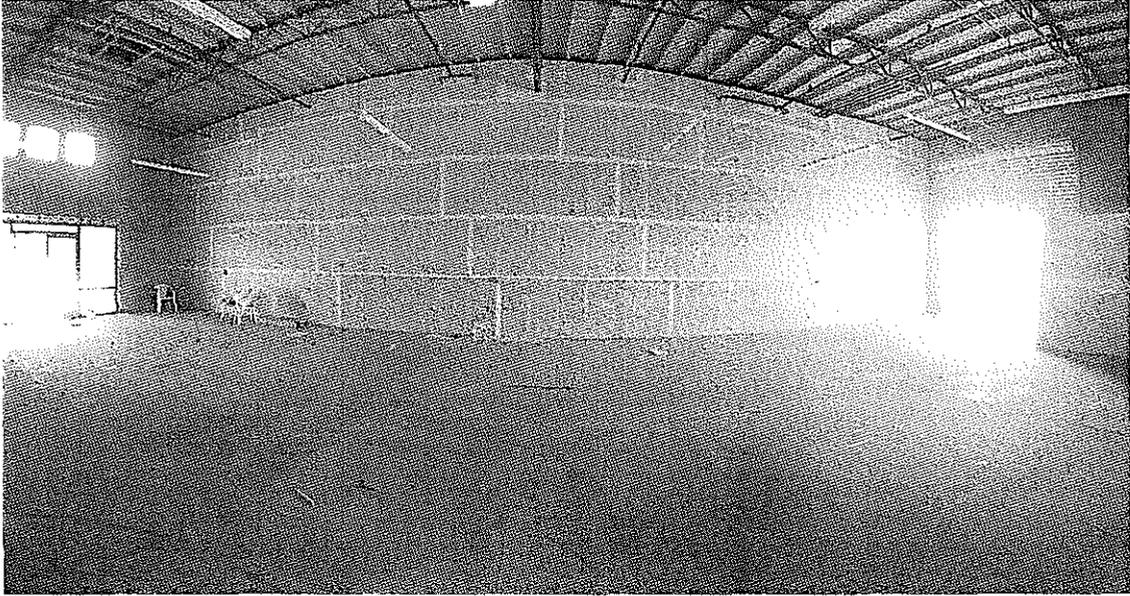














City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: February 5, 2016

Regarding: Notice of Public Hearing

Proposal: Conditional Use Permit #2016-01 – Type 23 Alcohol License

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos City Council to consider a Conditional Use Permit to allow the use of a Type 23 Alcohol License for a small beer manufacturer onsite tasting room. The requested Conditional Use Permit is for Paraiso Brewery located at 80 West G Street, more specifically described as Assessor's Parcel Number: 081-190-008.

The Los Banos Planning Commission held a public hearing on January 27, 2016 for the purpose of considering the above mentioned project. At the completion of the public hearing, the Planning Commission duly considered all evidence presented and recommended approval of Conditional Use Permit #2016-01 to the Los Banos City Council.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos City Council on Wednesday, February 17, 2016 at 7:00 p.m. in the Council Chambers of Los Banos City Hall located at 520 J Street. Questions regarding the above-referenced item may be directed to Stacy Souza Elms, Senior Planner at City Hall or at (209) 827-7000, Ext. 133.

All persons are invited to be present at the public hearing. Written and oral testimony is invited. Notice is hereby further given that if you challenge the above described project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this Notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing per Government Code Section 65009.

Additional information may be obtained from Community & Economic Development Department at 520 J Street, Los Banos, California. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (209) 827-7000. Notification at least 72 hours prior to the public hearing will enable the City to make reasonable arrangements to allow participation at this hearing

THE CITY OF LOS BANOS

Stacy Souza Elms
Senior Planner



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor Villalta and Council Members
FROM: Stacy Souza Elms, Senior Planner *SE*
DATE: February 17, 2016
SUBJECT: MCAG CivicSpark Presentation
TYPE OF REPORT: Informational Item

Recommendation:

Informational item only, no action needed.

Discussion:

Rebecca True from MCAG will be providing information regarding funding possibilities and resources for sustainable planning activities.

Reviewed by:

A handwritten signature in black ink, appearing to read "Brizzee", is written over a horizontal line.

Gary Brizzee, Interim City Manager



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor Villalta & City Council Members
FROM: Sonya Williams, Finance Director
DATE: February 17, 2016
SUBJECT: Mid Year Budget Review and Approval of a Resolution to Adjust the 2015-2016 Budget
TYPE OF REPORT: Non Consent Agenda

Recommendation:

Staff recommends that the City Council adopt a resolution to revise the budget for the 2015-2016 Fiscal Year as it pertains to changes in revenues and expenditures.

Background:

A midyear financial report is prepared in order to highlight the 2015-2016 Fiscal Year revenues and expenditures to determine if the City is on track or if adjustments are needed to be made during the year. It may also be useful in preparing for the upcoming budget year. Staff reviews the current year budget to actual variances in the different Funds based on actual revenues and expenditures through December 31, 2015, including recommendations for budget modifications. It is important to note that Staff continuously researches, calculates, and refines the fiscal impacts associated with all of the adjustments previewed in this report.

Discussion:

After analyzing the prior and current Fiscal Years revenue and expenditure trends, staff applied their best and most prudent professional judgment to confirm the revenue and expenditure projections for the rest of the Fiscal Year. The findings and adjustments will be discussed in detail during the Council Meeting Presentation.

General Fund

Staff analyzed the current Fiscal Year through December 31, 2015 with the exception of Property Tax Revenues which were received in January 2016. With fifty percent (50%) of the year completed, General Fund Revenues collected are forty nine percent (49%) of the budgeted amount. General Fund Expenditures are forty seven percent (47%) of the budgeted amount. The following points highlight some of the requested mid-year changes to the General Fund Budget.

1. Increase Salaries and Benefits by \$134,374 to reclassify a Police Officers position from Measure K.
2. Increase various Expenditures by \$55,200 to Fire for Strike Team related Expenditures that are reimbursed by the State.
3. Increase Technical Services Expenditures by \$175,000 to meet expected permit issuance fees.

Special Revenue Funds

The key changes to the Special Revenue Funds include reclassifying a Police Officer from Measure K to the General Fund for the entire year. This would increase the General Fund and decrease Measure K Salaries and Benefits by \$134,374. In addition, it is necessary to increase overtime and benefits by \$106,220, to reflect Fire Strike Team Expenditures that are reimbursed by the State. Reimbursements from the State for Strike Teams assignments will be accounted for in the fund from which the employee is paid, increases to these revenue accounts are also being requested .

Enterprise Funds

Significant changes to the Enterprise Funds include increasing revenue accounts. These increases are consistent with permits being finalized and new developments purchasing water meters. Staff is also requesting an increase to expenditures for costs associated with the hiring of new employees.

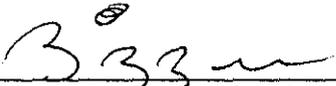
Fiscal Impact:

Attached to the resolution is a schedule showing a detailed account of the requested changes to the Budget for the 2015-2016 Fiscal Year.

Attachments:

Resolution

Reviewed by:



Gary Brizzee, Interim City Manager

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF LOS BANOS ADOPTING A REVISED
BUDGET FOR THE 2015-2016 FISCAL YEAR AS IT PERTAINS TO
EXPENDITURES**

WHEREAS, the City Council of the City of Los Banos has been presented an amendment to the 2015-2016 Fiscal Year budget; and

WHEREAS, the City Council of the City of Los Banos may adjust the overall appropriation levels in each fund at any time during the 2015-2016 Fiscal Year by action to amend the budget; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos hereby amends the 2015-2016 Fiscal Year Budget shown in Exhibit A.

BE IT FURTHER RESOLVED that within each fund in Exhibit A, the original adopted expenditures are revised.

The foregoing resolution was introduced at a regular meeting of the Los Banos City Council held on the 17th day of February, by Council Member _____ who moved for its adoption, which motion was duly seconded by Council Member _____, and the Resolution was adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Michael Villalta, Mayor

ATTEST:

Lucille L. Mallonee, City Clerk

EXHIBIT A
Mid-Year Budget Adjustments

Fund	Account #	Account Description	Increase	Decrease	Reason for Adjustment
100	100-000-322-010	Permits	175,000.00	-	Increase in permit processing
100	100-000-322-012	Encroachment Fees	1,400.00	-	Increase in encroachment permits
100	100-000-322-065	Animal Spay/Neuter Fees	2,300.00	-	Increase in spay/neuter program
100	100-000-322-070	Bicycle License	160.00	-	Increase in bicycle licenses issued
100	100-000-334-011	State Funded Police Training	4,500.00	-	True up for POST training costs reimbursable
100	100-000-334-012	Fire Fighting Reimbursed	106,321.00	-	Strike team reimbursement from State
100	100-000-335-050	Motor Vehicle in lieu	14,987.00	-	True up for MVLf in excess received to date
100	100-000-341-016	Workman's Comp Receipts	21,800.00	-	Workers comp reimbursements rec'vd from RMA
100	100-000-341-038	Hazard Mitigation Fee	24,000.00	-	Increase for permits finalized
100	100-000-341-039	General Plan Maint Fee	31,000.00	-	Increase for permits finalized
100	100-000-341-040	Xerox Copies	350.00	-	True up
100	100-000-342-015	Animal Impound Fee	4,500.00	-	Increase in animal impound activity
100	100-000-342-016	Police Dept Report Fee	5,000.00	-	Increase in police report requests
100	100-000-342-020	Prison Care	2,500.00	-	Increase in prisoner care billing
100	100-000-342-040	First Responder Fee	4,000.00	-	Increase in first responder activities
100	100-000-342-060	School Police Grants	8,395.00	-	Police overtime at football games for 2015 season
100	100-000-348-027	Tree Inspection	1,850.00	-	Increase in permits finalized
100	100-000-351-011	Admin Cit Fees	37,000.00	-	Increase in code enforcement activity
100	100-000-363-080	Community Center Pavers	200.00	-	Two pavers purchased this year
100	100-000-365-012	Recreation Contributions	3,900.00	-	Increase for contributions received
100	100-000-365-013	Mural Program Contributions	2,000.00	-	Increase for mural contribution received
100	100-000-390-010	Misc Revenues	10,200.00	-	Increase for admin services for LB & Merced DLA's
100	100-000-390-020	Refunds	500.00	-	True up for fiscal year activity
100	100-000-392-010	Sale-General Fixed Assets	17,100.00	-	Increase for sale of asset activity
100	100-410-100-237	Recruitment	9,800.00	-	Expenses for City Manager recruitment
100	100-410-100-273	Special Dept Expenses	4,435.00	-	Increase in cost for Pension Reports from CalPers
100	100-421-100-160	Office Supplies	2,500.00	-	To replace dispatchers chairs
100	100-421-100-101	Salaries	60,789.00	-	To move Measure K Employee
100	100-421-100-103	Overtime	15,000.00	-	To move Measure K Employee
100	100-421-100-120	Benefits	58,585.00	-	To move Measure K Employee
100	100-422-100-101	Salaries	16,200.00	-	Strike team & MOU increases
100	100-422-100-102	Part Time	5,000.00	-	Strike team
100	100-422-100-103	Overtime	22,000.00	-	Strike team
100	100-422-100-120	Benefits	12,000.00	-	Strike team & benefit increases
100	100-424-100-238	Technical Services	175,000.00	-	Increase in permits for CSG billing
100	100-498-000-000	Transfer Out	79,750.00	-	Increase transfer to SLESF, Police & Fire CFD's
202	202-000-348-010	Admin Service Charge	41,000.00	-	Increase for permits finalized
204	204-000-342-060	Underage Drinking Fines	250.00	-	Increase for fines received to date
230	230-000-349-030	Traffic Impact Suppl	5,990.00	-	Increase for permits finalized
233	233-000-349-020	Traffic Impact Fee	44,550.00	-	Increase for Vineyard permits finalized
235	235-000-331-010	Federal Grant	1,400.00	-	Increase for bullet proof vest funds received to date
236	236-421-180-101	Salaries	-	60,789.00	To move one Measure K Employee to the General Fund
236	236-421-180-103	Overtime	-	15,000.00	To move one Measure K Employee to the General Fund
236	236-421-180-120	Benefits	-	58,585.00	To move one Measure K Employee to the General Fund
237	237-000-499-000	Transfer In	22,775.00	-	Increase transfer from GF
237	237-421-170-103	Overtime	17,550.00	-	Increased overtime
237	237-421-170-120	Benefits	5,225.00	-	Increase for benefits
238	238-000-390-010	Misc Revenue	58,533.00	-	Strike team reimbursement from State
238	238-422-100-102	Part Time	482.00	-	Increase for final parttime check for admin clerk
238	238-422-100-103	Overtime	44,700.00	-	Strike team
238	238-422-100-120	Benefits	3,420.00	-	Strike team
238	238-422-180-101	Salaries	400.00	-	MOU increases
238	238-422-180-103	Overtime	11,500.00	-	Strike team
238	238-422-180-120	Benefits	3,750.00	-	Strike team & benefit increases
238	238-422-180-121	Benefits-PERS	50.00	-	MOU increases
240	240-000-331-010	Federal Grant	571.94	-	Increase for grant expenses incurred in 14-15
243	243-000-342-035	Fire Capital Impr Fees	105,887.00	-	Increase for permits finalized
244	244-000-349-020	Community Center Fee	43,000.00	-	Increase for permits finalized
245	245-000-342-025	Police Capital Impr Fees	221,834.00	-	Increase for permits finalized
246	246-000-392-010	Sale-Fixed Assets	890.00	-	Increase for sale of assets
250	250-000-347-080	Park Development Fee	468,222.00	-	Increase for Vineyard permits finalized
250	250-000-347-085	Park Dedication Fees	35,224.00	-	Increase for Vineyard permits finalized

EXHIBIT A
Mid-Year Budget Adjustments

Fund	Account #	Account Description	Increase	Decrease	Reason for Adjustment
252	252-000-349-020	Public Facility Impact Fee	545.00	-	Increase for permits finalized
253	253-000-347-080	Park Development Fee	23,328.00	-	Increase for Regency permits finalized
253	253-000-347-085	Park Dedication Fees	18,648.00	-	Increase for Regency permits finalized
253	253-454-220-747	Park & Playground Equip	41,976.00	-	Park fees reimbursed to developers-Regency
258	258-000-347-080	Park Development Fee	143,250.00	-	Increase for Stonecreek permits finalized
258	258-000-347-085	Park Dedication Fee	9,842.00	-	Increase for Stonecreek permits finalized
258	258-454-220-747	Park & Playground Equip	153,092.00	-	Park fees reimbursed to developers-Stonecreek
262	262-429-140-238	Technical Services	2,000.00	-	CDBG - Code Enforcement Grant Admin Costs
271	271-000-390-010	Misc Revenue	2,512.00	-	Reimbursement from insurance claims
280	280-458-200-220	Landscape Maintenance	3,700.00	-	Increase due to amendment of Ronny's contract
290	290-000-499-000	Transfer In	40,550.00	-	Increase transfer from GF
290	290-421-100-103	Overtime	26,550.00	-	Increase for overtime
290	290-421-100-120	Benefits	14,000.00	-	Increases for benefits
291	291-000-390-010	Misc Revenue	26,246.00	-	Strike team reimbursement from State
291	291-000-499-000	Transfer In	16,425.00	-	Increase transfer from GF
291	291-422-100-103	Overtime	21,000.00	-	Strike team
291	291-422-100-120	Benefits	21,850.00	-	Strike team & benefit increases
304	304-000-348-020	City Hall Impact Fee	115,118.00	-	Increase for permits finalized
306	306-000-348-030	Corporation Yard Impact	40,222.00	-	Increase for permits finalized
501	501-000-343-025	Water Connection Fee	795,000.00	-	Increase for permits finalized
501	501-000-351-011	Water Admin Cit Fees	20,000.00	-	Increase for Water Citations issued
501	501-000-390-010	Misc Revenues	35,000.00	-	Increase for sale of meter of new development
501	501-000-390-030	Reimbursement Chromium 6	25,000.00	-	Increase for reimbursement of Chromium 6 Expenses
501	501-000-392-010	Sale-Fixed Assets	9,000.00	-	Increase for sale of assets
501	501-410-100-237	Recruitment	4,900.00	-	Expenses for City Manager recruitment
502	502-000-344-025	Sewer Connection Fee	518,000.00	-	Increase for permits finalized
502	502-000-390-010	Misc Revenues	500.00	-	Increase for NSP admin reimbursement
502	502-000-390-020	Refunds	100.00	-	True up
502	502-410-100-237	Recruitment	4,900.00	-	Expenses for City Manager recruitment
510	510-000-334-010	State Grant	20,042.00	-	CalRecycle Grant - 14-15 and 15-16 Funding
510	510-000-390-010	Misc Revenues	900.00	-	Increase for NSP admin reimbursement
510	510-410-100-237	Recruitment	4,900.00	-	Expenses for City Manager recruitment
601	601-000-390-020	Refunds	500.00	-	Increase for insurance reimbursements



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council Members

FROM: Lucy Mallonee, MMC
City Clerk/Human Resources Director

DATE: February 17, 2016

SUBJECT: City Commission Appointments

TYPE OF REPORT: Non Consent Agenda

Recommendation:

Appoint members to the following City Commissions:

Economic Development Advisory Commission (EDAC)

One (1) Vacancy: One (1) Two (2) Year Term – Expiring December 31, 2017

Airport Advisory Commission

One (1) Vacancy: One (1) Unexpired Term – Expiring December 31, 2016

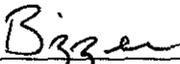
Discussion:

Staff advertised the above vacancy on the City's website. Applicants were interviewed by a committee per City policy.

Fiscal Impact:

None.

Reviewed by:



Gary Brizzee, Interim City Manager



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: February 12, 2016

Regarding: Notice of Public Hearing

Proposal: Conditional Use Permit #2016-03 – Bases Academy LLC

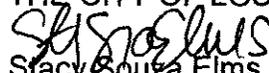
NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider a Conditional Use Permit to allow the operation of a softball/baseball training facility in the General Industrial zoning district (I). The subject property is located at 110 W. G Street, Suite D, more specifically described as Assessor's Parcel Number: 081-190-004.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos Planning Commission on Wednesday, February 24, 2016 at 7:00 p.m. in the Council Chambers of Los Banos City Hall located at 520 "J" Street. Questions regarding the above-referenced item may be directed to Stacy Souza Elms, Senior Planner at City Hall or at (209) 827-7000, Ext. 133.

All persons are invited to be present at the public hearing. Written and oral testimony is invited. Notice is hereby further given that if you challenge the above described Project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this Notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Additional information may be obtained from Community & Economic Development Department at 520 J Street, Los Banos, California. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (209) 827-7000. Notification at least 72 hours prior to the public hearing will enable the City to make reasonable arrangements to allow participation at this hearing

THE CITY OF LOS BANOS


Stacy Souza Elms
Senior Planner