



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

JUNE 1, 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. CLOSED SESSION.

6:00 PM

(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.)

- A. Public Employee Employment, City Manager, Pursuant to Government Code Section 54957.
- B. Conference with Labor Negotiators, Pursuant to Government Code Section 54957.6, Agency Designated Representatives: Interim City Manager Brizzee, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee,

Consultant Gary Peterson with Ralph Andersen & Associates; Unrepresented Employee: City Manager.

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

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

3. PLEDGE OF ALLEGIANCE.

4. ROLL CALL: (City Council Members)

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

5. CONSIDERATION OF APPROVAL OF AGENDA.

6. PUBLIC FORUM. (Members of the public may address the City Council Members on any item of public interest that is within the jurisdiction of the City Council; includes agenda and non-agenda items. No action will be taken on non-agenda items. Speakers are limited to a five (5) minute presentation. Detailed guidelines are posted on the Council Chamber informational table.)

7. CONSIDERATION OF APPROVAL OF CONSENT AGENDA. (Items on the Consent Agenda are considered to be routine and will be voted on in one motion unless removed from the Consent Agenda by a City Council Member.)

A. Check Register for #159427 – #159657 in the Amount of \$3,415,355.05.

Recommendation: Approve the check register as submitted.

B. Minutes for the City Council Meeting of May 18, 2016.

Recommendation: Approve the minutes as submitted.

C. Waiver of Business License Fee for Generating Renewable Ideas for Development (GRID) Alternatives.

Recommendation: Waive the Business License Fee as submitted.

D. City Council Resolution No. 5748 – Amending the Fiscal Year 2015-2016 Budget by Increasing Appropriations in the General Fund for Engineering Revenue and Expenditures in the Amount of \$15,000.

Recommendation: Adopt the resolution as submitted.

- E. City Council Resolution No. 5749 – Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 8, 2016, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California.

Recommendation: Adopt the resolution as submitted.

- F. City Council Resolution No. 5750 – Requesting the Board of Supervisors of the County of Merced to Consolidate a General Municipal Election to be Held on Tuesday, November 8, 2016, with the California Statewide General Election to be Held on the Date Pursuant to Section 10403 of the Election Code.

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 Final Development Plan #2016-02 for The Hill Property Located East of Center Avenue, South of the Proposed Villas Subdivision, West of Cresthills #2 Subdivision, and North of the City Limit Line, APN 431-270-005.

- 1) City Council Resolution No. 5751 – Approving the Hill Property Final Development Plan #2016-02.

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

- B. Public Hearing – To Receive Public Comment and Consideration of Final Development Plan #2015-01 for Southpointe at Regency Park Located east of Place Road, North of the Verona/Mission Estates, and West of Ward Road, APNs 424-120-009 and 073-220-015 .

- 1) City Council Resolution No. 5752 – Approving Southpointe at Regency Park Final Development Plan #2015-01.

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

- C. Public Hearing – To Receive Public Comment and Consideration of the Levy of the Proposed Annual Assessment for the 2016-2017 Fiscal Year for Landscaping and Lighting District Nos. 1-7 and 9-19.

- 1) City Council Resolution No. 5753 – Confirming Diagram and Assessment and Levying Assessments for Assessment District Nos. 1-7 and 9-19 for the 2016-2017 Fiscal Year.

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

9. CONSIDERATION OF CITY COUNCIL RESOLUTION NO. 5754 – APPOINTING A CITY MANAGER AND APPROVING CITY MANAGER EMPLOYMENT AGREEMENT.

Recommendation: Approve the employment agreement.

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

A. Request from Council Member Lewis – To Consider Inserting Flyers (English & Spanish) in the City's Utility Bills to Inform Citizens of the Newly Passed Ordinance Regarding Garage Sale Registrations.

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

11. ADVISEMENT OF PUBLIC NOTICES. (Three Reports)

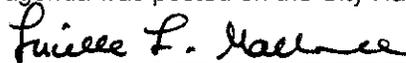
12. CITY MANAGER REPORT.

13. CITY COUNCIL MEMBER REPORTS.

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

14. 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 27th day of May 2016

CK # 159427 - 159657

06/01/2016

\$3,415,355.05

Bank Reconciliation

Checks by Date

User: sorozco

Printed: 05/26/2016 - 8:57AM

Cleared and Not Cleared Checks

Print Void Checks



City of
Los Banos
At the Crossroads of California

Check	Check Date	Name	Module	Void	Amount
159427	5/13/2016	Mary Lou Gilardi	AP		39.77
159428	5/13/2016	Jesus Parras	AP		152.00
159429	5/13/2016	Nationwide Retirement Solutions	AP		1,420.00
159430	5/13/2016	Pinnacle Medical Group	AP		160.00
159431	5/13/2016	Ronny's Landscaping	AP		48,150.15
159432	5/13/2016	Ronny's Landscaping	AP		13,171.29
159433	5/13/2016	Sacramento Regional Public Safety Training Center	AP		52.00
159434	5/13/2016	Law Offices of William A Vaughn	AP		10,230.00
159435	5/13/2016	Randy Williamson	AP		65.00
159436	5/13/2016	A & A Portables Inc	AP		111.65
159437	5/13/2016	Amerigas Propane, LP	AP		161.70
159438	5/13/2016	Anthony Gomes	AP		265.25
159439	5/13/2016	Aramark Uniform Ser Inc	AP		792.11
159440	5/13/2016	AT&T	AP		20.85
159441	5/13/2016	BJ's Consumers Choice	AP		154.00
159442	5/13/2016	Borelli Real Estate Service, Inc.	AP		90.00
159443	5/13/2016	Bruce's Tire Inc	AP		82.63
159444	5/13/2016	BSK Associates	AP		7,812.31
159445	5/13/2016	Buell Recreation, LLC	AP		658.44
159446	5/13/2016	Ca Dept of Justice	AP		32.00
159447	5/13/2016	Central Sanitary Supply	AP		424.39
159448	5/13/2016	Comcast	AP		10.59
159449	5/13/2016	Copy Shipping Solutions	AP		5.40
159450	5/13/2016	Custom Locksmith & Alarm Inc.	AP		94.96
159451	5/13/2016	Dept of Transportation	AP		27,671.70
159452	5/13/2016	Electric Drives Inc	AP		1,040.77
159453	5/13/2016	Employee Relations, Inc.	AP		50.00
159454	5/13/2016	Farmer Brothers Coffee	AP		64.52
159455	5/13/2016	Fastenal Company	AP		999.79
159456	5/13/2016	Federal Express	AP		12.27
159457	5/13/2016	Ferguson Enterprises Inc DBA Groeniger & Company	AP		2,005.86
159458	5/13/2016	Forensic Nurse Specialists of Central Ca Inc.	AP		3,325.00
159459	5/13/2016	Golden State Flow Measurement	AP		4,242.62
159460	5/13/2016	Gouveia Engineering Inc.	AP		16,159.51
159461	5/13/2016	Grainger Parts Operations	AP		2,816.05
159462	5/13/2016	April Garcia/Los Banos Tiger Sharks	AP		100.00
159463	5/13/2016	Joe Gutierrez	AP		500.00
159464	5/13/2016	Hach Company	AP		64.24
159465	5/13/2016	Helena Chemical Co Inc	AP		635.57
159466	5/13/2016	Hi Tech Emergency Vehicle Services, Inc	AP		273.00
159467	5/13/2016	Felipe Hernandez	AP		600.00

Check	Check Date	Name	Module	Void	Amount
159468	5/13/2016	JB Anderson Land Use Planning	AP		10,254.50
159469	5/13/2016	Johnnie's Cleaners	AP		80.75
159470	5/13/2016	Lehigh Hanson Heidelberg Cement Group	AP		562.14
159471	5/13/2016	Los Banos Medical Group A Medical Corp.	AP		400.00
159472	5/13/2016	Los Banos Vet Clinic	AP		210.00
159473	5/13/2016	Lucas Business Systems	AP		201.42
159474	5/13/2016	Los Banos Tiger Sharks	AP		100.00
159475	5/13/2016	Marfab Inc	AP		425.98
159476	5/13/2016	Matson Alarm Co Inc	AP		181.00
159477	5/13/2016	McNamara Sports Inc	AP		4,156.15
159478	5/13/2016	Merced Uniform & Accessories	AP		2,698.03
159479	5/13/2016	Miracle Playsystems, Inc.	AP		151.01
159480	5/13/2016	Monica Maturino	AP		350.00
159481	5/13/2016	N & S Dos Palos Tractor	AP		1,200.65
159482	5/13/2016	Napa Auto Parts	AP		62.61
159483	5/13/2016	New Pig Corporation	AP		491.95
159484	5/13/2016	The Office City	AP		130.27
159485	5/13/2016	OSE	AP		28.84
159486	5/13/2016	O'Reilly Auto Parts	AP		238.74
159487	5/13/2016	Owen Equipment Sales	AP		180.69
159488	5/13/2016	PG&E Company	AP		81,799.20
159489	5/13/2016	Pacific Landscape Supply, Inc.	AP		3,935.50
159490	5/13/2016	Portfolio Recovery Associates, Inc.	AP		750.00
159491	5/13/2016	Protech Security & Electronics, Inc.	AP		60.00
159492	5/13/2016	Rumex Construction Corporation	AP		450.00
159493	5/13/2016	Kenneth D Schmidt	AP		11,625.30
159494	5/13/2016	Sharpening Shop	AP		518.92
159495	5/13/2016	Sherwin Williams Co	AP		135.43
159496	5/13/2016	Sierra Chemical Co	AP		983.84
159497	5/13/2016	Frank Silveria	AP		1,226.42
159498	5/13/2016	Snap On Tools	AP		588.50
159499	5/13/2016	Sonitrol	AP		339.00
159500	5/13/2016	Sorensens True Value	AP		215.88
159501	5/13/2016	Sorensens True Value	AP		74.48
159502	5/13/2016	Triangle Rock Products	AP		238.96
159503	5/13/2016	Charles Guest	AP		853.18
159504	5/13/2016	Alan Vallarine	AP		97.24
159505	5/13/2016	Tomra Pacific, Inc	AP		160.99
159506	5/13/2016	Yuhua Chen	AP		13.49
159507	5/13/2016	Timothy Gillio	AP		53.87
159508	5/13/2016	Rula Odeh	AP		13.49
159509	5/13/2016	Los Banos Property Management Services	AP		53.87
159510	5/13/2016	Fernando Jimenez	AP		59.62
159511	5/13/2016	Juan Ornelas Madrigal	AP		13.49
159512	5/13/2016	Bourdet Family Trust	AP		100.00
159513	5/13/2016	Robert & Theresa Caballero	AP		13.49
159514	5/13/2016	Susana Srey	AP		13.49
159515	5/13/2016	Debbi Stephens	AP		74.04
159516	5/13/2016	Rosie Pantoja	AP		36.57
159517	5/13/2016	Ted & Evangie Pierce	AP		28.89
159518	5/13/2016	Ruben Huerta	AP		100.00
159519	5/13/2016	Bourdet Family Trust	AP		65.39
159520	5/13/2016	Home Sweet Home Property Management	AP		65.39

Check	Check Date	Name	Module	Void	Amount
159521	5/13/2016	Kelly & Clifton Todd	AP		5.04
159522	5/13/2016	Darlene Arnold	AP		302.77
159523	5/13/2016	George Mitchell	AP		59.62
159524	5/13/2016	Michael A Jensen	AP		16.38
159525	5/13/2016	Westhill Property Mgmt	AP		19.26
159526	5/13/2016	Westside Water Conditioning	AP		20.00
159527	5/13/2016	Windecker Inc	AP		15,948.47
159528	5/13/2016	Young's Air Conditioning	AP		1,132.00
159529	5/13/2016	Young's Automotive	AP		1,415.75
159530	5/13/2016	Zee Medical Service Co	AP		54.53
159531	5/13/2016	Bank of America	AP		2,500,000.00
159532	5/13/2016	April Booher	AP		316.95
159533	5/13/2016	PERS - Public Employees	AP		80,163.21
159554	5/19/2016	Aflac-Customer Service	AP		95.81
159555	5/19/2016	Aflac-Customer Service	AP		143.95
159556	5/19/2016	Aflac-Customer Service	AP		41.26
159557	5/19/2016	Aflac-Customer Service	AP		57.86
159558	5/19/2016	Bank of America	AP		93,855.48
159559	5/19/2016	Bank of America	AP		12,166.08
159560	5/19/2016	Bank of America	AP		2,464.73
159561	5/19/2016	Bonander Buick GMC	AP		29,280.55
159562	5/19/2016	Bonander Buick GMC	AP		1,197.49
159563	5/19/2016	Cassandra Ann Helmrick	AP		607.64
159564	5/19/2016	Tommy Flynn	AP		30.00
159565	5/19/2016	Ford Motor Credit Company LLC	AP		4,420.32
159566	5/19/2016	Ford Motor Credit Company LLC	AP		1,307.85
159567	5/19/2016	Franchise Tax Board	AP		371.97
159568	5/19/2016	Hadfield Building Corp.	AP		913.78
159569	5/19/2016	Los Banos Fitness &	AP		523.00
159570	5/19/2016	Los Banos Police Assn	AP		2,090.00
159571	5/19/2016	MassMutual	AP		1,373.20
159572	5/19/2016	MassMutual	AP		4,365.00
159573	5/19/2016	Nationwide Retirement Solutions	AP		1,400.00
159574	5/19/2016	Professional Fire Fighter	AP		630.00
159575	5/19/2016	State Disbursement Unit	AP		1,727.50
159576	5/19/2016	Anna Carrillo	AP		100.00
159577	5/19/2016	Vantagepont Transfer Agents - 306797	AP		605.43
159578	5/19/2016	Vantagepoint Transfer Agents - 705827	AP		25.00
159579	5/19/2016	Vantagepoint Transfer Agents - 801838	AP		1,375.00
159580	5/19/2016	Matthew Culley	AP		472.85
159581	5/20/2016	Alhambra	AP		19.78
159582	5/20/2016	Ameripride Valley Uniform Services Inc.	AP		204.91
159583	5/20/2016	Aramark Uniform Ser Inc	AP		237.12
159584	5/20/2016	AT&T	AP		385.37
159585	5/20/2016	Backflow Apparatus & Valve Co.	AP		285.14
159586	5/20/2016	Brinks Inc.	AP		523.21
159587	5/20/2016	BSK Associates	AP		880.00
159588	5/20/2016	Ca Dept of Justice	AP		1,283.00
159589	5/20/2016	Central Sanitary Supply	AP		108.00
159590	5/20/2016	Coffee Break Service	AP		242.55
159591	5/20/2016	Comcast	AP		106.05
159592	5/20/2016	Copy Shipping Solutions	AP		1,048.43
159593	5/20/2016	Credit Bureau Associates	AP		12.00

Check	Check Date	Name	Module	Void	Amount
159594	5/20/2016	Crescent Work & Outdoor	AP		165.71
159595	5/20/2016	CSG Consultants Inc.	AP		106,082.73
159596	5/20/2016	City of Los Banos Utility	AP		24,176.25
159597	5/20/2016	EMC Planning Group Inc	AP		2,200.37
159598	5/20/2016	Fastenal Company	AP		144.57
159599	5/20/2016	Federal Express	AP		39.44
159600	5/20/2016	Ferguson Enterprises Inc DBA Groeniger & Company	AP		260.09
159601	5/20/2016	Galls Inc	AP		97.82
159602	5/20/2016	Gouveia Engineering Inc.	AP		249.38
159603	5/20/2016	Grainger Parts Operations	AP		306.18
159604	5/20/2016	Hach Company	AP		222.93
159605	5/20/2016	Helena Chemical Co Inc	AP		119.61
159606	5/20/2016	Heppner Precision Machine	AP		379.90
159607	5/20/2016	Holt of California	AP		1,345.60
159608	5/20/2016	InfoSend Inc.	AP		11,162.19
159609	5/20/2016	Calvin Lotz	AP		905.87
159610	5/20/2016	Jerry Witt	AP		4,068.00
159611	5/20/2016	Kimball Midwest	AP		92.44
159612	5/20/2016	Lawson Products, Inc.	AP		402.87
159613	5/20/2016	Los Banos Car Wash Inc	AP		15.00
159614	5/20/2016	Los Banos Express Oil & Lube	AP		512.33
159615	5/20/2016	Los Banos Vet Clinic	AP		100.00
159616	5/20/2016	Lucas Business Systems	AP		542.04
159617	5/20/2016	Marfab Inc	AP		50.84
159618	5/20/2016	McNamara Sports Inc	AP		70.57
159619	5/20/2016	Merced County Auditor Controller	AP		422.50
159620	5/20/2016	Merced County Regional Waste Management Authority	AP		3,452.19
159621	5/20/2016	Merced County Regional Waste Management Authority	AP		60,768.53
159622	5/20/2016	Merced County Regional Waste Management Authority	AP		3,824.87
159623	5/20/2016	Merced County Health Dept	AP		123.24
159624	5/20/2016	Merced Data Special Services, Inc.	AP		62.50
159625	5/20/2016	Riggs Ambulance Service Inc.	AP		73.00
159626	5/20/2016	Georgina Martinez	AP		600.00
159627	5/20/2016	Cesar Mendieta	AP		100.00
159628	5/20/2016	Napa Auto Parts	AP		91.56
159629	5/20/2016	NDN International LLC	AP		45.14
159630	5/20/2016	O'Dell Engineering	AP		5,100.00
159631	5/20/2016	The Office City	AP		1,282.99
159632	5/20/2016	OSE	AP		636.94
159633	5/20/2016	O'Reilly Auto Parts	AP		365.35
159634	5/20/2016	Veronica Ornelas	AP		600.00
159635	5/20/2016	PG&E Company	AP		4.11
159636	5/20/2016	Provost and Pritchard Engineering, Inc.	AP		2,445.90
159637	5/20/2016	Santos Ford Lincoln Mercury, Inc.	AP		59.25
159638	5/20/2016	Save Mart Supermarkets	AP		77.36
159639	5/20/2016	Soares Lumber & Fence Inc	AP		12.96
159640	5/20/2016	Sorensens True Value	AP		429.65
159641	5/20/2016	Sorensens True Value	AP		478.35
159642	5/20/2016	Spriggs Inc.	AP		692.83
159643	5/20/2016	Stericycle, Inc.	AP		229.62
159644	5/20/2016	Terryberry Company LLC	AP		201.72
159645	5/20/2016	Terminix Processing Center	AP		90.00
159646	5/20/2016	Tractor Supply Credit Plan	AP		22.66

Check	Check Date	Name	Module	Void	Amount
159647	5/20/2016	Union Metal Corporation	AP		20.00
159648	5/20/2016	Maria Ceja	AP		18.86
159649	5/20/2016	Verizon Wireless	AP		160.02
159650	5/20/2016	Vortex Industries, Inc.	AP		2,734.50
159651	5/20/2016	Westside Veterinary Service, Inc.	AP		302.40
159652	5/20/2016	Westside Water Conditioning	AP		135.00
159653	5/20/2016	Windecker Inc	AP		797.52
159654	5/20/2016	Zee Medical Service Co	AP		279.63
159655	5/25/2016	PERS - Public Employees	AP		80,911.22
159656	5/25/2016	US Bank Corp Pymt System	AP		8,412.31
159657	5/25/2016	Westamerica Bank - Cafeteria Plan	AP		47,566.30

Break in check sequence due to the following:
Check #159534 - 159553 (Payroll)

Total Void Check Count:	0
Total Void Check Amount:	0.00
Total Valid Check Count:	211
Total Valid Check Amount:	3,415,355.05
Total Check Count:	211
Total Check Amount:	3,415,355.05

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
MAY 18, 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 p.m.

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

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

STAFF MEMBERS PRESENT: City Attorney Vaughn, Assistant City Clerk/HR Technician Sousa, Interim City Manager 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 Stonegrove, 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.

PROCLAMATION RECOGNIZING NATIONAL DAY OF PRAYER. Mayor Villalta presented the proclamation to Pastor Hammond of Bethel Community Church and Pastor Cannon of Truck Stop Ministries.

PROCLAMATION RECOGNIZING SUTTER HEALTH FOR BEING NAMED AMONG THE TOP U.S. HEALTH SYSTEMS. Mayor Villalta presented the proclamation to Doug Archer, Administrator at Memorial Hospital Los Banos, and Kristie Marion, Chief Nurse Executive, at Memorial Hospital Los Banos.

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. Donalda Sousa, Los Banos, stated she spoke during the public forum during a Council Meeting at the end of March regarding a home in her neighborhood with overgrown weeds in the front yard, she made contact with the property manager at Century 21 who was very nice, shortly after that conversation an older gentlemen and a woman came to the property to take care of the weeds but they left fairly quickly and did not remove any weeds, she

believes the weeds were too difficult to handle for the two people that were sent out to the home, City Code Enforcement is doing a wonderful job trying to help with this situation however, the owner lives in Seattle and could care less about the house, she's not here to criticize the City but would like some help with the issue, spoke about landscape and lighting districts and how other Cities are handling them, how not all homeowners in Los Banos are paying for these services and she believes everyone should pay for the services being provided by the City.

No one else came forward to speak and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Motion by Faria, seconded by Silveira to approve the consent agenda as follows: Check Register for #159164 – #159426 in the Amount of \$879,049.76; Minutes for the City Council Meeting of May 4, 2016; City Council Resolution No. 5745 – Adopting a Revised Budget for the 2015-2016 Fiscal Year as it Pertains to Expenditures in the Building Department Technical Services in the Amount of \$250,000; City Council Resolution No. 5746 – Authorizing the City Manager to Sign a Memorandum of Understanding with the Merced County Office of Education (MCOE) for School Resource Services for the 2016-2017 School Year. The motion carried by the affirmative action of all City Council Members present.

PRESENTATION BY MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) ON THE PROPOSED 2016 ½ CENT SALES TAX MEASURE – EXPENDITURE PLAN; CITY COUNCIL RESOLUTION NO. 5747 – APPROVING THE TRANSPORTATION EXPENDITURE PLAN FOR MERCED COUNTY FOR PLACEMENT AS A BALLOT MEASURE IN NOVEMBER 2016. Interim City Manager Brizzee introduced Marjie Kirn of Merced County Association of Governments (MCAG) who presented the report.

Mayor Villalta asked if anyone would like to speak on the item.

ELLEN HASNESS, Gustine City Council Member, stated she was a member of the Transportation Expenditure Plan Committee that democratically set up the language and the funding categories for the initiative being considered tonight, the committee consisted of representatives from each of the Cities, the County of Merced, MCAG, and a number of community stakeholders, wants the audience to be aware of the impact the decision on the ½ cent sales tax measure will have on not only Los Banos but the entire Westside and Merced County as a whole, believes the initiative should be placed on the ballot and if passed would be huge, The Mayor's of Los Banos, Dos Palos, and Gustine fought hard to make sure the language in this initiative served the Westside in a fair manner, the committee gathered together in Los Banos several times, the local funds will provide each town the flexibility to decide how their money will be spent, we wanted more local money control, by having regional projects no matter the area we are placing Merced County in a position to be attractive for businesses and positioning us in a self-help category, we are currently funding other towns with our tax money because the competition to get that money back in our area is so fierce, most State and Federal grants require a match and we are continually losing those grants, we need to keep our eye on the big picture which is the goal of becoming a self-help County, this initiative

has been tried many times and we are running out of time and are behind our fellow counties, she's sad that the Los Banos Mayor is not championing the big picture of this initiative and how it will affect not only Los Banos, but Gustine and Dos Palos, the Westside and the County as a whole, the language is not perfect but it was voted by the committee several times and there are sufficient protections in place, this plan was represented democratically and it would be a shame to end up with nothing; MICHAEL MCGLYNN, Dos Palos City Council Member, was also a part of the committee that drafted this proposal, believes the Westside caucus was extremely successful and exceeded all expectations, I want you to look at what is truly being considered tonight, it's not a pass the measure vote, it's to give the people you represent a voice and to allow them to look at the facts and make their own decision, very proud to say the Dos Palos City Council voted 5-0 to allow the voters to make their own decision, give the people you represent a voice and don't deny them; KATHY BALLARD, Los Banos, in listening to everything she's heard regarding this issue she is reminded of something she fought against for years which is the Regional Transportation Impact Fee (RTIF), we put so much into that and didn't receive anything out of it and that makes a person very nervous, saw what was put into the proposal with MCAG that wasn't allowed that was set up to protect Los Banos that were not put in, understands it's a sales tax, the majority would not come from the citizens here, it's the people who come through our town, we're getting high up there in the amount of sales tax that we have, hears people mention it all the time especially the ones that travel, uncomfortable putting money into a pool that we sometimes don't get to swim in; PAT NAGY, Gustine City Council Member, was on the Transportation Expenditure Committee from the start, the members from Los Banos, Dos Palos, and Gustine banded together and were successful in increasing the Westside share, the first time we were to vote on ratifying the plan Mayor Villalta was absent from the meeting and the plan was ultimately sent on to MCAG, Mayor Villalta requested another meeting and we did that because he had some valid points, there were two items Mayor Villalta wanted that were not included one of which was that he wanted the Westside area to be able to vote the regional money back to the Cities if there wasn't a regional project, I believe we should come up with regional projects, the other problem Mayor Villalta had was with the verbiage in that he wanted the final authority with the projects to rest with the board and not with MCAG, he had a problem with the word shall, spoke about how the City Council would not give the authority to its Planning Commission that it couldn't override, you wouldn't do it because it's against the law, MCAG cannot delegate its final authority and can only send it back for further consideration, Mayor Villalta seems intent on derailing this plan, how Mayor Villalta attended the Livingston City Council meeting to publicly oppose the plan even though it hadn't been sent to MCAG yet, this proposal was reached in a democratic fashion by a committee, Mayor Villalta stated that Los Banos would pass its own tax and generate \$2.4 million a year in sales tax, to generate that much Los Banos would have to have \$480 million in sales tax, the last report from the Franchise Tax Board shows Los Banos in the first quarter generating about \$73 million which equates to \$292 million a year and is way short of the Mayor's \$2.4 million claim, Mayor Villalta has an "I'm taking my ball and going home attitude", this tax does more than raise money for the County, it gives us a self-help status, our roads need this tax, our constituents' deserve better roads and that's who were here to support; JERRY OBANION, Merced County District 5 Supervisor, was not on the Transportation Expenditure Plan Committee but closely followed their work, has to commend the Mayor

of Los Banos for the work he put into this and for being insistent and getting agreements to increase the Westside share, let's give the people of Merced County the opportunity to either approve or vote down this initiative, certainly hopes that we would give the citizens an opportunity to vote to improve their roadways, this would give the opportunity to get federal and state dollars by being able to match those funds, let the citizens decide if their willing to tax themselves an additional ½ cent throughout this entire County to benefit all of us.

Council Member Silveira spoke about how he's not a big tax person and doesn't like to be over taxed like anyone else, but feels the fairest tax is a sales tax because it's based on your spending habits, it's my job as your elected official to try and come up with the best possible solution to problems, at our most recent goals and objectives workshop our Public Works Director noted to us that the funding from gas tax money is decreasing and the cost to maintain our local streets is increasing, we've been pretty religious on keeping up with the street overlays in our City, but with the dollars decreasing it is getting difficult, this makes us a self-help County, the reality is that we are Merced County and we have one State Assembly Member that represents all of Merced County and a portion of Stanislaus County, our State Senator represents four or five counties, we don't have the political juice to leverage funds, I don't think it's fair but that's the reality, as your elected official I am tasked with trying to find the best possible solution, I've been to a few of the meetings where this plan was voted on and I too agree with a lot of the concerns, when he first read the draft plan the language stated it could be amended once a year and how he believes it is important to state that in the body of the Resolution so the voters know there is nothing being hidden, the committee brought it back and listened to some of the concerns, he is not one that was in favor of if there were more regional projects that the money would go back to the local projects because regional project money is a savings account and this is a 30 year tax, if in year 15 there is a regional project and we've moved that money then we have no money in our savings account for regional projects, for all of these reasons he believes that this is a fair deal, the Westside money can only be spent on the Westside and there are five people that would have to agree, I don't buy into the conspiracy that everyone is out to get us, we don't live in a bubble, we are part of Merced County and we have to work with all of our elected officials in the County, how government is not set up in a way that he could run it like he runs his dairy business, not going to deny the constituents the right to vote on the matter.

Council Member Stonegrove stated the term self-help was a term she learned about almost immediately when she first was elected almost eight years ago, how she learned quickly that being a self-help agency allows for more opportunity for funding, remembers talking to people and doing research and hearing that Los Banos would not be able to get the help needed or even a consideration because we are not self-help, we have a good opportunity now to become a self-help agency and to leverage those monies that we wouldn't have been considered for before or even thought about, thanked the Transportation Expenditure Plan Committee and the Westside caucus for fighting so hard to ensure that we would be given our fair share of monies, we've had many debates in this room about the RTIF and how monies are spent, I know there were revisions made to the plan and I thank everyone for their efforts and for being here tonight, realizes that the plan is not perfect but Los Banos is one piece of this puzzle

and is not an island, when we come together on issues like this we have better opportunities to bring more money here for our constituents, we do have a lot of deficiencies in our roads both regionally and locally, the money that we could save to do regional projects would really be a great service to the community here and regionally, one of the most important things that I've heard is that we owe it to our community members to let them make decisions, we were elected by our constituents to make decisions and we rarely have the opportunity to give the choice to them, this is going to impact every person that lives in our region, there has been a lot of time, effort, and money invested in this and believes we owe it to the citizens to see if they would like to see this measure passed.

Mayor Pro Tem Faria stated he hasn't done this much research on a project in a long long time, unless you've been involved heavily in a tax analysis the average person thinks sales tax is the fairest tax there is, the fact of it is that sales tax is one of the most unfair taxes ever designed and every Political Science or Taxation Major in the room knows it's not and that it's one of the most regressive taxes there is, it hits the floor harder than anybody else, the poor have to spend more of their income than the rich do so a larger percentage of their income goes out in sales tax, sales tax is not fair at all, it's one of the most unfair taxes ever designed, the reason we use it is that its easy to collect, it's convenient and it's relatively painless, if you're going to impose a sales tax on your citizens then you'd better be ready to justify it because the poor and the working citizens are going to be the ones paying the bill, If you make \$500,000 a year you're probably living off of \$100,000 and putting \$400,000 in the bank which means you're not paying sales tax on \$400,000, If you're making \$30,000 a year you're probably spending it all and most of it on sales tax so you're spending a much larger percent on sales tax, the big problem he finds with this is the Westside committee, he loves his friends on the Westside, he has relatives in Gustine, people in Dos Palos brought his cousins over from the Azores, if it weren't for the Fortado's we wouldn't have our cousins here in the United States, highly respects the people on the committee but the problem with the committee is that it has five votes, those five votes are one per City being Los Banos, Dos Palos, Gustine, one supervisor who actually represents a larger area and then our supervisor, representational government is extremely important and is the foundation of our Constitution of the United States, the issue of regional population versus representational population nearly split the Constitutional Convention in 1790 and we would not have had a Constitution, the House of Representatives is representation based on population and it is the only body that can initiate a tax, in the spirit of the Constitution, if you look at that Westside Committee with all due respect, Gustine has about 5,000 people, Dos Palos has about 5,000 people, Los Banos has nearly 40,000 people and our Mayor has an equal vote with those two on a tax issue, to me that is in direct confrontation of the Constitution of the United States, Los Banos is unique in the County as most of the population is not attached to the County as they spend two-thirds of their time out of town commuting, the commuters spend a ton of money locally such as gasoline, new cars every two to three years, car parts, they don't use any roads east of Los Banos except to go to Jury Duty which is going to end when we get a courthouse, the problem with this measure in his opinion is that it is the product of a committee and he can't agree or approve of the representational structure and it's ability to vote for projects, cannot support a tax on his citizens without the tangible guarantee of a return on all of it's sales tax, hopefully we can come up with a

plan that will work, Atwater voted 3-2 which is only 60% of the Council to put it on the ballot but not to support it, to get a two-thirds vote is difficult, we did it with Measure P, - K-A because our citizens know that our police force took a huge hit because of the general fund, they voted to save the public safety of our town, a two-thirds vote is like fishing for sturgeon with a giant grass shrimp out there, if you want the sturgeon you have to make sure that nothing shakes away that bait and nothing scares away the fish, the fact that you have opposition to this at all already puts it in jeopardy and that's another problem.

Council Member Lewis stated there's been a lot said tonight, in her humble opinion she thinks most Counties such as San Francisco and Los Angeles areas their COGs (Councils of Government) suck the life out of most of the money that's put out there for most public entities to receive, they receive the majority portions of any money for any projects that need to be done in their regional areas, MCAG has been around for quite some time and in the early 2000s when money was plentiful in our County there was a lot of money sent to MCAG because we did have a regional project on the books which was the Bypass, at this time the State of California has deleted the Los Banos Bypass project until 2025 so right now Los Banos does not have a regional project, during the time we were I would assume considered a self-help County back in the early 2000's and until our City no longer gave money to MCAG we put in almost 1.7 million dollars into the project fund by virtue of new business that started up and new building that was going on, each and every year the Executive Director of MCAG came to our City Council meetings and told us how this money was going to be spent and promised that the Los Banos Bypass was the number one project, she could never figure out how the Bypass was number one when no monies were put into the project other than some environmental studies, it's been stated that Los Banos is not an island and no we aren't but in my opinion we've been treated like that way by the funds that we've given to MCAG with nothing materializing for our benefit, back in 2014 she attended a trip to Washington D.C. and a good majority of this Council have been to Washington D.C. with OneVoice to speak with officials regarding shovel ready projects, in 2014 the meetings when she attended at OneVoice it was indicated that there was not going to be a request for the Los Banos Bypass Project so that was off the agenda, and so she spoke to the City Manager and stated she didn't feel Los Banos should attend those trips anymore and spend the citizen's tax dollars if we weren't going to benefit, they weren't going to speak to our federal officials about the Bypass, the Bypass Project has been spoken about since probably 1964 and that is a very long time, how she used to live in Morgan Hill and there had been talk of a Bypass from blood alley which was basically from Morgan Hill to Gilroy and at some point the State found the money to complete Highway 101 to make the area much safer to travel, where I have some real concern is with the regional funds being wound up in a general pot for regional funds and where that leaves Los Banos, our regional project has been deleted by the State of California, doesn't have an issue with being a self-help County, but does have an issue with fairness, has some real strong concerns about whether the Westside and in particular Los Banos is going to be treated fairly, we had these promises for a lot of years and to this date we don't have a project on the books, she's sure that MCAG will say the project is still on their books although it doesn't matter if the State has taken the project off their books, the fact that One Voice decided back in 2014 that it wasn't a

priority to speak to our federal officials about funds to help move forward on the Bypass disturbed her.

Mayor Villalta gave a presentation using the overhead projector during which he spoke about how a lot of his comments are predicated on what he's learned as a Council Member and as the Mayor for the last 10 years, a few years ago he attended a League of California Cities Conference in San Diego and he attended a session regarding the use of combined money where he asked to speak about Cities that were members of a COG and were contributing money, at the time it was the RTIF that was being discussed and Los Banos contributed \$1.7 million and he basically said that our cupboard was bare with regards to our money, the money at that time had been transferred to Atwater-Merced Expressway and then later to Campus Parkway in the form of a Tiger Grant over the past few years that hadn't been successful, one individual came up to him after the session and told him that he was spot on and how his community put in 30 million dollars into a COG went to get the money back and it had been spent, the man told him the buyer should beware and said that anytime there is co-joined money you have to make sure that it's going to benefit not only your community but the area you represent, he took that comment to heart, he then showed poll results stating it was a good poll but there was only a combined 71% that may vote yes on this, the question was brought up tonight about the sales tax and how his numbers were off so he asked the City's Finance Director to gather some numbers for him and he then showed those numbers on the overhead projector, gave an example of how if you were buying a home and found out the night before escrow closes that it's not the home for you then would you go through with the purchase or say you couldn't do this to your family, how the citizens of Los Banos are his family and he can't do this to them, originally the language stated that MCAG will ratify the recommendations of the Eastside and Westside projects committee, how he asked legal counsel for a definition of the word ratify and it was "you will approve", MCAG came up with different language stating that they have the authority to approve the projects which is conflicting language, he can't punt to the voters to support a plan that removes money from Los Banos without a guaranteed benefit to the City and remember that this is a 30 year plan, MCAG has been very nice, but as the former Director told him "it's not your money anymore, it's our money" and it's our opportunity to spend it as we see fit, with the two supervisors and one City the funds can be moved to the Eastside alone and I want the funds to stay on the Westside, the plan we're being asked to approve tonight has no regional projects listed, the City of Atwater voted 3-2 to put this on the ballot but in no uncertain terms did they support it, he's proud to say that Atwater asked a lot of the same questions that he did, if you do not fully understand the language in the plan then do not vote and subject the voters to this plan, I can't punt this to the voters, we are the parents and been elected to watch out for the citizens of Los Banos, make sure you clearly understand what you're voting for, part of my problem is that the final decision makers will not be the Westside committee, I'm not talking about a conspiracy theory I'm just saying that things change, wants to know what projects are going to be done just like the public would want to know, it was stated in the survey that it wasn't a good idea to put all the projects in the plan we're being asked to look out tonight, believes that's because the people wouldn't vote for it depending upon the projects included, hopes the voters whichever way this goes are going to be made aware that 10 percent will go to the Eastside, in looking over every piece of evidence I cannot guarantee the

citizens of Los Banos that they will get a return on their funds, surely not going to worry about this for 30 years.

Council Member Stonegrove stated that based on the comments from Council we can see the way the vote is going to go tonight and thinks that is unfortunate, there are certain things about this process tonight in particular that really bothered her and it is not the first time that this has happened, we receive our staff reports a week in advance, we have information tonight from MCAG on this particular issue, asked that going forward with respect to your colleagues if additional information is going to be presented that we be made aware of what it is going to be, doesn't understand the math that Mayor Villalta presented, my understanding of the local share of the project is that 7.5 million is half of the 15 million projection and the way it is divided up is by population and road miles and that's where those numbers come from.

Mayor Villalta stated he based the math on what is being presented that 50% of the money will go back to local projects, it's kind of a play on words, if you look at it we're giving up is \$450,000 for what would be truly 50%, he's not opposed the Tax Expenditure Plan he's opposed to the sales tax, thinks there has to be a fair way, this is far from perfect, is not convinced that we are going to get our money back and there are not sufficient protections in place, regardless of whether you agree or disagree with his math and that's why he asked the City to provide the numbers because he knew it was going to come up tonight and he wanted to make sure that he was speaking from a point of authority, nothing is new with what I've been saying, I've been talking about these same things and MCAG does not have a track record of returning what's been given, I cannot go down that same path again without assurances, any good attorney will tell you that you need the language that was reflected in the notes, the language for will ratify was not approved by the committee, the MCAG Attorney came up with that and the steering committee has not seen that language, that language does not give us sufficient protections, the voting structure of MCAG needs to be changed, there are five supervisors and six mayors and there will never be an equitable distribution of power with that makeup, east and west have to have the same power and we don't, 420 million dollars has been secured by MCAG for Eastside projects, Los Banos didn't get a dime of that other than 10 million dollars which was wasted on the Bypass and now the environmental and engineering is out of date, we spent 10.4 million dollars with nothing to show for it, there has to be some accountability here.

Council Member Stonegrove again stated that recognizing the way the vote is going to go she really thinks the allegations made against MCAG tonight are unfair and this is not the first time I have heard allegations that MCAG is somehow dishonest or deceiving, I want the members of this community to know that is not what I believe and I don't subscribe to that conspiracy theory either, I hope that people watch this and that the newspaper will write a story about this and I hope the basis of that story is that this Council has decided to deny the people of this community the right to decide for themselves if they want to improve their roads and the roads in their region, heard some comments tonight that may have been misunderstood such as this County being a self-help community in the past and it was not and never was, to bring up things that have happened in the past and were related to the RTIF has no bearing on this project, there are a ton of guarantees in this plan and thank you to the committee for insuring that

those guarantees are in there and to make sure that we get our fair share of the money to spend locally, the claim about the regional projects and the Bypass being taken off the list is a debate for another time and place, there are a lot of regional projects that we can come up with, there's not going to be a limitation on regional projects that we can have, let's find a way to spend the money that we could potentially have, I am a Political Science Major and I'm not going to argue with Mayor Pro Tem Faria's analysis about sales tax as she has her own opinions about which taxes are fair and unfair, it's frustrating to be here and this is her eighth year, to hear "I would support this, but" "this is what I want to see", and then we get it and maybe even more than what we thought and then we're going to find a little word or sentence to knit pick and throw our hands up and say we're not going to be a team player, that's not how government works to her, believes that we're really doing a disservice to our citizens if we don't give them an opportunity at the ballot box in November to vote on this.

Council Member Silveira spoke about how we talk out of both sides of our mouth, we talk about how certain taxes are unfair but then we support a sales tax for public safety, we support something when it works in our favor but then in another instance it doesn't work, I agree with Council Member Stonegrove and we don't always agree on everything, I don't think I'm punting anything by giving the voters a say on this, at the end of the day the voters are the ones that have to make a decision, if roads are truly important to the citizens then give them the option to vote on it, he believes that if it is not a regional project that is closely touching the City of Los Banos then we'd never be in favor of voting for it, how he couldn't get a majority of support from his colleagues to even poll our citizens to see if they want to support a Bypass, either we want it or we don't want it but when I ask to get support I'm told we don't want to spend money on it, we waste a lot of time on this Bypass, I'm just done with it.

Mayor Pro Tem Faria stated he supported sales tax for public safety because he knew every dime of that would come back to us and if that were not the case he would not have supported a sales tax, we cut 25% of the general fund and crime rose 38% because the gangs knew that our army was depleted, it's a war out there when it comes to public safety and Los Banos is ground zero for drugs and gangs, we better make sure we do what we can to fight it because he won't stand for it, the Bypass to him is the holy grail, how it generates a lot of time and money and never seems to show up, always said that he supports the Bypass in proper form, where you stand in politics depends on where you sit, everything I do governmentally goes back to the founders, the foresight they had, MCAGs Charter comes up every 10 years and it has not changed in 15 years, pleads guilty to ignorance because he didn't know enough about City and County government when he got elected, there was on the table a vote to change the charter in 2007 to change the representation to six Cities and one County, the vote came down in order to change to the seven vote structure, Atwater voted yes Livingston voted yes, Gustine voted yes, Dos Palos voted yes, Merced County voted no, Merced City voted no, the City Manager voted no without telling the Council in Los Banos and that makes me even happier that I voted no confidence on him years ago, he should have informed us that it was going on and how important it was, the issue came back in May of 2007 and continued to June of 2007 where the original structure of the eleven votes was kept into place, I apologize to the citizens of Los Banos for not knowing this, he doesn't want to be blindsided again, MCAG is filled with eleven well

meaning people to represent his or her jurisdiction and nobody else, it's time for us to re-examine the representation on the COG, believes the reason this tax issue has become so convoluted and so complex is because MCAGs voting structure is outdated, explained the voting structure of Fresno, Stanislaus, San Joaquin, Madera, and Kern Counties, when the Charter comes up next year it would be good to re-examine so that it better serves the County population wise and structure wise, Los Banos is out on the Westside and we have a Bay Area population, one of the most momentous things to happen in our region happened 10 years ago and was the U.C. Merced, it's only 40 miles away, universities are money magnets and they're one of the most prestigious systems available and it's right here in our backyard, I guarantee you there's going to be a whole lot of money pumping in that direction, Los Banos has changed drastically in population, has nothing personal against MCAG but believes the plan has weaknesses and one being the representation of structure.

Motion by Stonegrove, seconded by Silveira to adopt Resolution No. 5747 – Approving the Transportation Expenditure Plan for Merced County for Placement as a Ballot Measure in November 2016. AYES: Silveira, Stonegrove; NOES; Faria, Lewis, Villalta. Motion failed.

ADVISEMENT OF PUBLIC NOTICES (Four Reports). Senior Planner Elms reported that the Planning Commission will hold a public hearing on Wednesday, May 25, 2016 at City Hall to consider a recommendation to the City Council for a proposed General Plan Amendment that would update the Housing Element of the Los Banos General Plan pursuant to State law; to consider a Conditional Use Permit to allow St. John's Lutheran Church to operate a parochial school for children ages 3-5 years old, the subject property is located at 250 West Adams Street, more specifically described as Assessor's Parcel Number: 027-161-047; to consider a Conditional Use Permit to allow the operation of a paint spray booth for automotive repair and restoration to be operated by Arnold and Tanya Jorge (d.b.a. AJ's Customs), the subject property is located at 557 F Street, more specifically described as Assessor's Parcel Number: 025-072-004; to consider Site Plan Review #2016-03 for a new dental office for Doctors Ronald and Jeffrey Carter, the project site is located within the Highway Commercial zoning district on the northwest corner of South Sixth Street and Washington Avenue at 1317 South Sixth Street, more specifically described at Assessor's Parcel Number: 026-063-014.

CITY MANAGER REPORT. Nothing to report.

CITY COUNCIL MEMBER REPORTS.

TOM FARIA: Spoke about how the school year will soon end, all kinds of events coming up, award ceremonies, graduation; thanked everyone for coming tonight, this is where it all happens; have a wonderful time, Father's Day is next, take care.

DEBORAH LEWIS: Attended Relay for Life this weekend and presented a proclamation, how she saw faces at the event two years ago that she didn't see this time, a lot of people have contributed to the event as well as herself, this is a disease that we are still trying to eradicate; Habitat for Humanity celebrated National Women Build Week and had their groundbreaking event on May 6th and 7th, this is a wonderful

event, Habitat will be building several houses this year from the ground up; attended the Merced County Peace Officers Memorial Ceremony today, her heart goes out to Police Officers throughout not only Merced County but the State of California and the United States who put their lives on the line for us every day; would like to see a letter sent out in the City's water bill in English and Spanish regarding the newly passed Ordinance for garage sale registrations, we owe it to our community to inform them on what has been done to regulate garage sales, please add this request to the next agenda to see if there is interest in doing this.

SCOTT SILVEIRA: Nothing to report.

ELIZABETH STONEGROVE: Nothing to report.

MAYOR MICHAEL VILLALTA: Thanked Council Member Lewis for representing him at the Relay for Life event, the Soroptimist event, and the Peace Officer event; please support our Police Officers, every day they put their lives on the line and are the most well trained individuals, the Fire Department has medical training; if you're going to fly someplace get to the airport early as TSA is having some problems with screening.

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

CONFERENCE WITH LABOR NEGOTIATORS, PURSUANT TO GOVERNMENT CODE SECTION 54957.6, AGENCY DESIGNATED REPRESENTATIVES: INTERIM CITY MANAGER BRIZZEE, CITY ATTORNEY VAUGHN, CITY CLERK/HUMAN RESOURCES DIRECTOR MALLONEE, CONSULTANT GARY PETERSON WITH RALPH ANDERSEN & ASSOCIATES; UNREPRESENTED EMPLOYEE: CITY MANAGER. No action taken.

CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS, PURSUANT TO GOVERNMENT CODE SECTION 54957.6, AGENCY DESIGNATED REPRESENTATIVES: INTERIM CITY MANAGER BRIZZEE, CITY ATTORNEY VAUGHN, CITY CLERK/HUMAN RESOURCES DIRECTOR MALLONEE, FINANCE DIRECTOR WILLIAMS, LEGAL COUNSEL TUFFO; EMPLOYEE ORGANIZATIONS: LOS BANOS POLICE DISPATCHERS/COMMUNITY SERVICES OFFICERS ASSOCIATION (LBPDCSOA) AND UNREPRESENTED MISCELLANEOUS EMPLOYEES. Direction was provided to staff on how to proceed.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION, PURSUANT TO GOVERNMENT CODE SECTION 54957, TITLE: INTERIM CITY MANAGER. No action taken.

ADJOURNMENT. The meeting was adjourned at 10:21 PM to Tuesday, May 31, 2016 at 5:00 PM Attend a 2016/2017 Fiscal Year Budget Workshop Being Held in the Council Chambers, 520 J Street, Los Banos, California.

APPROVED:

Michael Villalta, Mayor

ATTEST:

Jana R. Sousa, Assistant City Clerk



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor Villalta & City Council Members

FROM:  Gary Brizzee, Interim City Manager

DATE: June 1, 2016

SUBJECT: Waiver of Business License Fee

TYPE OF REPORT: Consent Agenda

Recommendation:

Staff recommends that City Council waive the business license fee of \$130.00 for GRID Alternatives.

Background:

Section 3-1.206 of the Los Banos Municipal codes states, "The community development director or designee shall have the authority to waive license fees for service clubs and religious, educational, or charitable organizations operating as temporary vendors."

GRID Alternative is a non-profit solar contractor and job training organization. They will be providing low-income residents with access to electricity cost savings from solar energy while giving hands on training for those looking for employment in the energy industry. GRID Alternatives is hoping to provide at least 20 low-income families with free solar to their homes.

Attachments:

Business License Application
GRID Alternative Request Letter
Non-Profit Status 501(c)(3)



LICENSE NO.
Lic# -

**OUT OF TOWN
BUSINESS LICENSE APPLICATION**

520 J Street Los Banos, CA 93635 – Main Telephone (209) 827-7000 Ext. 138

BUSINESS: (Type or Print Legibly) Forms must be filled out completely. Anticipated Start Date: _____

Business Name: GRID Alternatives

(If a fictitious name is used, attach a copy of the Fictitious Name Statement)

Business Location: 246 Abott St., Suite A City/State/Zip: Salinas/CA/93901
(Physical address is required. No PO Boxes)

Mailing Address: (only if different from above): _____

City/State/Zip: _____

<http://www.gridalternatives.org/regions/centralcoast/about/contact>

Web: _____ E-mail: jhitchcock@gridalternatives.org

Facsimile: (____) _____ Business Telephone: (805) 351-3344 Cellular: (310) 658-8103

(Check one) Sole Proprietor Partnership Limited Liability Corporation Trust

BUSINESS OWNER INFORMATION:

Name of Owner/CEO & Title: Time Sears/President

Address: 1171 Ocean Avenue Suite 200

City/State/Zip: Oakland/CA/94608

Facsimile: (____) _____ Telephone: (415) 515-8091 Cellular (____): _____

SSN: _____

JOB SITE: (REASON THAT YOU ARE CONDUCTING BUSINESS WITHIN THE CITY LIMITS OF LOS BANOS – LIST ALL THAT APPLY):

GRID Alternatives is a non-profit Solar Contractor that provides affordable solar systems to qualifying low income families

IDENTIFICATION: (Include all that apply) Check the box to the right if you do NOT possess a professional license

Federal Employment I.D.: 26-0043353 State Employment I.D.: _____

Resale (do you sell things?): _____ Other: _____

Contractor's Class: C10/C46 License No: 867533 Date of Expiration: 11/30/2017

DRE License No. _____ Health Dept. No# _____

BEAR No. _____ Date of Expiration: _____

ABC License: _____ Type: _____ Bureau of Automotive Repair # _____

Doctor # _____ Dentist # _____ Other: _____

I am an owner/operator (no outside assistance/agents/employees); or

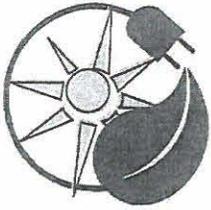
I have outside assistance/agents/employees and understand that valid Worker's Compensation is required prior to conducting business/work.

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT ALL INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Patrick Horne/Program Fellow
Print Name/Title

Patrick Horne
Signature

05/05/2016
Date



GRID Alternatives

2900 El Camino Real, Atascadero, CA 93422 • 805-351-3344 • www.gridalternatives.org

Dear Mayor Villalta and Los Banos City Council Members,

By way of introduction, my name is Justin Hitchcock and I am the Regional Director for GRID Alternatives Central Coast Regional Office. We are a non-profit solar contractor and job training organization. We provide low-income residents with access to electricity cost savings from solar energy while giving hands-on training for those interested in finding employment in the booming solar industry. I have attached our organizational summary for your review.

We are hoping to provide at least 20 low-income families of Los Banos with free solar for their homes this year, and even more next year. We would like to request that our business license fee be waived due to our non-profit status and our commitment to serve your city. Currently, all cities we work in have waived this fee, or have charged just \$1.00. We would greatly appreciate it if you could accommodate this request.

In addition, we would be thrilled to come speak to your residents at a city council meeting and participate in a city supported outreach campaign. Please feel free to contact me with any questions or concerns.

Kind Regards,

Justin Hitchcock

Regional Director

GRID Alternatives

805-769-9121

jhitchcock@gridalternatives.org

OGDEN UT 84201-0038

In reply refer to: 0441958642
Mar. 16, 2011 LTR 4168C E0
26-0043353 000000 00
00034020
BODC: TE

GRID ALTERNATIVES
1171 OCEAN AVE SUITE 200
OAKLAND CA 94608



032566

Employer Identification Number: 26-0043353
Person to Contact: L Reed
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Mar. 07, 2011, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in June 2002.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section 509(a)(2).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council Members
FROM: Mark Fachin, P.E., Public Works Director/City Engineer *Mark Fachin*
DATE: June 1, 2016
SUBJECT: Fiscal Year Ending 2016 Engineering Budget Amendment
TYPE OF REPORT: Consent Agenda

Recommendation:

That the City Council adopts the Resolution approving the Budget Amendment for Engineering revenue and expenditures for Fiscal Year 2015-2016.

Background:

The City of Los Banos approved appropriations for the 2015-2016 Fiscal Year Budget for Engineering revenue and expenditures in June 2015.

Discussion:

Additional development activities are creating an unplanned increase of plan check reviews and inspections not accounted for in the Fiscal Year 2015-2016 adopted budget. These additional expenses are reimbursable by the customer resulting in an increase in Engineering revenues, as well.

Fiscal Impact:

This amendment will increase Engineering expenditures within the general fund in the Professional Services account number 100-426-100-231 in the amount of \$5,000.00. This amendment will also increase revenues for Subdivision Engineering Review Inspections account number 100-000-341-031 in the amount of \$15,000.00.

Reviewed by:

Gary Brizzee

Gary Brizzee, Interim City Manager

Sonya Williams

Sonya Williams, Finance Director

Attachments:

Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF LOS BANOS AMENDING THE
FISCAL YEAR 2015-2016 BUDGET BY
INCREASING APPROPRIATIONS IN THE
GENERAL FUND FOR ENGINEERING
REVENUE AND EXPENDITURES**

WHEREAS, the City Council of the City of Los Banos has been presented a proposal to increase the appropriations in 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 Fiscal Year by action to amend the budget; and

WHEREAS, the proposed Engineering budget increases include expenditures of \$5,000.00 for account 100-426-100-231 and revenues of \$15,000.00 for account number 100-000-341-031; and

WHEREAS, the proposed budget amendment increase of Engineering revenue and expenditures for the General Fund has been reviewed,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos hereby approves an increase to the appropriation amount for revenues and expenditures within the General Fund and amends the 2015-2016 Fiscal Year Budget to include an increase of \$5,000.00 in expenditures for account 100-426-100-231, and \$15,000.00 in revenues for account 100-000-341-031.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 1st day of June 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 & City Council Members

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

DATE: June 1, 2016

SUBJECT: November 8, 2016 Municipal Election

TYPE OF REPORT: Consent Agenda

Recommendation:

That the Council consider adoption of a resolution calling and giving notice of the 2016 Municipal Election; and a resolution requesting that the Merced County Board of Supervisors consolidate the local election with the statewide election.

Discussion:

The City of Los Banos conducts elections for City offices on even-numbered years. The statewide general election will be held on Tuesday, November 8, 2016. It has been the practice that the City's election be consolidated, through the services of the Merced County Election Office, with the statewide general election.

Fiscal Impact:

Funding in the amount of \$20,000 is in the 2016-2017 Fiscal Year Budget to pay for County Election services and other related election expenses.

Reviewed by:

Gary Brizzee, Interim City Manager

Attachment:

Resolutions

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS CALLING AND GIVING
NOTICE OF THE HOLDING OF A GENERAL
MUNICIPAL ELECTION TO BE HELD ON
TUESDAY, NOVEMBER 8, 2016, FOR THE
ELECTION OF CERTAIN OFFICERS AS
REQUIRED BY THE PROVISIONS OF THE LAWS
OF THE STATE OF CALIFORNIA**

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on Tuesday, November 8, 2016, for the election of Municipal Officers; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Los Banos does hereby resolve, declare, determine and order as follows:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Los Banos, California, on Tuesday, November 8, 2016, a General Municipal Election for the purpose of electing a City Mayor "at-large" for a full term of two (2) years, a Council Member for District 1 for a full term of four (4) years, and a Council Member for District 4 for a full term of four (4) years.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. on the day of the election and shall remain open continuously from that time until eight o'clock p.m. the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 1st day of June 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

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS BANOS REQUESTING THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF MERCED CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, WITH THE CALIFORNIA STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTION CODE

WHEREAS, the City Council of the City of Los Banos called a General Municipal Election to be held on Tuesday, November 8, 2016, for the purpose of the election of two (2) Members of the City Council "by-district" and a City Mayor "at-large"; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the County Elections Department of the County of Merced canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election; and

WHEREAS, the County of Merced shall comply with all provisions of the Voting Rights Act; and

WHEREAS, Candidate Statements, if submitted, are to be paid for by the Candidate.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Los Banos does hereby resolve, declare, determine and order as follows:

SECTION 1. That pursuant to the requirements of Section 10403 of the Election Code, the Board of Supervisors of the County of Merced is hereby requested to consent and agree to the consolidation of a General Municipal Election with the California Statewide Election on Tuesday, November 8, 2016, for the purpose of the a City Mayor "at-large" for a full term of two (2) years, a Council Member for District 1 for a full term of four (4) years, and a Council Member for District 4 for a full term of four (4) years.

SECTION 2. That pursuant to Los Banos Municipal Code (LBMC) 2-1.1-2 (6) (b) Councilmembers shall be elected in Council District 1 and Council District 4 beginning at the general municipal election in 2016 and every four years thereafter. A map

showing these districts is attached hereto as **Exhibit A** and described in further detail in Ordinance No. 1123 hereto attached as **Exhibit B** and incorporated by this reference.

SECTION 3. That the County Election Department is authorized to canvass the returns of the General Municipal Election. The selection shall be held in all respects as if there were only one election, and only on form of ballot shall be used.

SECTION 4. That the Board of Supervisors is requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 5. That the City of Los Banos recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for such costs.

SECTION 6. That the City Clerk of the City of Los Banos is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Election Department of the County of Merced.

SECTION 7. That the City Clerk of the City of Los Banos shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 1st day of June 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

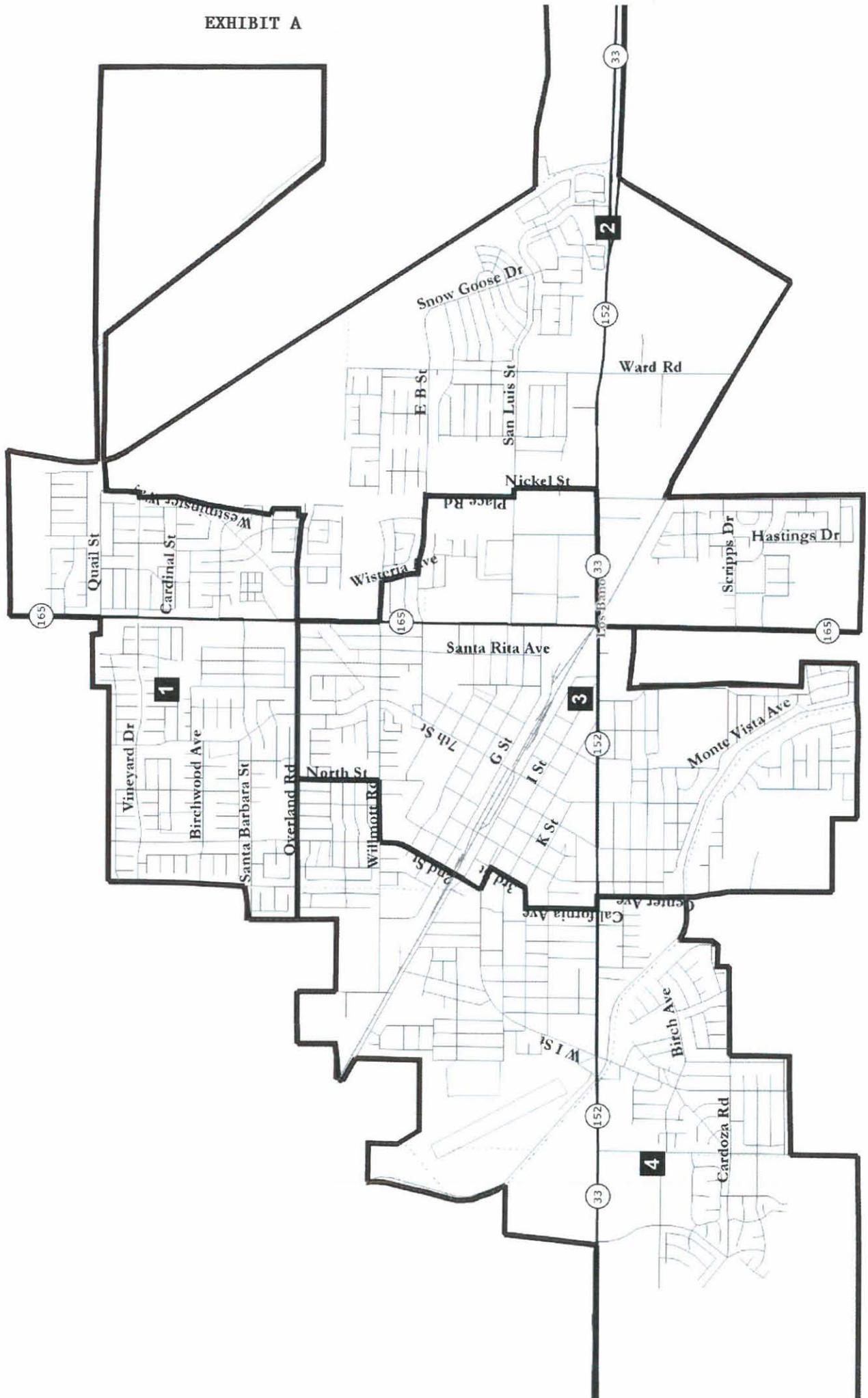


EXHIBIT B

ORDINANCE NO. 1123

AN ORDINANCE OF THE VOTERS OF THE CITY OF LOS BANOS TO ADD MUNICIPAL CODE TITLE 2, CHAPTER 1, ARTICLE 2, TO ESTABLISH ELECTORAL DISTRICTS FOR ELECTION OF MEMBERS OF THE LOS BANOS CITY COUNCIL BY DISTRICTS AND ELECTION OF THE MAYOR OF LOS BANOS AT-LARGE, SUBJECT TO APPROVAL BY A VOTE OF THE PEOPLE

THE PEOPLE OF THE CITY OF LOS BANOS DO ORDAIN AS FOLLOWS:
SECTION 1. PURPOSE.

WHEREAS, the City of Los Banos supports the full participation of all residents in electing members of the City Council; and

WHEREAS, members of the public have petitioned the City Council to adopt "by-district" voting for the City Council, contending that such a system would better promote the full participation of all residents in electing members of the City Council; and

WHEREAS, under the provisions of California Government Code sections 34870-34884 and 34900-34906, a proposal to adopt district-based voting in a general law city must be submitted to the voters of the City; and

WHEREAS, pursuant to the laws relating to general law cities in the State of California, a general municipal election shall be held on November 4, 2014, for the purpose of electing members of the Los Banos City Council; and

WHEREAS, the Council supports the adoption of by-district elections and supports the submission of a proposal to adopt district-based voting to the voters of Los Banos; and

The purpose of this Ordinance is to enact, pursuant to California Government Code sections 34870-34906, an ordinance providing for the election of the members of the City Council of the City of Los Banos by districts in four districts with a separately-elected mayor, elected on a Citywide basis.

SECTION 2. AMENDMENT TO CODE.

Title 2, Chapter 1, of the Los Banos Municipal Code is amended to add Article 1 thereto, to read as follows:

Article 2. Method of election of Mayor and City Council.

Sec. 2-2.101 Method of election.

(a) Pursuant to California Government Code sections 34871(c) and 34881, members of the legislative body of Los Banos shall be elected by districts in four (4) districts with a separately-elected mayor elected Citywide pursuant to Article 5 (commencing with Section 34900) of the Government Code.

(b) Mayor. The Mayor shall be elected by the voters of the entire City at each general municipal election, and shall serve a two-year term until his or her successor is elected and qualified. The Mayor shall be a resident of the City of Los Banos. The Mayor in office at the time this Article takes effect shall continue in office until the expiration of the full term to which he or she was elected and until his or her successor is elected and qualified.

(c) Councilmembers.

(1) Beginning with the general municipal election in November 2016, members of the City Council shall be elected in the electoral districts established by Section 2-2.102 and subsequently reapportioned as provided by state law. Elections shall take place on a "by-district" basis as that term is defined in California Government Code section 34871, meaning one member of the Council shall be elected from each district, by the voters of that district alone. Each member of the Council shall serve a four-year term until his or her successor is elected and qualified.

(2) Except as provided in subdivision (3) hereof, the Councilmember elected to represent a district must reside in that district and be a registered voter in that district, and any candidate for the Council must live in, and be a registered voter in, the district in which he or she seeks election. Termination of residency in a district by a Councilmember shall create an immediate vacancy for that Council district unless a substitute residence within the district is established within thirty (30) days of the termination of residency.

(3) Transition. Notwithstanding any other provision of this Article, the members of the Council in office at the time this ordinance takes effect shall continue in office until the expiration of the full term to which he or she was elected and until his or her successor is elected and qualified. Each Councilmember's successor shall be elected on a "by-district" basis in the districts established in Section 2-2.102.

Sec. 2-2.102 Establishment of council districts.

(a) Beginning with the general municipal election in November 2016, members of the City Council shall be elected on a "by-district" basis from the Council districts described as follows:

(1) **Council District 1** shall comprise all that portion of the City beginning at the intersection of Overland Rd and the City's western border on the eastern border of parcel APN 081100033000; thence proceeding easterly along Overland Rd to San Miguel St; thence proceeding northerly along San Miguel St to La Purisma St; thence proceeding easterly along La Purisma St to San Luis Obispo St; thence proceeding northerly along San Luis Obispo St to San Diego St; thence proceeding westerly along San Diego St to the parcel border between 1512 and 1516 San Diego St; thence proceeding northerly along that parcel border and continuing northerly along the parcel borders between parcels APN 424115004000 and 424115005000 and continuing northerly along the parcel borders between parcels APN 424114009000 and 424114010000; and continuing northerly along the parcel borders between parcels APN 424114016000 and 424114015000 on the west and 424114014000 on the east; and continuing northerly along the parcel borders between parcels APN 424116011000 and 424116012000; thence proceeding westerly along the northern border of parcels APN 424116010000 and 424116011000; thence proceeding northerly along the parcel borders between parcels APN 424116006000 and 424116005000 to Regency Dr; thence proceeding westerly along Regency Dr to Rockport Dr; thence proceeding northerly along Rockport Dr to Westminster Way; thence proceeding northerly along Westminster Way and its extension along the western border of parcel APN 424010002000; thence proceeding easterly along the northern border of parcel APN 424010002000 to the intersection of the City border and the San Luis Canal; thence proceeding counter-clockwise along the City border to the point of beginning.

(2) **Council District 2** shall comprise all that portion of the City beginning at the intersection of Highway 165 (a.k.a. Mercey Springs Rd) and the City's southern border just south of Pioneer Rd; thence

proceeding northerly along Mercey Springs Rd to E Pacheco Blvd; thence proceeding easterly along E Pacheco Blvd to Nickel St; thence proceeding northerly along Nickel St to San Luis St; thence proceeding westerly along San Luis St to Place Rd; thence proceeding northerly along Place Rd to E B St; thence proceeding westerly along E B St to Wisteria Ave; thence proceeding northwesterly along Wisteria Ave to Willmott Rd; thence proceeding westerly along Willmott Rd to Mercey Springs Rd; thence proceeding northerly along Mercey Springs Rd to Overland Ave; thence proceeding easterly along Overland Rd to San Miguel St; thence proceeding northerly along San Miguel St to La Purisma St; thence proceeding easterly along La Purisma St to San Luis Obispo St; thence proceeding northerly along San Luis Obispo St to San Diego St; thence proceeding westerly along San Diego St to the parcel border between 1512 and 1516 San Diego St; thence proceeding northerly along that parcel border and continuing northerly along the parcel borders between parcels APN 424115004000 and 424115005000 and continuing northerly along the parcel borders between parcels APN 424114009000 and 424114010000; and continuing northerly along the parcel borders between parcels APN 424114016000 and 424114015000 on the west and 424114014000 on the east; and continuing northerly along the parcel borders between parcels APN 424116011000 and 424116012000; thence proceeding westerly along the northern border of parcels APN 424116010000 and 424116011000; thence proceeding northerly along the parcel borders between parcels APN 424116006000 and 424116005000 to Regency Dr; thence proceeding westerly along Regency Dr to Rockport Dr; thence proceeding northerly along Rockport Dr to Westminster Way; thence proceeding northerly along Westminster Way and its extension along the western border of parcel APN 424010002000 to the northern border of parcel APN 424010002000; thence proceeding easterly along the northern border of parcel APN 424010002000 to the intersection of parcel APN 424010002000, the City border, and the San Luis Canal; thence proceeding clockwise along the City border to the point of beginning.

(3) **Council District 3** shall comprise all that portion of the City beginning at the intersection of Highway 165 (a.k.a. Mercey Springs Rd) and the City's southern border just south of Pioneer Rd; thence proceeding northerly along Mercey Springs Rd to E. Pacheco Blvd; thence proceeding easterly along E Pacheco Blvd to Nickel St; thence proceeding northerly along Nickel St to San Luis St; thence proceeding westerly along San Luis St to Place Rd; thence proceeding northerly along Place Rd to E B St; thence proceeding westerly along E B St to Wisteria Ave; thence proceeding northwesterly along Wisteria Ave to Willmott Rd; thence proceeding westerly along Willmott Rd to Mercey Springs Rd; thence proceeding northerly along Mercey Springs Rd to Overland Ave; thence proceeding westerly along Overland Rd to North St; thence proceeding southerly along North St to Willmott Rd; thence proceeding westerly along Willmott Rd to 2nd St; thence proceeding southerly along 2nd St to I St; thence proceeding southeasterly along I St to 3rd St; thence proceeding southwesterly along 3rd St to K St; thence proceeding westerly along K St to California Ave; thence proceeding southerly along California Ave to Pacheco Blvd; thence proceeding easterly along Pacheco Blvd to Center Ave; thence proceeding southerly along Center Ave to the intersection of the city border, Center Ave, and Main Canal; thence proceeding counter-clockwise along the city border to the point of beginning.

(4) **Council District 4** shall comprise all that portion of the City beginning at the intersection of Overland Rd and the City's western border on the eastern border of parcel APN 081100033000; thence proceeding easterly along Overland Rd to North St; thence proceeding southerly along North St to Willmott Rd; thence proceeding westerly along Willmott Rd to 2nd St; thence proceeding southerly along 2nd St to I St; thence

proceeding southeasterly along I St to 3rd St; thence proceeding southwesterly along 3rd St to K St; thence proceeding westerly along K St to California Ave; thence proceeding southerly along California Ave to Pacheco Blvd; thence proceeding easterly along Pacheco Blvd to Center Ave; thence proceeding southerly along Center Ave to the intersection of the city border, Center Ave, and Main Canal; thence proceeding clockwise along the city border to the point of beginning.

(5) A map showing these districts is attached hereto as Exhibit 1 and incorporated by this reference. To the extent there is a conflict between the descriptions contained in subdivisions (1)-(4) and the map incorporated herein, subdivisions (1)-(4) shall prevail.

(6) If necessary to facilitate the implementation of this Article, the City Clerk is authorized to make technical adjustments to the district boundaries that do not substantively affect the populations in the districts, the eligibility of candidates, or the residence of elected officials within any district. The Clerk shall advise the Council of any such adjustments that are found to be required in the implementation of the districts.

(b) Councilmembers shall be elected in Council District 1 and Council District 4 beginning at the general municipal election in 2016 and every four years thereafter. Members shall be elected from Council District 2 and Council District 3 beginning at the general municipal election in 2018 and every four years thereafter.

(c) The council districts specified in subdivision (a) hereof shall continue in effect until they are repealed or amended by the voters or until they are adjusted pursuant to California Elections Code sections 21600-21606, any successor statute thereto, or any other provision of state law authorizing the City Council to amend the districts without a vote of the people.

SECTION 3. EFFECTIVE DATE.

Pursuant to California Elections Code section 9217, this Ordinance shall be in full force and effect ten (10) days after the certification by the City Council of the election returns indicating passage of the Ordinance by a majority of the voters casting votes in the election.

SECTION 4. INCONSISTENCIES.

To the extent that the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance, motion, resolution, rule or regulation governing the same subject, the terms of this Ordinance shall prevail with respect to the subject matter thereof.

SECTION 5. INTERPRETATION.

In interpreting this Ordinance or resolving any ambiguity, this Ordinance shall be interpreted in a manner that effectively accomplishes its stated purposes.

SECTION 6. SEVERABILITY.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The People of the City of Los Banos hereby declare that they would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that anyone or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

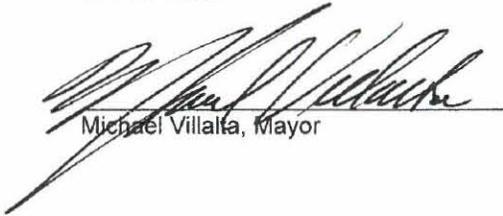
SECTION 7. PUBLICATION.

The City Clerk is directed to cause a copy of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its approval by the voters.

APPROVED: The foregoing Ordinance was approved by a majority of votes cast of the voters of the City of Los Banos at a General Election held on the 4th day of November 2014, by the following vote tally: Yes: 2,929; No: 1,615.

CERTIFIED: The election results for the foregoing Ordinance was certified by the Registrar of Voters on November 20, 2014 and accepted by the City Council of the City of Los Banos on the 3rd day of December 2014.

APPROVED:



Michael Villalba, Mayor

ATTEST:

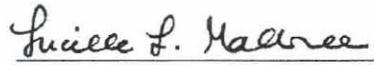
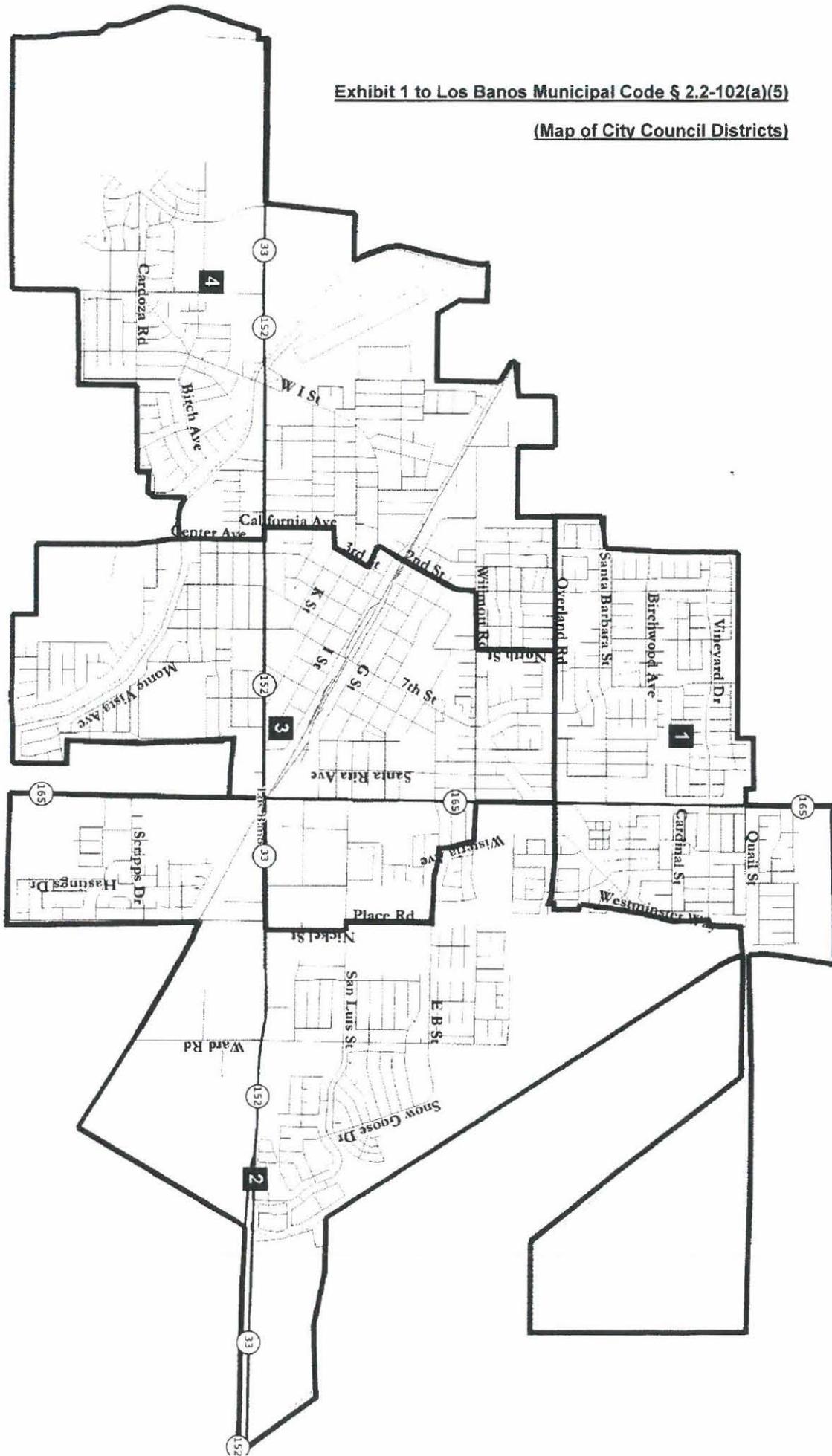

Lucille L. Mallonee, City Clerk

Exhibit 1 to Los Banos Municipal Code § 2.2-102(a)(5)

(Map of City Council Districts)





City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor Villalta and City Council Members
FROM: Stacy Souza Elms, Senior Planner *SE*
DATE: June 1, 2016
SUBJECT: Hill Property Final Development Plan #2016-02
TYPE OF REPORT: Public Hearing

Recommendation:

1. Open the Public Hearing and receive applicant and public comment;
2. Consider comments presented at the hearing, the information in the Staff Report, the recommendation of the Planning Commission and discuss the proposal; and
3. Adopt a resolution approving Final Development Plan #2016-02 for the Hill Property

Background:

In 2006 the Los Banos City Council approved the East Center Area Plan for the eventual annexation of approximately 92.25 acres into the City of Los Banos. The East Center Area Plan consisted of site pre-zoning, circulation, infrastructure, and recreational amenities.

On February 23, 2016 the applicant, Stonefield Communities, Inc. filed a new project application for the property contained within the East Center Area Plan consisting of Vesting Tentative Tract Map #2016-02 (VTTM #2016-02) to subdivide approximately 24.4 acres into 138 single-family detached residential lots ranging in size from 4,035 square feet to 10,300 square feet.

The applicant is seeking approval of Final Development Plan #2016-02 for the Hill Property Project Site of approximately 24.4 acres setting forth proposed layout, circulation, architecture, street sections, landscape concept, and site features. The Hill project area covers approximately 26 percent of the total East Center Area Plan.

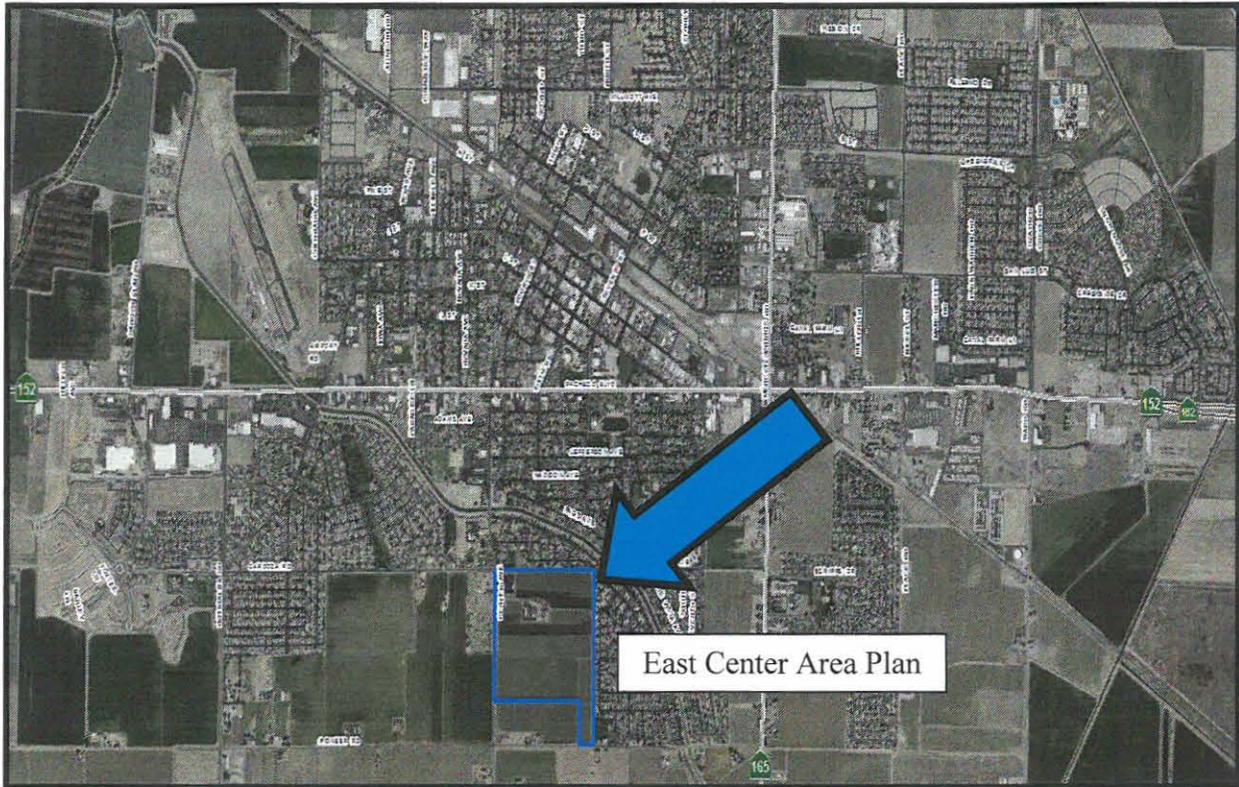
The Los Banos Planning Commission held a public hearing on May 11, 2016 for the purpose of considering the Hill Property Vesting Tentative Tract Map #2016-02 and Final Development Plan #2016-02. At the completion of the public hearing, the Planning Commission approved Vesting Tentative Tract Map #2016-02 and recommended approval of Final Development Plan #2016-02 to the Los Banos City Council. The Los Banos Planning Commission approved the Tentative Map conditioned upon City Council approval of Final Development Plan #2016-02.

Discussion:

LOCATION:

The proposed project site is located in the south central portion of the City and bounded east of Center Avenue, south and west of The Villas Subdivision, and north of the City limit line. The project site is outlined in yellow on the area map below.





LAND USE:

The project site is currently used for agricultural purposes.

Property	Land Use	Zone	General Plan
Project Site	Undeveloped/Agriculture	PD	Medium Density
North	Undeveloped/Agriculture	PD	Low Density
East	Residential	R-1	Low Density
South	Agriculture	A1	Low Density/ Neighborhood Commercial
West	Cemetery	A1	Civic/ Low Density

R-1 = Low Density Residential

PD = Planned Development

A1 = General Agriculture (Merced County)

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, this project was evaluated within the context of the East Center Avenue Area Plan Mitigated Negative Declaration (MND), State Clearinghouse Number: 2002081111. The Los Banos City Council adopted the MND on December 21, 2005. Staff has determined that the proposed project was adequately described, examined, and evaluated in the MND, and that no significant new information or changes in the environmental setting have occurred that would result in new or greater significant effects not studied in the MND. The City determined that the East

Center Avenue Area Plan could have a significant effect on the environment; however, all potentially significant effects were analyzed adequately in the MND, and mitigation measures presented in the MND, which are proposed as conditions of approval, will reduce potentially significant impacts to a less than significant level. No additional review is necessary under CEQA.

The MND contemplated a build-out of 694 residential units within the East Center Avenue Area Plan (The Villas and Hill Property). The proposed Hill Property project is one of two residential development projects within the East Center Area Plan. The proposed Villas project contains 231 units and the Hill Property project contains 138 units, which will bring cumulative residential development within the Area Plan to 369 units. Therefore, the proposed project is within the scope of the development anticipated in the East Center Area Plan. No further environmental documentation is required because the proposed project was contemplated and adequately analyzed in the MND.

FINAL DEVELOPMENT PLAN ANALYSIS:

Pursuant to Section 9.3-401 of the Los Banos Zoning Code, the purpose of the Planned Development District (P-D) is to provide an integrated neighborhood development which would otherwise not be possible under traditional "lot-by-lot" zoning. The Planned Development District encourages innovative and creative development by allowing flexibility in land use and design. The District allows the opportunity to provide amenities and conveniences while maintaining a suitable neighborhood environment and permits development based on a high standard of performance and design by creating greater efficiency in land use by providing for flexibility in strict application of the Zoning Code. This is achieved by maximizing open space, preserving natural amenities and creating additional amenities as approved by the City Council.

A Final Development Plan is required for the total project or an approved phase of the project in order for development to occur in the Planned Development district. The Planning Commission is tasked with making a recommendation to the City Council on the proposed Final Development Plan. The City Council by resolution may grant approval of the Final Development Plan subject to conditions, or may deny the request.

Project Design

The proposed project provides a range of lot sizes not otherwise available in a traditional residential zone. The Los Banos General Plan, the East Center Area Plan, and the Residential Design Guidelines were used as guiding principles for the design of the Hill Property Final Development Plan. The intent of the design was to present a range of home choices of attractive production homes positioned on smaller lots to larger lots.

Land Use

The project site is designated as Medium Density Residential according to the Los Banos General Plan with a Planned Development overlay according to the Zoning Map. The Hill Property project proposes detached single family residential homes on lot sizes

varying from 4,035 square feet to over 10,300 square feet. The resulting density will be 6 dwelling units per gross acre (du/ac).

Architecture

The proposed architecture for the project reflects traditional American architectural styles. The Final Development Plan provides a variety in elevation, color scheme, house designs, and setbacks to provide compatibility with the existing Cresthills neighborhood. The proposed elevation styles used within the proposed Final Development Plan will be compatible with, and complementary to, the existing context in terms of scale, height, and neighborhood feel. The proposed elevations utilize variations in building style, colors, and materials. Each architectural plan group consists of an elevation of stone or brick used on the base of the homes or pillars. Each architectural plan group also consists of the use of mock shutters throughout various plans. The proposed designs utilize the front door as a prominent feature of each home while setting garages back from the front façade with minimum 2-car garages.

The Final Development Plan proposes 4 different architectural plan groups each consisting of three distinct elevation styles adding up to a total of 12 different design styles.

Circulation

Center Avenue has been designed as a collector with proposed improvements that include 75 feet of public right-of-way. The right-of-way will consist of a 14 foot wide landscaped median, a Class 2 bike path, 5 foot park strip, 5 foot sidewalk, 5 foot landscape buffer, and masonry wall. This street section will be designed consistently with the proposed Villas Subdivision to the north.

Street G will serve as the main entrance into the subdivision. The typical neighborhood streets within the project site have been designed utilizing 52 foot wide public right-of-way. The street section, which includes curb, gutter, and asphalt, will consist of a 32 foot wide street with a 5.5 foot wide sidewalk.

Infrastructure/Services

Water: The City of Los Banos would provide domestic water services by extending an existing 12" line at Center Avenue and connecting to a 10" line in the proposed Villas Subdivision at Street K. Routine 8-inch distribution lines are proposed to be installed throughout the project site. All existing groundwater wells within the boundary of the map have been conditioned to be abandoned to Merced County Standards. The project is subject to the provisions of the Los Banos Water Master Plan and will conform to its requirements including, but not limited to, payment of water impact fees.

Sewer: The City of Los Banos would provide wastewater service to the project site by connecting to the proposed Villas Subdivision 12" line at Street K. Routine 6 to 10-inch lines are proposed to be installed throughout the project site. Project build-out has been contemplated in the Wastewater Master Plans and will conform to its requirements including, but not limited to, payment of the wastewater impact fees.

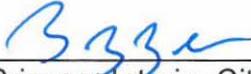
Drainage: The City of Los Banos would provide storm water drain services by designing piping according to City standards and specifications. The proposed drainage basin in The Villas Subdivision will be sized to accommodate flow from the project area in accordance with the Storm Drain Master Plan.

It should be noted that all City infrastructure has been sized to accommodate this use and will be built in accordance with the City's Utility Master Plans.

PUBLIC COMMENT:

A public hearing notice was published and notices were mailed out to property owners within a 300' radius of the project site on May 20, 2016. As of the date of this staff report, no written comments have been received.

Reviewed by:



Gary Brizzee, Interim City Manager

Attachments:

1. Resolution – Final Development Plan #2016-02
 - Exhibit A: CEQA Findings
 - Exhibit B: Findings for Approval
 - Exhibit C: Conditions of Approval
 - Exhibit D: Mitigation Monitoring Plan
2. Hill Property Final Development Plan
3. Public Hearing Notice – May 20, 2016

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS APPROVING THE HILL
PROPERTY FINAL DEVELOPMENT PLAN #2016-
02**

WHEREAS, the Los Banos General Plan was adopted in July 2009, and is the guiding document for land use in the City of Los Banos; and

WHEREAS, the project site is zoned Planned Development (PD), and Title 9, Chapter 3, Article 4 – Planned Development District of the Los Banos Municipal Code (LBMC) outlines the procedure for establishing development standards within PD Districts; and

WHEREAS, the East Center Area Plan was adopted by the City of Los Banos City Council January 18, 2006; and

WHEREAS, the applicant submitted a Final Development Plan in accordance with the Los Banos Zoning Code Sections 9-3.403 and 9-3.407 on February 23, 2016; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, the project was evaluated within the context of the East Center Avenue Area Plan Mitigated Negative Declaration (MND), adopted by the City of Los Banos on January 18, 2006. Staff has determined that the proposed project was adequately described, examined, and evaluated in the MND, and that no significant new information or changes in the environmental setting have occurred that would result in new or greater significant effects not studied in the MND; and

WHEREAS, the Los Banos Planning Commission held a public hearing on May 11, 2016 for the purpose of considering Vesting Tentative Tract Map #2016-02, Final Development Plan #2016-02, and environmental documentation, and at the completion of the public hearing, duly considered the evidence presented and conditionally approved Vesting Tentative Tract Map #2016-02 and recommended approval of Final Development Plan #2016-02 to the Los Banos City Council; and

WHEREAS, the Los Banos City Council of the City of Los Banos scheduled and duly noticed a public hearing in accordance with California Government Code Section 65091 by advertisement and notices by mail to property owners within a 300 foot radius of the project boundaries on May 20, 2016 to consider and take testimony regarding these matters on June 1, 2016.

WHEREAS, at the June 1, 2016 City Council meeting the Los Banos City Council heard and considered testimony, if any, of all persons desiring to be heard; viewed the Project Final Development Plan and staff report; studied the compatibility of the applicant's request with adjacent land uses; has considered the applicant's request in accordance with the Final Development Plan criteria established in Title 9, Chapter 3, Article 4 of the Los Banos Municipal Code.

BASED UPON THE EVIDENCE PRESENTED AT THE PUBLIC HEARING, the City Council of the City of Los Banos does hereby make the findings set forth in Exhibit A (CEQA Findings), and Exhibit B (Findings of 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 the Hill Property Final Development Plan #2016-02 located on Assessor's Parcel Numbers: 431-270-005.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 1st day of June 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 FOR FINAL DEVELOPMENT PLAN #2016-02 – HILL PROPERTY

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 Planning Commission hereby finds as follows:

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, the project was evaluated within the context of the East Center Avenue Area Plan Mitigated Negative Declaration (MND), State Clearinghouse Number: 2002081111, certified by the City on December 21, 2005;
2. The MND was adequately noticed, circulated for public review, considered at public hearings, and duly certified by the Los Banos City Council;
3. The Project will have significant impacts on air quality, and the City adopted a Statement of Overriding Considerations when adopting the Los Banos General Plan, with which this project is consistent with. Feasible mitigation measures identified in the MND will reduce the project impacts on air quality;
4. All potentially significant effects were analyzed adequately in the MND, and subject to the mitigation measures presented in the MND attached hereto in Exhibit D, and will reduce potentially significant impacts, to a less than significant level;
5. The proposed project was adequately described, examined, and evaluated in the MND;
7. The MND contemplated a build-out of 694 residential units within the East Center Avenue Area Plan (The Villas and Hill Property). The proposed project is the last project of residential development within the Area Plan and will bring cumulative residential development within the Area Plan to 369 units, and therefore, the proposed project is within the development density anticipated in the East Center Avenue MND;
8. No significant new information or changes in the environmental setting have occurred that would result in new or greater significant effects not studied in the MND;

10. No further environmental documentation is required because the proposed project was contemplated and adequately analyzed in the MND;
11. The project was adequately noticed on April 29, 2016, and considered at a public hearing on May 11, 2016;
13. The project will be subject to the applicable mitigation measures presented in the MND;
14. The City will monitor the implementation of mitigation measures in accordance with the East Center Avenue Area Plan Mitigation Monitoring Program (Exhibit D);
15. The MND and the CEQA findings for the East Center Avenue Area Plan MND are incorporated herein by reference; and
15. The City of Los Banos Community and Economic Development Department, located at 520 J Street in Los Banos, is the custodian of the documents that constitute the record of proceedings upon which the determination to adopt the MND was based.

EXHIBIT B

FINDINGS FOR APPROVAL OF FINAL DEVELOPMENT PLAN #2016-02 – HILL PROPERTY

The City of Los Banos Planning Commission hereby finds as follows:

1. The Los Banos General Plan was adopted by the City in July 2009 and the East Center Area Plan was prepared pursuant to the Los Banos General Plan and adopted by the City of Los Banos January 18, 2006.
2. The proposed project is consistent with the City of Los Banos General Plan "Low Density Residential" land use designation for the site, and with the East Center Area Plan "Planned Development" designation for the site.
3. The project, as conditioned, complies with the provisions of the City's Zoning Ordinance, and includes a Final Development Plan to implement the Planned Development designation pursuant to the requirements of the Los Banos Municipal Code section 9-3.403 and 9-3.407.
4. The conceptual architectural renderings and schematic building designs, landscape and lighting designs, and other designs presented in the Final Development Plan, as conditioned, substantially conform to the requirements of the City's Residential Design Guidelines.
5. The proposal will not be detrimental to the health, safety, comfort, or general welfare of the persons residing or working in the City of Los Banos, or injurious to property or improvements in the surrounding neighborhoods or within the City. The project will enhance the surrounding area and offer the surrounding community choices for housing and recreation.
10. The designs of the Final Development Plan, as conditioned, are consistent with the General Plan and East Center Area Plan goals, policies, and programs, and that the project density and development intensity are consistent with the General Plan and East Center Area Plan land use designations for the site.
11. The proposed open spaces are compatible with the adjacent uses, properties, and neighborhoods, and will not be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City, and the specific types, densities, and configuration of residential uses are compatible with the surrounding residential and educational uses and will not result in detrimental effects to neighboring properties or to City services.

EXHIBIT C

CONDITIONS OF APPROVAL FOR FINAL DEVELOPMENT PLAN #2016-02 – HILL PROPERTY

General:

1. All development shall be consistent with the Final Development Plan, reflecting any conditions of approval or amendments approved by the Los Banos City Council, which includes: the Vesting Tentative Tract Map, the land use type, pedestrian and vehicular access, architectural design, parks, open space, and recreation, public facilities, services, and infrastructure, and phasing plan.
2. Building Master Plans shall include landscape plans and be consistent with the Final Development Plan and approved by the Community and Economic Development Department and Building Department prior to issuance of a building permit.

Lighting:

3. All street lighting shall be LED. The streetlights shall meet the illumination standards in the City Street Light standards. After Public Works inspection and approval, all street light electrical boxes shall be slurried per Public Works direction.

Architecture and Physical Design:

4. This project shall be subject to P-D (Planned Development) Design Standards as presented in the Final Development Plan.
5. The monotony of straight building lines shall be alleviated by varying the size of individual buildings, staggering the front yard setbacks, varying exterior building materials and colors, articulating building facades, and utilizing extensive landscaping.
6. The variation in setbacks, unit placement, and materials and colors shall be implemented in a random fashion with no apparent pattern, to avoid monotony.
7. The minimum front yard setback for front-loading garages shall be 20' and side-loading garages shall be 15'. The minimum setback to living areas shall be 15' from the front yard property line. The minimum front yard setback to porches shall be 10'.
8. The minimum side-yard setback for interior lots shall be 5', standard corner lots shall be 10', and reverse corner-lots shall be 15' from the property line.

9. The minimum rear-yard setback shall be 10' for single story units, and 20' for multi-story units.
10. The rear yard setback may be reduced by 2' to provide for stagger.
11. The typical architecture and plot plans set forth in the Final Development Plan are conceptually approved with this application. Plans submitted for building permits shall be consistent with these elevations in terms of style, material, and character.
12. To protect privacy, building placement that offsets side-facing second-story bedroom windows at adjacent houses shall be required.
13. Residential dwelling units shall not exceed 30 feet in height.
14. The developer shall provide entry monumentation and/or landscaping to provide for a neighborhood identity, substantially similar to that shown in the Final Development Plan.
15. If parking for model homes is to be provided in a temporary parking lot, such lot shall be approved by the Community and Economic Development Director as a commercial lot conforming with Los Banos Municipal Code section 9-3.2009, and shall be removed within 60 days of the end of sales, if not intended to serve a permanent use.
16. The street stub at Court L shall have a minimum six foot tall fence consistent with the fence material used for rear properties along the southern boundary line of the project (per Planning Commission 05/11/16).

Physical Amenities:

17. The developer shall provide decorative lighting as shown in the Final Development Plan.
18. Enhanced pedestrian treatments shall be used at the intersections of Center Avenue/Street G, such as, but not limited to stamped concrete as approved by the Community and Economic Development Director.
19. The developer shall install a six-foot high decorative masonry wall along Center Avenue and Pioneer Road within the non-access strip at the rear of private properties.

Parks and Landscaping:

20. Landscape plans shall emphasize deciduous shade tree plantings to the south and west of buildings.

21. Landscaping and site design shall substantially conform to the conceptual plans of the Final Development Plan.
22. The developer shall comply with the current development standards for basins and drains, to include all landscaping and related irrigation systems. The applicant shall comply with the landscaping and irrigation requirements imposed by the Public Works Department.
23. A palette of locally native plants should be specified for landscaping within the park basin area adjacent to the San Luis Canal. The landscape plan shall be subject to review and approval by the Central California Irrigation District to ensure that the provisions of the landscape plan do not conflict with the District's on-going weed abatement program. The buffer shall be designed to include appropriate locally-obtained native grass, herb, and shrub species, such as arroyo willow (*Salix lasiolepis*), blue elderberry (*Sambucus mexicana*), mule fat (*Baccharis salicifolia*), and native grasses, and shall not include plantings of non-native, invasive plant species, such as yellow star thistle (*Centaurea solstitialis*), brooms (*Genista* spp.), pampas grass (*Cortaderia* spp.), and tamarisk (*Tamarix* spp.). The buffer area shall provide native vegetation adjacent to the San Luis Canal and the recreational pathway and provide a vegetative barrier to discourage human and domestic animals from disturbing the canal or its banks.
24. Landscape plans for each residential front yard shall utilize drought tolerant plantings. The developer shall be required to follow local and State mandates regarding water conservation and water efficiency. Once the City adopts a new water efficient landscape ordinance, the developer shall be required to follow the new ordinance requirements. Landscaping shall be installed prior to Certificate of Occupancy.

EXHIBIT D

The Villas Area Plan Mitigation Monitoring Program

Introduction

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

The law was passed in response to historic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures and subsequent conditions of project approval are implemented.

Monitoring Program

The basis for this monitoring program is the mitigation measures included in the project negative declaration. These mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less than significant levels. These mitigation measures become conditions of project approval, which the project proponent is required to complete during and after implementation of the proposed project.

The attached list is proposed for monitoring the implementation of the mitigation measures. This monitoring checklist contains all appropriate mitigation measures in the environmental impact report.

Monitoring Program Procedures

The City of Los Banos shall use the attached monitoring list for the proposed project. The monitoring program should be implemented as follows:

1. The Los Banos Community Development Department should be responsible for coordination of the monitoring program, including the monitoring list. The Community Development Department should be responsible for completing the monitoring list and distributing the list to the responsible individuals or agencies for their use in monitoring the mitigation measures.
2. Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring list have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring list to the Community Development Department to be placed in the project file. If the mitigation measure has not been complied with, the monitoring list should not be returned to the Community Development Department.
3. The Los Banos Community Development Department will review the list to ensure that appropriate mitigation measures included in the monitoring list have been complied with at the appropriate time, e.g. prior to issuance of a use permit, etc. Compliance with mitigation measures is required for project approvals.
4. If a responsible individual or agency determines that a non-compliance has occurred, a written notice should be delivered by certified mail to the project proponent within 10 days, with a copy to the Community Development Department, describing the non-compliance and requiring compliance within a specified period of time. If a non-compliance still exists at the expiration of the specified period of time, construction may be halted and fines may be imposed at the discretion of the City of Los Banos.

Villas Area Plan

Mitigation Measure Checklist

The following mitigation measure shall be implemented **prior to approval of final maps**:

4. *Prior to project approval, the project proponent shall pay the nexus of the cost of widening Mercey Springs Road and Pioneer Road intersection to create northbound and southbound left turn lanes and construction a dedicated southbound right turn lane. The payment shall be in the form of a City Traffic Fee or a pro rata payment, as determined by the City. The City and Caltrans shall monitor the completion and success of this measure.*

Party Responsible for Implementation: Applicant

Party Responsible for Monitoring: Los Banos Public Works Department

The following mitigation measures shall be implemented **prior to issuance of a demolition or grading permit** or commencement of demolition or grading activities:

2. *If human remains or artifacts are encountered during construction, the project proponent shall immediately halt construction, notify the City Planning Department. Construction shall not resume until a qualified archaeologist determines the significance of the resource and approves resuming construction activities.*

Party Responsible for Implementation: Applicant; Qualified Archeologist

Party Responsible for Monitoring: Los Banos Community Development Department

1. *Dust control requirements shall be included in all construction contract specifications. These construction contract specifications shall include the following SJVAPCD Regulation VIII, Rule 8020 fugitive dust mitigation requirements for the control of fine particulate matter (PM₁₀) from construction activities. The measures shall be implemented as necessary to adequately control dust subject to the review and approval of the City of Los Banos Planning Department.*
- *All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.*

- *All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.*
- *All land clearing, grubbing, scraping, excavation, land leveling, grading, and cut & fill activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.*
- *When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.*
- *All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. The use of blower devices is expressly forbidden.)*
- *Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.*

Party Responsible for Implementation: Applicant

Party Responsible for Monitoring: Los Banos Community Development Department

The following mitigation measure shall be implemented **annually until such time as the left turn restriction has been implemented:**

3. *The City and Caltrans shall monitor the Pacheco Boulevard/Center Avenue intersection and restrict left turns when the LOS drops below LOS D. The City and Caltrans shall monitor the completion and success of this measure.*

Party Responsible for Implementation: Los Banos Public Works Department;
Applicant

Party Responsible for Monitoring: Los Banos Public Works Department

This measure has already been completed as of the date of adoption of the monitoring program.

Hill Property

Final Development Plan



Los Banos, California
May 2016

Project Participants

Applicant:

Stonefield Home
923 East Pacheco Blvd., Suite C
Los Banos, CA 93635
(209) 826-6200

Engineering/Surveying/Planning/Landscape



O'Dell Engineering
1165 Scenic Drive, Suite B
Modesto, CA 95350
209.571.1765

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Introduction/Project Description

Purpose of This Document

The Hill Property Final Development Plan (FDP) will guide the development of 24.4 acres in the southeastern part of the City of Los Banos. This FDP presents 50' wide lots. The FDP also presents a range of home choices for attractive production homes. Included in this document are sample architecture products for 50' lots.

The 24.4 acre Final Development Plan proposes 138 residential lots. The resulting density will be approximately 5.7 dwelling units per gross acre (du/ac).

The typical number of bedrooms per single-family residence is three to four, with each unit to include an attached two or three-car garage. Residential product types, as shown in the attached architectural exhibits, will include a mix of single and two-story dwelling units.

Landscape Summary

The developer, his successors and assigns, shall be responsible for installation, maintenance and replacement of all landscaping materials shown or indicated on the approved site plan or landscape plan on file in the planning department. All landscaping will be installed as delineated on the plan, prior to issuance of certificates of occupancy. .

Landscapes within the project will be irrigated by methods that minimize water run-off and conserve water. Irrigation systems will be designed to, at a minimum, meet the State water efficient landscape ordinance and to follow City of Los Banos Municipal Code standards.

MASTER STREET TREE LIST

A master street tree list has been provided on page 13. All trees along public street frontages within the project will be one of the street trees listed in this table. Trees will be varied to improve the urban forest's resilience to insect infestations and climate anomalies. This list was in conjunction with the City of Los Banos Master Tree List. Trees listed in the Master Street Tree List are also appropriate for other landscape areas and though not listed in the project plant species table should be considered as part of the overall list of landscape species.

FREESTANDING LIGHTS

Freestanding lights will be installed as part of this project. Interior street lights will be City standard 25'-30' lights.

SURFACE MATERIALS

Surface materials to be used in this project will consist of two standard typologies. Standard sidewalks will be poured concrete adhering to the City of Los Banos standards, and streets will be standard asphalt pavement.

FENCES AND WALLS

Fences and walls installed as part of this project will adhere to a set typology. Wood fences will be 6' high "good neighbor" style fences. Walls will be a 6' masonry wall. Stucco finish in neutral tone with formed cap in a contrasting tones are options. Pilasters will be placed at locations to be shown on landscape plans and will include stacked natural stone facade.



Reference Map

Legend

Hill Property FDP Boundary



50' Lots

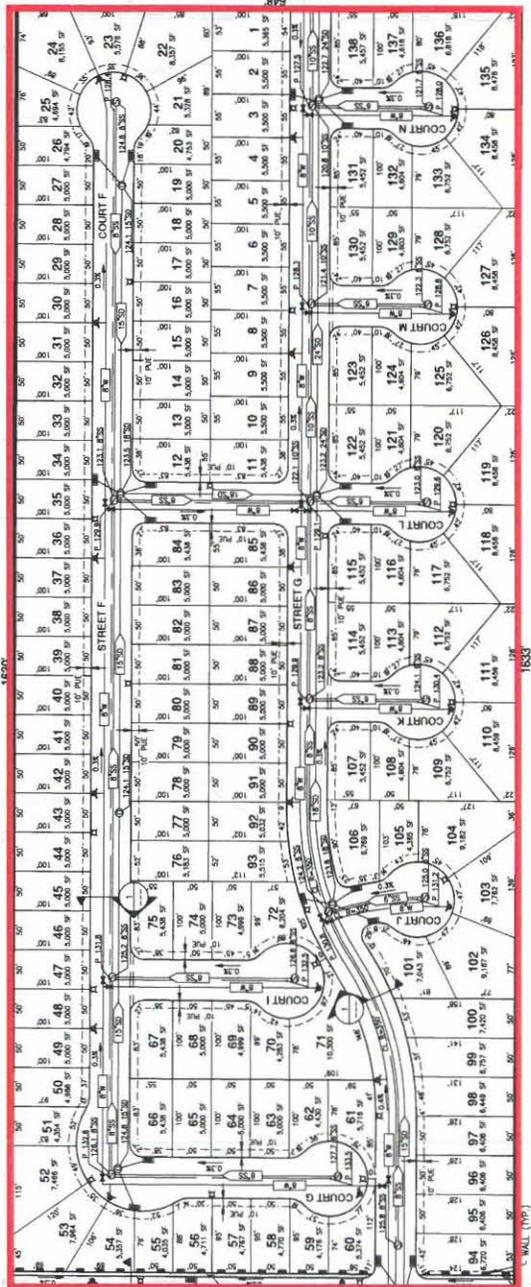




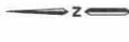
Reference Map

Legend

Hill Property FDP Boundary



EX. BRK
DITCH



SCALE 1" = 80'

CENTER AVENUE



Reference Map

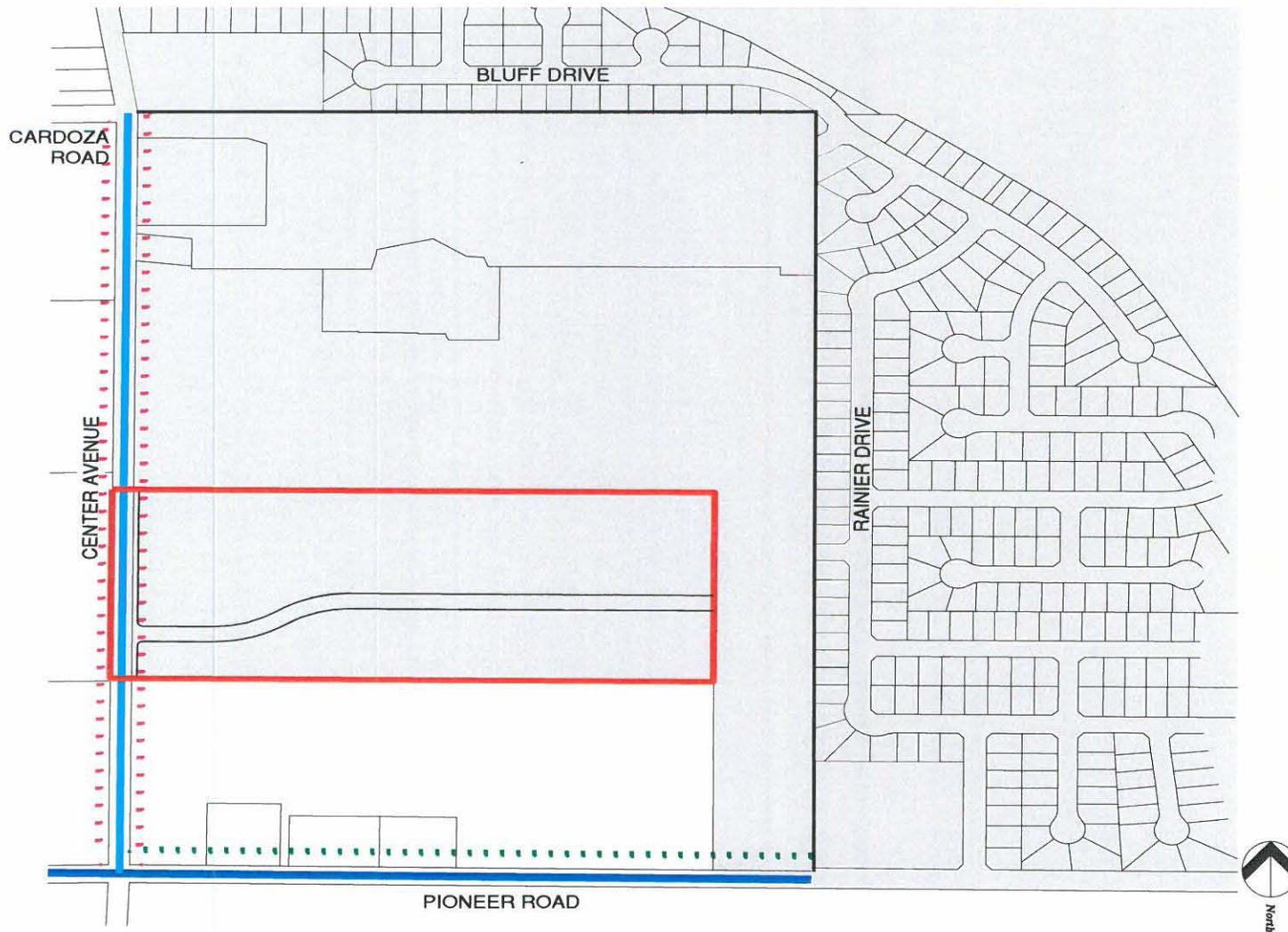
Legend

Hill Property FDP Boundary



FDP Area





Reference Map

Legend

-  Within Current City Limits
-  FDP Plan Boundary
-  Arterial
-  Collector
-  Proposed Class 1 Bike Path
-  Proposed Class 2 Bike Path



Front Elevation



Right Elevation



PLAN 1-A



PLAN 1-B



Plan 1634 (50' Lots)
Floor Plan 1A-1C



PLAN 1-C

TYPICAL MATERIALS: Walls: Stucco Siding • Roof: Concrete barrel tile or Concrete tile • Windows: Vinyl • Doors: Wood • Garage Doors: Metal Roll Up



Front Elevation



Right Elevation



Rear Elevation



Plan 1969 (50' Lots)
Main Floor Plan 2A-2C



Option 4 Bedroom
with Den



Option 4 Bedroom
with 3 Bath



PLAN 2-A



PLAN 2-B



PLAN 2-C

TYPICAL MATERIALS: Walls: Stucco Siding • Roof: Concrete barrel tile or Concrete tile • Windows: Vinyl • Doors: Wood • Garage Doors: Metal Roll Up



Plan 2292 (50' Lots) Main Floor
Plan 2A-2C



Second Floor 3A-C



Front Elevation



Right Elevation



Rear Elevation



PLAN 3-A



PLAN 3-B



PLAN 3-C

TYPICAL MATERIALS: Walls: Stucco Siding • Roof: Concrete barrel tile or Concrete tile • Windows: Vinyl • Doors: Wood • Garage Doors: Metal Roll Up



Front Elevation



Right Elevation



Rear Elevation



Plan 2785 (50' Lots)
Main Floor Plan 4A-4C



Second Floor 4A-4C



PLAN 4-A

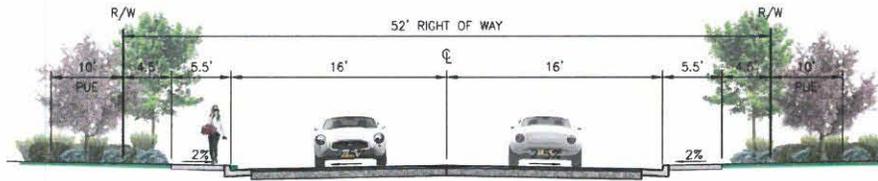


PLAN 4-B



PLAN 4-C

TYPICAL MATERIALS: Walls: Stucco Siding • Roof: Concrete barrel tile or Concrete tile • Windows: Vinyl • Doors: Wood • Garage Doors: Metal Roll Up



1 TYPICAL 52' RIGHT OF WAY SECTION

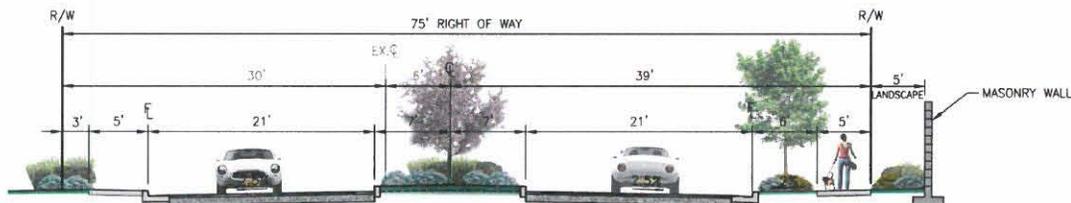
NOT TO SCALE



Reference Map

Legend

— Hill Property FDP Boundary



2 CENTER AVENUE SECTION

NOT TO SCALE



Potential Plant Species	Common Name	Scientific Name	Size	Water Use	
Shrubs	Lily-of-the-Nile	Agapanthus sp.	5 gal	Low	
	Powis Castle Sagebrush	Artemisia 'Powis Castle'	5 gal	Low	
	Little Leaf Cordia	Cordia parviflora	5 gal	Low	
	African Iris	Dietes sp.	5 gal	Low	
	California Lilac	Ceanothus sp.	5 gal	Low	
	Cotoneaster	Cotoneaster sp.	5 gal	Low	
	Grevillea	Grevillea 'Noellii'	5 gal	Low-Mod	
	Juniper	Juniperus sp.	5 gal	Low	
	Lantana	Lantana sp.	5 gal	Low	
	Spanish Lavender	Lavandula stoechas	5 gal	Low	
	Oleander	Nerium oleander	5 gal	Low	
	Little Ollie Olive	Olea europea 'Little Ollie'	5 gal	Low	
	Fountain Grass	Pennisetum alopecuroides	1 gal	Low	
	New Zealand Flax	Phormium tenax	5 gal	Low-Mod	
	Mugo Pine	Pinus mugo	5 gal	Low	
	Mock orange	Pittosporum tobira	5 gal	Moderate	
	India Hawthorne	Raphiolepis indica	5 gal	Low	
	Sage	Salvia sp.	1 gal	Low-Mod	
	Variegated Society Garlic	Tulbaghia v. 'Silver Lace'	1 gal	Low	
	Groundcovers / Turf	Manzanita	Arctostaphylos 'Emerald Carpet'	1 gal	Low
Myoporum		Myoporum parvifolium	1 gal	Low	
Mexican Primrose		Oenothera speciosa 'Siskiyou'	1 gal	Low	
90 / 10 active turf fescue grass blend			Seed/Sod	High	
Potential Street Trees	Mayton tree	Maytenus boaria		Moderate	
	Wilson Olive	Olea europaea 'Wilsonii'		Low	
	Chinese Pistache	Pistachia chinensis 'Keith Davey'		Low	
	Quercus robur 'Fastigiata'	Columnar English Oak	15 Gallon	Moderate	
	Coast Live Oak	Quercus agrifolia		Very Low	
	Valley Oak	Quercus lobata		Low	
	Lacebark Elm	Ulmus parvifolia 'Allee'		Moderate	
Zelkova	Zelkova serrata 'Green Vase'		Moderate		
Potential Plant Species	General Use Trees	California Buckeye	Aesculus californica		Very Low
		Incense Cedar	Calocedrus decurrens		Moderate
		Eastern Redbud	Cercis canadensis		Moderate
		Desert Willow	Chilopsis linearis		Very Low
		Chitalpa	Chitalpa tashkentensis		Moderate
		Jeffrey Pine	Pinus jeffreyi	15 Gallon	Low
		Flowering Cherry	Prunus serrulata		Moderate
		Blue Oak	Quercus douglasii		Very Low
		Black Oak	Quercus kelloggii		Low
		Interior Live Oak	Quercus wislizenii		Very Low
		Purple Robe Locust	Robinia pseudoacacia 'Purple Robe'		Low



Landscape Description

Plants selected for use in project streetscapes, parks, detention basins, and other open spaces, will be native or adapted species well suited to the local climate and specific uses, including high traffic uses related to parks and recreation. The project area is located on the border of Sunset Western Garden Climate Zones 8-9. Minimum plant stock sizes used for landscape installations will be:

- Street Trees - 15 gallon
- Shrubs - 1 gallon
- Groundcover - 1 gallon
- Turf - Sod or Hydroseed

All plant stock supplied will be nursery grown material conforming to national nursery standards and will be free of harmful insects. Planting design will follow City of Los Banos standards. There are many different types of landscapes within this project, each will have differing landscape needs. Appropriate landscape species and their locations will be determined at the landscape improvement plan stage, however, a sample list of plants that may be used within project landscape areas can be found in the "master plant list".



Decorative 6' Privacy Wall



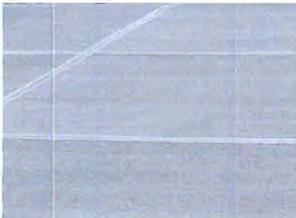
Good Neighbor Privacy 6' Fence



Reference Map

Legend

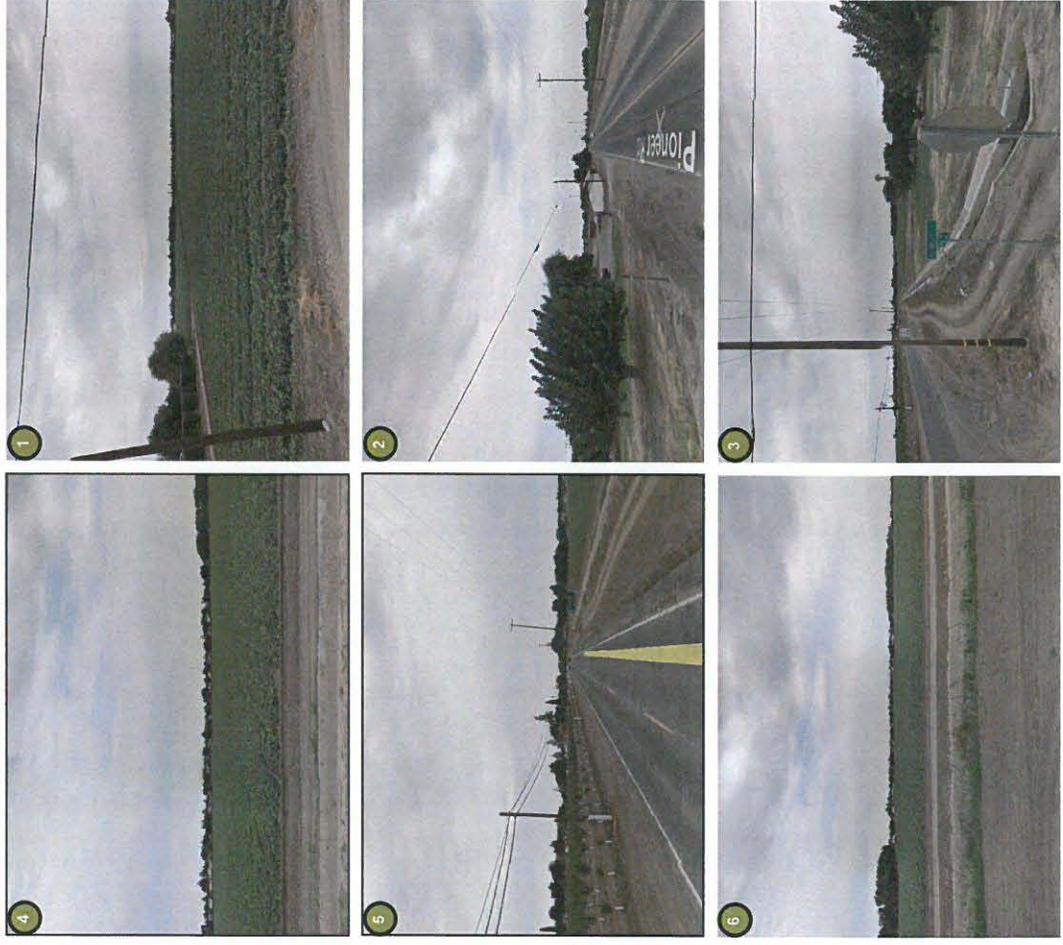
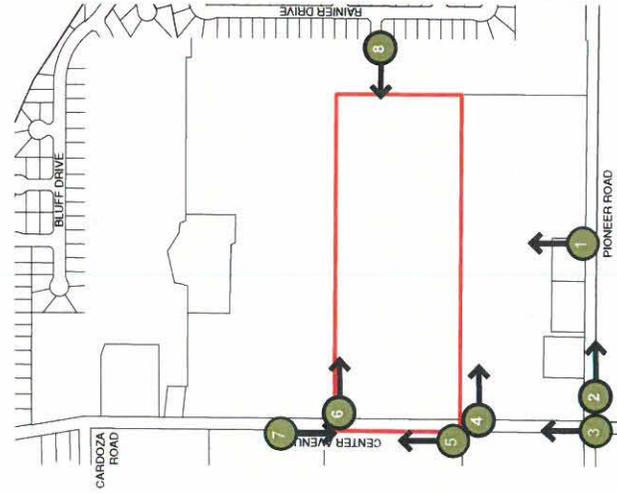
 Hill Property FDP Boundary



Standard Brushed Concrete Walks

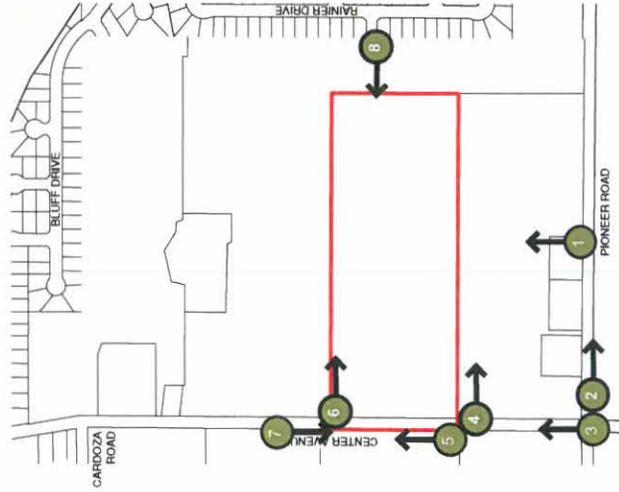


Asphalt Pavement Streets



Reference Map

- Legend**
-  Hill Property FDP Boundary
 -  Photo Location
 -  Photo Orientation



Reference Map

Legend

 Hill Property FDP Boundary

 Photo Location

 Photo Orientation



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: May 20, 2016

Re: Notice of Public Hearing

Proposal: The Hill Property Final Development Plan #2016-02

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider Final Development Plan #2016-02 for The Hill Property. The final Development Plan sets development standards within the 24.4 acre project site and consists of site design and conceptual architecture to implement the Planned Development zoning for 138 single-family dwelling units. The project site is located east of Center Avenue, south of the proposed Villas Subdivision, west of Cresthills #2 Subdivision, and north of the City limit line; more specifically identified as Assessor's Parcel Numbers: 431-270-005.

The Los Banos Planning Commission held a public hearing on May 11, 2016 for the purpose of considering the Hill Property Vesting Tentative Tract Map #2016-02 and Final Development Plan #2016-02. At the completion of the public hearing, the Planning Commission duly considered all evidence presented and approved Vesting Tentative Tract Map #2016-02 and recommended approval of Final Development Plan #2016-02 to the Los Banos City Council.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the City Council on Wednesday, June 1, 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 the 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 City Council Members
FROM: Stacy Souza Elms, Senior Planner *SSE*
DATE: June 1, 2016
SUBJECT: Southpointe at Regency Park Final Development Plan #2015-01
TYPE OF REPORT: Public Hearing

Recommendation:

1. Open the Public Hearing and receive applicant and public comment;
2. Consider comments presented at the hearing, the information in the Staff Report, the recommendation of the Planning Commission and discuss the proposal; and
3. Adopt a resolution approving Final Development Plan #2015-01 for Southpointe at Regency Park

Background:

In 2005 the project site then known as "The Provinces" was entitled under Vesting Tentative Tract Map #2005-01, Vesting Tentative Tract Map #2005-02, Final Development Plan #2004-01, General Plan Amendment #2005-03, and associated Development Agreement. The Provinces project was approved for the subdivision of 110 acres into 261 single-family residential lots, 123 senior housing units, 116 townhouses, and three park lots. No development occurred on the subject project site. On May 5, 2015, the Provinces VTTM #2005-01, VTTM #2005-02, and Development Agreement expired.

On August 21, 2015 the applicant, Stonefield Communities, Inc. filed an application for a new project on the subject site consisting of a Vesting Tentative Tract Map #2015-01 to subdivide approximately 97 acres into 510 single-family detached residential units combining low density residential and medium density residential units to provide varying lots sizes as set forth in the Los Banos General Plan. The applicant is seeking approval from the Los Banos City Council of Final Development Plan #2015-01 for the entire project site of approximately 110 acres setting forth proposed land uses, circulation, open space, public facilities, architecture, phasing and financing.

The Los Banos Planning Commission held a public hearing on May 11, 2016 for the purpose of considering Vesting Tentative Tract Map #2015-01 and Final Development Plan #2015-01. At the completion of the public hearing, the Planning Commission approved Vesting Tentative Tract Map #2015-01 and recommended approval of Final Development Plan #2015-01 to the Los Banos City Council. According to the Los Banos Municipal Code, the Planning Commission shall determine whether the Vesting Tentative Tract Map is in conformity with the provisions of law and of the Municipal Code, and shall approve, conditionally approve, or disapprove such map. The Los Banos Planning Commission approved the map conditioned upon City Council approval of Final Development Plan #2015-01.

Discussion:

LOCATION:

The proposed project site is located in the northeastern portion of the City of Los Banos, east of Place Road, west of the San Luis Canal, and north of the built-out Verona/Mission Estates subdivisions and Pacheco High School. The project site is outlined in yellow on the area map below.





LAND USE:

Approximately 97 acres of the project site is currently in agricultural production as an almond orchard. Approximately 13 acres on the eastside of the project site and north of Pacheco High School is vacant and undeveloped and has been planned to be developed as a detention basin.

Property	Land Use	Zone	General Plan
Project Site	Undeveloped/Agriculture	PD	Low/Medium Density
North	Undeveloped/Agriculture	PD	Low/Medium Density
East	Residential	R-1	Low Density
South	Residential	R-1	Low Density
West	Agriculture	-	Agriculture/Rural

R-1 = Low Density Residential

PD = Planned Development

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, this project was evaluated within the context of the East Los Banos Area Plan Supplemental Environmental Impact Report (SEIR), certified by the City of Los Banos on July 2, 2003. Staff has determined that the proposed project was adequately described, examined, and evaluated in the SEIR, and that no significant new information or changes in the environmental setting have occurred that

would result in new or greater significant effects not studied in the SEIR. The City determined that the East Los Banos Area Plan could have a significant effect on the environment; however, all potentially significant effects were analyzed adequately in the SEIR, and mitigation measures presented in the SEIR which are proposed as conditions of approval, will reduce potentially significant impacts to a less than significant level. No additional review is necessary under CEQA.

The East Los Banos Area Plan SEIR contemplated a build-out of 990 residential units within the East Los Banos Area Plan (Meadowlands 3 and Provinces). The proposed project is the final phase of residential development and will bring cumulative residential development within the Area Plan to 982 units. Therefore, the proposed project is within the scope of the development anticipated in the East Los Banos Area Plan. No further environmental documentation is required because the proposed project was contemplated and adequately analyzed in the SEIR.

FINAL DEVELOPMENT PLAN ANALYSIS:

Pursuant to Section 9.3-401 of the Los Banos Zoning Code, the purpose of the Planned Development District (P-D) is to provide an integrated neighborhood development which would otherwise not be possible under traditional "lot-by-lot" zoning. The Planned Development District encourages innovative and creative development by allowing flexibility in land use and design. The District allows the opportunity to provide amenities and conveniences while maintaining a suitable neighborhood environment and permits development based on a high standard of performance and design by creating greater efficiency in land use by providing for flexibility in strict application of the Zoning Code. This is achieved by maximizing open space, preserving natural amenities and creating additional amenities as approved by the City Council.

A Final Development Plan is required for the total project or an approved phase of the project in order for development to occur in the Planned Development district. The Planning Commission is tasked with making a recommendation to the City Council on the proposed Final Development Plan. The City Council by resolution may grant approval of the Final Development Plan subject to conditions, or may deny the request.

Project Design

The proposed project provides a mix of land uses including phased low density single-family residential development, medium density residential development, and open space not otherwise available in a traditional residential zone. The Los Banos General Plan, the East Los Banos Area Plan, and the Residential Design Guidelines were used as guiding principles for the design of the Southpointe Final Development Plan. The intent of the design was to create neighborhoods that provide a variety of densities while also providing recreational amenities through a walking trail for the residents.

Land Use

The project site is designated as Low Density Residential and Medium Density Residential according to the Los Banos General Plan with a Planned Development overlay according to the Zoning Map. Southpointe at Regency Park proposes Low

Density Residential single family homes on lot sizes varying from 6,000 square feet to over 13,500 square feet and Medium Density Residential single family residential homes on lot sizes that range from 3,795 square feet to 9,552 square feet.

The open space on the east side of Ward Road will serve as a storm drain basin, utilizing the San Luis Canal corridor as an amenity with bicycle and pedestrian paths to provide residents with safe and convenient linkages throughout the development.

The Final Development Plan (P-D) land uses are summarized in the following table:

Land Use	Units	Acres
Low Density Residential	277	59.97
Medium Density Residential	233	36.95
Drainage Basin	0	10
Open Space	0	2.59
Total Project:	510	109.51

Architecture

The proposed architecture for the project provides a variety in the size elevation, color scheme, house designs, and setbacks to prevent a monotonous architectural appearance. The elevation styles used within the proposed Final Development Plan consist of styles such as Early Californian, California Coastal, and California Rustic. The proposed designs utilize prominent front porches and/or architectural features while setting garages back from the front façade or splitting into separate 2-car and 1-car garages.

Each plan consists of three distinct elevation styles and color/material palettes adding up to a total of 51 different designs included in the Final Development Plan.

Circulation

Ward Road was designed to be an arterial street between Pacheco Boulevard and Overland Avenue. This arterial will be developed at 108 feet wide and will include two travel lanes in each direction separated by a 14 foot wide median. Ward Road will consist of a 6 foot wide bike lane with a 5 foot sidewalk within a 15 foot wide park strip. North of Overland Avenue, Ward Road will be a 32 foot wide local street with a 6 foot wide park strip and 4 foot wide sidewalk on the west side and 15 foot wide walking path on the east side along the San Luis Canal.

Place Road and Overland Avenue will be designed as major collector streets. Place Road will be built out along the project frontage and will continue north and connect to the existing Place Road within the St. Francis Estates. Overland Avenue will run east to west through the subdivision and will connect to Ward Road and Place Road. A five foot wide sidewalk and a six foot high sound wall will be constructed within the 14 foot park strip to match the existing Overland Avenue west of Place Road.

The project site has been designed utilizing 52 foot wide local streets. The street

section, which includes curb, gutter, and asphalt, will consist of a 32 foot wide street with a 6 foot park strip separating the street from a 4 foot wide sidewalk.

Open Space and Recreation

The developments within the East Los Banos Area Plan as amended (Meadowlands II & III) have previously dedicated sufficient open space and greenway to cover the entire Area Plan, which this development is a part of. No additional greenspace is required as part of this project. The proposed subdivision will be required to annex into the Meadowlands Landscape and Lighting District to finance the ongoing maintenance of street lighting, landscaped street medians and rights-of-ways, storm drainage facilities, water and sewer, sidewalks, street signs, parks and related facilities, masonry walls, fences, and traffic signals.

The open space and greenway basin proposed in the project site will be approximately 11.6 acres and will be utilized for public facilities and multi-use amenities. The project proposes developing a 20 foot linear corridor along the San Luis Canal with a joint-use pedestrian/bicycle path. This will create a trail system on the north side of the City which the City desires to see.

Infrastructure/Services

Water: The City of Los Banos would provide domestic water services by connecting to a 12-inch water main located in Overland Avenue, which will tee into an existing 12-inch water main in Ward Road. The Overland Avenue main will also tee into the existing 16-inch water main along Place Road. A 10-inch water main will be extended in Ward Road from Overland Avenue to the north boundary of the project site. All existing groundwater wells within the boundary of the map have been conditioned to be abandoned to Merced County Standards. The project is subject to the provisions of the Los Banos Water Master Plan and will conform to its requirements including, but not limited to, payment of water impact fees.

Sewer: The City of Los Banos would provide wastewater service to the project site by connect to an existing sewer line located along Rockport Street from the Northgate Sewer Lift Station. Project build-out has been contemplated in the Wastewater Master Plans and will conform to its requirements including, but not limited to, payment of the wastewater impact fees.

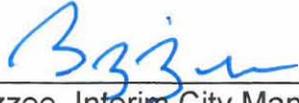
Drainage: The City of Los Banos would provide storm water drain services by designing piping according to City standards and specifications to handle a storm with a minimum return period of five years. The proposed drainage basin will be sized to accommodate flow from the project area.

It should be noted that all City infrastructure has been sized to accommodate this use and will be built in accordance with the City's Utility Master Plans.

PUBLIC COMMENT:

A public hearing notice was published and notices were mailed out to property owners within a 300' radius of the project site on May 20, 2016. As of the date of this staff report, no written comments have been received.

Reviewed by:



Gary Brizze, Interim City Manager

Attachments:

1. Resolution – Final Development Plan #2015-01
 - Exhibit A: CEQA Findings
 - Exhibit B: Findings for Approval
 - Exhibit C: Conditions of Approval
 - Exhibit D: Mitigation Monitoring Plan
2. Southpointe at Regency Park Final Development Plan
3. Public Hearing Notice – May 20, 2016

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS APPROVING
SOUTHPOINTE AT REGENCY PARK FINAL
DEVELOPMENT PLAN #2015-01**

WHEREAS, the Los Banos General Plan was adopted in July 2009, and is the guiding document for land use in the City of Los Banos; and

WHEREAS, the project site is zoned Planned Development (PD), and Title 9, Chapter 3, Article 4 – Planned Development District of the Los Banos Municipal Code (LBMC) outlines the procedure for establishing development standards within PD Districts; and

WHEREAS, the East Los Banos Area Plan was adopted by the City of Los Banos City Council in August 2001 and an amended East Los Banos Area Plan was adopted by the City of Los Banos City Council on July 2, 2003; and

WHEREAS, the applicant submitted a Final Development Plan in accordance with the Los Banos Zoning Code Sections 9-3.403 and 9-3.407 on August 21, 2015; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, the project was evaluated within the context of the East Los Banos Area Plan Supplemental Environmental Impact Report (SEIR), certified by the City on July 2, 2003. Staff has determined that the proposed project was adequately described, examined, and evaluated in the SEIR, and that no significant new information or changes in the environmental setting have occurred that would result in new or greater significant effects not studied in the SEIR; and

WHEREAS, the Los Banos Planning Commission held a public hearing on May 11, 2016 for the purpose of considering Vesting Tentative Tract Map #2015-01, Final Development Plan #2015-01, and the environmental documentation, and at the completion of the public hearing, duly considered the evidence presented and conditionally approved Vesting Tentative Tract Map #2015-01 and recommended approval of Final Development Plan #2015-01 to the Los Banos City Council; and

WHEREAS, the Los Banos City Council of the City of Los Banos scheduled and duly noticed a public hearing in accordance with California Government Code Section 65091 by advertisement and notices by mail to property owners within a 300 foot radius of the project boundaries on May 20, 2016 to consider and take testimony regarding these matters on June 1, 2016.

WHEREAS, at the June 1, 2016 City Council meeting the Los Banos City Council heard and considered testimony, if any, of all persons desiring to be heard; viewed the Project Final Development Plan and staff report; studied the compatibility of the applicant's request with adjacent land uses; has considered the applicant's request in accordance with the Final Development Plan criteria established in Title 9, Chapter 3, Article 4 of the Los Banos Municipal Code.

BASED UPON THE EVIDENCE PRESENTED AT THE PUBLIC HEARING, the City Council of the City of Los Banos does hereby make the findings set forth in Exhibit A (CEQA Findings), and Exhibit B (Findings of 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 Southpointe at Regency Park Final Development Plan #2015-01, more specifically identified as Assessor's Parcel Numbers: 424-120-009 and 073-220-015.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 1st day of June 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 FOR FINAL DEVELOPMENT PLAN #2015-01 – SOUTHPOINTE AT REGENCY PARK

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, the project was evaluated within the context of the East Los Banos Area Plan Supplemental Environmental Impact Report (SEIR), certified by the City on July 2, 2003;
2. The SEIR was adequately noticed, circulated for public review, considered at public hearings, and duly certified by the Los Banos City Council;
3. The Project will have significant and unavoidable impacts on prime agricultural lands for which no feasible mitigation measures are available, but specific overriding economic, legal, and social benefits of the project outweigh the adverse environmental effects, and a Statement of Overriding Considerations was adopted when the SEIR was certified;
4. The Project will have significant and unavoidable impacts on air quality and although all feasible mitigation measures that are available have been applied a significant impact remains; but specific overriding economic, legal, and social benefits of the project outweigh the adverse environmental effects, and a Statement of Overriding Considerations was adopted when the SEIR was certified;
5. The City determined that the East Los Banos Area Plan could have a significant effect on the environment, however, all potentially significant effects were analyzed adequately in the SEIR, and mitigation measures presented in the SEIR have been included as conditions of project approval, and will reduce potentially significant impacts, other than those on prime farmland and air quality, to a less than significant level;
6. The proposed project was adequately described, examined, and evaluated in the SEIR;
7. The East Los Banos Area Plan SEIR contemplated a build-out of 990 residential units within the revised East Los Banos Area Plan (Meadowlands Units 3 and the Provinces), the project is the final phase of residential development within the revised East Los Banos Area Plan, and

will bring cumulative residential development within the area plan to 982 units, and therefore, the proposed project is within the development density anticipated in the East Los Banos Area Plan and SEIR;

8. No significant new information or changes in the environmental setting have occurred that would result in new or greater significant effects not studied in the SEIR;
9. Because there are fewer units the project will have reduced traffic and wastewater generation, and reduced water consumption than was considered in the SEIR, and will not result in any new or increased environmental effects not adequately described in the SEIR;
10. No further environmental documentation is required because the proposed project was contemplated and adequately analyzed in the SEIR;
11. The project was adequately noticed on May 20, 2016, and considered at a public hearing on June 1, 2016;
13. The project will be subject to the applicable mitigation measures presented in the SEIR;
14. The City will monitor the implementation of mitigation measures in accordance with the East Los Banos Area Plan Mitigation Monitoring Program (Exhibit D); and
15. The SEIR and the CEQA findings for the SEIR are incorporated herein by reference.

EXHIBIT B

FINDINGS FOR APPROVAL OF FINAL DEVELOPMENT PLAN #2015-01 – SOUTHPOINTE AT REGENCY PARK

The City of Los Banos Planning Commission hereby finds as follows:

1. The Los Banos General Plan was adopted by the City in July 2009 and the East Los Banos Area Plan was prepared pursuant to the Los Banos General Plan and adopted by the City in August 2003, and amended by the City on July 2, 2003.
2. The proposed project is consistent with the City of Los Banos General Plan “Low Density Residential and Medium Density Residential” land use designations for the site, and with the revised East Los Banos Area Plan “Planned Development” designation for the site.
3. The project, as conditioned, complies with the provisions of the City’s Zoning Ordinance, and includes a Final Development Plan to implement the Planned Development designation pursuant to the requirements of the Los Banos Municipal Code section 9-3.403 and 9-3.407.
4. The conceptual architectural renderings and schematic building designs, landscape and lighting designs, and other designs presented in the Final Development Plan, as conditioned, substantially conform to the requirements of the City’s Residential Design Guidelines.
5. The proposal will not be detrimental to the health, safety, comfort, or general welfare of the persons residing or working in the City of Los Banos, or injurious to property or improvements in the surrounding neighborhoods or within the City. The project will enhance the surrounding area and offer the surrounding community choices for housing and recreation.
10. The designs of the Final Development Plan, as conditioned, are consistent with the General Plan and revised East Los Banos Area Plan goals, policies, and programs, and that the project density and development intensity are consistent with the General Plan and East Los Banos Area Plan land use designations for the site.
11. The proposed open spaces are compatible with the adjacent uses, properties, and neighborhoods, and will not be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City, and the specific types, densities, and configuration of residential uses are compatible with the surrounding residential and educational uses and will not result in detrimental effects to neighboring properties or to City services.

12. The project will provide adequate pedestrian and bicycle routes within the project, and, as conditioned, to nearby destinations including schools.

EXHIBIT C

CONDITIONS OF APPROVAL FOR FINAL DEVELOPMENT PLAN #2015-01 – SOUTHPOINTE AT REGENCY PARK

General:

1. All development shall be consistent with the Final Development Plan, reflecting any conditions of approval or amendments approved by the Los Banos City Council, which includes: the Vesting Tentative Tract Map, the land use type, pedestrian and vehicular access, architectural design, parks, open space, and recreation, public facilities, services, and infrastructure, and phasing plan.
2. Building Master Plans shall be consistent with the Final Development Plan and approved by the Community and Economic Development Department and Building Department prior to issuance of a building permit.

Lighting:

3. All street lighting shall be LED. The streetlights shall meet the illumination standards in the City Street Light standards. After Public Works inspection and approval, all street light electrical boxes shall be slurried per Public Works direction.

Architecture and Physical Design:

4. This project shall be subject to P-D (Planned Development) Design Standards as presented in the Final Development Plan.
5. The monotony of straight building lines shall be alleviated by varying the size of individual buildings, staggering the front yard setbacks, varying exterior building materials and colors, articulating building facades, and utilizing extensive landscaping.
6. The variation in setbacks, unit placement, and materials and colors shall be implemented in a random fashion with no apparent pattern, to avoid monotony.
7. The minimum front yard setback for front-loading garages shall be 20' and side-loading garages shall be 15'. The minimum setback to living areas shall be 15' from the front yard property line. The minimum front yard setback to porches shall be 10'.
8. The minimum side-yard setback for interior lots shall be 5', standard corner lots shall be 10', and reverse corner-lots shall be 15' from the property line.

9. The minimum rear-yard setback shall be 10' for single story units, and 20' for multi-story units.
10. The rear yard setback may be reduced by 2' to provide for stagger.
11. The typical architecture and plot plans set forth in the Final Development Plan are conceptually approved with this application. Plans submitted for building permits shall be consistent with these elevations in terms of style, material, and character.
12. To protect privacy, building placement that offsets side-facing second-story bedroom windows at adjacent houses shall be required.
13. Residential dwelling units shall not exceed 30 feet in height.
14. The developer shall provide entry monumentation and/or landscaping to provide for a neighborhood identity, substantially similar to that shown in the Final Development Plan.
15. If parking for model homes is to be provided in a temporary parking lot, such lot shall be approved by the Community and Economic Development Director as a commercial lot conforming with Los Banos Municipal Code section 9-3.2009, and shall be removed within 60 days of the end of sales, if not intended to serve a permanent use.

Physical Amenities:

16. The developer shall provide decorative lighting as shown in the Final Development Plan.
17. Enhanced pedestrian treatments shall be used at the intersection of Overland Avenue and Place Road, such as, but not limited to stamped concrete as approved by the Community and Economic Development Director.
18. The developer shall install a six-foot high decorative masonry wall along Place Road and Ward Road within the non-access strip at the rear of private properties.

Parks and Landscaping:

19. Linear corridors shall be in conformance with the Final Development Plan, and in accordance with the designs shown therein.
20. Landscape plans shall emphasize deciduous shade tree plantings to the south and west of buildings.
21. Landscaping and site design shall substantially conform to the conceptual plans of the Final Development Plan.

22. The developer shall comply with the current development standards for basins and drains, to include all landscaping and related irrigation systems. The applicant shall comply with the landscaping and irrigation requirements imposed by the Public Works Department.
23. A palette of locally native plants should be specified for landscaping within the park basin area adjacent to the San Luis Canal. The landscape plan shall be subject to review and approval by the Central California Irrigation District to ensure that the provisions of the landscape plan do not conflict with the District's on-going weed abatement program. The buffer shall be designed to include appropriate locally-obtained native grass, herb, and shrub species, such as arroyo willow (*Salix lasiolepis*), blue elderberry (*Sambucus mexicana*), mule fat (*Baccharis salicifolia*), and native grasses, and shall not include plantings of non-native, invasive plant species, such as yellow star thistle (*Centaurea solstitialis*), brooms (*Genista* spp.), pampas grass (*Cortaderia* spp.), and tamarisk (*Tamarix* spp.). The buffer area shall provide native vegetation adjacent to the San Luis Canal and the recreational pathway and provide a vegetative barrier to discourage human and domestic animals from disturbing the canal or its banks.
24. Landscape plans for each residential front yard shall utilize drought tolerant plantings. The developer shall be required to follow local and State mandates regarding water conservation and water efficiency. Once the City adopts a new water efficient landscape ordinance, the developer shall be required to follow the new ordinance requirements. Landscaping shall be installed prior to Certificate of Occupancy.
25. The developer shall include the following utilities in the park basin facility: electrical, sewer connections, storm drainage, and water service.
26. Off-street parking shall be provided at the detention basin for a minimum of 10 vehicles as approved by the Public Works Director.

East Los Banos Area Plan (Meadowlands) Mitigation Monitoring Program

Introduction

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

The law was passed in response to historic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures and subsequent conditions of project approval are implemented.

Monitoring Program

The basis for this monitoring program is the mitigation measures included in the project's Final Supplemental EIR. These mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less than significant levels. These mitigation measures become conditions of project approval, which the project proponent is required to complete during and/or after implementation of the proposed project.

The list that follows should be used for monitoring the implementation of the mitigation measures. This monitoring checklist contains all appropriate mitigation measures in the Final Supplemental EIR.

Monitoring Program Procedures

1. The Los Banos Planning Department should be responsible for coordination of the monitoring program, including the monitoring list. The Planning Department should be responsible for completing the monitoring list and distributing the list to the responsible individuals or agencies for their use in monitoring the mitigation measures.
2. Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring list have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring list to the Planning Department to be placed in the project file. If the mitigation measure has not been complied with, the monitoring list should not be returned to the Planning Department.
3. The Los Banos Planning Department will review the list to ensure that appropriate mitigation measures included in the monitoring list have been complied with at the appropriate time, e.g. prior to issuance of a use permit, etc. Compliance with mitigation measures is required for project approvals.
4. If a responsible individual or agency determines that a non-compliance has occurred, a written notice should be delivered by certified mail to the project proponent within 10 days, with a copy to the Planning Department, describing the non-compliance and requiring compliance within a specified period of time. If a non-compliance still exists at the expiration of the specified period of time, construction may be halted and fines may be imposed at the discretion of the City of Los Banos.
5. Because the City of Los Banos may have limited jurisdiction regarding mitigation measures that apply to the Los Banos Unified School District, those measures may be subject to the review and approval of either the Los Banos Unified School District or the State Architect's Office.
6. Mitigation measures are referenced by their number as presented in the Final Supplemental EIR. A full list of mitigation measures is included at the end for reference. The monitoring program is set up by development type and then by time of implementation. Some mitigation measures are included at more than one stage of the development process, as all or part of the measure may apply at several different times, depending on the required approvals for a particular project or the specific requirements of the mitigation measure. The parties responsible for implementation and monitoring are listed.

Proponent, applicant and developer are considered interchangeable terms in regards to responsibility for implementation.

Measures Applying to All Development

The following mitigation measures apply to all types of development. For the high school, monitoring would be the responsibility of the Los Banos Unified School District or the State Architect’s Office.

Annually following completion of first phase:

No.	Implementation	Monitoring	Notes
30	City	Public Works	

Prior to approval of final improvement plans:

No.	Implementation	Monitoring	Notes
17	Proponent	Planning	
40	Proponent	Public Works	
41	Proponent	Public Works	
42	Proponent	Public Works	

Prior to issuance of a grading permit or start of grading or construction:

No.	Implementation	Monitoring	Notes
3	Proponent	Planning	
4	Proponent	Planning	
7	Proponent	Planning	If site fallow and returned to grassland
8	Proponent	Planning	No more than 30 days before start of grading or construction
9	Proponent	Planning	Prior to grading
17	Proponent	Planning	
18	Proponent	Planning	Language on plans
19	Proponent	Planning	Language on plans
21	Proponent	Planning	Prior to grading

24	Proponent	Planning	Prior to grading
25	Proponent	Planning	Prior to grading

Prior to issuance of a building permit:

No.	Implementation	Monitoring	Notes
4	Proponent	Planning	
7	Proponent	Planning	If site fallow and returned to grassland
18	Proponent	Planning	
19	Proponent	Planning	
20	Proponent	Planning	
21	Proponent	Planning	
40	Proponent	Public Works	fees

During construction:

No.	Implementation	Monitoring	Notes
3	Proponent	Building	
4	Proponent	Planning	
10	Proponent	Building	
17	Proponent	Building	
25	Proponent	Planning	

Additional Measures Applying to Commercial Developments

Prior to issuance of a use permit:

No.	Implementation	Monitoring	Notes
1	Proponent	Planning	

Prior to approval of final improvement plans (and/or tentative map):

No.	Implementation	Monitoring	Notes
1	Proponent	Planning	
5	Proponent	Planning	
14	Proponent	Planning	
26	Proponent	Public Works	
33	Proponent	Public Works	
35	Proponent	Public Works	
37	Proponent	Public Works	

Prior to issuance of a building permit:

No.	Implementation	Monitoring	Notes
5	Proponent	Planning	
14	Proponent	Planning	
30	Proponent	Public Works	fee
32	Proponent	Public Works	fee
35	Proponent	Public Works	fee
36	Proponent	Public Works	fee
37	Proponent	Public Works	fee

Additional Measures Applying to Residential Developments

Prior to approval of a tentative map:

No.	Implementation	Monitoring	Notes
5	Proponent	Planning	
12	Proponent	Planning	
22	Proponent	Planning	Applies only for projects with northern boundary along agricultural land
27	Proponent	Planning	
33	Proponent	Public Works	
35	Proponent	Planning	

Prior to approval of a final map:

No.	Implementation	Monitoring	Notes
1	Proponent	Planning	
11	Proponent	Planning	
15	Proponent	Planning	
16	Proponent	Planning	
29	Proponent	Planning	deed notice
37	Proponent	Public Works	

Prior to issuance of a building permit:

No.	Implementation	Monitoring	Notes
5	Proponent	Planning	
30	Proponent	Public Works	fee
32	Proponent	Public Works	fee
33	Proponent	Public Works	fee
35	Proponent	Public Works	fee

36	Proponent	Public Works	fee
37	Proponent	Public Works	fee

Additional Measures Applying to the Church and Day Care

Prior to Approval of Final Improvement Plans:

No.	Implementation	Monitoring	Notes
5	Proponent	Planning	

Prior to issuance of a building permit:

No.	Implementation	Monitoring	Notes
5	Proponent	Building	
30	Proponent	Planning	

Prior to issuance of a use permit:

No.	Implementation	Monitoring	Notes
1	Proponent	Planning	

Additional Measures Applying to the High School

As part of Improvement Plans:

No.	Implementation	Monitoring	Notes
2	LBUSD	LBUSD / State Architect	
6	LBUSD	LBUSD / State Architect	
11	LBUSD	LBUSD / State Architect	
12	LBUSD	LBUSD / State Architect	
13	LBUSD	LBUSD / State Architect	
15	LBUSD	LBUSD / State Architect	
23	LBUSD	LBUSD / State Architect	

26	LBUSD	LBUSD / State Architect	
28	LBUSD	LBUSD / State Architect	
31	LBUSD	LBUSD / State Architect	
34	LBUSD	LBUSD / State Architect	
38	LBUSD	LBUSD / State Architect	
39	LBUSD	LBUSD / State Architect	

Mitigation Measures

The following is the final wording of mitigation measures from the Final East Los Banos Area Plan Supplemental EIR.

1. Prior to approval of any final maps or use permits for development in the residential/commercial/church/daycare areas, a lighting plan shall be developed to include the following provisions:
 - Any night lighting shall be hooded and/or fitted with prismatic directional lenses to prevent illumination onto adjoining properties and glare into on-coming traffic. A lighting plan showing contour shall be submitted to the City of Los Banos Planning Department for review and approval prior to the approval of the final improvement plans.

2. Prior to construction of the high school, the Los Banos Unified School District shall prepare a lighting plan to include the following provisions:
 - All outdoor athletic facilities lighting shall be of the full cut-off type as defined by the Illuminating Engineering Society of North America. Lights shall be aimed downward with direct light a minimum of 20 degrees below a horizontal plane, and with no substantial direct light cast more than 50 feet beyond the playing areas;
 - All outdoor athletic lighting that faces towards or 90 degrees or less away from a residence shall be separated from the residential lot by a minimum distance equal to five times the height of the lighting stanchion. All outdoor athletic lighting that faces away from residences by more than 90 degrees shall be separated from the residential lot by a minimum distance equal to two times the height of the stanchion;
 - Any outdoor athletic facility lighting within 300 feet of a residence shall be shielded from direct view of the residence by a vegetative buffer that will place foliage to interrupt any direct line of sight between the lights and the residence's windows; and

- Any outdoor athletic facility lighting within 100 feet of the San Luis Canal shall be aimed away from the canal.
3. A minimum 200-foot separation shall be maintained between residences and material stockpiles, debris piles or containers and equipment storage during the construction process. If such storage must be located within 200 feet of a residence, a six-foot high opaque fence shall shield the storage area from view when the storage area is inactive for more than eight hours. This requirement shall be incorporated into the specifications for all construction plans, subject to review and approval by the appropriate agency (City of Los Banos Planning Department, or the Los Banos Unified School District).
 4. Dust control requirements shall be included in all construction contract specifications. These construction contract specifications shall include the following San Joaquin Valley Unified Air Pollution Control District Regulation VIII, Rule 8020 fugitive dust mitigation requirements for the control of fine particulate matter (PM₁₀) from construction activities.
 - All disturbed areas of a construction site, including storage piles of fill dirt and other bulk materials, which are not being actively utilized for construction purposes for a period of seven calendar days or more, shall be stabilized using one or more of the following approved soil stabilization methods to effectively limit visible dust emissions. Disturbed areas shall be stabilized for the duration of the construction activity or until construction work resumes on the inactive disturbed area;
 - ◇ Where water is used as the dust suppressant, watering shall be applied to effectively limit visible dust emission; or
 - ◇ Where a chemical dust stabilizer or suppressant is utilized, the stabilizer or suppressant shall be applied to effectively limit visible dust emissions; or
 - ◇ Where planting of trees and vegetative ground cover is utilized, vegetation shall be planted in sufficient density and watered with sufficient frequency to effectively stabilize the disturbed area and limit visible dust emissions.
 - ◇ Where soil moisture or natural crusting is sufficient to limit visible dust emission, no action is required.
 - All operations shall effectively limit visible dust emissions from on-site unpaved roads and off-site unpaved access roads using one or more of the following stabilization methods. Road stabilization shall be

maintained for the duration of the activity. Where soil moisture is sufficient to meet this requirement, no action is required;

- No person shall undertake any land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill operations, or demolition activities, without utilizing appropriate dust control measures during the land preparation, demolition, excavation or extraction. Appropriate dust control measures may consist of the effective application of water or pre-soaking;
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from public paved roads, including shoulders, adjacent to the site. Removal activities must comply with local requirements and procedures; and
- In addition to restrictions imposed by local agencies, the use of dry rotary brushes for removal of deposited mud/dirt carryout from a paved road shall be prohibited, except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. The use of blower devices for removal of deposited mud/dirt carryout from subject paved roads shall be prohibited.
- Install windbreaks at windward sides of construction areas;
- Suspend excavation and grading activity when winds exceed 20 miles per hour;
- When site exceed a one percent slope near paved roads, install sandbags or other erosion control measures to prevent silt run-off onto the roads;
- Install wheel washers for exiting trucks, or wash trucks and equipment leaving the site;
- Limit the area under excavation, grading, or other dust-producing construction activities at any one time;
- Require the use of NO_x and PM₁₀ control equipment on heavy-duty construction equipment, or alternative fuel construction equipment, if available;
- Minimize idling time of construction equipment and vehicles to no more than 10 minutes at a time;
- Restrict use of heavy equipment during peak emission hours on "Spare the Air Days" declared by the San Joaquin Valley Unified Air Pollution Control District.

5. Subject to the review and approval of the City of Los Banos Planning Department, future private development within the proposed project shall integrate the following design features:
- The developer should provide carefully selected and located trees to provide shade for structures and pathways during the hot summer months. Deciduous trees should be considered since they provide shade in the summer and allow sun to reach residences during cold winter months. This measure should be implemented on the southern and western exposures of buildings;
 - As many energy conserving features as possible should be included in the design and construction of new buildings. Examples include (but are not limited to) increased wall and ceiling insulation (beyond code requirements), energy efficient lighting, high efficiency appliances and solar assisted water heating;
 - Housing units should be oriented to maximize passive solar cooling and heating when practicable;
 - Any gas fired appliance should be low NO_x emitting gas fired appliances complying with California NO_x Emission Rule #1121;
 - Low emitting, EPA approved fireplace inserts and/or wood stoves or natural gas fireplaces, as opposed to traditional open hearth fireplaces, should be installed;
 - Natural gas line and electrical outlets should be included in the backyard or patio areas of residential units to encourage the use of gas and/or electric barbecues;
 - Electrical outlets should be installed around the exterior of residential units to encourage use of electrical landscape maintenance equipment;
 - Improvements should be made to encourage transit use when it becomes available. Appropriate easements should be reserved. Examples of improvements include the development of bus turnouts, sheltered loading areas, and pedestrian paths efficiently connecting bus stops to commercial and residential areas;
 - Pedestrian access paths should be designed and constructed throughout as much of the project area as possible to provide convenient connections to all nearby open space areas, parks, schools, commercial areas, etc. to encourage walking and bicycling. At least one day-lighted

cul-de-sac or other pedestrian access should be provided to adjacent arterial and collector streets between each major street intersection, preferably located to make efficient connections to crosswalks at intersections and/or leading to the high schools or shopping areas; and

- Traffic signals should be programmed to provide an automatic pedestrian walk signal at the beginning of each green light phase.
6. The Los Banos Unified School District shall integrate the following design features in their project:
- The District shall plant carefully selected and located trees to provide shade for structures and pathways during the hot summer months. Deciduous trees should be considered since they provide shade in the summer and allow sun to reach buildings during cold and winter months. This measure should be implemented on the southern and western exposures of buildings;
 - As many energy conserving features as possible should be included in the design and construction of new buildings. Examples include (but are not limited to) increased wall and ceiling insulation (beyond code requirements), energy efficient lighting, high efficiency appliances and solar assisted water heating;
 - Any gas fired appliance should be low NO_x emitting gas fired appliances complying with California NO_x Emission Rule #1121;
 - Electrical outlets should be installed around the exterior of buildings to encourage use of electrical landscape maintenance equipment.
 - Improvements should be made to encourage transit use when it becomes available. Appropriate easements should be reserved. Examples of improvements include the development of bus turnouts, sheltered loading areas, and pedestrian paths efficiently connecting bus stops to high use areas;
 - Pedestrian access paths should be designed and constructed throughout as much of the high school site as possible to provide convenient connections to all nearby residential areas, open space areas, parks, commercial areas, etc. to encourage walking and bicycling; and
 - Bicycle/pedestrian paths should directly connect the building core area of the high school with the San Luis Canal trail.

7. Prior to issuance of building permits for development on the project site, and prior to construction of the high school, if the project site has remained fallow and reverted to grassland vegetation, the following measures shall be required, subject to the review and approval of the City of Los Banos Planning Department:
 - a. A pre-construction survey shall be conducted by a qualified biologist for burrowing owls within 30 days of the on-set of construction according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 1995).
 - b. If pre-construction surveys undertaken during the breeding season (February through July) locate active nest burrows within or near construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) must remain off-limits to construction until the breeding season is over. The CDFG recommends setbacks from occupied nest burrows of 100 meters where construction will result in the loss of foraging habitat.
 - c. During the non-breeding season (August through January), resident owls may be relocated to alternative habitat. The relocation of resident owls must be according to a relocation plan prepared by a qualified biologist in consultation with the California Department of Fish and Game. Passive relocation is the preferred method of relocation. This plan must provide for the owls relocation to nearby lands possessing available nesting and foraging habitat.
8. No earlier than 30 days prior to commencement of grading or construction activities on the project site, a field survey shall be conducted by a qualified biologist to determine if active kit fox dens are located on or within 150 meters (approximately 500 feet) of the project site. If an active kit fox den is detected within the survey area, the USFWS will be contacted immediately to determine the best course of action.
9. Prior to commencement of construction activities on the project site, and prior to construction of the high school the project applicant shall arrange for a qualified biologist to inform workers of the potential presence of special-status species, their protected status, work boundaries, and measures to be implemented to avoid loss of these species during construction activities, including the following measures:
 - a. Any trench or pit shall include ramps of either fill or planks to prevent kit fox from becoming trapped in the trench or pit.

- b. Pipes, culverts, and other hollow materials greater than four inches in diameter shall be stored in a manner that will prevent kit foxes from using these materials as temporary refuge. In addition, these materials shall be inspected for kit foxes daily, prior to the onset of construction activities.
10. During construction activities, all food-related trash items shall be enclosed in sealed containers and regularly removed from the project site to avoid attracting wildlife to the project site, and pets shall not be allowed on the construction site. The proper location of the trash containers shall be subject to the review and approval of the City of Los Banos Planning Department.
11. A 50-foot habitat buffer measured from the toe of the west side of the San Luis Canal shall be required. However, a recreational pathway not to exceed 12 feet in width may be constructed within the habitat buffer on the existing dirt service road paralleling the canal on the west side.
12. Prior to approval of tentative maps, use permits, and the high school project, giant garter snake surveys, including portions of the San Luis Canal in and adjacent to the project site, shall be conducted by a qualified biologist. If giant garter snake is detected within the survey area, the USFWS shall be contacted immediately to determine the best course of action. This may include, but not be limited to, project redesign to include a wider buffer or obtainment of a take permit which may require restrictions on timing of earth disturbing activities, replacement habitat, monitoring and the following avoidance measures:
 - a. Potentially sensitive areas (i.e., vegetated areas adjacent to canal) shall be flagged by a qualified biologist prior to initiation of construction activities and shall remain in place until all construction activities are complete. Construction vehicles, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials shall not be allowed outside the boundaries of the work area. The fencing shall remain in place until all construction activities are complete.
 - b. The project proponent shall arrange for a qualified biologist to conduct pre-construction awareness training to inform workers of the potential presence of giant garter snake, their protected status, work boundaries, and measures to be implemented to avoid loss of individuals of this species during construction activities.

If the giant garter snake survey concludes that there are no snakes on the project site under review, only the above avoidance measures shall be

implemented to ensure no adverse impact to marginal aquatic giant garter snake habitat in the San Luis Canal.

13. Prior to approval of any final maps or use permits for development on the project site, and prior to construction of the high school, the project proponent shall prepare a landscape plan or site plan for the buffer area for projects adjacent to the San Luis Canal. The landscape plan or site plan also shall be subject to review and approval by the Central California Irrigation District to ensure that the provisions of the landscape plan do not conflict with the District's on-going weed abatement program. The buffer shall be designed to include appropriate locally-obtained native grass, herb, and shrub species, such as arroyo willow (*Salix lasiolepis*), blue elderberry (*Sambucus mexicana*), mule fat (*Baccharis salicifolia*), and native grasses, and shall not include plantings of non-native, invasive plant species, such as yellow star thistle (*Centaurea solstitialis*), brooms (*Genista* spp.), pampas grass (*Cortaderia* spp.), and tamarisk (*Tamarix* spp.). The buffer area shall provide native vegetation between San Luis Canal and the recreational pathway and provide a vegetative barrier to discourage human and domestic animals from disturbing the canal or its banks. In areas proposed for park or school uses, turf or cultivated plants may be used to the west of the recreational pathway.
14. Future plans for the project site shall not include buildings and/or antenna towers exceeding 35 feet. If structures taller than 35 feet are determined to be necessary by the approving agency, those buildings shall be constructed under the following guidelines:
 - a. The use of continuously illuminated flood lamps that would attract birds shall be avoided;
 - b. Navigational lights that flash for as short and infrequent an interval as possible (1 second on and 9 seconds off has been suggested) shall be installed on all tall structures that require lights;
 - c. If feasible, blue navigational lights as opposed to red, shall be used on tall structures;
 - d. All guide wires associated with antenna towers shall be painted a bright color and equipped at intervals with visually obvious objects (e.g. orange painted balls several inches in diameter) in order to increase their visibility during the daylight hours; and
 - e. Substitute measures that can be shown to be equally effective in preventing birds from colliding into structures and wires may be used with the approval of the approving agency.

15. Prior to approval of any final maps or use permits for development on the project site, and prior to construction of the high school, a signage and fencing plan shall be prepared to outline the number and location of signs and fences, the language to be included on signs, and a maintenance program for the signs and fences, to dissuade people from straying off the recreational pathway and to prohibit unleashed dogs on the recreational pathway, subject to approval by the City of Los Banos Planning Department or the approving agency. The plan shall require signs and fences to be installed prior to occupancy.
16. Prior to approval of final maps for residential subdivisions, Covenants, Codes and Restrictions prepared for the subdivision shall require disclosure of potentially sensitive wildlife resources occurring in the vicinity and habitat protection measures implemented as part of the development to be provided to home purchasers.
17. Developers of future projects on the project site shall demonstrate the following to the satisfaction of the Community Development Director or school district:
 - a. Compliance with the City of Los Banos grading regulations;
 - b. Development of an erosion control plan that will prevent the discharge of sediment into natural canals;
 - c. Compliance with National Pollution Discharge Elimination System (NPDES) permits administered by the California Regional Water Quality Control Board;
 - d. Development of a plan to meet state water quality standards as determined by the California Regional Water Quality Control Board;
 - e. Development of a plan to employ best management practices (BMPs) that reduce the level of pollutants discharged into natural waterways and wetlands.

These specifications shall be included in the final improvement plans for residential projects and grading plans for all other projects.

18. Due to the possibility that significant buried cultural resources might be found during construction, the following language shall be included in any permits issued for the project site, including, but not limited to building permits for future development, subject to the review and approval of the Los Banos Planning Department:

If archaeological resources or human remains are discovered during construction, work shall be halted at a minimum of 200 feet from the find and the area shall be staked off. The project developer shall notify a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.

19. In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall ensure that this language is included in all permits in accordance with CEQA Guidelines section 15064.5(e):

If human remains are found during construction there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Merced County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

20. All structures, foundations and footings for future buildings on the project site shall be designed and constructed to conform with the current Uniform Building Code for Seismic Zone 4 to minimize structural damage resulting from potential seismic activity. School buildings shall meet any additional State structural requirements in effect at the time of school project approval.

21. An engineering soils report shall be prepared for all projects in order to identify soil characteristics requiring special structural design. Structural design shall conform to the findings and recommendation of the engineering soils report.

For residential and commercial projects, the report shall be prepared prior to issuance of a grading permit, subject to review and approval of the Los Banos City Engineer.

For the high school projects, the report shall be prepared prior to the commencement of grading activities, subject to review and approval of the applicable school district.

22. Prior to the approval of the tentative map for the residential subdivision at the northern property boundary, the City shall evaluate whether there is the potential for significant and long-term pesticide drift from agricultural operations immediately to the north. During the environmental review process for the applicable tentative map(s), the City may make one of the following determinations:

- a. Annexation and/or development is pending on property to the north and as such, there would be no significant impact associated with pesticide spraying because the agricultural operations would cease; or
- b. There is no annexation and/or development pending on the property to the north and as such, there would be a significant impact associated with pesticide spraying because the agricultural operations would continue. A solid wall, or *other equally effective buffer*, would be required along the northern property boundary between the residential lots and the existing agricultural operations.

23. The Master Plan for the high school shall include a buffer area, as necessary, to ensure that student use areas of the high school are at least 100 feet from the 70kV electrical transmission line along Ward Road.

24. For construction operations that would disturb one or more acres, the developer shall file, and submit evidence of filing, a notice of intent to obtain the National Pollution Discharge Elimination System (NPDES) General Construction Permit from the Regional Water Quality Control Board. A Storm Water Pollution Prevention Plan shall also be submitted. Because the proposed project is planned over a 15 to 20 year horizon, all projects shall be subject to the NPDES permit requirements in effect at the time a grading permit is issued.

25. Site specific construction plans shall include a combination of Best Management Practices to limit the concentration of urban contaminants into surface water flows.
26. Measures to reduce storm water pollution such as oil/water separators shall be incorporated into the design of all projects with large parking lots, subject to review and approval by the City Engineer.
27. Subject to the review and approval of the City of Los Banos Planning Department, all future residential developments shall be oriented away from (side-on or rear-on) arterial and major collector streets. Developers shall locate all residential yards at a sufficient distance from major streets or provide noise attenuation walls or barriers, located outside the road right-of-way, so as to maintain noise levels at or below the acceptable maximum outdoor levels. "Daylighted cul-de-sacs" for pedestrian access shall be permitted in locations where sound attenuation is required, even if the noise level is increased beyond standards at the location of the pedestrian access. Single-family residential driveways are prohibited on new arterial streets, and shall be discouraged on existing arterial streets. Single-family residential driveways should be prohibited along major collector and higher classifications, including the provision of no-access strips or deed restrictions limiting access, along residential side or rear yards to these streets.
28. In accordance with the California Code of Regulations section 14010(e), a noise study shall be prepared to identify the intensity, duration and typical time of occurrence of noise from nearby noise sources. The noise study shall determine suitable locations for classrooms that would result in interior noise levels within established standards for classrooms.
29. As a condition of sale of any house located on the project site, sellers shall be required to disclose the existence of hunting activities in the nearby wildlife areas.
30. The City of Los Banos shall monitor the intersection of Ward Road/San Luis Street to determine when signal warrants are met. When signal warrants are met, a signal shall be installed. Developers shall pay into the traffic impact fee program.
31. Development of the new high school may result in local traffic impacts that cannot be foreseen by this analysis. In compliance with California Code of Regulations section 14010(e), a subsequent focused traffic study will be needed when a site plan is available for the high school. This should be accomplished when acquisition of the high school site is considered by the Los Banos Unified School District Board of Education.

- This focused study will address school access requirements and local circulation during the short peak periods immediately before and after school, as well as the ramifications of traffic resulting from use of support facilities (i.e., football field, gymnasium).
32. Future residential and commercial project shall be subject to payment of the applicable water impact fees.
 33. Developers shall be responsible for the extension of water distribution systems that meet City development standards. If the construction of such systems includes over-sizing of lines, the City may enter into a reimbursement agreement to repay the developer for the additional cost of expanding the capacity of the distribution system. The source of reimbursement shall be contributions from benefiting developers that may connect to the system.
 34. The Los Banos Unified School District shall negotiate with the City of Los Banos, to the extent required by State law, to determine the appropriate payment of water development fees, prior to the construction the high school.
 35. For Project Application Submittals Prior to adoption of the Sewer Master Plan. At the time of tentative map application, all proposed residential projects shall demonstrate that there is sufficient wastewater capacity remaining in the wastewater treatment facility to accommodate the proposed development. If there is insufficient capacity, the development shall not be approved. The developer may provide funding for the expansion of capacity to the City. If such pre-payment of development impact fees is acceptable to the City, the City shall use those funds to expand the capacity in the wastewater treatment plant for the development. If the cost of expansion exceeds the amount of development fees, the City may enter into a reimbursement agreement to repay the developer for the additional cost of expanding the capacity of the wastewater treatment plant. The source of reimbursement shall be development fees for wastewater treatment from other developers who would benefit from additional capacity.
 36. For Project Application Submittals After the adoption of the Sewer Master Plan. All residential and commercial projects shall be consistent with the sewer master plan. This may include, but not be limited to, provision of required infrastructure and the payment of fees.
 37. All developers (residential and commercial) shall be responsible for the extension of sewer collection or interceptor lines that serve their projects. If the construction of such systems includes over-sizing of lines, the City may enter into a reimbursement agreement to repay the developer for the additional cost of expanding the capacity of the collection system. The source

- of reimbursement shall be contributions from benefiting developers that may connect to the system.
38. The Los Banos Unified School District shall negotiate with the City of Los Banos, to the extent required by State law, to determine the appropriate payment of wastewater treatment expansion fees, prior to construction of each school.
 39. The Los Banos Unified School District shall be responsible for the extension of sewer collection or interceptor lines that serve the high school. If the construction of such systems includes over-sizing of lines, the City may enter into a reimbursement agreement to repay the district for the additional cost of expanding the capacity of the collection system. The source of reimbursement shall be contributions from benefiting developers that may connect to the system.
 40. Each proposed subdivision and the high school project shall demonstrate that there is sufficient storm water capacity in detention basins and in discharge capacity to accommodate the proposed development. If there is insufficient capacity, no development shall be approved. The respective developers are responsible for the expansion of storm water detention and disposal facilities. Private developers are also responsible for paying development impact fees for storm water impacts. School districts are responsible for negotiating with the City of Los Banos to determine the appropriate payment of impact fees, as may be required by State law.
 41. Developers shall be responsible for the extension of storm water collection lines that serve their projects. If the construction of such systems includes over-sizing of lines, the City may enter into a reimbursement agreement to repay the developer for the additional cost of expanding the capacity of the collection system. The source of reimbursement shall be contributions from benefiting developers that may connect to the system.
 42. Developers are required to provide for the expansion of public utilities and provide for coordination of such utilities with development of City infrastructure including streets. Costs of public utility improvements are the responsibility of the developer.

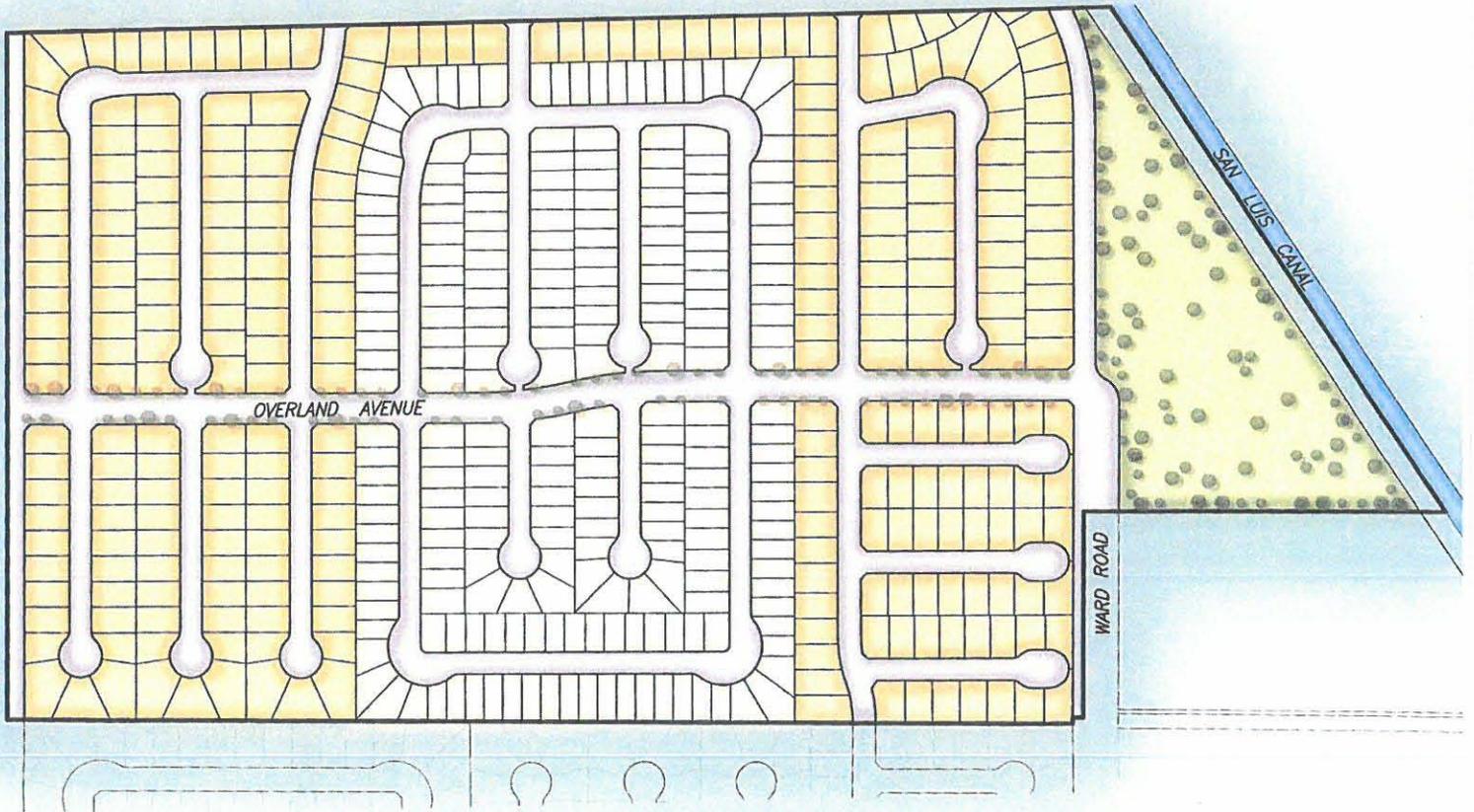
SOUTHPOINTE AT REGENCY PARK

FINAL DEVELOPMENT PLAN



BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING

CONRAD | ASTURI
studios inc



LOS BANOS, CALIFORNIA

**Southpointe at Regency Park
Final Development Plan
Los Banos, California
August 2015**

PROJECT PROPONENTS

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A & H INVESTMENTS

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Subdivider:

STONEFIELD COMMUNITIES

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OPEN SPACE

Section 5: PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE

INFRASTRUCTURE MASTER PLAN – WATER
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INTRODUCTION

Section 1

INTRODUCTION

Southpointe at Regency Park

INTRODUCTION

1.1 PURPOSE AND CONTENT

The purpose of this document is to present Southpointe at Regency Park Final Development Plan (FDP), as detailed within the seven following sections:

Section 1 INTRODUCTION

Section 2 LAND USE

Section 3 CIRCULATION

Section 4 PARKS, OPEN SPACE AND RECREATION

**Section 5 PUBLIC FACILITIES, SERVICES AND
INFRASTRUCTURE**

Section 6 ARCHITECTURE

Section 7 PHASING AND FINANCING

In 2005 Southpointe at Regency Park was previously entitled as The Provinces (VTTM #2005-01, VTTM #2005-02, FDP # 2004-01 and GPA #2005-03) as the last part of the larger Meadowlands project which is an integral part of the previously-approved East Los Banos Area Plan (ELBAP). Southpointe at Regency Park embodies the concepts contained in the East Los Banos Area Plan Revision (APR) to the ELBAP and follows guidelines set forth in the City of Los Banos General Plan.

Southpointe at Regency Park Final Planned Development (FDP), Southpointe brings forth a mix of low and medium density single family residential land uses, provides for efficient internal and external circulation, and identifies the infrastructure and public facilities which will serve the project.

The development concepts, land uses, low maintenance drought tolerant landscape and architectural features, unique layout, and use of advanced guidelines and design standards are intended to ensure the quality and character of the FPD.

1.2 PROJECT SITE LOCATION

Southpointe at Regency Park is located within the existing City limits, in between Place and Ward Roads, and along both sides of the future easterly extension of Overland Avenue. The overall project site is bordered by Ward Road and the San Luis Canal on the east, Place Road on the West, the "Verona" planned neighborhood on the south, and agricultural land on the north also

Southpointe at Regency Park

INTRODUCTION

Park, whose FDP will be filed concurrently with the Southpointe at Regency Park FDP.

The project area totals approximately 109.50 acres and is located in the primary growth area envisioned in the previous entitlements, ELBAP, APR and General Plan. Legal descriptions and plats are presented in Appendix A of this document.

1.3 SITE SETTING / EXISTING CONDITIONS

The project site is an existing almond orchard and historically has been used for agricultural purposes. There are no other significant trees, structures or improvements on the site.

The terrain is flat with a 0-1% slope generally from southwest to northeast. There are no gullies, ravines, or wash areas on the site.

The northern border of the project site abuts agricultural land. The eastern border of the project abuts the San Luis Canal. The southern and western borders adjoin existing single-family neighborhoods, respectively.

1.4 PROJECT CONCEPT

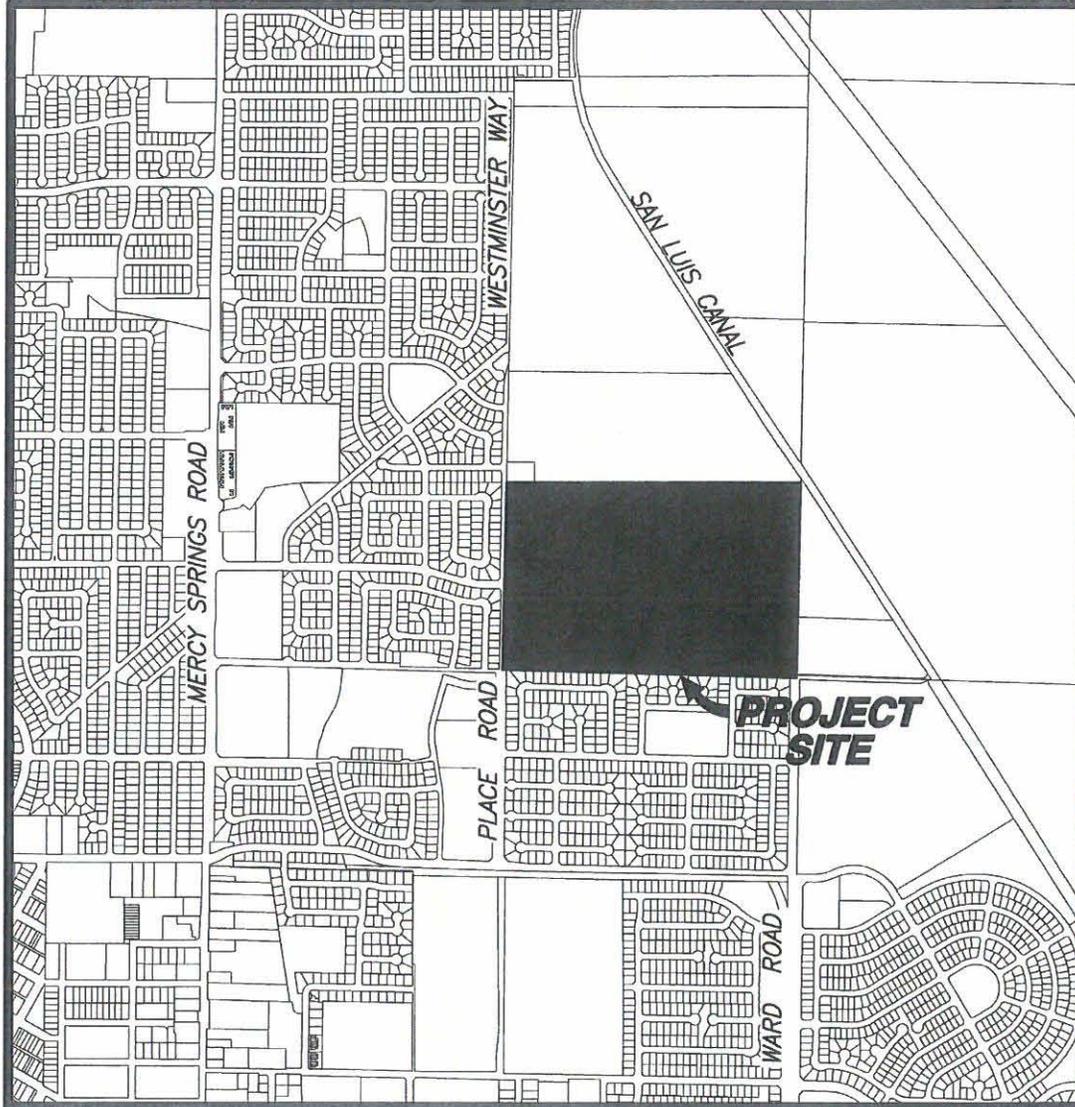
Southpointe at Regency Park, as presented herein, is consistent with proposed revisions to the ELBAP. The APR is intended to guide growth in this area.

As set forth in the General Plan, the project provides a mix of land uses including phased low density single family residential development, medium density residential development, and open space.

The Los Banos General Plan, the ELBAP, and Residential Design Standards serve as guiding principles for Southpointe.

The open space on the east side of Ward Road is to be a storm drain basin, providing an extension of the open space corridor along the San Luis Canal.

The intended result of the design is neighborhoods that provide a variety of densities while also providing environmental, social, and recreational amenities to both the residents and to the City of Los Banos.



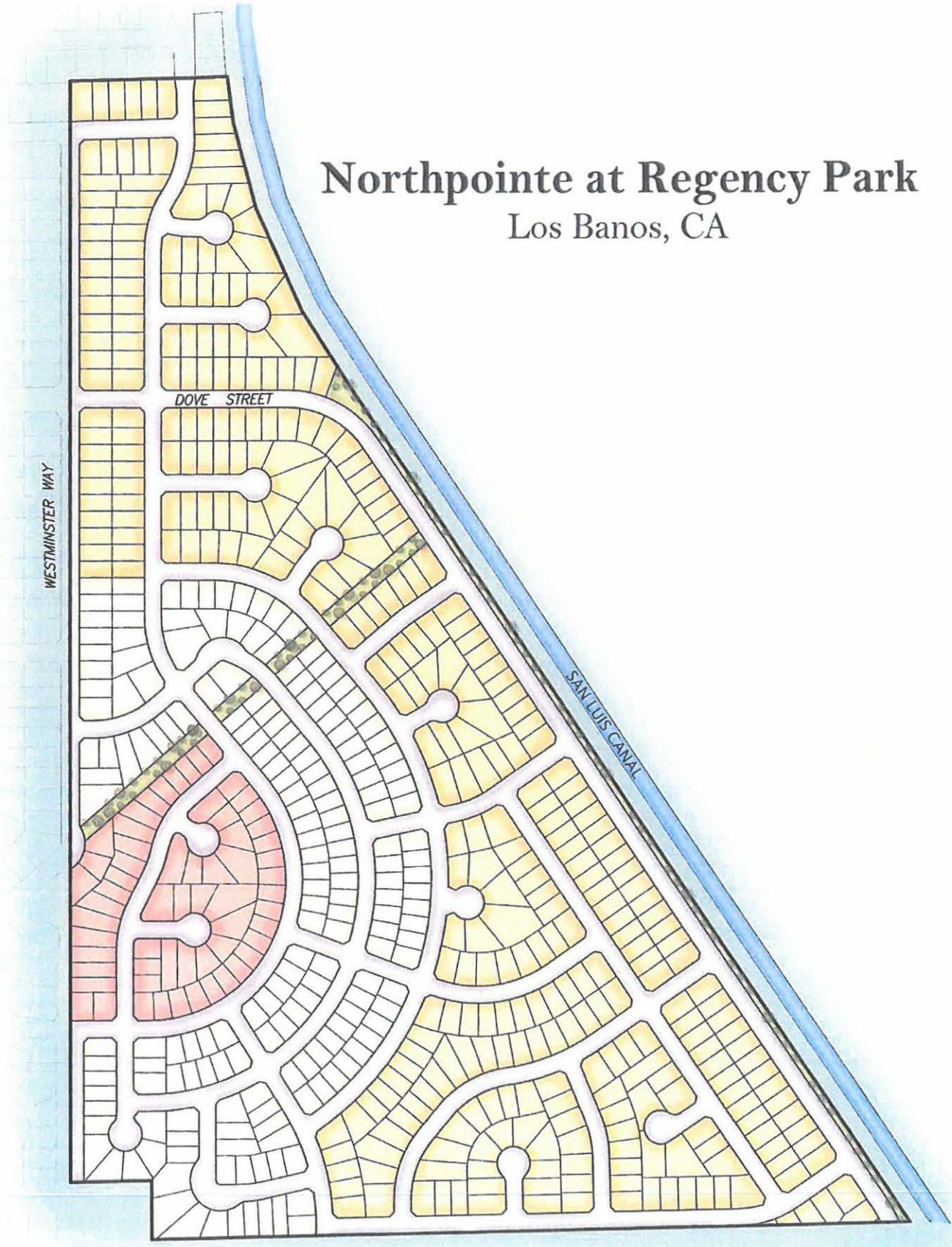
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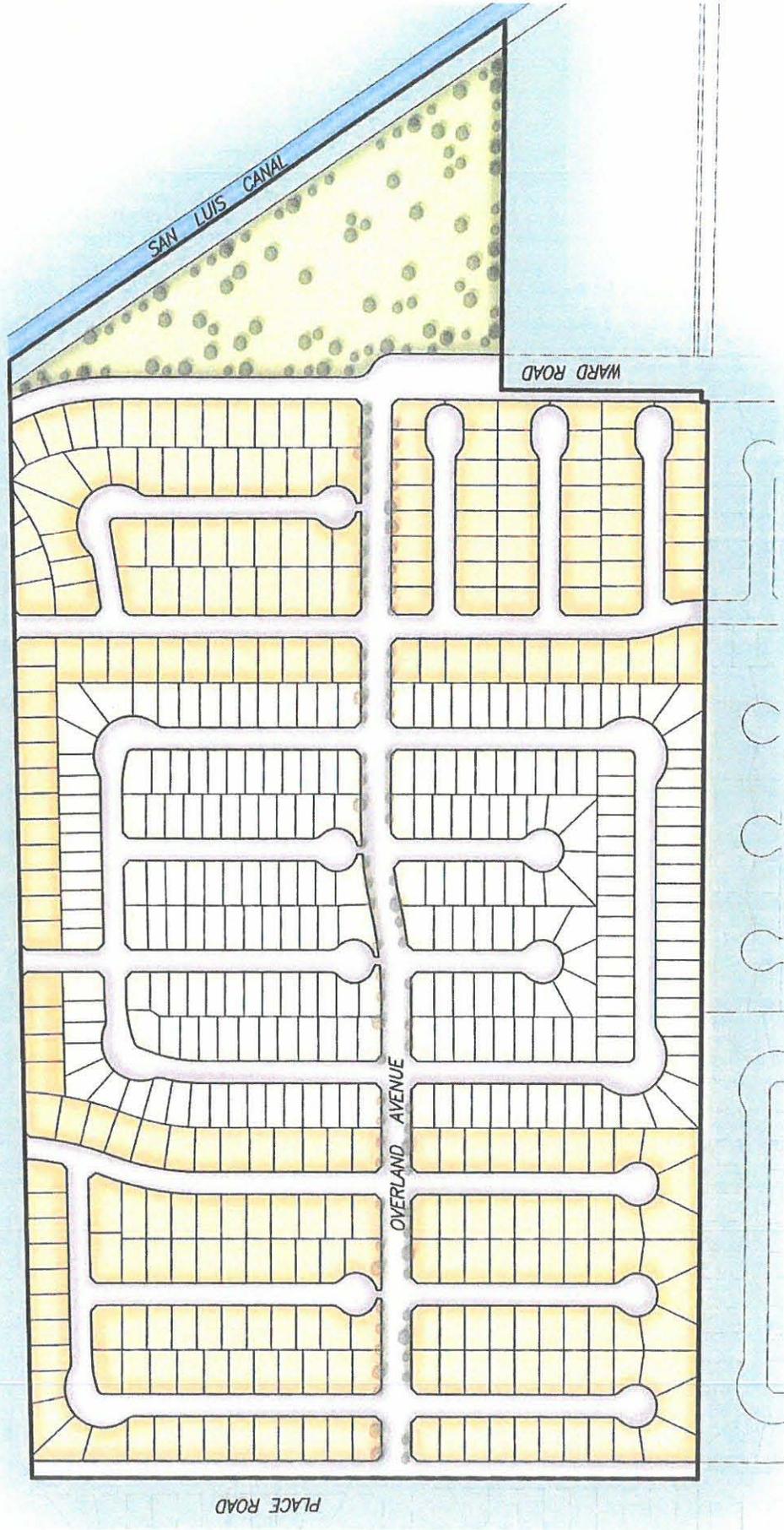
VICINITY MAP
SOUTHPOINTE
AT REGENCY PARK
 LOS BANOS, CALIFORNIA

DRAWN BY:	TM
DATE:	08/07/15
SHEET:	1 OF 1
JOB:	100025

Northpointe at Regency Park

Los Banos, CA





Southpointe at Regency Park

Los Banos, CA

LAND USE

Section 2

LAND USE

Southpointe at Regency Park

LAND USE

2.1 INTRODUCTION

This section provides descriptions of the proposed land uses and identifies the general guidelines utilized for the overall development of Southpointe at Regency Park.

The intent of the proposed project is to develop approximately 110 acres in accordance with the design goals of the Los Banos General Plan.

The proposed FDP integrates residential, recreational, and public facility uses to create a sense of neighborhood, of place, and of community. Internal linkages connect the amenities and bring residents together using corridors, local streets, a greenway, as well as pedestrian and bicycle paths including lanes and routes on local streets. The City trail system will connect adjacent development to Southpointe at Regency Park.

2.2 LAND USE SUMMARY

Southpointe at Regency Park includes low and medium density detached single family dwellings. The low density single family homes are on lot sizes varying from 6,000 SF to over 13,500 SF and medium density single family homes on lot sizes varying from 3,795 to 9,552 SF as shown in Table 2-1 below.

**TABLE 2-1
LOT SIZES (SQ. FT.)**

Density	Number of Lots	Approximate Square Footage	Lot Area Average
Low	277	6,000 – 13,532	6,794
Medium	233	3,795 – 9,552	5,110

A linear greenway interconnects streets in the northeastern portion of the development on Place Road and Overland Avenue using intermediate Sycamore's, framed by Crape Myrtle's with Star Jasmin and low lying shrubs and pathways.

Nearly 11 acres of open space will include facilities such as a detention basin, which may double as open space or recreational opportunities, corridors and pathways for pedestrians and bicycles, and environmental buffers along the San Luis Canal.

Southpointe at Regency Park

LAND USE

The proposed land use is presented in the Land Use Plan exhibit at the end of this section.

2.3 RESIDENTIAL LAND USE

Approximately 97.8 acres of the total 110 acres of Southpointe at Regency Park are proposed for residential development excluding the storm drain basin and open space. At build-out there will be 510 single family detached homes on lots of varying sizes shown on the Land Use Exhibit at the end of this section. The low density single family residential development will consist of 277 homes whose density will be approximately 4.64 units per gross acre. The medium density residential development will consist of 233 homes whose density will be approximately 6.30 units per gross acre.

The variety of proposed dwelling units is shown in the architectural section attached separately to this document. The variety of building footprints and elevations reflects a rich mixture of home styles which will present a pleasing streetscape in each neighborhood.

The project layout relates neighborhood features such as the neighborhood parks, the greenway, and pedestrian and bicycle paths to the recreational options. The layout provides for connectivity, to greater Los Banos as well. There is no intention that this should be an isolated community. Rather, it will be an identifiable place within the larger context of the City of Los Banos.

2.4 OPEN SPACE

Southpointe at Regency Park is designed with recreational open space, inclusive of the San Luis Canal corridor. This corridor has been designed to include bicycle and pedestrian paths to provide residents with safe and convenient linkages within and around the community, as well as connectivity to greater Los Banos.

The open space and linear corridors total approximately 11 acres with multiple use potential, particularly that of combining detention basin usage with recreational facilities.

The overall open space and recreational network is also presented in the Land Use Plan Exhibit at the end of this section and in the Bike/Pedestrian Circulation exhibit shown in Section 3.

Southpointe at Regency Park

LAND USE

2.5 SCHOOLS, PARKS, AND PUBLIC USES

Southpointe at Regency Park is located north and east of a proposed educational site. Pacheco High School is southeast of the project site.

Over 11 acres of open space on the eastern border of the community will combine linear corridors and detention basins with recreational options, and connect pedestrian and bicycle paths with lanes and routes on local streets. These are discussed further in Section 4.

2.6 RESIDENTIAL DEVELOPMENT GUIDELINES

The following section presents general development guidelines for residential uses. These guidelines were obtained from the City of Los Banos General Plan. The FDP will define densities, setbacks, and other architectural and design features. The underlying zoning standards of the City of Los Banos Zoning Ordinances are consistent with the proposed land use and shall apply unless exempted or otherwise changed by the Developer's Agreement.

2.7 LOW DENSITY FAMILY RESIDENTIAL

The detached low density single family dwellings will be constructed to an average density of 4.64 units per gross acre. Variations in lot sizes and configurations will be incorporated in the FDP. Representative configurations for planned single family units are presented in an attached package.

Setbacks from the property lines shall be a minimum front yard setback of 15 feet to a side-loading garage, 20 feet a front-loading garage, and 15 feet to the living area. Setbacks to the porch is proposed to be 10'.

Exterior side-yard setbacks shall be a minimum of 5 feet. Rear-yards shall be a minimum of 10 feet for single story, and 20 feet for multi-story units.

2.8 MEDIUM DENSITY RESIDENTIAL

Southpointe at Regency Park

LAND USE

The detached low density single family dwellings will be constructed to an average density of 6.30 units per acre. Variations in lot sizes and configurations will be incorporated in the FDP. Representative configurations for planned single family detached residential units are presented in an attached Architectural package.

Setbacks from the property lines shall be a minimum front yard setback of 15 feet to a side-loading garage, 20 feet to a front-loading garage, and 15 feet to the living area. Setbacks to the porch are proposed to be 10'.

Exterior side-yard setbacks shall be a minimum of 5 feet. Rear-yards shall be a minimum of 10 feet for single story, and 20 feet for multi-story units.



-  **LOW DENSITY RESIDENTIAL**
277 UNITS / 59.97 AC = 4.6 UNITS/AC
-  **MEDIUM DENSITY RESIDENTIAL**
233 UNITS / 36.95 AC = 6.3 UNITS/AC
-  **DRAINAGE BASIN**
10.0 AC
-  **OPEN SPACE/PUBLIC USE**
2.59 AC

SOUTHPOINTE AT REGENCY PARK LAND USE EXHIBIT



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SOUTHPOINTE AT REGENCY PARK

JOB # 100025

LOW DENSITY RESIDENTIAL

277 Lots

LOT #	SQ FOOTAGE						
1	7420	41	6300	81	6500	237	7426
2	6000	42	6300	82	6500	238	7426
3	6000	43	7223	83	8068	239	7426
4	6000	44	6892	200	6713	240	6275
5	6000	45	8068	201	6000	241	7215
6	6000	46	6104	202	6000	242	6320
7	6000	47	6300	203	6000	243	6028
8	6030	48	6300	204	6000	244	6855
9	6016	49	6300	205	6000	245	6855
10	8603	50	6300	206	6000	246	6855
11	9127	51	6300	207	6000	247	6855
12	7938	52	6300	208	6000	248	6855
13	6785	53	6300	209	6000	249	6855
14	6300	54	6300	210	6000	250	6761
15	6300	55	8906	211	6706	251	6038
16	6300	56	10297	212	6873	252	7736
17	6300	57	7538	213	6420	253	13532
18	6300	58	6804	214	6420	254	10870
19	6300	59	6402	215	6420	255	6004
20	6300	60	6301	216	6420	256	628
21	6300	61	6300	217	6420	257	7876
22	7154	62	6300	218	6420	258	7745
23	7252	63	7135	219	6420	259	6842
24	6300	64	6825	220	6420	260	7198
25	6300	65	6825	221	6420	261	7389
26	6300	66	7252	222	6420	262	7251
27	6300	67	7252	223	7392	263	7655
28	6300	68	6300	224	7902	264	6855
29	6300	69	6300	225	6857	265	7426
30	6825	70	7350	226	7428	266	7426
31	6825	71	6300	227	6857	267	7426
32	6825	72	7350	228	6857	268	6855
33	7007	73	6479	229	7428	269	6855
34	7582	74	6941	230	8544	270	7426
35	6300	75	8100	231	7428	271	8471
36	6300	76	6618	232	8544	272	6357
37	6300	77	6792	233	8946	273	6000
38	6300	78	6913	234	7426	274	6000
39	6300	79	8797	235	7426	275	6000
40	6300	80	7521	236	7426	276	6000

SOUTHPOINTE AT REGENCY PARK
JOB # 100025
LOW DENSITY RESIDENTIAL

LOT #	SQ FOOTAGE						
277	6000	307	6000	454	6300	484	6300
278	6037	308	6000	455	6300	485	6300
279	6565	309	5998	456	6098	486	6300
280	6575	310	6013	457	12038	487	6300
281	6038	311	6103	458	9844	488	6300
282	6000	312	6496	459	11957	489	7042
283	6000	313	6162	460	6098	490	7042
284	6000	314	6643	461	6300	491	6300
285	6000	315	6615	462	6300	492	6300
286	6000	316	6586	463	6300	493	6300
287	6455	317	6558	464	6300	494	6300
288	6455	318	7351	465	6300	495	6300
289	6000	319	9061	466	6300	496	6300
290	6000	320	7468	467	6300	497	6300
291	6000	321	6571	468	7042	498	6010
292	6000	322	6305	469	7042	499	11927
293	6000	323	6300	470	6300	500	9496
294	6012	324	7350	471	6300	501	11844
295	6556	325	6300	472	6300	502	6010
296	6467	326	6300	473	6300	503	6300
297	6012	327	7350	474	6300	504	6300
298	6000	328	6300	475	6300	505	6300
299	6000	329	6300	476	6300	506	6300
300	6000	330	7252	477	6054	507	6300
301	6000	448	7042	478	11983	508	6300
302	6000	449	6300	479	9669	509	6300
303	6455	450	6300	480	11901	510	6944
304	6678	451	6300	481	6054		
305	6000	452	6300	482	6300		
306	6000	453	6300	483	6300		

Min 6000 SF
Max 13532 SF
Average 6794 SF

SOUTHPOINTE AT REGENCY PARK
JOB # 100025
MEDIUM DENSITY RESIDENTIAL
233 Lots

LOT #	SQ FOOTAGE						
84	6701	123	4725	162	4725	332	4725
85	5048	124	4725	163	5794	333	4725
86	4681	125	4701	164	6983	334	4725
87	5438	126	4647	165	4725	335	4725
88	6900	127	5351	166	4725	336	4725
89	5001	128	7851	167	4725	337	4725
90	4958	129	5220	168	4725	338	4725
91	5297	130	4725	169	4725	339	4725
92	5327	131	4725	170	4725	340	4725
93	5083	132	4725	171	4725	341	4722
94	4725	133	4725	172	4725	342	4089
95	4725	134	4725	173	4725	343	3795
96	4725	135	5259	174	4725	344	5879
97	4725	136	4725	175	5677	345	8803
98	4725	137	4835	176	5677	346	6164
99	4725	138	4726	177	5250	347	4013
100	4725	139	5682	178	5250	348	4673
101	4725	140	5674	179	4725	349	5148
102	5677	141	4726	180	5250	350	5135
103	5868	142	5057	181	4725	351	5121
104	5250	143	4725	182	4725	352	5107
105	4725	144	4725	183	5250	353	5093
106	5250	145	4725	184	5250	354	5080
107	5250	146	4725	185	5228	355	5066
108	4725	147	4725	186	5107	356	5052
109	5250	148	4725	187	8390	357	5038
110	5250	149	4723	188	9552	358	5025
111	4725	150	4312	189	6030	359	5011
112	4654	151	7002	190	4476	360	4997
113	4803	152	5990	191	4506	361	4829
114	6308	153	4600	192	4500	362	3948
115	5127	154	4725	193	4500	363	4757
116	4564	155	4725	194	4500	364	7410
117	4725	156	4725	195	4500	365	6982
118	4725	157	4725	196	4500	366	5654
119	4725	158	4725	197	4500	367	3977
120	4725	159	4725	198	4500	368	4712
121	4725	160	4725	199	4968	369	4725
122	4725	161	4725	331	5677	370	4725

SOUTHPOINTE AT REGENCY PARK
JOB # 100025
MEDIUM DENSITY RESIDENTIAL

LOT #	SQ FOOTAGE						
371	4725	391	4050	411	5785	431	7242
372	4725	392	4500	412	5760	432	4725
373	4725	393	4050	413	4725	433	5250
374	4725	394	4500	414	4725	434	4725
375	4725	395	4050	415	4725	435	5250
376	4725	396	4500	416	4725	436	4925
377	5677	397	4050	417	4725	437	5782
378	5854	398	4500	418	4677	438	8211
379	4725	399	4050	419	4026	439	5921
380	5250	400	4230	420	7387	440	8211
381	4725	401	5358	421	7303	441	5700
382	5250	402	5250	422	7653	442	4905
383	4725	403	5250	423	7033	443	5250
384	5250	404	5250	424	4454	444	4725
385	4725	405	5250	425	4714	445	5250
386	6300	406	4725	426	5250	446	4725
387	5358	407	5250	427	4725	447	5726
388	4230	408	4725	428	5250		
389	4050	409	5250	429	4725		
390	4500	410	5314	430	7153		

Min 3795 SF
Max 9552 SF
Average 5110 SF

CIRCULATION

Section 3

CIRCULATION

Southpointe at Regency Park

CIRCULATION

3.1 CONCEPT

One objective of the development plan is to provide for safe and efficient movement of motorists, pedestrians and bicycles both within the project and to greater Los Banos.

The circulation system provides a network of exclusive pedestrian/bicycle paths, and lanes and routes on local streets as shared facilities, as well as landscaped park strips between curb and gutter and sidewalks for safe walking space. Open space corridors allow circumferential movement with a minimum of street crossings. Open ended cul-de-sacs minimize the number of four way crossings.

The circulation concept employs local streets and the greenway along Ward Road, Place Road and Overland Avenue to enhance linkage to the amenities within the project and to nearby services and shopping outside the borders of the project.

The circulation patterns integrate low traffic volumes on internal streets with pedestrian and bicycle movements and provides for an eight foot wide path in the greenway along the north side of Overland Avenue, a major collector. This pattern promotes and strengthens neighborhood identity throughout the project.

The circulation concepts are shown on the Vehicular Circulation and Bike/Pedestrian Circulation exhibits at the end of this section.

3.2 EXISTING FACILITIES

Ward Road, along the eastern boundary, is an arterial, while Place Road and Overland Avenue on the west are major collectors. It is proposed that Overland Avenue be extended from west to east through the project to intersect Ward Road. This extension of Overland Avenue will be a major collector. Castellana Street will be extended into the site from the south where the Verona Subdivision is located. The remaining roadways are neighborhood streets designed for low traffic volumes.

3.3 PROPOSED FACILITIES

The components of the circulation system include a hierarchy of streets plus exclusive pedestrian and bicycle paths, and lanes and routes shared with motorists.

CIRCULATION

All neighborhood streets, excluding Castellana Street, within the FDP are lined with six feet wide planting strips separating sidewalks from the streets. Sidewalks shall be a minimum four feet in width and will be shaded by trees in the planting strips.

Exclusive use and shared pedestrian/bicycle paths, lanes, and routes are intended to encourage non-vehicular movement. The low volume local streets enhance safety for bicyclists who share the right-of-way.

Southpointe at Regency Park will connect to off-site circulation improvements as illustrated in exhibits at the end of this section. Circulation needs beyond the FDP borders have been identified in the proposed revisions to the ELBAP as well as in traffic studies conducted in support of the larger Meadowlands development.

3.3.1 ARTERIAL STREET DESIGN

The arterial street adjacent to the project is Ward Road which forms the southeastern border will extend to Overland Avenue. It will be 108 feet wide and will include two travel lanes in each direction separated by a 14 foot wide median. Each travel lane will have a 6 foot wide bike lane. On both sides of the roadway there will be a 5 foot sidewalk within a 15 foot wide park strip. A typical arterial street section is portrayed in an exhibit at the end of this section.

3.3.2 MAJOR COLLECTOR STREET DESIGN

Place Road, which forms the western boundary of the project, is a major collector. This existing street was completed as part of the Mission Village North subdivision. The street was constructed up to and including the east curb line of Place Road. A five foot wide sidewalk and a six foot high soundwall will be constructed within the 14 foot wide park strip. A typical section of Place Road is portrayed in an exhibit at the end of this section.

Overland Avenue, a major collector will run east to west through the subdivision and will connect to Ward Road and Place Road. It will be 72 feet wide from right-of-way to right-of-way. It will include one travel lane in each direction separated by a striped median and left turn pockets. On the north side of the roadway an eight foot wide sidewalk will meander through the park strip. On the south side of the roadway a five foot wide sidewalk will meander through the park strip. The eight foot wide sidewalk is for pedestrian and bicycle circulation.

Southpointe at Regency Park

CIRCULATION

3.3.3 NEIGHBORHOOD STREET DESIGN

The project will utilize 54 foot wide local streets to serve neighborhoods, excluding Castellana Street. The street section will include one 16 foot wide lane in each direction with a 6 foot park strip separating the street from the 5 foot sidewalk. Trees planted in the park strips will provide cover and shade for pedestrians and a pleasing aesthetic quality to the streetscape.

A typical section of a neighborhood street is portrayed in an exhibit at the end of this section.

Castellana Street, a local neighborhood street, stubs up to the south boundary of the project. The existing street section is 56' wide with one 18 foot wide lane in each direction. There is a 5.5 foot wide park strip separating the street from a 4.5 foot wide sidewalk. The extension of Castellana Street up into Southpointe a Regency Park subdivision will match the existing street section

3.4 NON-VEHICULAR CIRCULATION

Southpointe at Regency Park proposes to reduce single-occupant vehicle travel by providing an efficient and attractive network of pedestrian and bicycle paths, and on-street shared-space bicycle lanes and routes. Essential components of this network are the bicycle lanes on Ward Road, Place Road and the bike path on the south side of Overland Avenue. In addition, the bike paths along the basin bring circulation to the open space recreational facilities.

This network provides linkage to the City's linear park trails with connectivity to greater Los Banos. This network will facilitate bicycle commuting when more businesses are recruited to this idea and more employees realize the advantage of non-vehicular access.

3.5 PUBLIC TRANSPORTATION

A limited amount of public transportation currently is available in Los Banos. Additional routes and more buses will be made available as demand develops. One important guideline for public transportation is that no resident should be more than one-quarter mile from the nearest bus stop.

CIRCULATION

Public transportation is to be routed through Southpointe. Two bus stops will be centered along Overland Avenue. These stops place almost every dwelling within a one-quarter mile radius. The route would continue south on Ward Road to the shopping centers and the proposed Industrial-Business Park south of Pacheco Blvd (SR152). Southpointe design promotes a safer circulation pattern by having narrower local streets to calm traffic flows and discourage through trips.

3.6 ENTRY TREATMENTS

Community defining entry monumentation, such as that depicted below, will be installed at major entries.



Southpointe at Regency Park

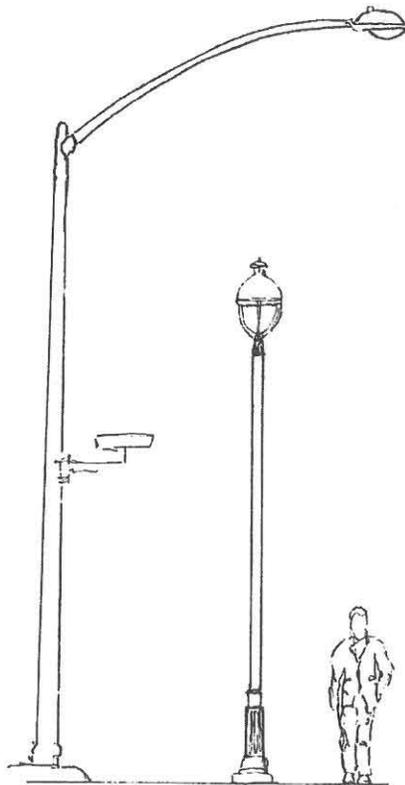
CIRCULATION

3.7 SIGNAGE

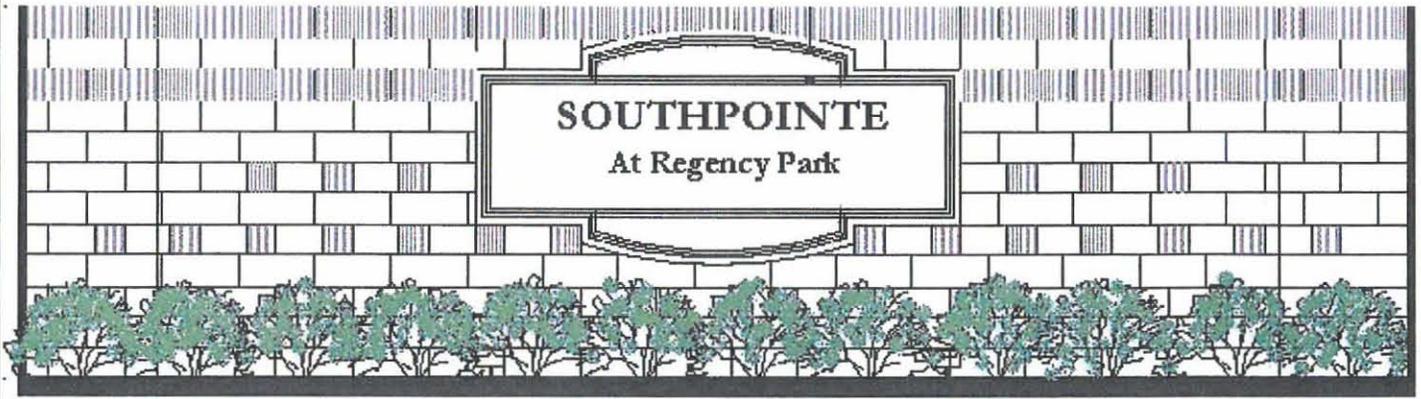
Street name signage will be standardized throughout the project. Additionally, neighborhood defining landscaping and/or signage will be located at secondary access points to Southpointe.

3.8 DECORATIVE LIGHTING

Human scale decorative lighting features, such as the one depicted below, will be located in the primary and secondary entries to Southpointe community. Decorative lighting will be located throughout Southpointe subdivision including all open space and greenway points. Standard cobra-head style streetlights will be placed along Ward Road and Place Road.



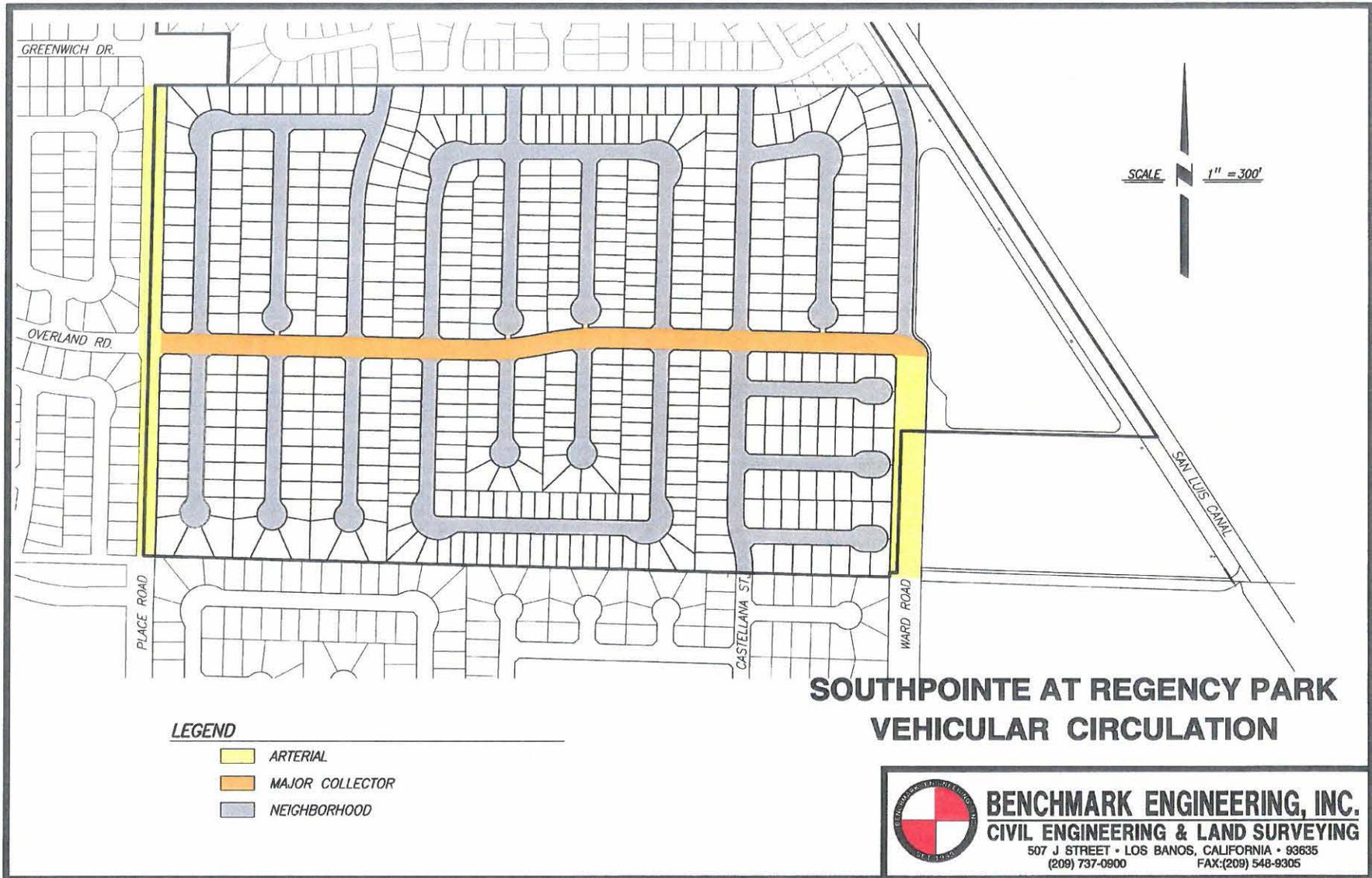
Southpointe at Regency Park



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MONUMENT SIGN
SOUTHPOINTE
AT REGENCY PARK
LOS BANOS, CALIFORNIA

DRAWN BY:	TM
DATE:	08/07/15
SHEET:	1 OF 1
JOB:	100025



GREENWICH DR.

OVERLAND RD.

PLACE ROAD

CASTELLANA ST.

WARD ROAD

SCALE 1" = 300'

SAN LUIS CANAL

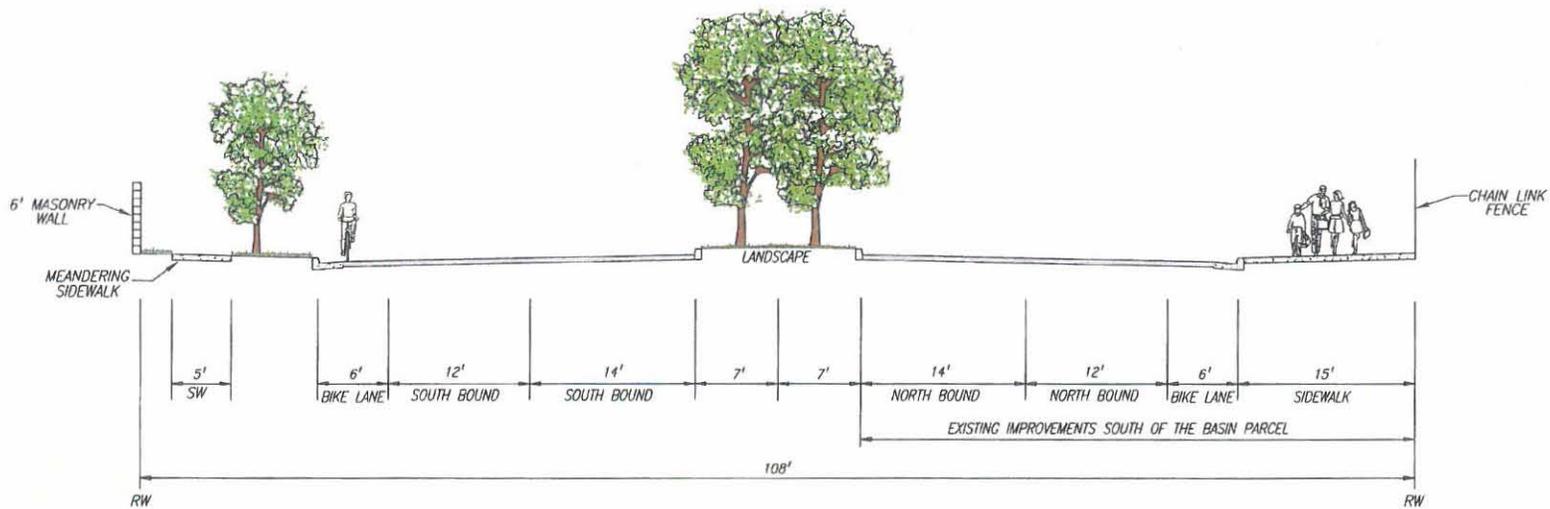


- LEGEND**
- BIKE PATH (PART OF CITY TRAIL SYSTEM)
 - - - BIKE PATH (CLASS I)
 - - - BIKE PATH (CLASS II)

**SOUTHPOINTE AT REGENCY PARK
BIKE / PEDESTRIAN CIRCULATION**



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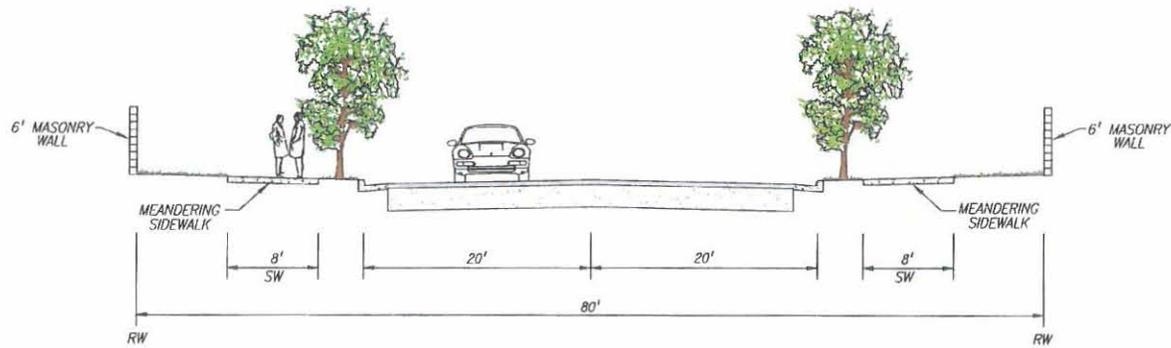


SOUTHPOINTE AT REGENCY PARK ARTERIAL COLLECTOR (WARD RD.)



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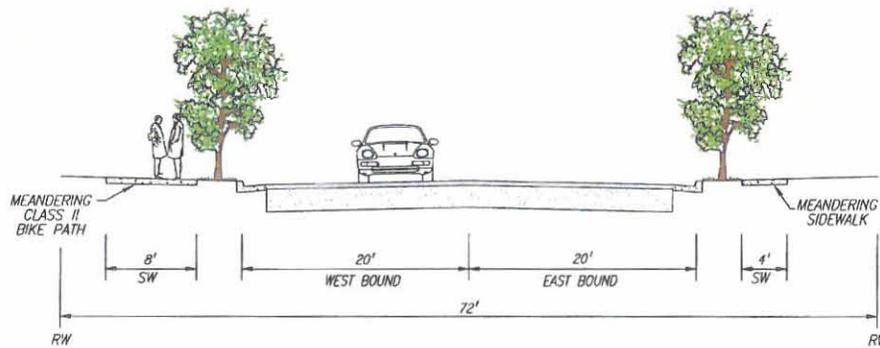


**SOUTHPOINTE AT REGENCY PARK
ARTERIAL COLLECTOR
(PLACE RD.)**



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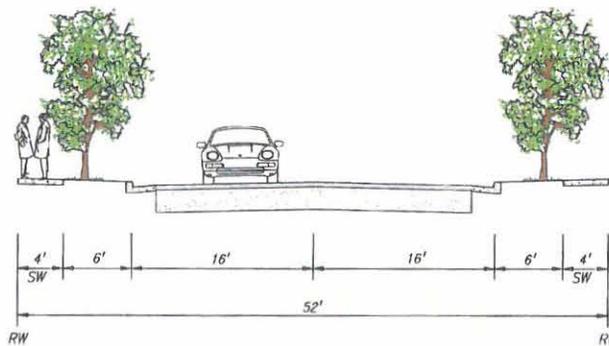


SOUTHPOINTE AT REGENCY PARK MAJOR COLLECTOR



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**SOUTHPOINTE AT REGENCY PARK
LOCAL STREET**



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PARKS, OPEN SPACE AND RECREATION

Section 4

PARKS, OPEN SPACE AND RECREATION

Southpointe at Regency Park

PARKS, OPEN SPACE AND RECREATION

4.1 PURPOSE AND INTENT

Landscaped components of Southpointe greenway, open space, pedestrian and bicycle pathways, corridors and open space public facilities. These components are shown in an exhibit entitled Open Space and Landscape Plan at the end of this section

4.2 REQUIRED FACILITIES

The City of Los Banos Recreation and Parks Department provides and maintains park facilities throughout the City. The Parks and Open Space Master Plan identify a parkland dedication standard of five acres per 1,000 residents.

Southpointe envisions 510 single family dwelling units, with the open space and greenway proposed and the amount of parks, greenway and open space previously dedicated in the ELBAP. No new parks are proposed within the project site.

4.3 PROPOSED FACILITIES

The open space and greenway/basin is 11.6.

4.3.1 LINEAR CORRIDORS

The open space will contain two linear corridors which will maximize the usefulness of the storm water detention area in the project.

One linear corridor lies along the southern boundary of the open space. A 30 foot wide landscaped corridor will be constructed to enhance the multi-use basin. A ten foot wide paved, joint-use pedestrian/bicycle path is intended for this corridor and will provide access to the City-wide trail system.

A second linear corridor is proposed on the eastern boundary parallel to the San Luis Canal to make use of the 20 foot buffer along the canal intended for habitat preservation. A wide, paved, joint-use pedestrian/bicycle path is intended for this corridor. This path will be an integral part of a City-wide trail system presently being constructed by The City of Los Banos.

Southpointe at Regency Park

PARKS, OPEN SPACE AND RECREATION

4.3.2 THE GREENWAY

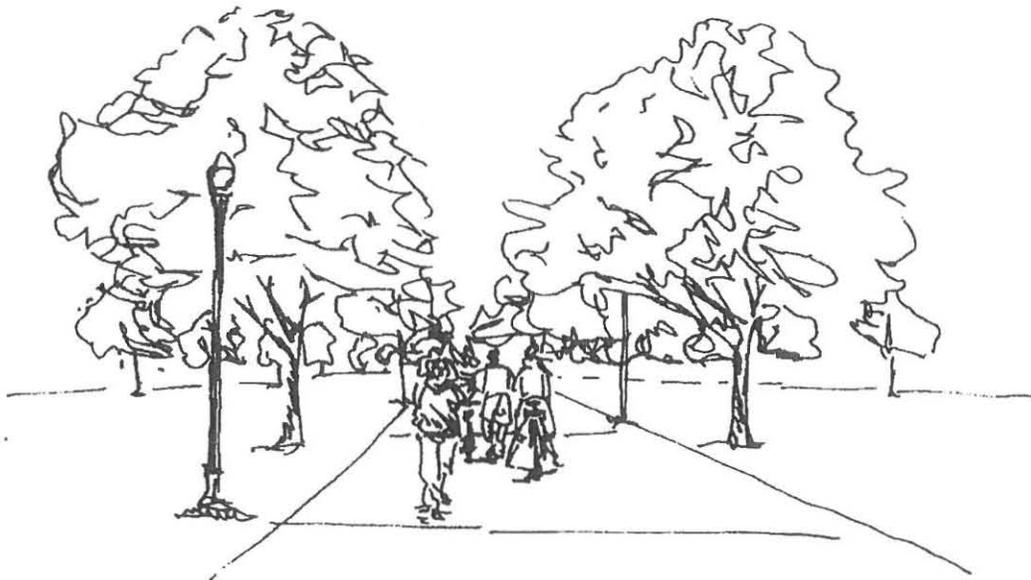
A neighborhood-linking, linear parkway has been designed on the north side of Overland Avenue. It is intended to provide an eight foot wide path and landscaping leading from Place Road to Ward Road. It inter-connects the different phases and the open space. The greenway enhances circulation among neighborhoods, encourages a sense of community, and provides access to the larger 11 acres of open space.

4.3.3 OPEN SPACE

The innovative use of open space is discussed in Section 2. In summary, nearly 11 acres of open space will be provided and may be developed as multi-use amenities and facilities

4.3.4 DECORATIVE LIGHTING

Human scale decorative lighting features, similar to those used at entries, will be located throughout the neighborhood parks and greenway. A depiction of such a decorative lighting feature is made in Section 4.3.3.



INSERT OPEN SPACE EXHIBIT

Southpointe at Regency Park

PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE

Section 5

PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE

Southpointe at Regency Park

PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE

5.1 PURPOSE AND INTENT

Southpointe at Regency Park will include a range of public facilities and services including potable water, sanitary sewer, and storm water drainage.

5.2 WATER FACILITIES

Water for domestic use and fire protection will be provided by the City of Los Banos in accordance with the City's Water Master Plan.

5.2.1 EXISTING FACILITIES

Existing water facilities include a 12 inch main along Ward Road constructed up to the southeast corner of the project. There is also a 16 inch main in Place Road along the entire project frontage.

5.2.2 PROPOSED FACILITIES

The project will be served by a 12 inch water main in Overland Avenue which will tee into the extended 12 inch water main in Ward Road. The 12 inch main in Overland Avenue will also tee into the 16 inch water main running along Place Road. A 10 inch water main will be extended in Ward Road from Overland Avenue to the north boundary of the project. A network of laterals will distribute water to individual dwelling units and public facilities. All water main improvements will conform to the City of Los Banos Water Master Plan.

Fire hydrant and "Blue dot" hydrant locaters will be installed as specified by the City of Los Banos Improvement Standards and Specifications.

The proposed water infrastructure is shown in an exhibit at the end of this section.

5.3 SANITARY SEWER FACILITIES

Sanitary sewer will be provided by the City of Los Banos in accordance with the City's Sewer Master Plan.

5.3.1 EXISTING FACILITIES

Southpointe at Regency Park

PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE

conveyed through a network of gravity pipes from individual homes to the Northgate Lift Station located along Rockport Street.

The existing sanitary sewer lift station is designed to accommodate Southpointe at Regency Park.

5.3.2 PROPOSED FACILITIES

The City of Los Banos will provide sanitary sewer collection and treatment for the FDP. All sewer improvements shall conform to City Improvement Standards and Specifications. The exact location and final design of the system must be approved by the City of Los Banos.

5.4 STORM DRAINAGE

5.4.1 EXISTING FACILITIES

At present, there are no existing storm drain facilities.

5.4.2 PROPOSED FACILITIES

The storm water collection system, as proposed, utilizes a series of catch basins, valley gutters, and storm drain lines to convey runoff into an 11 acre detention basin located at the east end of the project. The basins contain peak flows while the pumps meter the discharge into the San Luis Canal. The design conforms to the City's Storm Drain Master Plan and all approved revisions.

5.4.3 PIPE DESIGN

Storm drain piping shall be designed according to City standards and specifications to handle a storm with a minimum return period of five years.

5.4.4 DETENTION BASIN

The proposed detention basin will be located in the east side of the project. The bottom of the basin will maintain a minimum elevation of 5 feet above the underlying with the maximum water surface

Southpointe at Regency Park

PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE

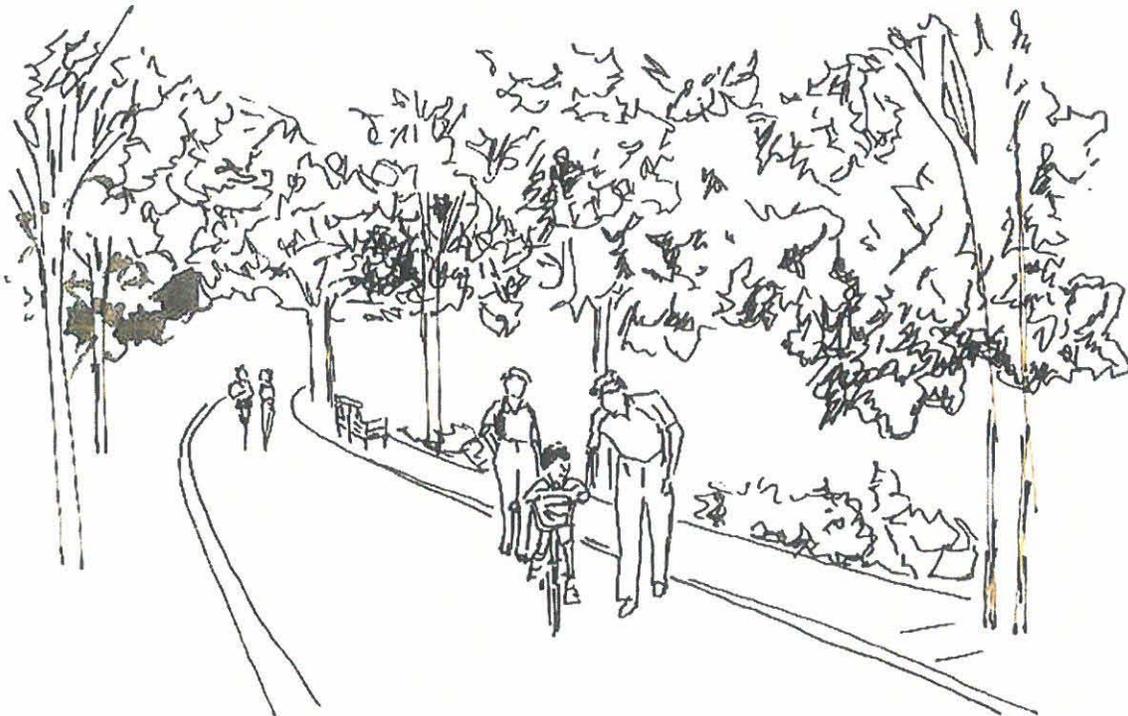
elevation within the basin shall be one foot below the top of the curb elevation at the lowest catch basin inlet in the tributary area.

The proposed basin will be sized to accommodate flow from its drainage area. The combined basin capacity will be sufficient to contain the total runoff from a 50 year frequency, 24 hour duration rainfall. The pumps have adequate capacity.

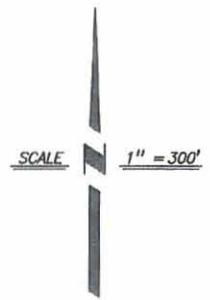
The proposed storm drainage system is presented on the Infrastructure Master Plan - Storm Drain exhibit at the end of this section.

5.4.5 MULTIPLE USES FOR DETENTION BASIN

The size, shape, and location of the detention basin is such that it has potential for recreational joint use. It is anticipated that the basin may contain excess runoff only for a few weeks each year. Further, its perimeter location will minimize the impact of open space activity on neighborhood residents.

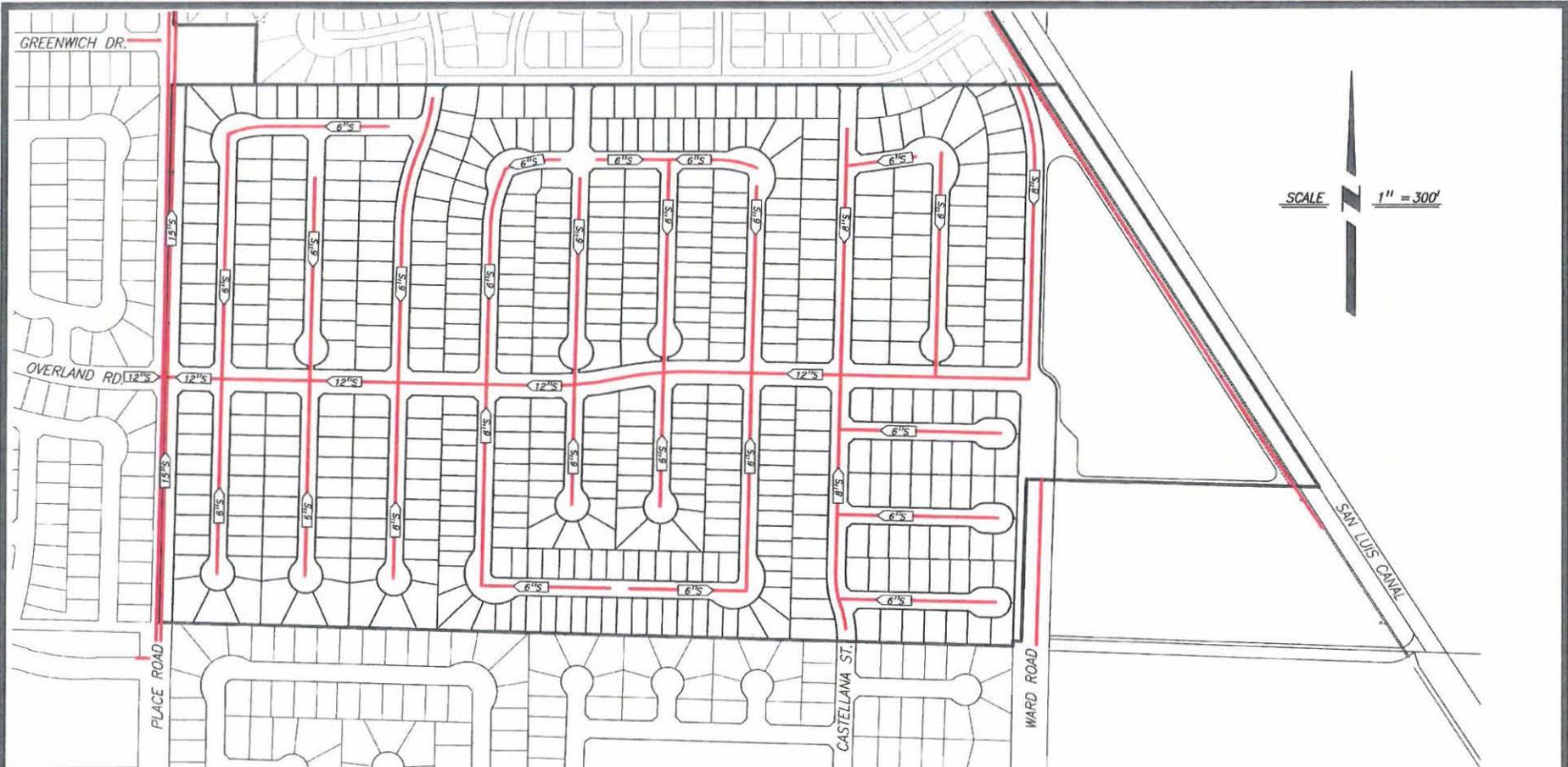


Southpointe at Regency Park



SOUTHPOINTE AT REGENCY PARK WATER EXHIBIT

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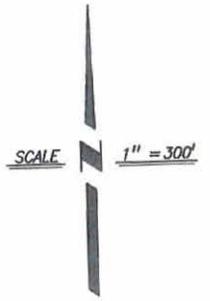


SCALE  1" = 300'

SOUTHPOINTE AT REGENCY PARK SEWER EXHIBIT



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**SOUTHPOINTE AT REGENCY PARK
STORM DRAIN EXHIBIT**



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ARCHITECTURE

Section 6

ARCHITECTURE

Southpointe at Regency Park

ARCHITECTURE

6.1 NEIGHBORHOOD CHARACTER

Our goal for Southpointe at Regency Park is to provide high quality architecture and planning that combine to create neighborhoods of diverse character that are compatible to the surroundings areas as well as an enhancement to the overall value of the community. This diversity is achieved through the use of a variety of lot sizes, floor plans, elevation styles, differing rooflines and garage configurations, and a wide range of colors and material selections.

6.2 FLOOR PLANS

Southpointe consists of 17 different, detached single-family floor plans ranging from 1,248 to 3,360 square feet with 2 or 3-car garages. These plans are divided among neighborhoods of 4,000, 4,500, 5,000, 5,500 and 6,000 square foot lots, with 10 of the plans single-story and the remaining 7 two-story designs. Plan widths range from 35' to 50' while the depths vary from 45' to 65'-10".

The designs emphasize entries and living areas of the homes through the use of prominent front porches and/or architectural features while at the same time de-emphasizing the garages by setting them back from the front façade or splitting into separate 2-car and 1-car garages. In all cases the garages are attached to the home.

Each plan includes 3 distinct elevation styles and color/material palettes. By mixing single and two-story plans and varying floor plan types, elevation styles, colors and materials each neighborhood is insured a rich texture of facades and massing. Differing garage treatments and locations will provide for an articulated streetscape and each plans has been designed to maximize the rear yards.

6.3 ELEVATION STYLES

The elevation styles chosen for Southpointe at Regency Park invoke the character and charm of many of the older communities found throughout the central valley. Recognizable styles such as Early Californian, California Coastal and California Rustic are part California's architectural history since the turn of the century and many examples can be found in the surrounding neighborhoods.

As mentioned in the previous subsection, each plan will have three distinct corresponding elevations adding up to a total of 51 different

Southpointe at Regency Park

ARCHITECTURE

designs. Articulated front elevations and set back second stories provide richness to the massing of the homes. A mixture of gable and hip roofs vary appearance and each design uses a roof pitch that is consistent with the style it represents giving the different elevations higher or lower ridgelines depending on the style. Exterior materials and detailing also vary between styles. This diverse combination of elements will produce neighborhoods that are visually dynamic and rich in architectural character.

6.4 COLORS AND MATERIALS

Materials and colors have been chosen for each design to be compatible with its corresponding style. There are 3 color schemes per style, allowing for 51 unique color schemes spread across five neighborhoods.

PHASING AND FINANCING

Section 7

PHASING AND FINANCING

Southpointe at Regency Park

PHASING AND FINANCING

7.1 PURPOSE AND INTENT

The following text addresses the proposed phasing of the project and the associated major infrastructure improvements that will be required for the sequential build out of Southpointe at Regency Park.

Various funding methods for financing the FDP capital improvements are presented. This is not intended to imply that all methods will be utilized.

In fact, combinations may be used to meet the funding needs as they arise depending upon phasing sizes, infrastructure complexity, and economies of scale and market forces. Specific details of funding and reimbursement agreements will be set forth in the Developer's Agreement with the City of Los Banos.

7.2 PHASING OF IMPROVEMENTS

It is anticipated that build out of the FDP will occur in seven to twelve phases. This document identifies improvements that will have to be undertaken both on-site and off-site. They must correspond in timing and capacity to the phasing

7.3 PROJECT BENEFIT

Some project facilities will consist of improvements that will benefit the FDP solely. These will be termed in-tract improvements. These improvements will be fully funded by the project proponents and will not be eligible for reimbursement through the City. Examples of such ineligible improvements are:

- curbs, gutters, sidewalks, and park strip landscaping of neighborhood and collector streets
- all paving on neighborhood and collector streets
- on-site sanitary sewer collection system
- on-site storm drainage collection system including pipes, manholes, inlet structures and outlet structures
- domestic water and fire flow distribution system, piping, valves, and hydrants

PHASING AND FINANCING

If there are beneficiaries of the project infrastructure other than the proponents, it is expected that the City of Los Banos will enter into appropriate reimbursement agreements as permitted by the Municipal Code.

7.4 FINANCING MECHANISMS

7.4.1 CAPITAL FACILITIES

The City of Los Banos currently has ordinances that describe the procedures for obtaining reimbursement for utilities and roads that may benefit off-site areas. Southpointe at Regency Park will use existing City mechanisms for reimbursement for such conditions if they occur.

7.4.2 DEVELOPER FINANCING

Developers typically finance in-tract subdivision improvements including roads, sewer, storm drainage, water, landscaping and utilities using private funding sources. In addition, major public facilities can be financed by the developers at the request of, and reimbursed by, the City of Los Banos. This will be addressed in the Developer's Agreement.

7.4.3 LANDSCAPE AND LIGHTING DISTRICTS

The Landscape and Lighting Act of 1972 permits the installation, maintenance and servicing of landscaping and lighting through annual assessments on real property benefiting from those improvements. Southpointe at Regency Park will annex to the Landscape and Lighting District formed with The Meadowlands Unit No. 1.



**NORTHPOINTE & SOUTHPOINTE
AT REGENCY PARK**



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CONRAD ASTURI ARCHITECTS, INC. - ARCHITECTS AND INTERIOR DESIGNERS
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EARLY CALIFORNIAN

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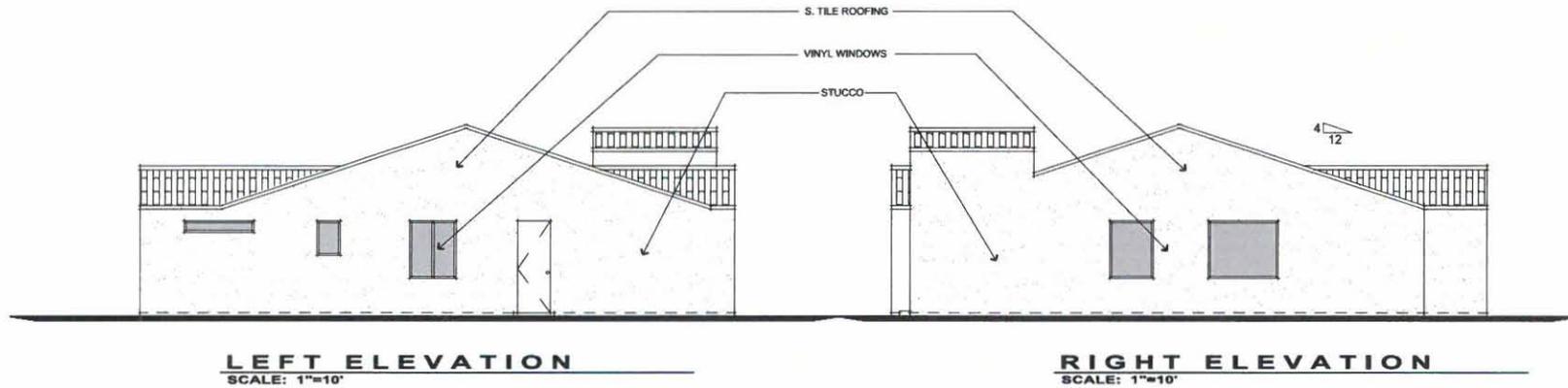
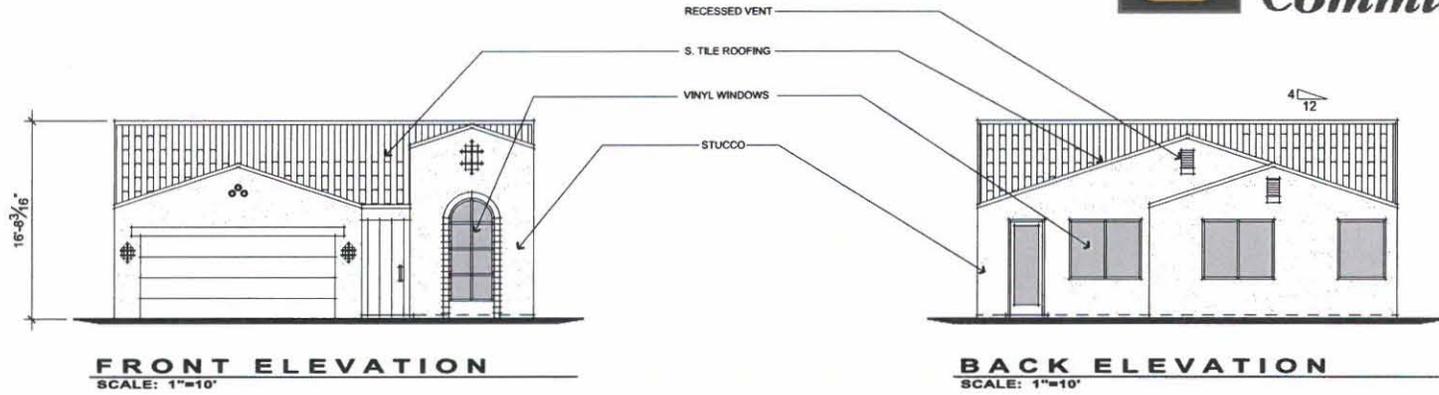


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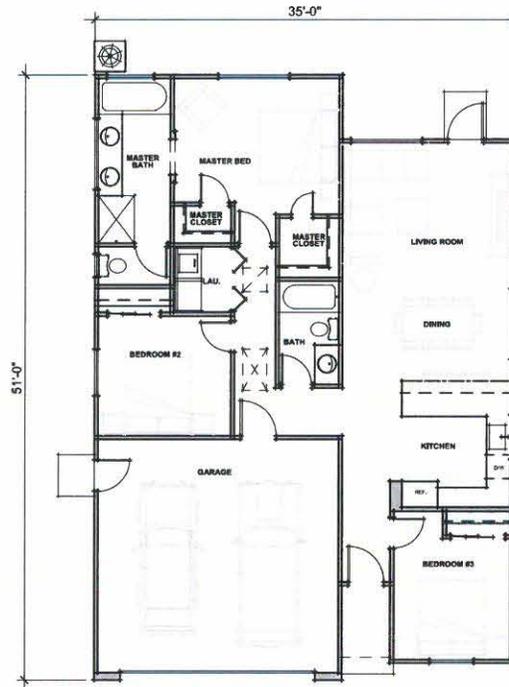
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FLOOR PLAN **1248 SQ.FT.**
SCALE: 1"=10'



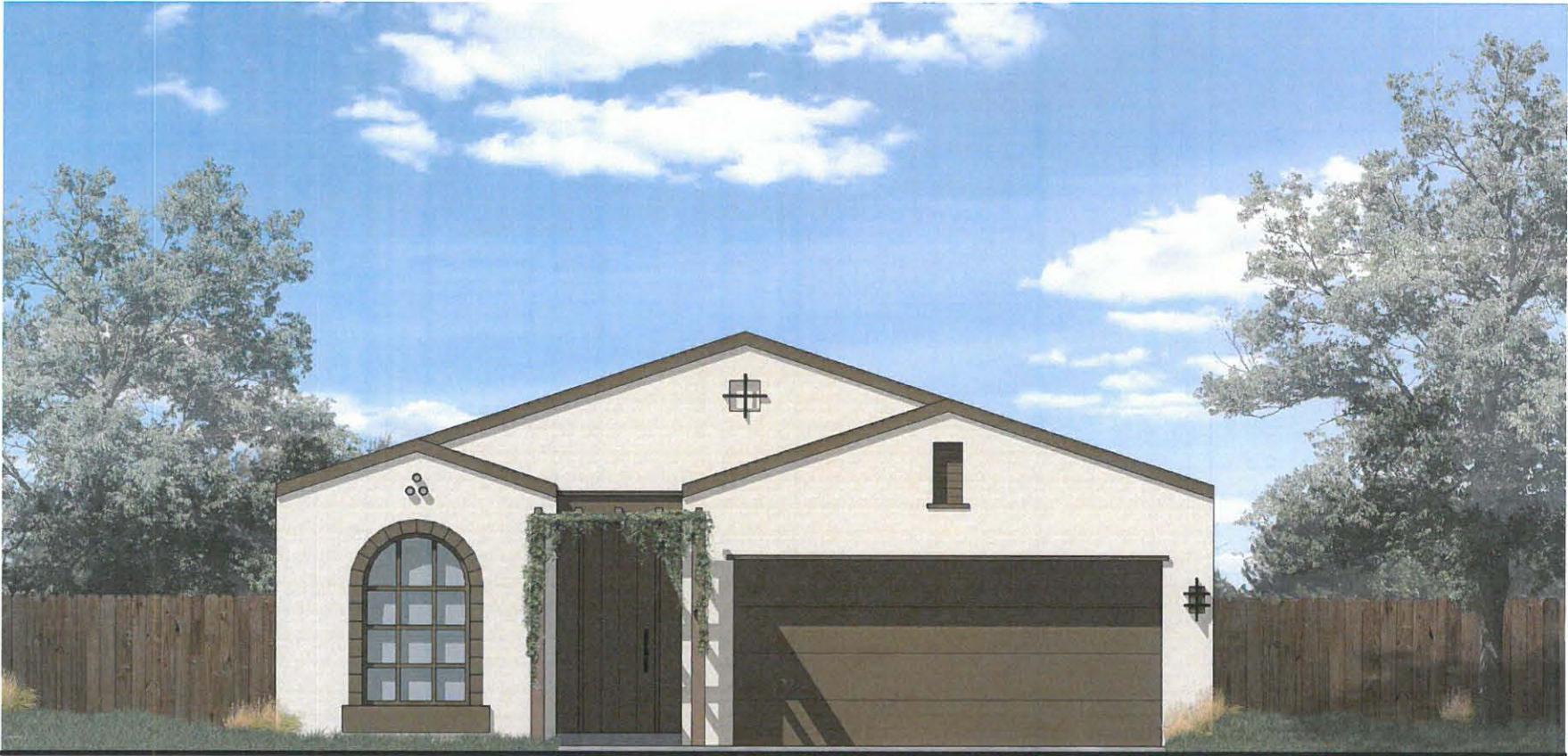
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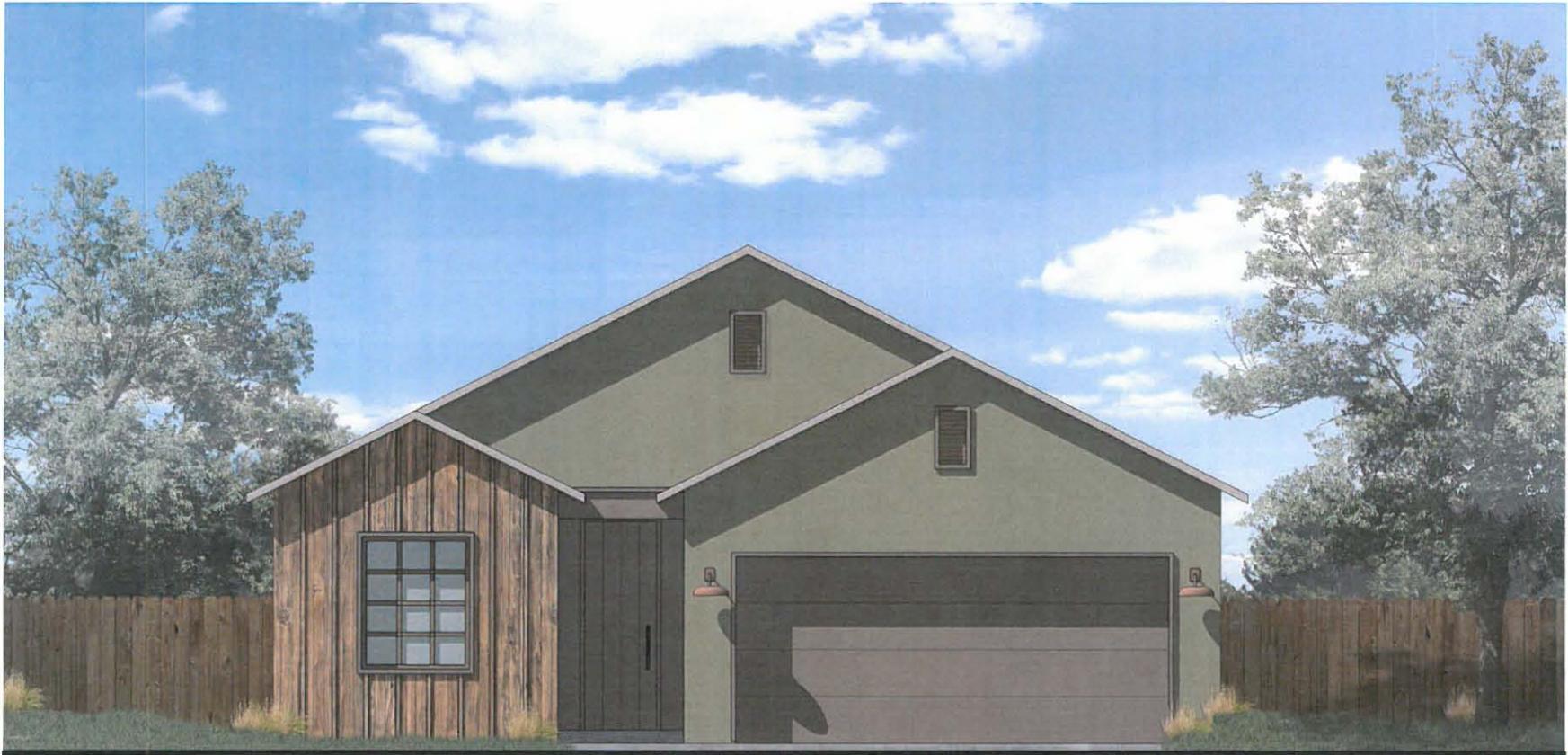


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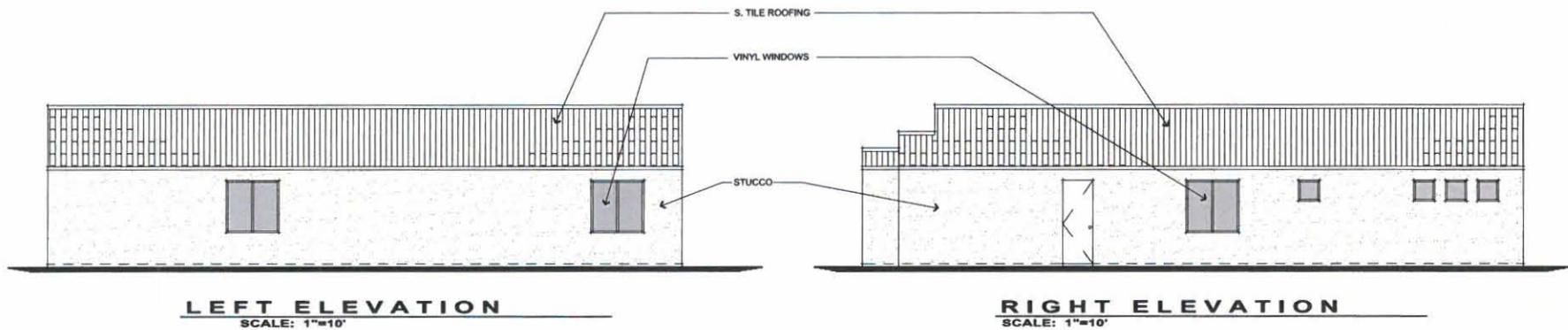
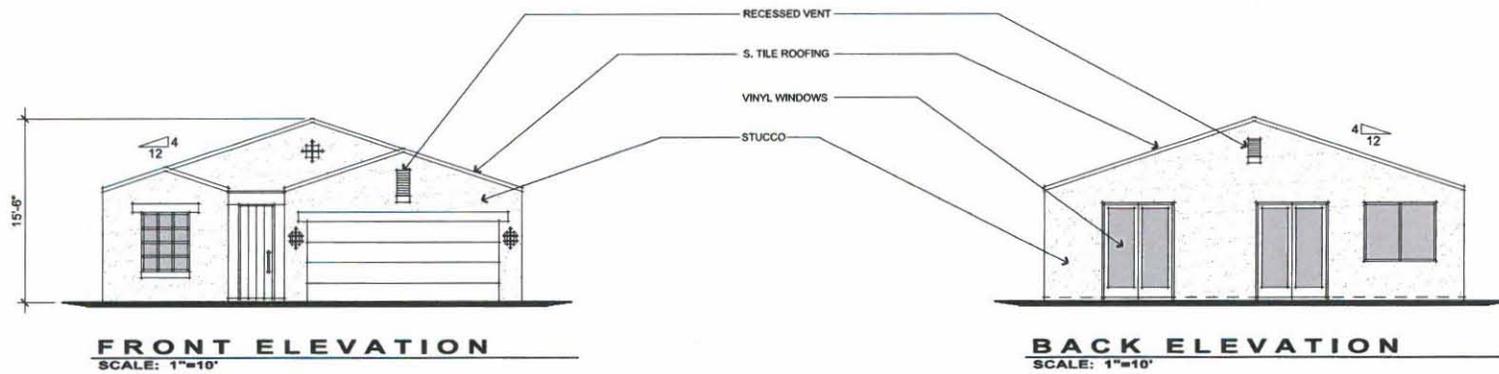


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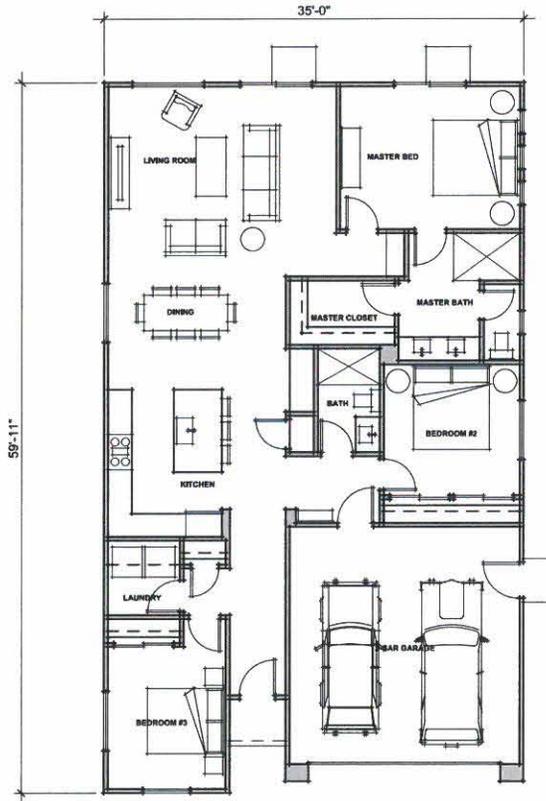
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FLOOR PLAN **1620 SQ.FT.**
SCALE: 1"=10'

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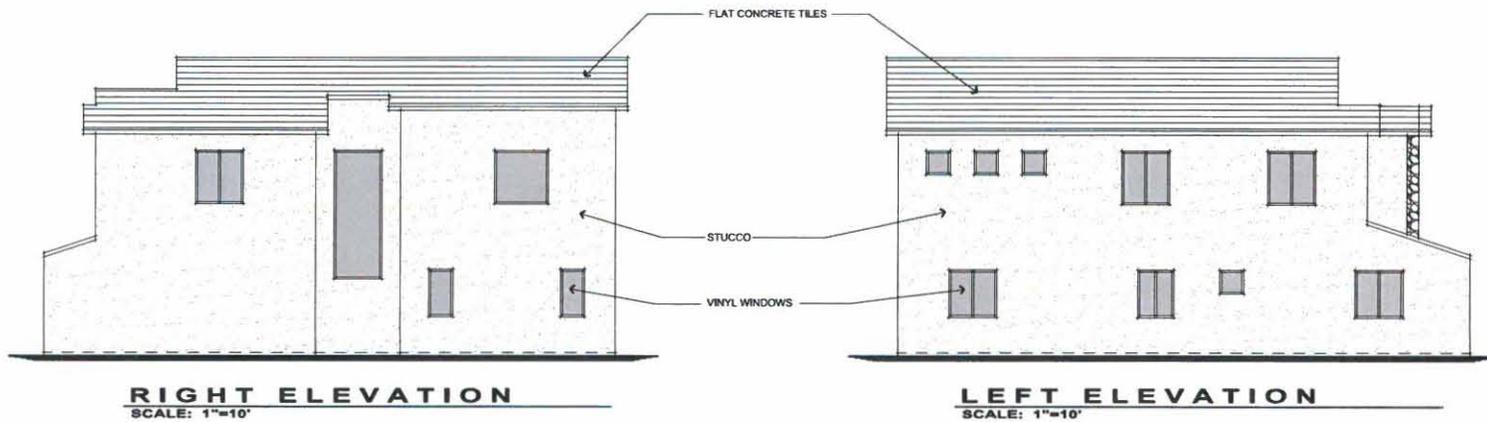
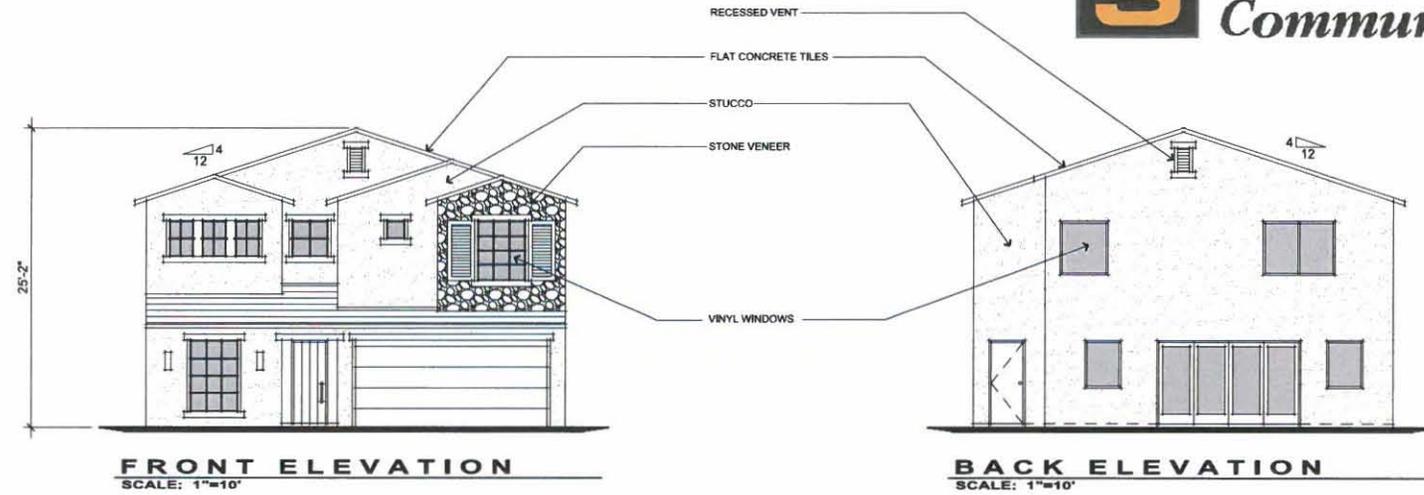


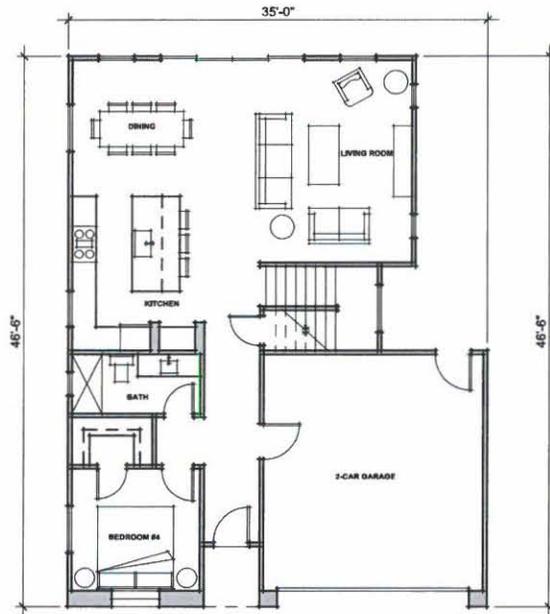
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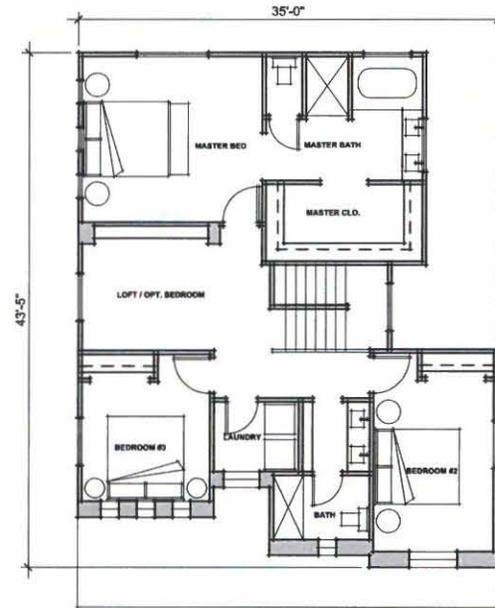
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1ST FLOOR PLAN **957 SQ.FT. (1ST FLOOR)**
SCALE: 1"=10' **2207 SQ.FT. (TOTAL)**



2ND FLOOR PLAN **1250 SQ.FT. (1ST FLOOR)**
SCALE: 1"=10' **2207 SQ.FT. (TOTAL)**



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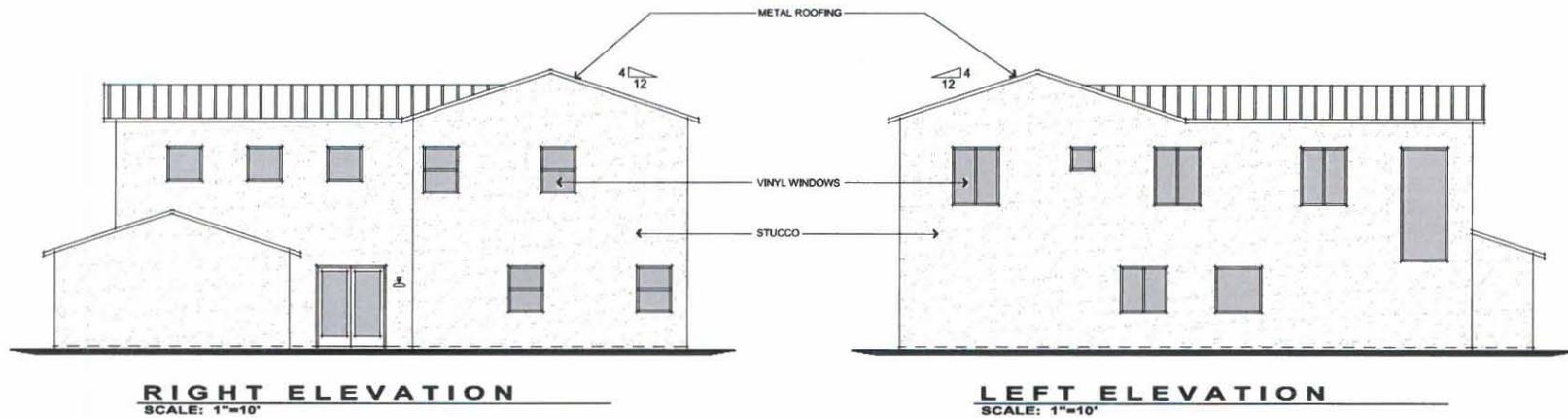
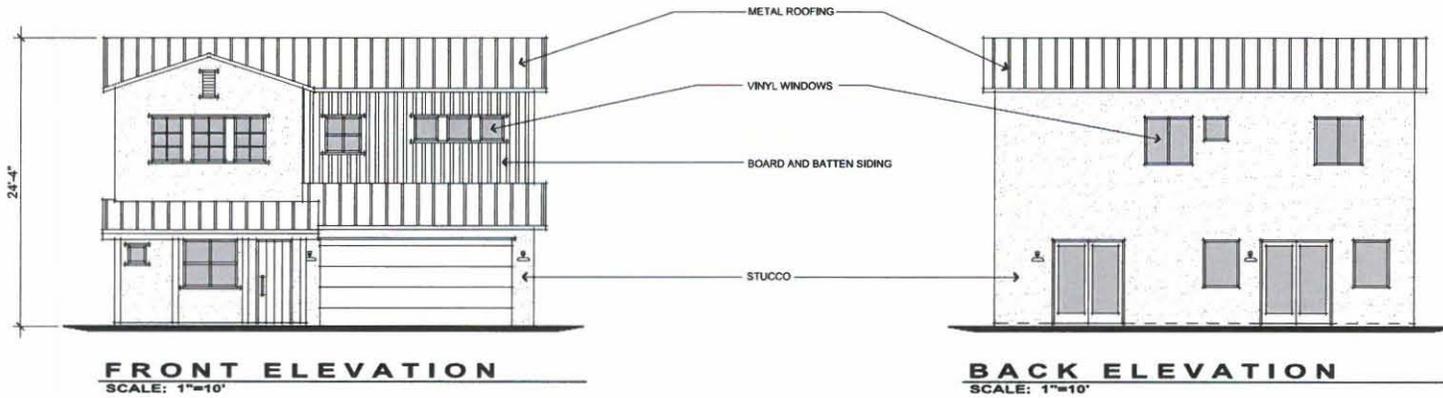


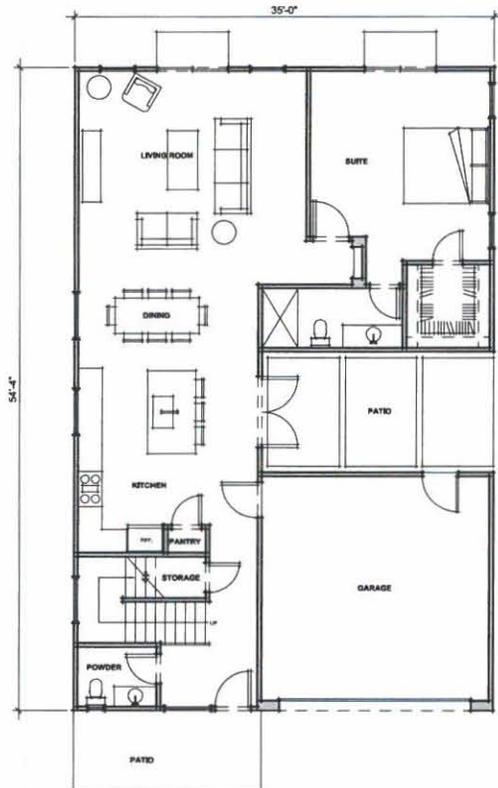
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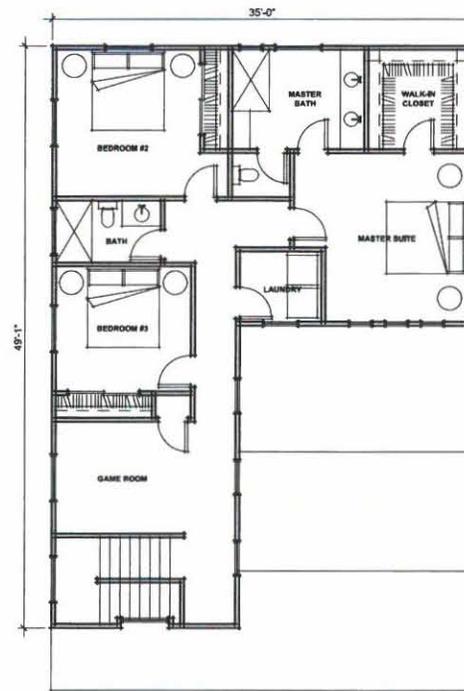
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1 ST FLOOR PLAN 1306 SQ.FT. (1ST FLOOR)
SCALE: 1"=10' 2442 SQ.FT. (TOTAL)



2ND FLOOR 1136 SQFT

2 ND FLOOR PLAN 1136 SQ.FT. (1ST FLOOR)
SCALE: 1"=10' 2442 SQ.FT. (TOTAL)



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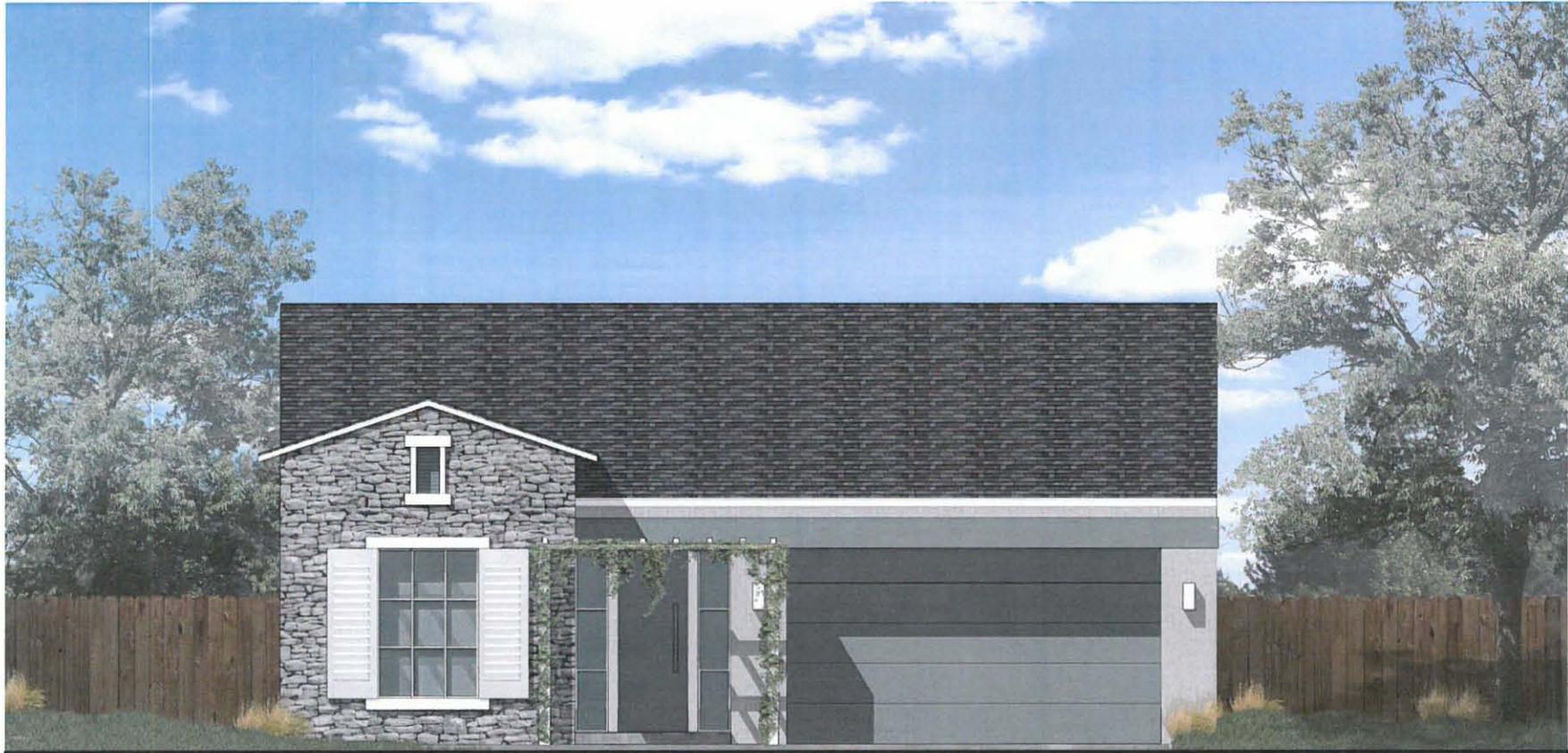


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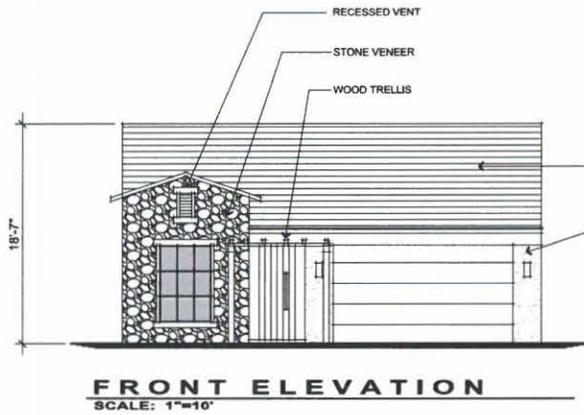


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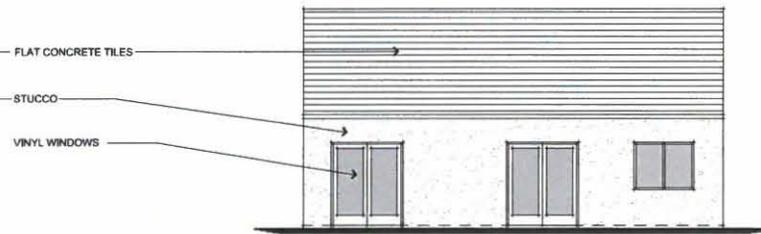
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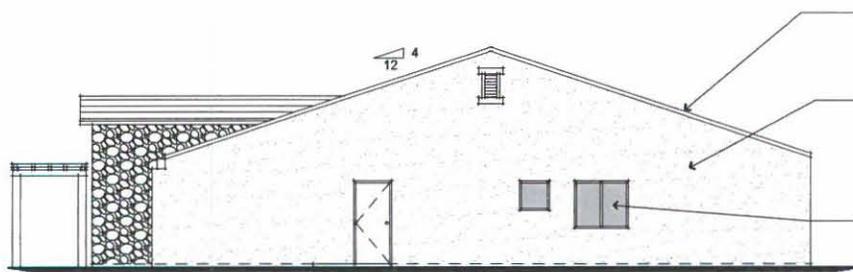
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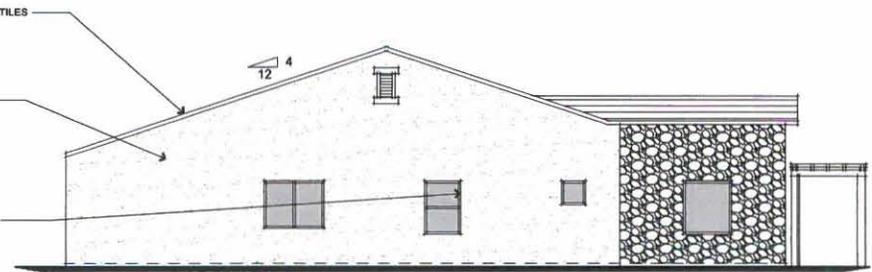
FRONT ELEVATION
SCALE: 1"=10'



BACK ELEVATION
SCALE: 1"=10'



RIGHT ELEVATION
SCALE: 1"=10'



LEFT ELEVATION
SCALE: 1"=10'



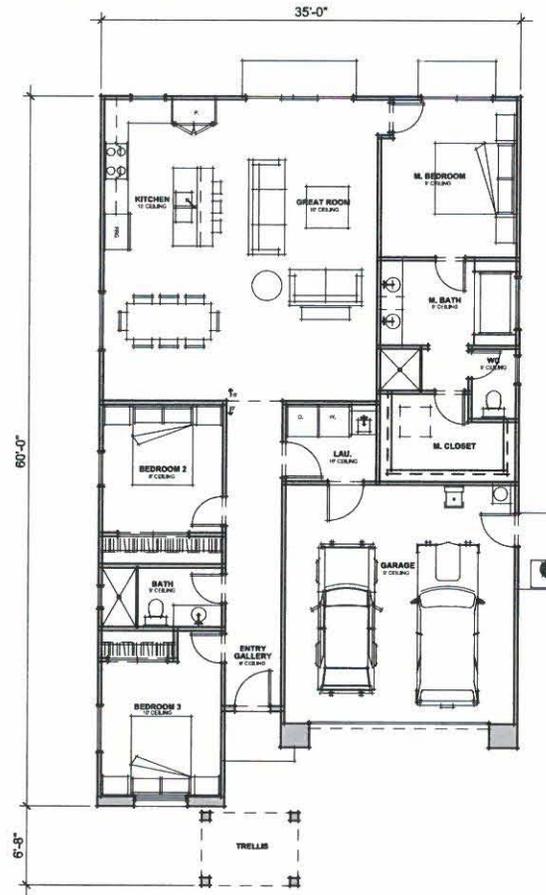
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FLOOR PLAN **1435 SQ.FT.**
SCALE: 1"=10"

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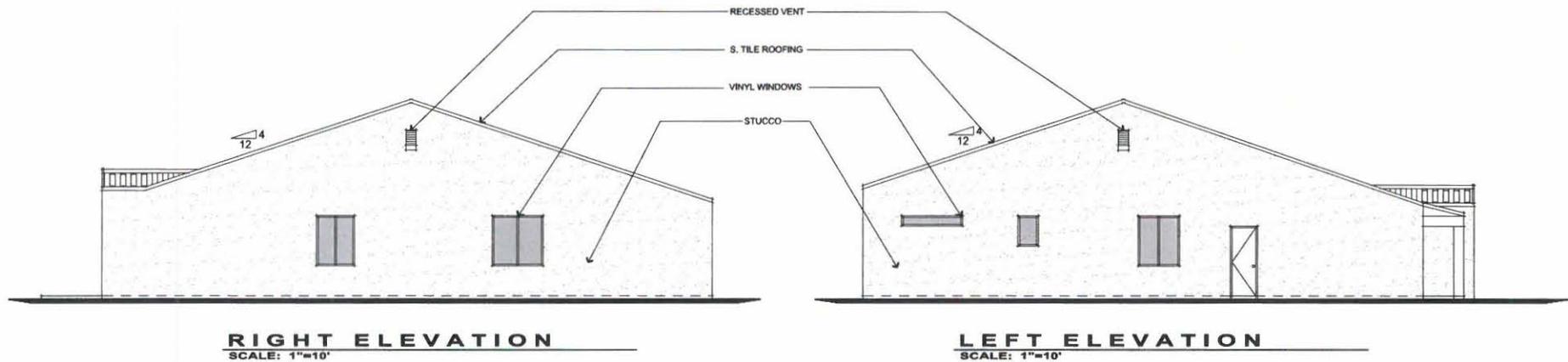
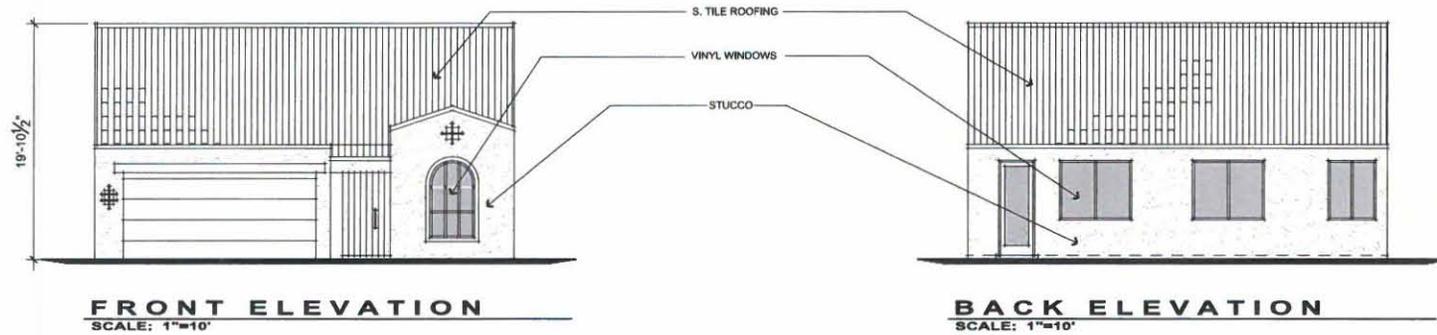


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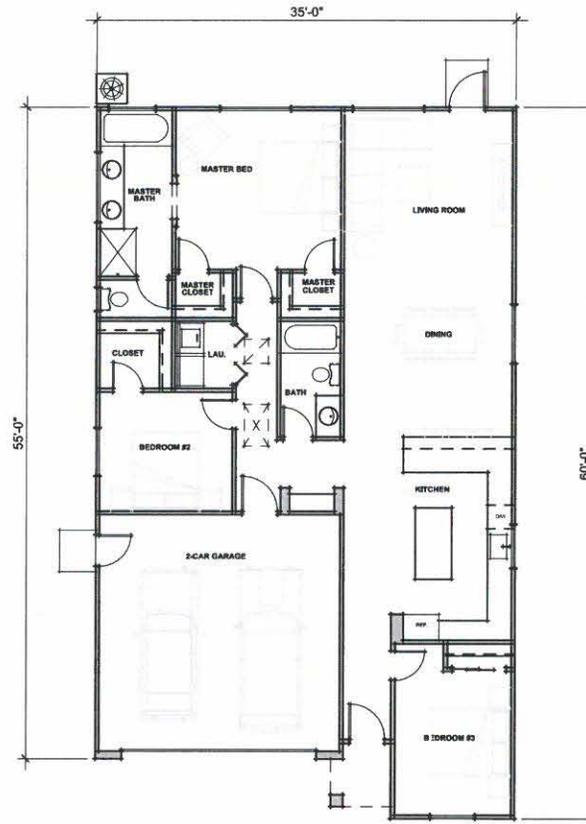
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FLOOR PLAN **1550 SQ.FT.**
SCALE: 1"=10'

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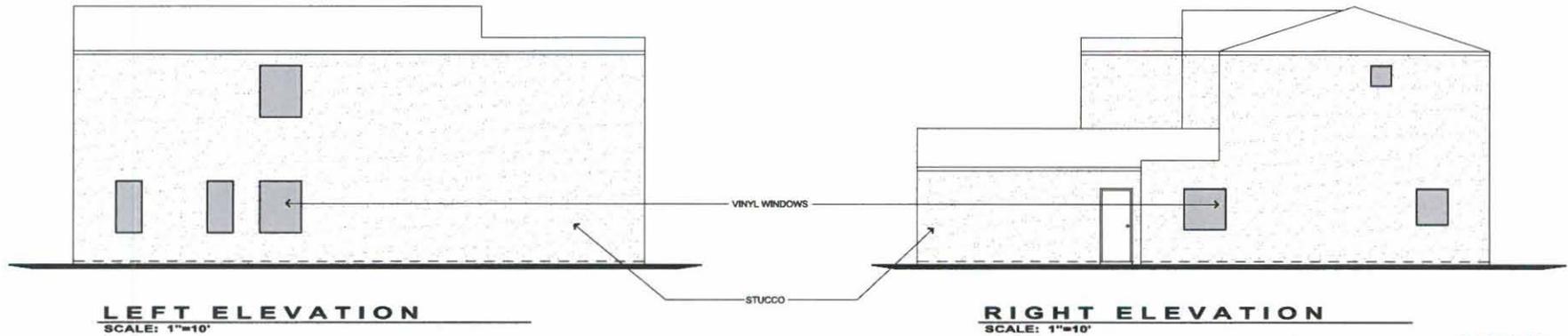
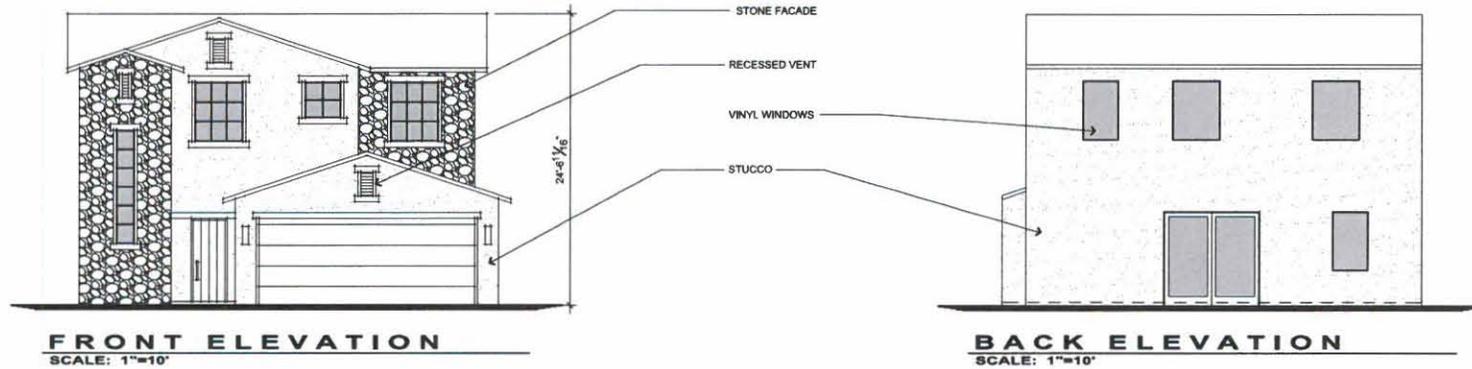


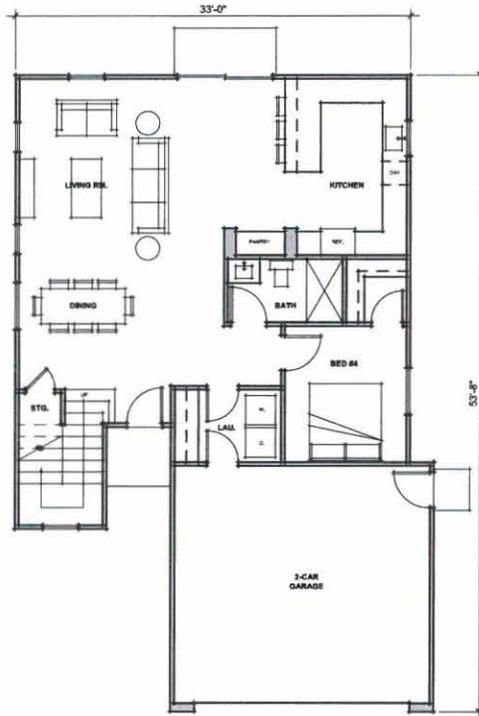
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1ST FLOOR PLAN 1112 SQ.FT.
SCALE: 1"=10'



2ND FLOOR PLAN 900 SQ.FT.
SCALE: 1"=10'



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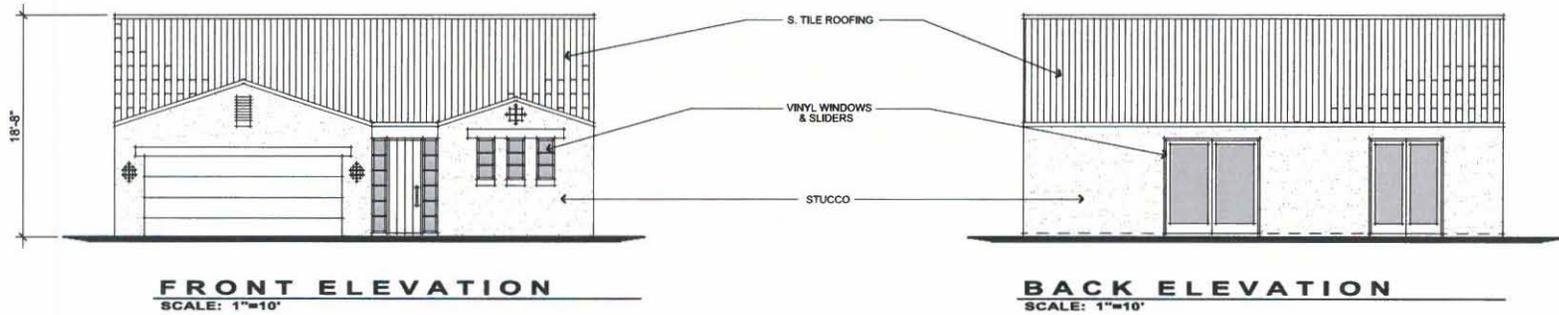


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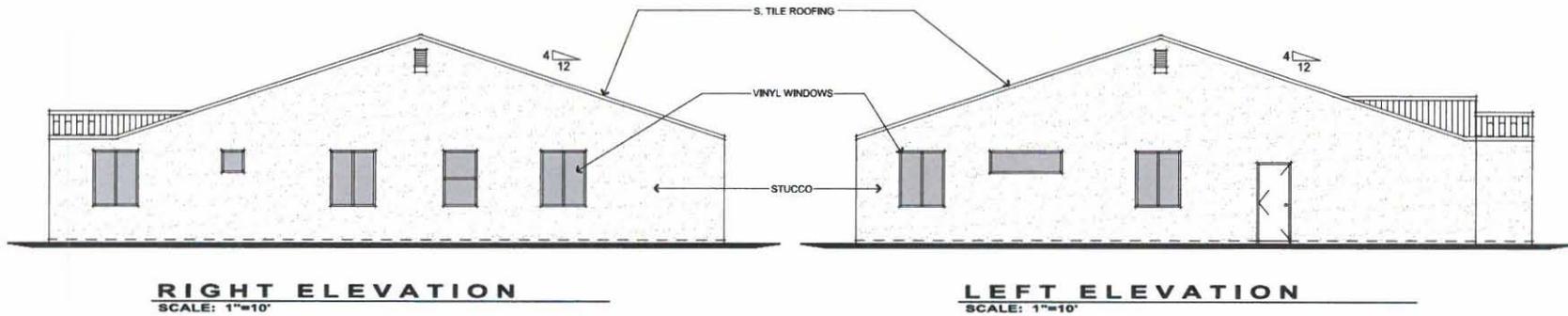
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FRONT ELEVATION
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BACK ELEVATION
SCALE: 1"=10'



RIGHT ELEVATION
SCALE: 1"=10'

LEFT ELEVATION
SCALE: 1"=10'



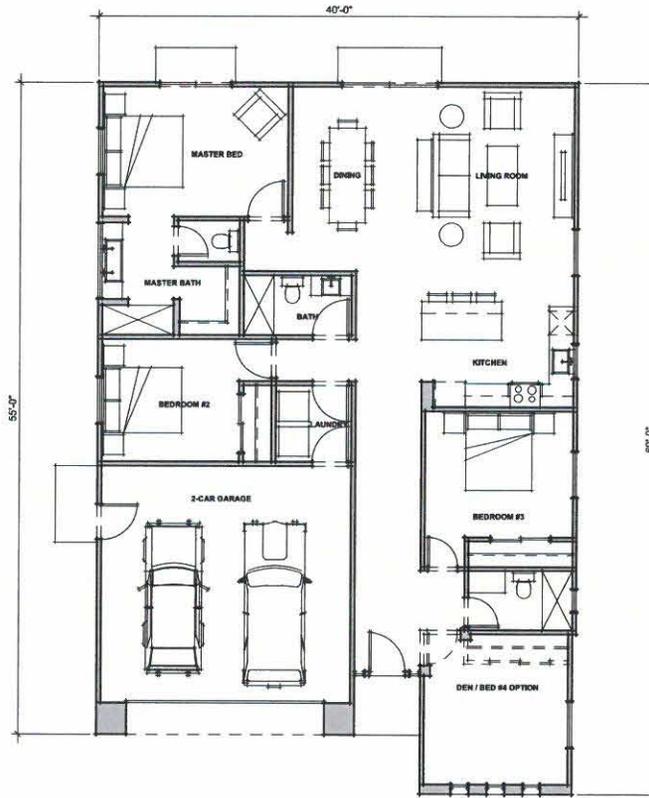
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FLOOR PLAN **1750 SQ.FT.**
SCALE: 1"=10'

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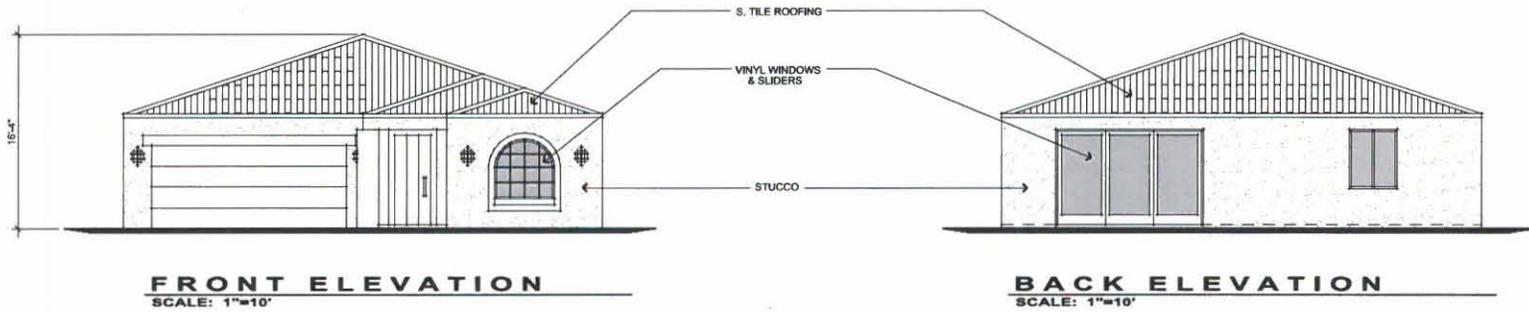


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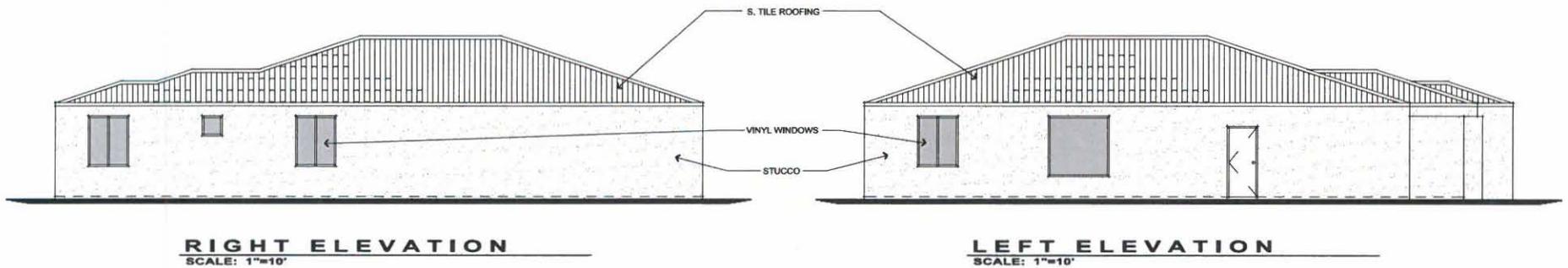
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FRONT ELEVATION
SCALE: 1"=10'

BACK ELEVATION
SCALE: 1"=10'



RIGHT ELEVATION
SCALE: 1"=10'

LEFT ELEVATION
SCALE: 1"=10'



FLOOR PLAN **1875 SQ.FT.**
SCALE: 1"=10'

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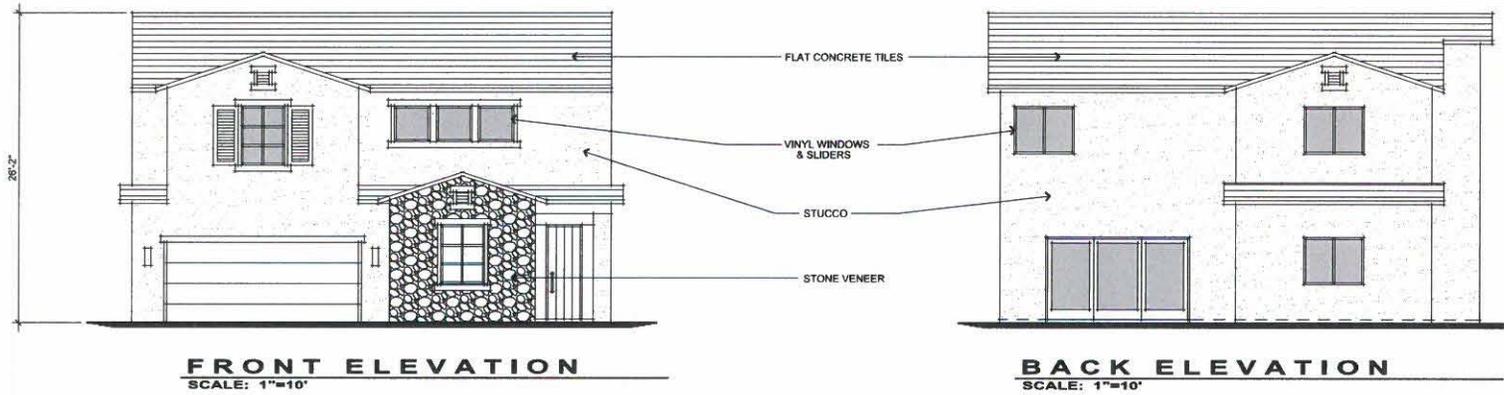


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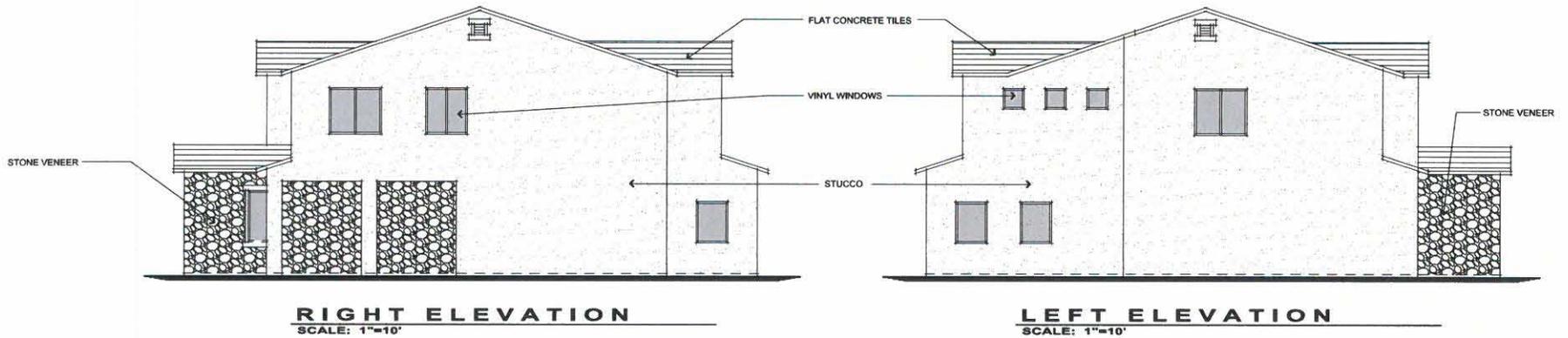
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FRONT ELEVATION
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BACK ELEVATION
SCALE: 1"=10'



RIGHT ELEVATION
SCALE: 1"=10'

LEFT ELEVATION
SCALE: 1"=10'



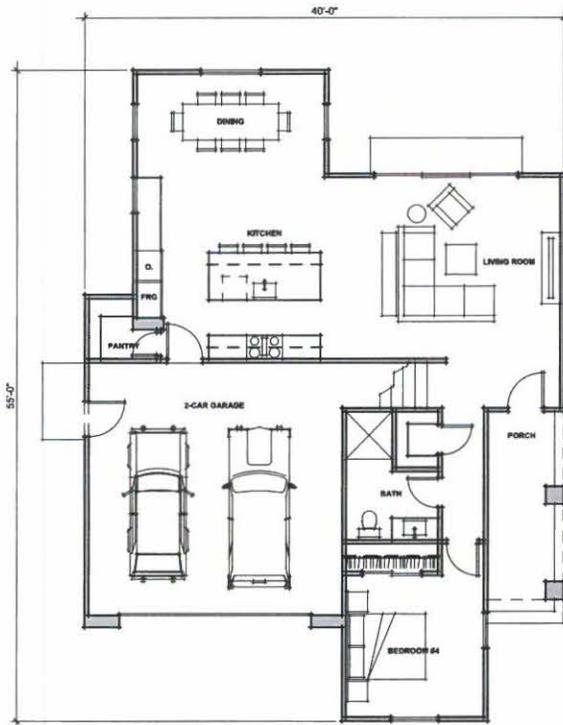
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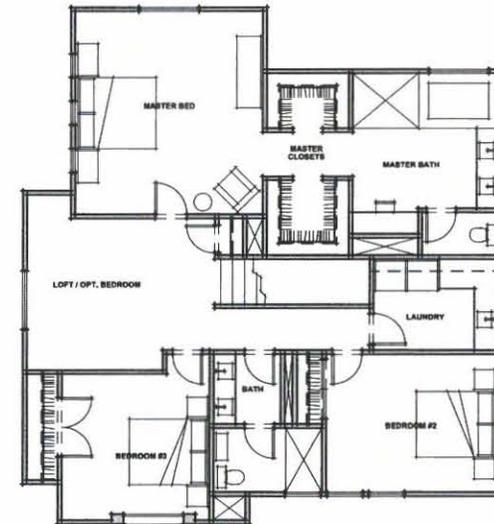
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1ST FLOOR PLAN **1084 SQ.FT. (1ST FLOOR)**
SCALE: 1"=10' **2606 SQ.FT. (TOTAL)**



2ND FLOOR PLAN **1520 SQ.FT. (1ST FLOOR)**
SCALE: 1"=10' **2606 SQ.FT. (TOTAL)**

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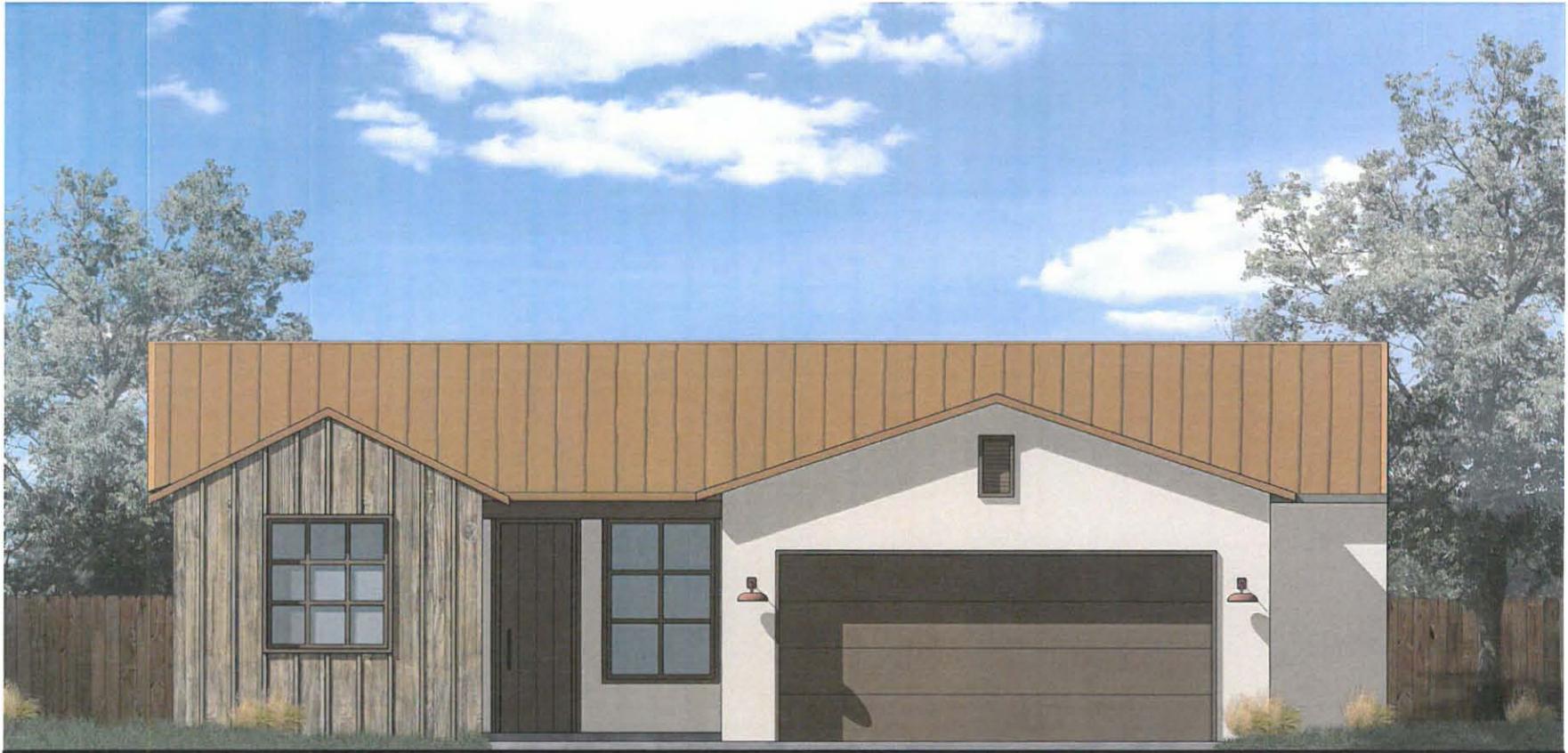


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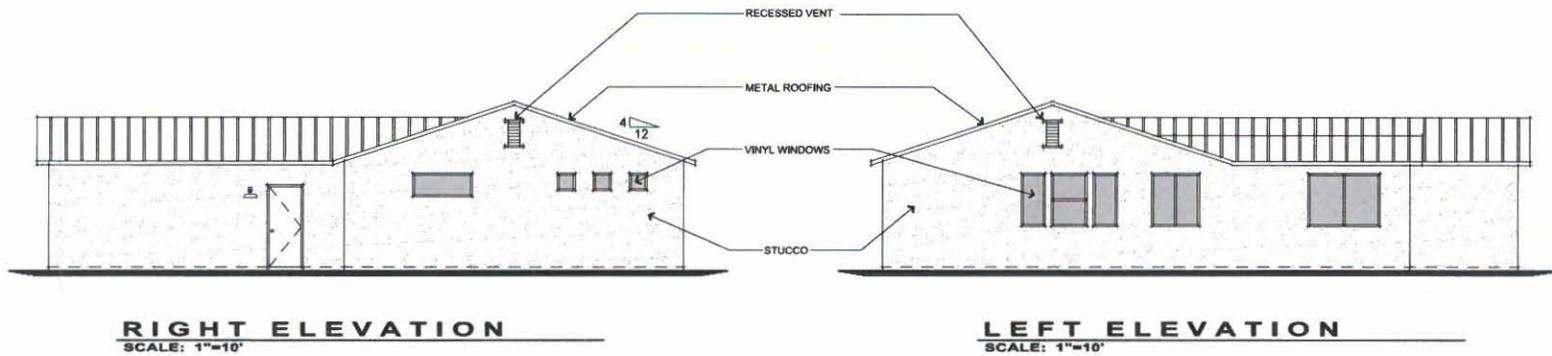
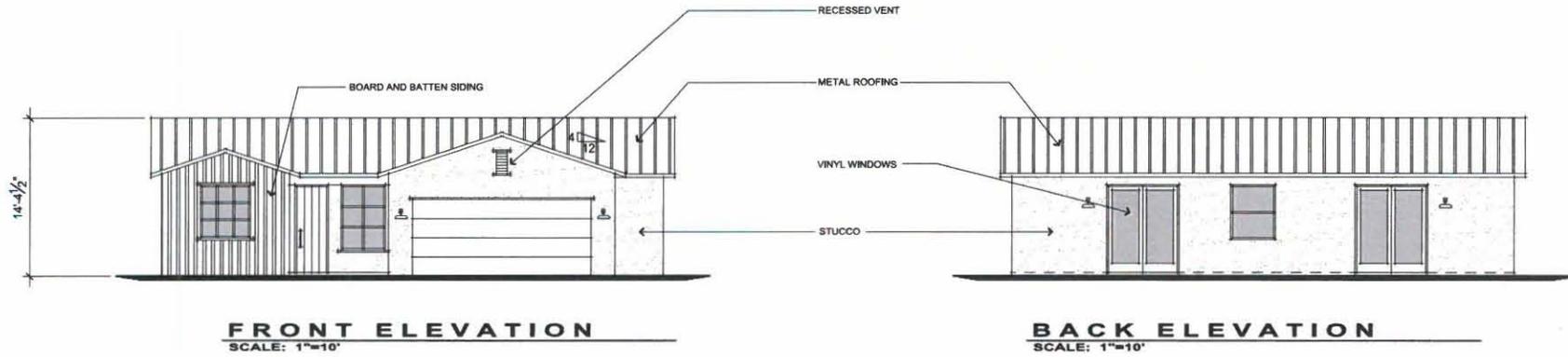


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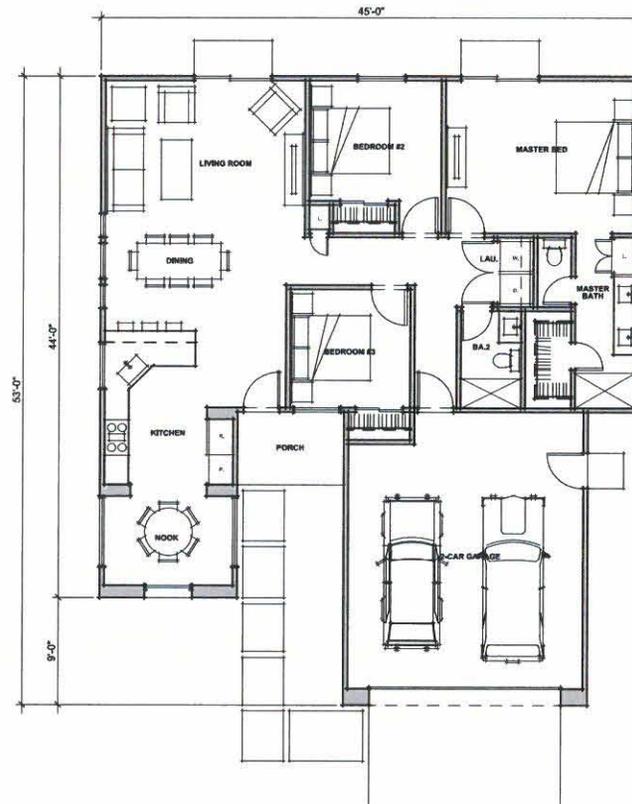
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FLOOR PLAN **1470 SQ.FT.**
SCALE: 1"=10'

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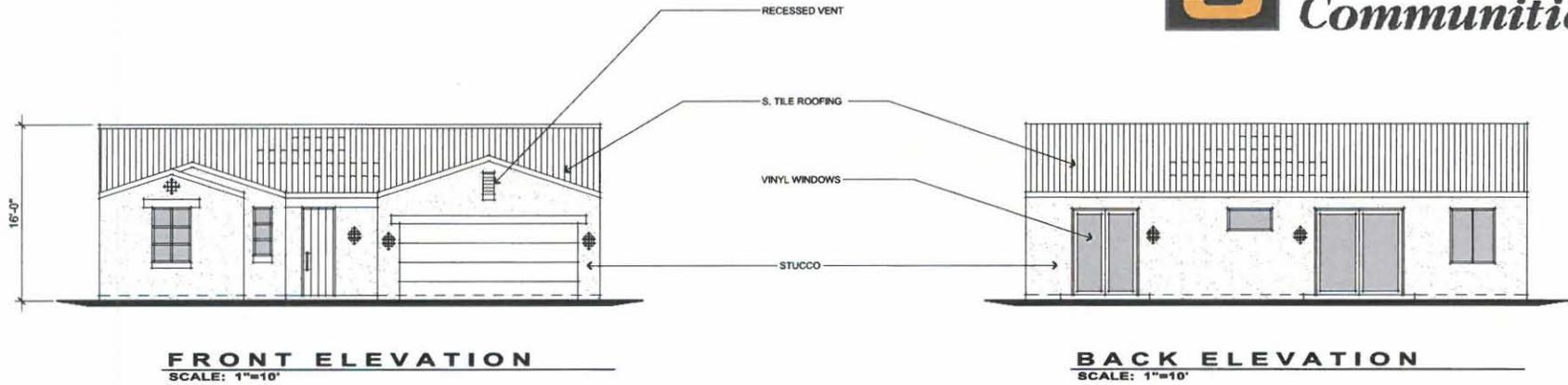


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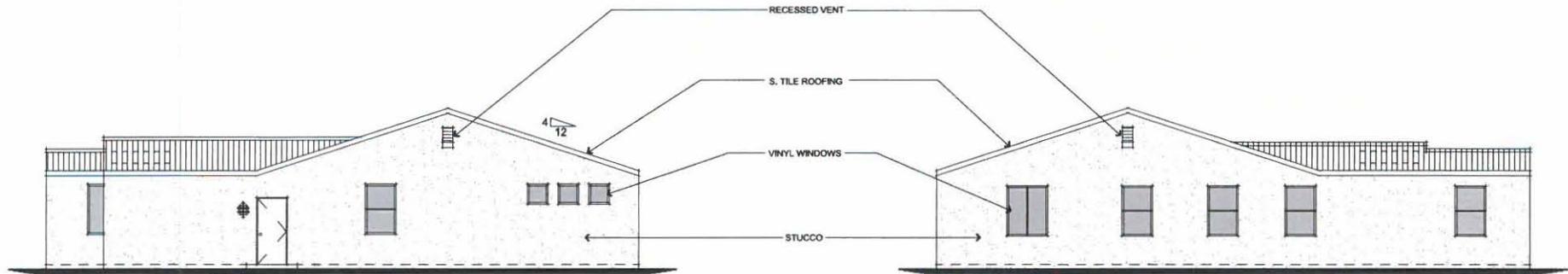
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FRONT ELEVATION
SCALE: 1"=10'

BACK ELEVATION
SCALE: 1"=10'



RIGHT ELEVATION
SCALE: 1"=10'

LEFT ELEVATION
SCALE: 1"=10'



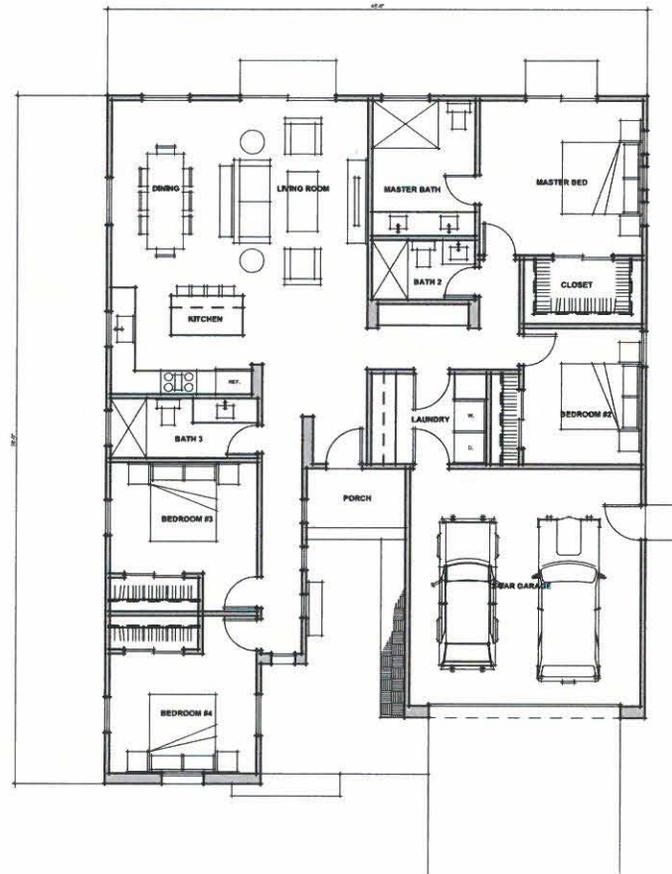
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FLOOR PLAN **1817 SQ.FT.**
SCALE: 1"=10'

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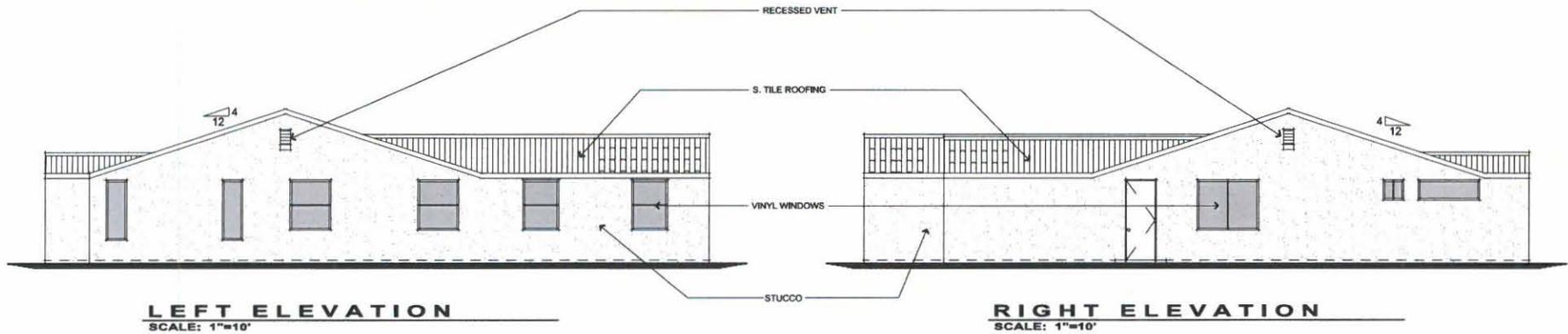
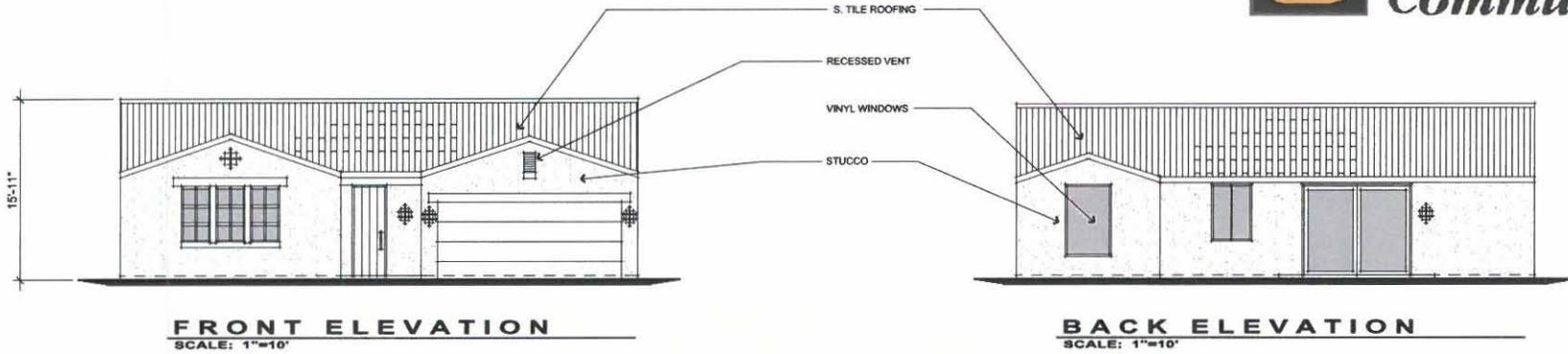


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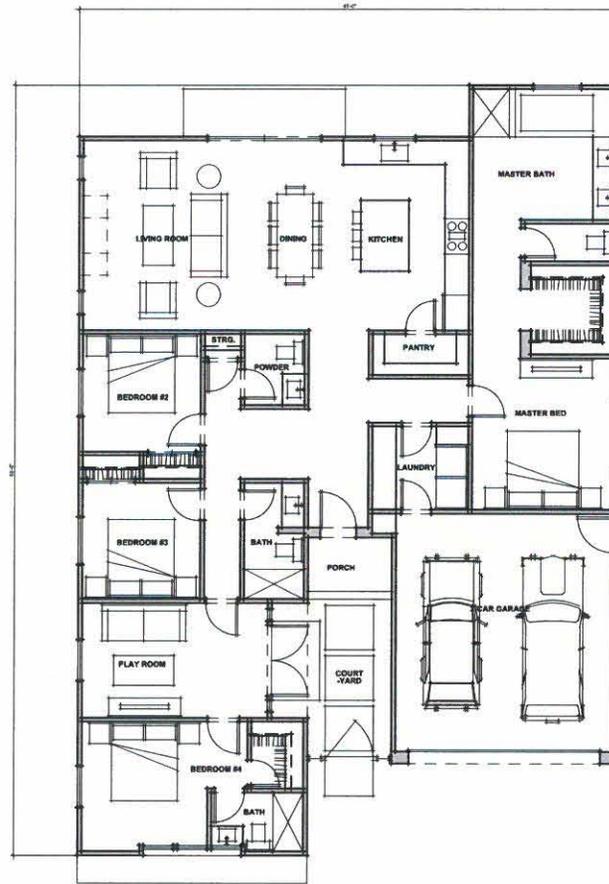


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FLOOR PLAN **2019 SQ.FT.**
SCALE: 1"=10'

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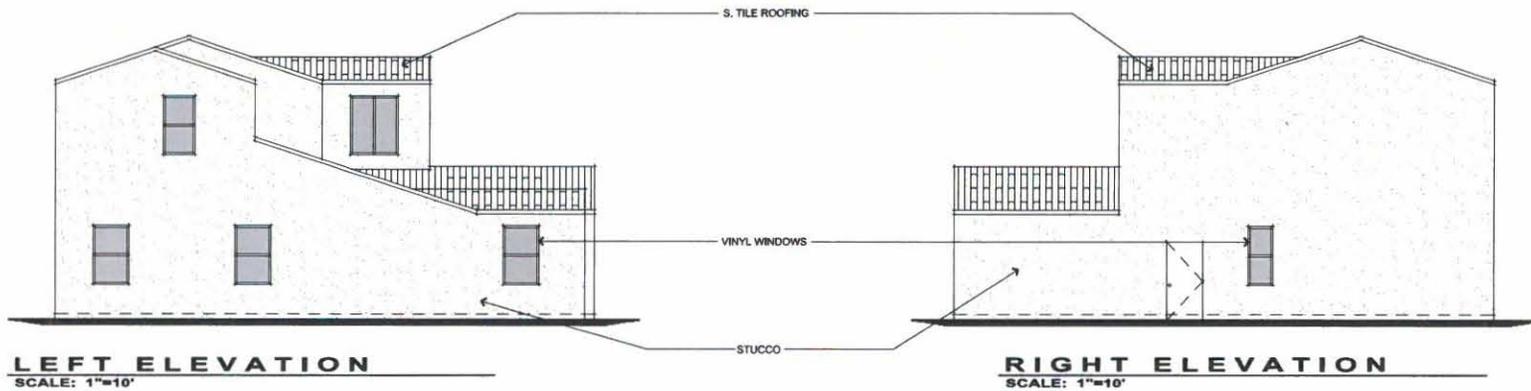
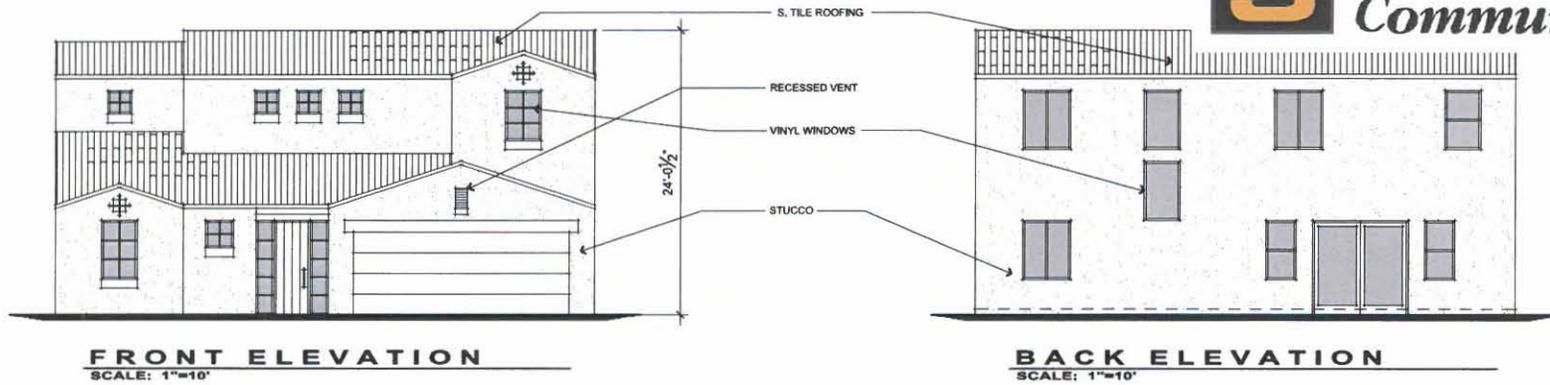


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1ST FLOOR PLAN **1380 SQ.FT.**
SCALE: 1"=10'



2ND FLOOR PLAN **946 SQ.FT.**
SCALE: 1"=10'



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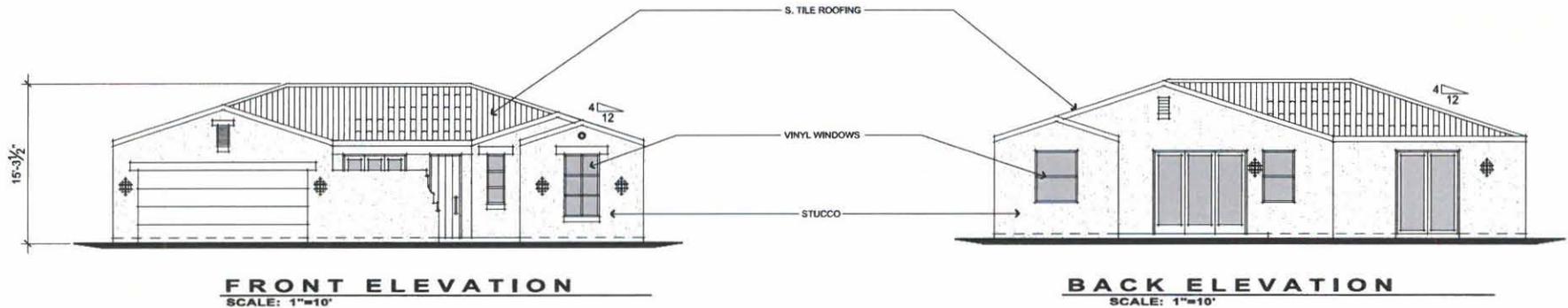


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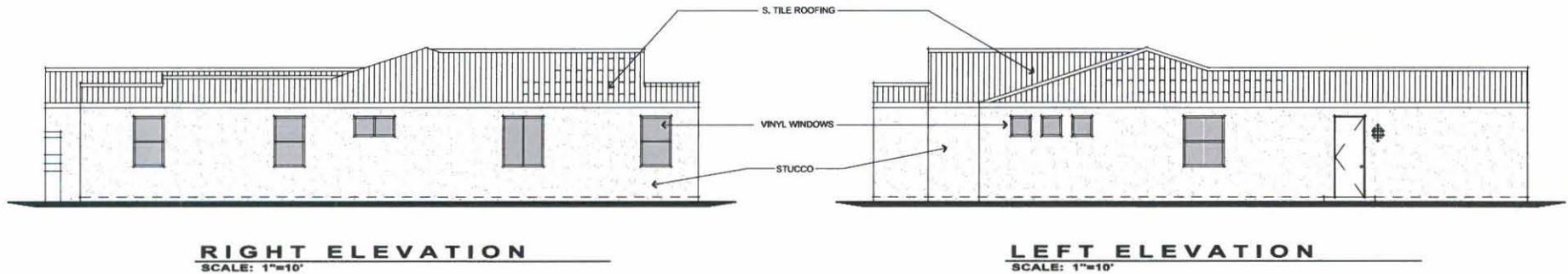
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FRONT ELEVATION
SCALE: 1"=10'

BACK ELEVATION
SCALE: 1"=10'



RIGHT ELEVATION
SCALE: 1"=10'

LEFT ELEVATION
SCALE: 1"=10'



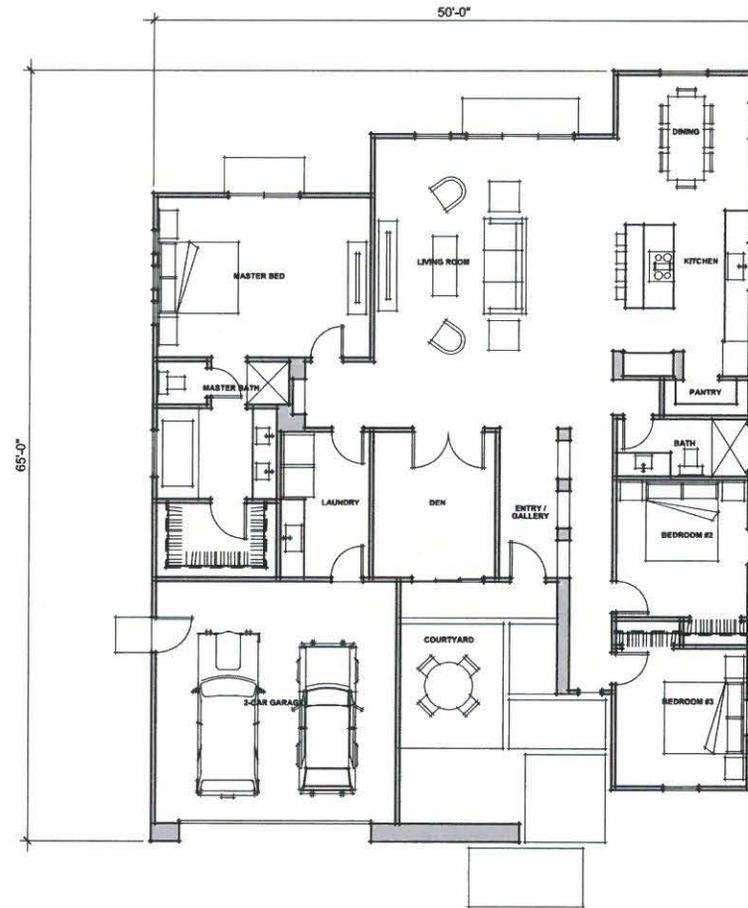
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FLOOR PLAN **2099 SQ.FT.**
SCALE: 1"=10'

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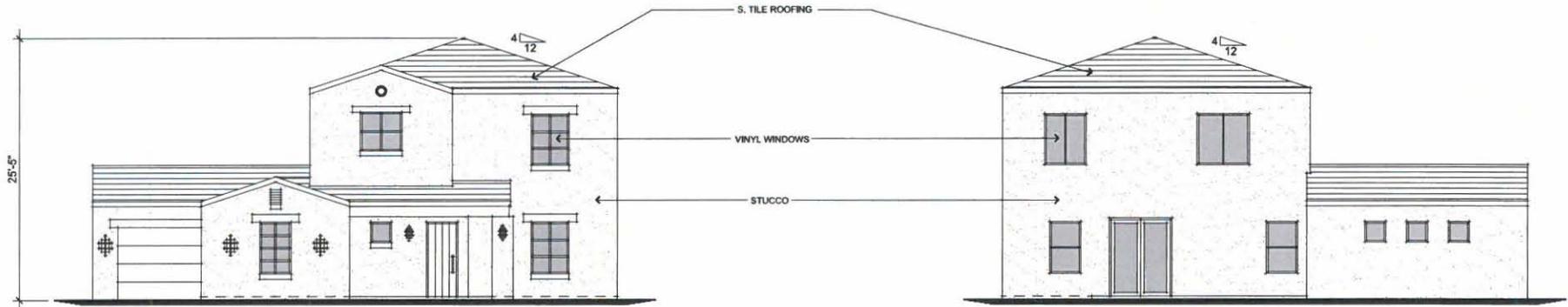


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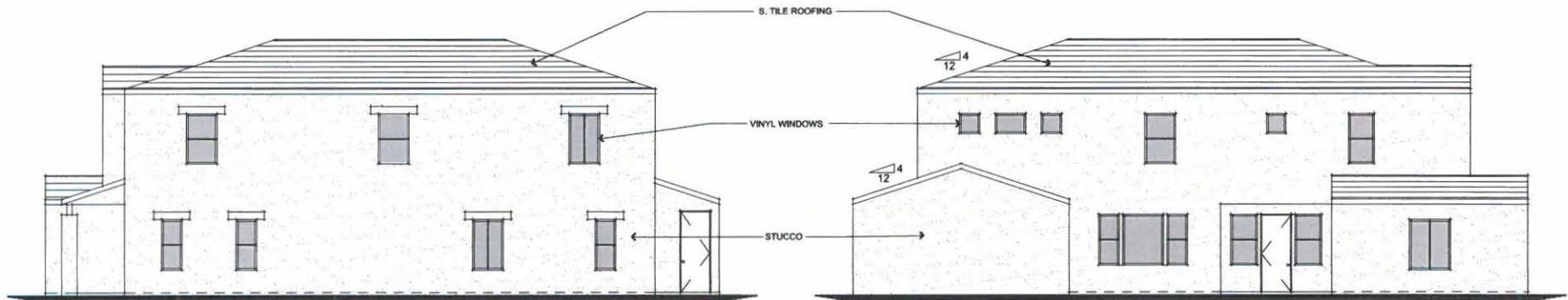
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FRONT ELEVATION
SCALE: 1"=10'

BACK ELEVATION
SCALE: 1"=10'



RIGHT ELEVATION
SCALE: 1"=10'

LEFT ELEVATION
SCALE: 1"=10'

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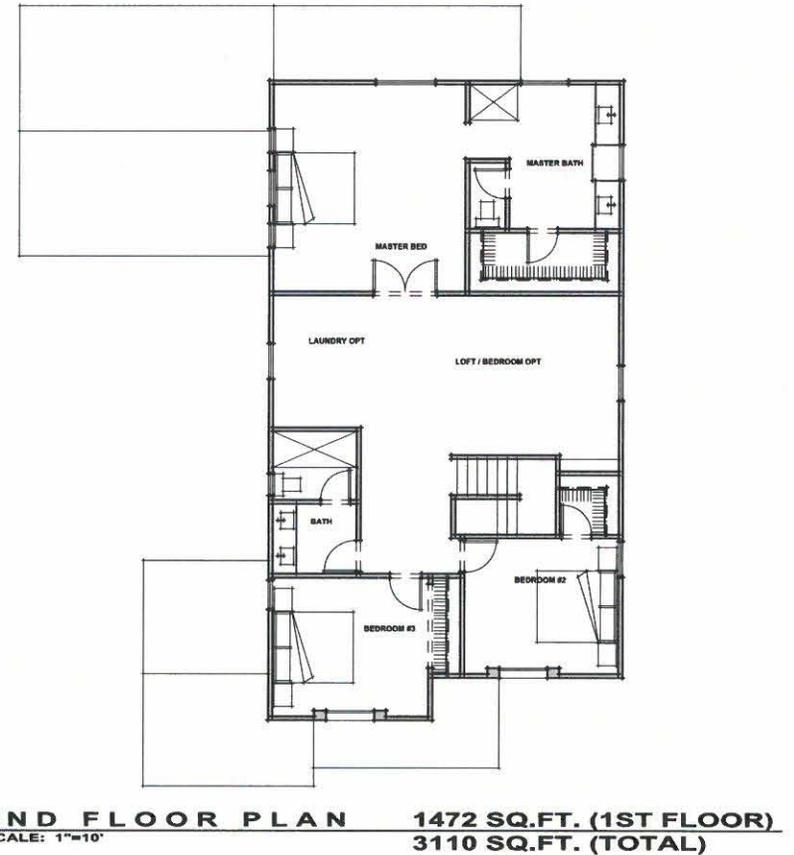
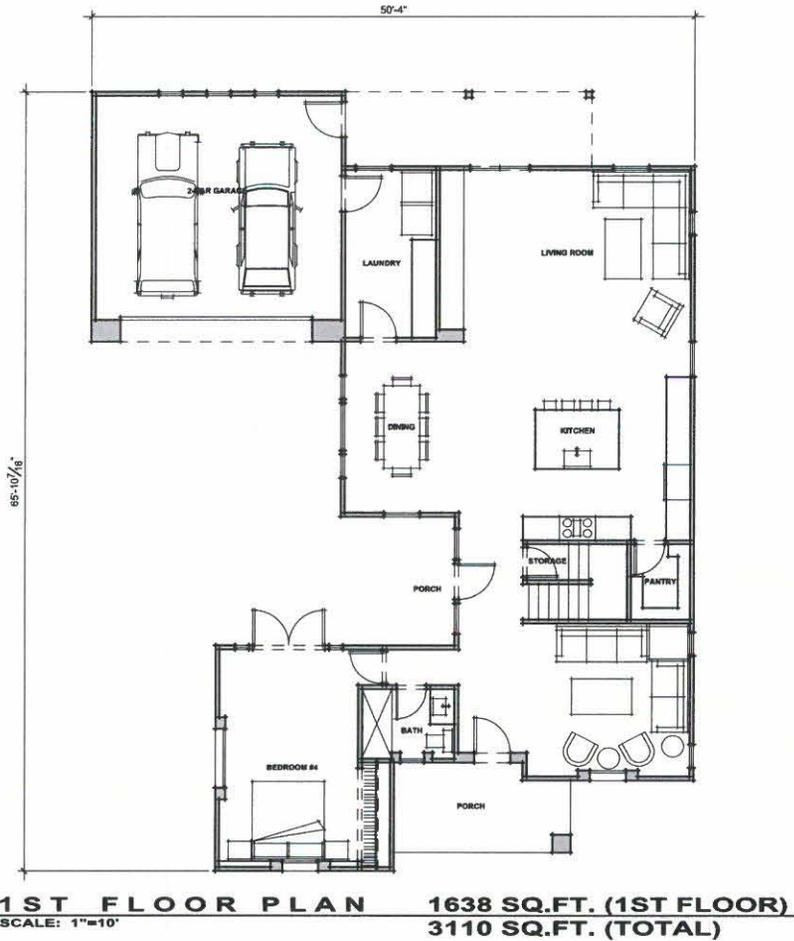


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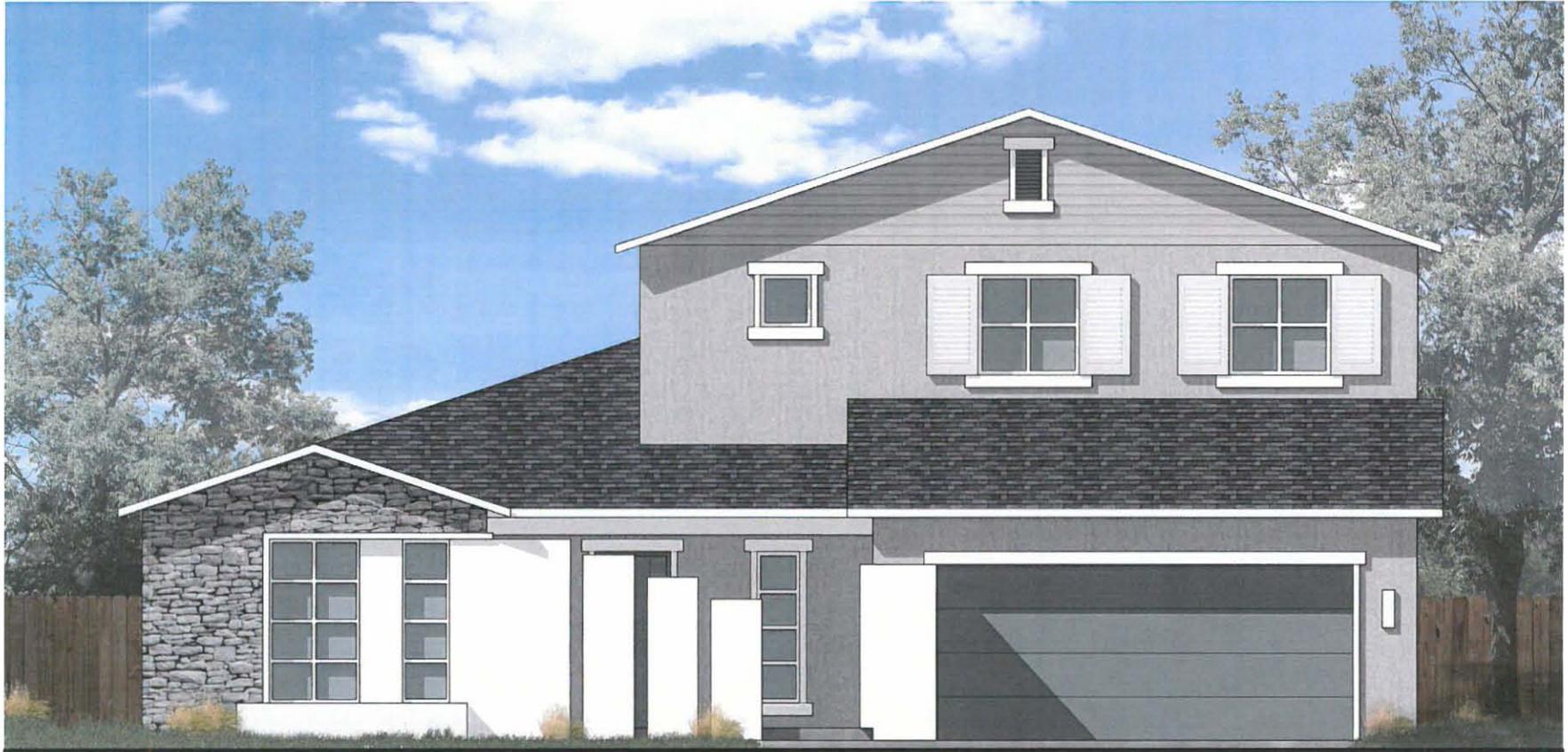


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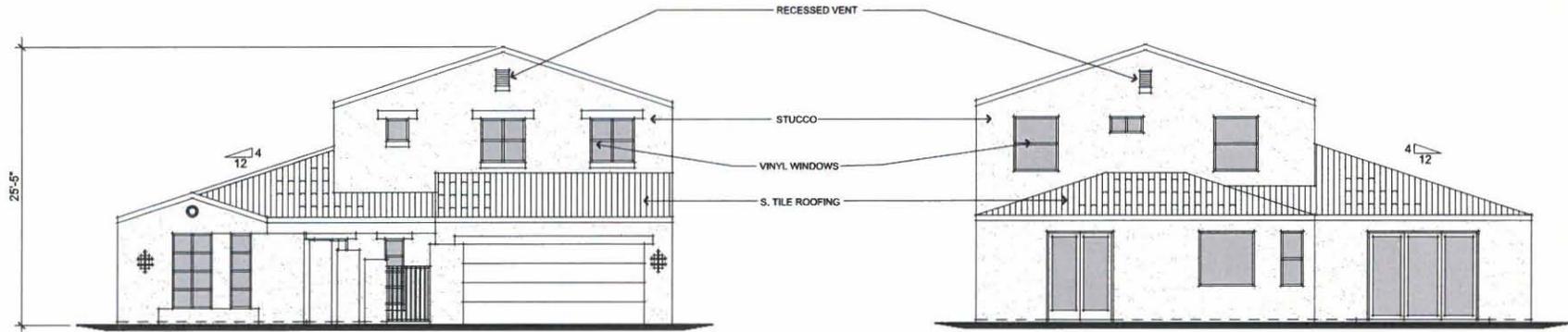


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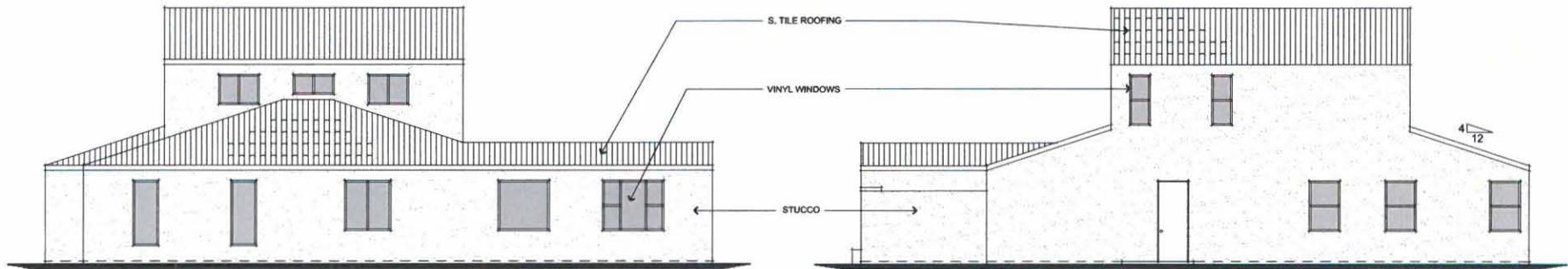
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FRONT ELEVATION
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BACK ELEVATION
SCALE: 1"=10'



LEFT ELEVATION
SCALE: 1"=10'

RIGHT ELEVATION
SCALE: 1"=10'



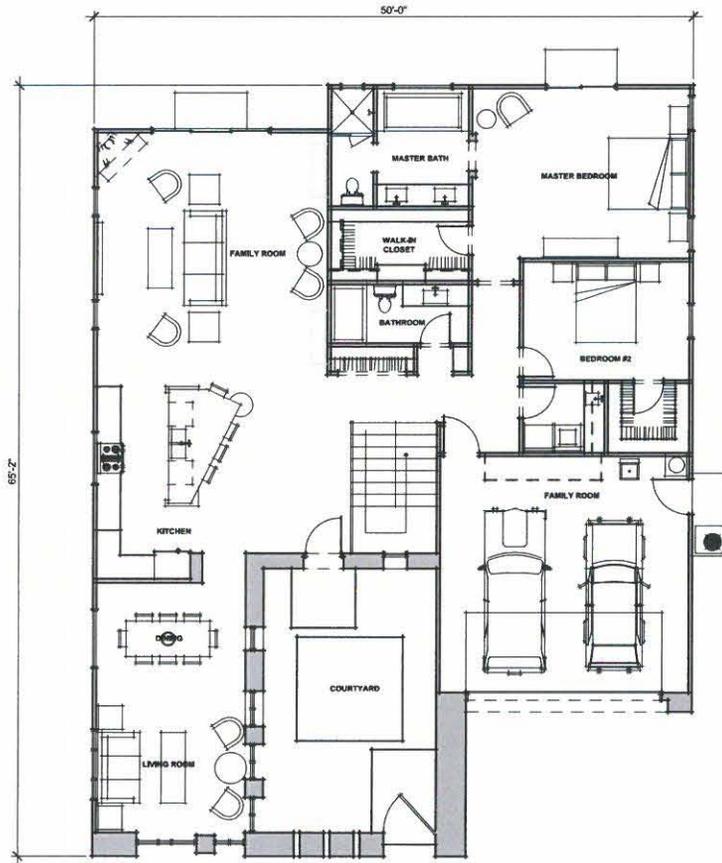
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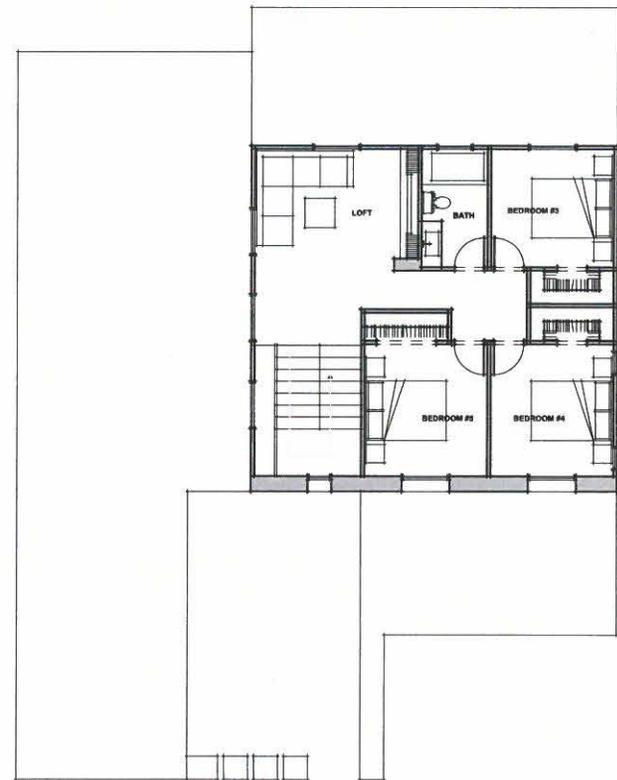
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1ST FLOOR PLAN **2605 SQ.FT. (1ST FLOOR)**
SCALE: 1"=10' **3360 SQ.FT. (TOTAL)**



2ND FLOOR PLAN **755 SQ.FT. (1ST FLOOR)**
SCALE: 1"=10' **3360 SQ.FT. (TOTAL)**

50C



BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
1121 Oakdale Road, Ste. 1, Modesto, CA 95355
507 J Street, Los Banos, CA 93635
(209) 548-9300 www.bmeng.net

**NORTH POINTE & SOUTH POINTE
AT REGENCY PARK**

CONRAD | ASTURI
studios inc

1121 OAKDALE RD. STE.1 MODESTO, CA, 95355 PHONE: 209.521.7200 WWW.CONRADASTURI.COM
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City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: May 20, 2016

Re: Notice of Public Hearing

Proposal: Final Development Plan #2015-01 – Southpointe at Regency Park

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos City Council to consider Final Development Plan #2015-01 for Southpointe at Regency Park. The Final Development Plan sets development standards within the 109-acre project site. The plan proposes 510 single-family dwellings with approximately 2.59 acres of open space, and a 10 acre detention basin. The project is located east of Place Road, north of the Verona/ Mission Estates, and west of Ward Road, more specifically identified as Assessor's Parcel Numbers: 424-120-009 and 073-220-015.

The Los Banos Planning Commission held a public hearing on May 11, 2016 for the purpose of considering Southpointe at Regency Park Vesting Tentative Tract Map #2015-01 and Final Development Plan #2015-01. At the completion of the public hearing, the Planning Commission duly considered all evidence presented and approved Vesting Tentative Tract Map #2015-01 and recommended approval of Final Development Plan #2015-01 to the Los Banos City Council.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the City Council on Wednesday, June 1, 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



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council Members

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

Mark Fachin

DATE: June 1, 2016

SUBJECT: Landscaping and Lighting Districts No. 1-7 and No. 9-19 Annual Assessments

TYPE OF REPORT: Public Hearing

Recommendation:

To complete the preparation of the annual assessment of the City of Los Banos' Eighteen (18) Landscape and Lighting Districts, the City Council is requested to take the following actions:

1. Conduct a noticed public hearing to solicit input on the Landscaping and Lighting Districts annual assessments.
2. Adopt the Resolution confirming Diagram and Assessment and Levying Assessments for Landscaping and Lightings Districts No. 1-7 and No. 9-19 for Fiscal Year 2016-2017.

Background:

The City of Los Banos currently administers Eighteen (18) Landscaping and Lighting Districts which provides for the maintenance of certain improvements within each of the districts. For each fiscal year, the City Council holds a public hearing to confirm and authorize the levying of assessments presented in the assessment roll for each Landscaping and Lighting District. The assessment rolls are found in the Annual Report for each Landscaping and Lighting District prepared by the City Engineer/Public Works Director and other City staff. The annual reports are filed with the City Clerk. Copies are

also available at the Public Works office for review. The Landscape and Lighting Districts were public noticed in the local newspaper on May 13, 2016.

Discussion:

The maintenance and improvements which are part of the Landscaping and Lighting Districts are specific for each district and may include the following types of items: street lighting; landscaped street medians and right-of-ways; storm drainage facilities; water, sewage, and disposal; sidewalks and street signs; parks and related facilities; masonry walls and fences; and/or traffic signals.

Each 2016-2017 Landscaping and Lighting District Engineer's report consists of six parts as follows:

PART A – Plans and specifications for the improvements are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are included in it by reference.

PART B – An estimate of the 2016-2017 Landscaping and Lighting District maintenance and improvement costs.

PART C – An assessment of the estimated cost of the improvements on each benefited parcel of land within the Landscaping and Lighting District.

PART D – A statement of the method by which the undersigned has determined the amount proposed to be assessed against each parcel.

PART E – A list of the names and addresses of the owners of real property within the Landscaping and Lighting District, as shown on the last equalized assessment roll for taxes, or as known to the Clerk. The list is keyed to Exhibit C by assessment number.

PART F – A diagram showing all of the parcels of real property within the Landscaping and Lighting District. The diagram is keyed to Part C by assessment number.

Attached is a table that outlines the Landscaping and Lighting District, its year of formation, its 2015-2016 current assessment, and its proposed 2016-2017 assessment. Also attached are Part B, 2016-2017 Engineer's Cost Estimate, and Part D, 2016-2017 Method of Assessment Spread.

Fiscal Impact:

The Resolution attached allows the City to submit the levies to the County to be placed on the tax rolls. These assessments provide for the maintenance and improvements in the Landscaping and Lighting Districts for the 2016-2017 fiscal year.

Reviewed by:



Gary Brizzee, Interim City Manager

Attachments:

Resolution

Public Hearing Notice

Estimated Fund Balances

Landscaping and Lighting District Assessment Table

Part B and Part D of Engineer's Report

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOS BANOS CONFIRMING DIAGRAM
AND ASSESSMENT AND LEVYING
ASSESSMENTS FOR LANDSCAPING AND
LIGHTING DISTRICTS NO. 1-7 AND NO. 9-19
FOR THE FISCAL YEAR 2016-2017**

The City Council of the City of Los Banos resolves:

1. Pursuant to the Landscaping and Lighting Act of 1972, the City Engineer for the City's Landscaping and Lighting Districts No. 1-7 and No. 9-19 has filed annual reports for each district for fiscal year 2016-2017 with the City Clerk; and

2. The charges presented on the Assessment roll for each Landscaping and Lighting District is developed in compliance to the Landscaping and Lighting Act of 1972, Section 22569 and 22572. The charges are levied without regard to property valuation.

3. The City Engineer has filed his annual report with the City Clerk, and the City Council adopted its Resolution of intention to Levy and Collect Assessments within the Landscaping and Lighting Districts for the fiscal year 2016-2017 and set a public hearing to be held on June 1, 2016, in the meeting place of the City Council, City Hall, 520 J Street, Los Banos, CA. Notice of the hearing was given in the time and manner required by law.

4. At the public hearing, the City Council afforded to every interested person an opportunity to comment on the annual reports either in writing or orally, and the City Council has considered each comment.

5. The City Council hereby confirms the diagram and assessments as set forth in the annual reports of the City Engineer for Landscaping & Lighting Districts No. 1-7 and No. 9-19 and hereby levies the assessments set forth herein for fiscal year 2016-2017.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 1st day of June 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
NOTICE OF PUBLIC HEARING**

TO RECEIVE PUBLIC COMMENT ON THE QUESTION OF THE
LEVY OF THE PROPOSED ANNUAL ASSESSMENT FOR FISCAL YEAR 2016-2017
FOR LANDSCAPING AND LIGHTING DISTRICTS 1-7 AND 9-19

Where: City Council Chambers
520 J Street
Los Banos, CA 93635

When: June 1, 2016
7:00 PM

Notice is hereby given that the City of Los Banos will conduct a Public Hearing when and where public testimony will be invited regarding the question of the levy of the proposed annual assessment for fiscal year 2016-2017. The City Council intends to levy and collect assessments within Assessment Districts No. 1-7 and No. 9-19 during the Fiscal Year 2016-2017. The area of land to be assessed is located in the City of Los Banos, Merced County. The improvements to be made in these assessment districts are generally described as follows:

1. Street Lighting, Landscaped Street Medians and Right-of-Ways, Storm Drainage Facilities, Park Areas & Recreational Facilities, Street Trees, Walls, Sidewalks & Street Signs.

An annual report prepared by the City Engineer for the City of Los Banos (Engineer of Work) is on file with the City Clerk as required by the Landscape and Lighting Act of 1972. Below is a table showing the Assessment Districts, the existing 2015-2016 assessments and the 2016-2017 proposed assessments.

District #	District Name	2015/2016	2016/2017
		Existing Assessment	Proposed Assessment
1	Ranchwood Estates	a) \$94.00/RU	a) \$94.00/RU
	Vineyards	b) \$329.24/RU	b) \$329.24/RU
	Dollar General	c) \$1,316.96/Acre	c) \$1,316.96/Acre
2	Cresthills	\$183.14/RU	\$183.14/RU
3	Los Banos Gardens Units 2,4,5	a) \$159.68/RU	a) \$175.64/RU
	Los Banos Gardens Unit 3	b) \$245.44/RU	b) \$269.98/RU
4	College Green Estates	\$156.30/RU	\$156.30/RU
5	Orchard Terrace	a) \$180.14/RU	a) \$180.14/RU
	Commerce Ctr/Business Park	b) \$720.56/Acre	b) \$720.56/Acre
6	St. Francis Estates	\$79.00/RU	\$79.00/RU
7	Valley Meadows	\$154.96/RU	\$170.46/RU
9	Jo-Lin/Rancho de Amigos	a) \$202.68/RU	a) \$202.68/RU
	College Plaza (Commercial)	b) \$1,176.74/Acre	b) \$1,176.74/Acre
10	Los Banos Creek Shopping Center (Commercial)	\$954.32/Acre	\$954.32/Acre
11	Meadowlands	a) \$187.70/RU	a) \$197.08/RU
	Avalon	b) \$190.58/RU	b) \$200.10/RU
	Commercial	c) \$940.26/CU	c) \$987.26/CU
12	Verona/Mission Estates	\$203.10/RU	\$213.26/RU
13	Somerset Park	a) \$299.24/RU	a) \$299.24/RU
	Circle K	b) \$1,196.96/Acre	b) \$1,196.96/Acre
14	Northgate @ Regency Park	a) \$225.66/RU	a) \$248.22/RU
	Mission Village North	b) \$264.50/RU	b) \$290.94/RU
15	Magnolia Grove	\$304.34/RU	\$334.76/RU
16	Senior Homes Villages	\$68.92/RU	\$75.80/RU
17	Stonecreek Villages	a) \$374.20/RU	a) \$374.20/RU
	Villages III	b) n/a	b) \$710.10/RU
	Stonecreek Plaza (Commercial)	c) \$418.68/Acre	c) \$418.68/Acre
18	Rail Road Corridor	\$10.22/Linear Foot	\$10.22/Linear Foot
19	Talbott Park Drainage Area	\$1,830.64/Acre	\$2,013.70/Acre

RU = Residential Unit

CU = Commercial Unit

All interested persons are referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments upon assessable lots and parcels of land within the assessment district.

The Public Hearing will be held at the regular meeting of the Los Banos City Council on Wednesday, June 1, 2016 at 7:00 p.m. in the Council Chambers at the Los Banos City Hall located at 520 J Street, or as near as possible thereafter, at which time and place interested persons may appear and be heard thereon. Questions regarding the above referenced item may be directed to Mark Fachin, P.E., Public Works Director/City Engineer at the Public Works Department, 411 Madison Avenue or at (209) 827-7056.

All interested persons will be given an opportunity to comment on this item at the Public Hearing. In addition, written comments may be submitted to the City Council at or prior to the hearing, mailed to 411 Madison Avenue, Los Banos, CA 93635, Attention: Mark Fachin, P.E., Public Works Director/City Engineer. Please reference hearing title and date of hearing in any correspondence. If no comments are received prior to or on the above date, it will be assumed that no comments are being offered. Please note that if you challenge the City's final decision on the above matter in court, you may be limited to raising only those factual and legal issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. In light of the foregoing, all interested members of the public are encouraged to voice their concerns regarding all above matter either in person at the hearing or in writing through correspondence addressed to the City Council and submitted to the City Council at or prior to the date of the above hearing.

It is the intention of the City to comply with the Americans with Disabilities Act (ADA). If you require special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (209) 827-7000 at least 48 hours prior to the meeting to inform us of your particular needs.

THE CITY OF LOS BANOS
MARK FACHIN, P.E., PUBLIC WORKS DIRECTOR/CITY ENGINEER
Legal MAY 13, 2016

**City of Los Banos
Landscape & Lighting Districts
Estimated Fund Balances**

District	Fund	Actual Ending Fund Bal FY 14-15	Includes Interest for		Estimated Ending Fund Bal FY 15-16	Interest not included for		Estimated Ending Fund Bal FY 16-17	
			Estimated Revenues FY 15-16	Estimated Expenditures FY 15-16		Requested Revenue FY 16-17	Requested Expend FY 16-17		
Ranchwood	271	170,827.01	414,631.00	438,525.00	146,933.01	412,278.00	450,698.00	108,513.01	
Cresthills	272	217,672.11	72,191.00	51,849.00	238,014.11	71,791.00	67,052.00	242,753.11	
Los Banos Gardens	273	(75,126.52)	118,892.00	96,599.00	(52,833.52)	130,743.00	107,800.00	(29,890.52)	10%
College Green	274	177,380.59	101,926.00	112,423.00	166,883.59	101,126.00	138,248.00	129,761.59	
Orchard Terrace	275	29,839.69	62,032.00	43,339.00	48,532.69	61,882.00	50,973.00	59,441.69	
St. Francis	276	50,735.48	25,688.00	27,669.00	48,754.48	25,438.00	32,153.00	42,039.48	
Valley Meadows	277	4,110.00	13,507.00	10,877.00	6,740.00	14,830.00	12,424.00	9,146.00	10%
Jo-Lin Manor	279	(14,830.32)	115,439.00	80,057.00	20,551.68	115,404.00	104,275.00	31,680.68	
LB Creek Shopping Ctr	280	3,850.38	38,112.00	23,588.00	18,374.38	38,087.00	45,499.00	10,962.38	
Meadowlands	281	(329,639.26)	177,533.00	219,307.00	(371,413.26)	186,352.00	213,148.00	(398,209.26)	5%
Verona/Mission Estates	282	89,356.36	97,026.00	102,029.00	84,353.36	101,512.00	118,948.00	66,917.36	5%
Somerset Park	283	23,795.32	25,321.00	21,985.00	27,131.32	25,196.00	27,131.00	25,196.32	
Northgate/Regency Park	284	91,407.12	194,402.00	197,580.00	88,229.12	211,028.00	238,440.00	60,817.12	10%
Magnolia Grove	285	(35,136.88)	9,435.00	5,526.00	(31,227.88)	10,378.00	6,395.00	(27,244.88)	10%
Senior Homes Villages	286	(3,763.53)	10,062.00	7,865.00	(1,566.53)	11,067.00	9,410.00	90.47	10%
Stonecreek Villages	287	(200,149.16)	158,805.00	157,933.00	(199,277.16)	281,445.00	175,344.00	(93,176.16)	
Rail Road Corridor	288	6,820.13	108,408.00	75,781.00	39,447.13	108,344.00	109,496.00	38,295.13	
Talbott Park	289	(31,658.35)	38,074.00	69,777.00	(63,361.35)	41,825.00	81,485.00	(103,021.35)	10%
		175,490.17	1,781,484.00	1,742,709.00	214,265.17	1,948,726.00	1,988,919.00	174,072.17	

Ranchwood	Storm Drain Station Fence Repair	6,500.00	build in 2017	
Ranchwood	Picnic Arbor Re-roof	11,000.00	build in 2017	
LB Creek	Storm Drain Pump Replacement	10,000.00	build in 2017	
Rail Road Corridor	Landscape-Irrigation Improvements	20,000.00	build in 2017	
Cresthills	Picnic Arbor in Cresthills Park	200,000.00	build in 2018	(\$190,000 balance forward year ending 2017)
Valley Meadows	Landscape-Irrigation Improvements	5,000.00	build in 2018	(\$2,000 balance forward year ending 2017)
Orchard Terrace	Playground equipment in Citrus II Park	70,000.00	build in 2020	(\$40,000 balance forward year ending 2017)
Stonecreek	Oliviera Soccer Park Improvements	100,000.00	build in 2020	

**CITY OF LOS BANOS
LANDSCAPING AND LIGHTING
DISTRICT ASSESSMENT TABLE**

District #	Year Formed	District Name	2015/2016 Existing Assessment	2016/2017 Proposed Assessment
1	1988 1998 2015	Ranchwood Estates Vineyards Dollar General	a) \$94.00/RU b) \$329.24/RU c) \$1,316.96/Acre	a) \$94.00/RU b) \$329.24/RU c) \$1,316.96/Acre
2	1988	Cresthills	\$183.14/RU	\$183.14/RU
3	1988,89,03 2001	Los Banos Gardens Units 2,4,5 Los Banos Gardens Unit 3	a) \$159.68/RU b) \$245.44/RU	a) \$175.64/RU b) \$269.98/RU
4	1989	College Green Estates	\$156.30/RU	\$156.30/RU
5	1989 2015	Orchard Terrace Commerce Ctr/Business Park	a) \$180.14/RU b) \$720.56/Acre	a) \$180.14/RU b) \$720.56/Acre
6	1989	St. Francis Estates	\$79.00/RU	\$79.00/RU
7	1990	Valley Meadows	\$154.96/RU	\$170.46/RU
9	1991 2001	Jo-Lin/Rancho de Amigos College Plaza (Commercial)	a) \$202.68/RU b) \$1,176.74/Acre	a) \$202.68/RU b) \$1,176.74/Acre
10	1994	Los Banos Creek Shopping Center (Commercial)	\$954.32/Acre	\$954.32/Acre
11	1999 2000 1999	Meadowlands Avalon Commercial	a) \$187.70/RU b) \$190.58/RU c) \$940.26/CU	a) \$197.08/RU b) \$200.10/RU c) \$987.26/CU
12	2001	Verona/Mission Estates	\$203.10/RU	\$213.26/RU
13	2002 2015	Somerset Park Circle K	a) \$299.24/RU b) \$1,196.96/Acre	a) \$299.24/RU b) \$1,196.96/Acre
14	2002 2004	Northgate @ Regency Park Mission Village North	a) \$225.66/RU b) \$264.50/RU	a) \$248.22/RU b) \$290.94/RU
15	2004	Magnolia Grove	\$304.34/RU	\$334.76/RU
16	2006	Senior Homes Villages	\$68.92/RU	\$75.80/RU
17	2006 2016 2009	Stonecreek Villages Villages III Stonecreek Plaza (Commercial)	a) \$374.20/RU b) n/a c) \$418.68/Acre	a) \$374.20/RU b) \$710.10/RU c) \$418.68/Acre
18	2006	Rail Road Corridor	\$10.22/Linear Foot	\$10.22/Linear Foot
19	2006	Talbot Park Drainage Area	\$1,830.64/Acre	\$2,013.70/Acre

RU = Residential Units

CU = Commercial Units

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 1

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN RANCHWOOD ESTATES AND THE VINEYARDS, UNITS 1-3

#	Description	Total Amount
1	Fleet Repair & Maintenance	739.50
2	Fleet Services	563.40
3	Sidewalk Maintenance	180.00
4	Water Sewerage & Disposal	18,000.00
5	Landscape Maintenance	3,004.50
6	Park Maintenance	13,040.10
7	Storm Drain Maintenance	0
8	Street Sign Maintenance	900.00
9	Street Tree Maintenance	600.00
10	Fence Maintenance	300.00
11	Professional Services	15,914.90
12	Street Light Maintenance	1,680.00
13	Electricity & Gas	14,445.00
14	Gasoline & Oil	1,085.40
	Sub Total	\$ 70,452.80
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 70,452.80

B. INCIDENTAL EXPENSES

1	District Administrative Costs	5,892.90
2	City Engineer	0
3	Legal Fees	0
4	Charge In	53,613.90
	Total Incidental Expenses	\$ 59,506.80

C. CAPITAL EXPENSES

1	Fence Repair	1,950.00
2	Arbor Roof Replacement	3,300.00
	Total Capital Expenses	\$ 5,250.00

Total Estimated Cost 2016-2017 \$ 135,209.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 44,079.90
---	------------------------	--------------

E. BALANCE TO ASSESSMENT 2016-2017 \$ (91,129.10)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING DISTRICT NO. 1 (Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) and commercial unit (CU) as follows:

- (a) The improvements constructed in conjunction with Subdivision 87-1, Subdivision 89-3, Subdivision 89-4, Unit 1, 5, 6, 6A and 7 of Subdivision 89-5, Tract No. 90-1, Units 2, 3, 4 and 5 of Tract 90-3, Tract 93-1, Tract No. 94-02 and Unit 1, 2 and 3, of Tract No. 96-01 have been completed and accepted by the City.
- (b) The improvements constructed in conjunction with Units 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of Tract No. 96-01; Unit 18 of Tract 2000-02 and Tract 98-03 have been completed and accepted by the City.
- (c) Public improvements associated with Dollar General Market have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

- (a) The total number of assessable units is 1215 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$135,209.00 divided by 1215 equals \$111.28 per assessable unit. Given the balance forward, the assessment for the 2016-2017 Fiscal Year will remain at \$94.00 per RU.
- (b) The total number of assessable units is 895 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$310,981.82 divided by 895 equals \$347.46 per assessable unit. Given the balance forward, the assessment for the 2016-2017 Fiscal Year will remain at \$329.24 per RU.
- (c) The total number of assessable units is 1 CU. The net acreage of the assessable units is 2.58 acres. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$4,507.18 divided by 2.58 acres, which equals \$1,746.96 per acre. Given the balance forward, the assessment for the 2016-2017 Fiscal Year will remain at \$1,316.96 per acre.

LIMITATION ON ASSESSMENTS

- (a) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$94.00 per RU, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$94.00 per RU.) In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$94.00 per RU.
- (b) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$329.24 per RU, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$329.24 per RU.) In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$329.24 per RU.
- (c) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$1,316.96 per acre, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$1,316.96 per acre). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$1,316.96 per acre.

PART B

ESTIMATE OF COST

**CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 2**

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN CRESTHILLS 1 AND 2

<u>#</u>	<u>Description</u>	Total Amount
1	Fleet Repair & Maintenance	616.00
2	Fleet Services	470.00
3	Sidewalk Maintenance	1,000.00
4	Water Sewerage & Disposal	1,700.00
5	Landscape Maintenance	44.00
6	Park Maintenance	12,000.00
7	Storm Drain Maintenance	3,000.00
8	Street Sign Maintenance	1,500.00
9	Street Tree Maintenance	1,500.00
10	Fence Maintenance	1,000.00
11	Professional Services	6,706.00
12	Street Light Maintenance	1,000.00
13	Electricity & Gas	8,186.00
14	Gasoline & Oil	638.00
	Sub Total	\$ 39,360.00
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 39,360.00

B. INCIDENTAL EXPENSES

1	District Administrative Costs	3,040.00
2	City Engineer	0
3	Legal Fees	0
4	Charge In	24,652.00
	Total Incidental Expenses	\$ 27,692.00

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 67,052.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 238,014.11
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E. BALANCE TO ASSESSMENT 2016-2017 \$ 170,962.11

DISTRICT #2 CAPITAL COSTS

The total estimated fund balance in District 2 is \$238,014.11 for the Fiscal Year 2015-2016. A metal picnic arbor shade structure with concrete foundation/pad/sidewalks and tables is a scheduled improvement for the Cresthills Park in the 2017-2018 Fiscal Year. The estimated expenditure for this project is \$200,000.00.

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING DISTRICT NO. 2

(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) as follows:

The improvements constructed in conjunction with Subdivisions 87-2 and 87-4 have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

The total number of assessable units is 392 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$67,052.00 divided by 392 equals \$171.05 per assessable unit. The assessment for Fiscal Year 2016-2017 will remain at \$183.14 per RU with planned capital improvements being programmed in 2017-2018.

LIMITATIONS ON ASSESSMENTS

Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$203.41 per RU, which occurred in Fiscal Year 2010-2011). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for the 2015-2016 was \$183.14). In accordance with the forgoing limitations, the assessment for 2016-2017 will be \$183.14 per RU.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 3

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN LOS BANOS GARDENS 2,4 AND 5; UNITS 1, 2A, 2B AND 3

#	Description	Total Amount
1	Fleet Repair & Maintenance	840.84
2	Fleet Services	641.16
3	Sidewalk Maintenance	0
4	Water Sewerage & Disposal	15,600.00
5	Landscape Maintenance	1,883.70
6	Park Maintenance	5,555.94
7	Storm Drain Maintenance	0
8	Street Sign Maintenance	0
9	Street Tree Maintenance	0
10	Fence Maintenance	0
11	Professional Services	25,641.72
12	Street Light Maintenance	1,560.00
13	Electricity & Gas	5,675.28
14	Gasoline & Oil	1,327.56
	Sub Total	\$ 58,726.20
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 58,726.20

B. INCIDENTAL EXPENSES

1	District Administrative Costs	3,812.64
2	City Engineer	0
3	Legal Fees	0
4	Charge In	21,545.16
	Total Incidental Expenses	\$ 25,357.80

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 84,084.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ (41,210.15)
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E. BALANCE TO ASSESSMENT 2016-2017 \$ (125,294.15)

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 3

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN LOS BANOS GARDENS 3

#	Description	Total Amount
1	Fleet Repair & Maintenance	237.16
2	Fleet Services	180.84
3	Sidewalk Maintenance	0
4	Water Sewerage & Disposal	4,400.00
5	Landscape Maintenance	531.30
6	Park Maintenance	1,567.06
7	Storm Drain Maintenance	0
8	Street Sign Maintenance	0
9	Street Tree Maintenance	0
10	Fence Maintenance	0
11	Professional Services	7,232.28
12	Street Light Maintenance	440.00
13	Electricity & Gas	1,600.72
14	Gasoline & Oil	374.44
	Sub Total	\$ 16,563.80
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 16,563.80

B. INCIDENTAL EXPENSES

1	District Administrative Costs	1,075.36
2	City Engineer	0
3	Legal Fees	0
4	Charge In	6,076.84
	Total Incidental Expenses	\$ 7,152.20

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 23,716.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ (11,623.37)
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E. BALANCE TO ASSESSMENT 2016-2017 \$ (35,339.37)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING DISTRICT NO. 3

(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) as follows:

- (a) The improvements constructed in conjunction with Los Banos Gardens No. 2, Units 1 and 2 of Subdivision 87-3; Los Banos Gardens No. 4, Unit 1 and Phase 3 of Subdivision 88-2; Los Banos Gardens No. 4, Phases 4 and 5, Tract No. 88-2, and Los Banos Gardens No. 5, Units 1, 2A, 2B and 3 Tract No. 98-02, have been completed and accepted by the City.
- (b) The improvements constructed in conjunction with Los Banos Gardens No. 3, Units 1 and 2 of Tract No. 97-01 have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

- (a) The total number of assessable units is 563 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$125,294.15 divided by 563 equals \$222.55 per assessable unit (which includes the existing deficit balance forward). Due to limitations on assessments, the assessment for 2016-2017 Fiscal Year will be \$175.64 per RU.
- (b) The total number of assessable units is 118 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$35,339.37 divided by 118 equals \$299.48 per assessable unit (which includes the existing deficit balance forward). Due to limitations on assessments, the assessment for 2016-2017 Fiscal Year will be \$269.98 per RU.

LIMITATIONS ON ASSESSMENTS

- (a) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$159.68 per RU, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$159.68 per RU.) In accordance with the forgoing limitations, the assessment for 2016-2017 will be \$175.64 per RU.
- (b) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$245.44 per RU, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-16 was \$245.44 per RU.) In accordance with the forgoing limitations, the assessment for 2016-17 will be \$269.98 per RU.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 4

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN COLLEGE GREENS

#	Description	Total Amount
1	Fleet Repair & Maintenance	770.00
2	Fleet Services	587.00
3	Sidewalk Maintenance	10,000.00
4	Water Sewerage & Disposal	900.00
5	Landscape Maintenance	58.00
6	Park Maintenance	31,173.00
7	Storm Drain Maintenance	2,000.00
8	Street Sign Maintenance	2,700.00
9	Street Tree Maintenance	14,500.00
10	Fence Maintenance	1,800.00
11	Professional Services	9,956.00
12	Street Light Maintenance	1,500.00
13	Electricity & Gas	14,873.00
14	Gasoline & Oil	1,064.00
	Sub Total	\$ 91,881.00
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 91,881.00

B. INCIDENTAL EXPENSES

1	District Administrative Costs	6,269.00
2	City Engineer	0
3	Legal Fees	0
4	Charge In	40,098.00
	Total Incidental Expenses	\$ 46,367.00

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 138,248.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 166,883.59
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E. BALANCE TO ASSESSMENT 2016-2017 \$ 28,635.59

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING DISTRICT NO. 4

(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) as follows:

The improvements constructed in conjunction with Subdivision 87-8; Subdivision 89-1, Phases 2, and 3; and Tract No. 89-7, Unit 1; and Subdivision 89-1, Units 4, 5A, 5B, 6, 7, 8, 9, 10, Phases 11 and 12; Phases 2, 3, 4 and 5 of Tract No. 89-07; Phases 1 and 2 of Tract No. 95-3 (609 RU); and the New Bethany Residential Care & Skilled Nursing Facility (previously Remainder "A" area as shown on the approved map for Subdivision No. 87-8, College Greens No.1 equals 38 RU) have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

The total number of assessable units is 647 RU (includes New Bethany). The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$138,248.00 divided by 647 equals \$213.68 per assessable unit. Given the balance forward, the assessment for the 2016-2017 Fiscal Year will remain at \$156.30 per RU.

LIMITATION ON ASSESSMENTS

Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$173.67 per RU, which occurred in Fiscal Year 2010-2011). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$156.30 per RU). In accordance with the forgoing limitations, the assessment for 2016-2017 will be \$156.30 per RU.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 5

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN ORCHARD TERRACE, FAIR OAKS, AND 90, 96 FIRST STREET

<u>#</u>	<u>Description</u>	<u>Total Amount</u>
1	Fleet Repair & Maintenance	392.70
2	Fleet Services	299.20
3	Sidewalk Maintenance	425.00
4	Water Sewerage & Disposal	9,350.00
5	Landscape Maintenance	1,619.25
6	Park Maintenance	5,950.00
7	Storm Drain Maintenance	0
8	Street Sign Maintenance	255.00
9	Street Tree Maintenance	425.00
10	Fence Maintenance	510.00
11	Professional Services	5,747.70
12	Street Light Maintenance	765.00
13	Electricity & Gas	6,375.00
14	Gasoline & Oil	362.10
	Sub Total	\$ 32,475.95
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 32,475.95

B. INCIDENTAL EXPENSES

1	District Administrative Costs	1,964.35
2	City Engineer	0
3	Legal Fees	0
4	Charge In	8,886.75
	Total Incidental Expenses	\$ 10,851.10

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 43,327.05

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 41,252.79
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E. BALANCE TO ASSESSMENT 2016-2017 \$ (2,074.26)

PART B
ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 5

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED PACHECO PASS COMMERCE CENTER & HACIENDA BUSINESS PARK	<u>#</u>	<u>Description</u>	Total Amount
	1	Fleet Repair & Maintenance	69.30
	2	Fleet Services	52.80
	3	Sidewalk Maintenance	75.00
	4	Water Sewerage & Disposal	1,650.00
	5	Landscape Maintenance	285.75
	6	Park Maintenance	1,050.00
	7	Storm Drain Maintenance	0
	8	Street Sign Maintenance	45.00
	9	Street Tree Maintenance	75.00
	10	Fence Maintenance	90.00
	11	Professional Services	1,014.30
	12	Street Light Maintenance	135.00
	13	Electricity & Gas	1,125.00
	14	Gasoline & Oil	63.50
		Sub Total	\$ 5,730.65
		Contingency Allowance	0
		Total Maintenance Expenses	\$ 5,730.65
B. INCIDENTAL EXPENSES			
	1	District Administrative Costs	346.65
	2	City Engineer	0
	3	Legal Fees	0
	4	Charge In	1,568.25
		Total Incidental Expenses	\$ 1,914.90
C. CAPITAL EXPENSES			
	1		0
	2		0
		Total Capital Expenses	\$ 0
		Total Estimated Cost 2016-2017	\$ 7,645.55
D. MONIES IN ASSESSMENT DISTRICT FUND			
	1	Balance from 2015-2016	\$ 7,279.90
E. BALANCE TO ASSESSMENT 2016-2017			\$ (365.65)

DISTRICT #5 CAPITAL COSTS

The total estimated fund balance in District 5 is \$48,532.69 for the Fiscal Year 2015-2016. A playground structure for the Citrus II Park is being scheduled for replacement in the 2019-2020 Fiscal Year. The estimated expenditure for this project is \$70,000.00.

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING DISTRICT NO. 5
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) and commercial unit (CU) as follows:

- (a) Subdivision 87-5, Subdivision 89-9, Tract No. 94-01 & Tract No. 2002-02, and 90 & 96 First Street have been completed and accepted by the City.
- (b) Public improvements constructed in conjunction with Pacheco Pass Commerce Center and Hacienda Business Park have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

- (a) The total number of assessable units is 304 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$43,327.05 divided by 304 equals \$142.52 per assessable unit. The Fiscal Year 2016-2017 assessment will be \$180.14 per RU, which accounts for a planned capital improvement programmed for construction in 2019-2020 and allowable reserve funding.
- (b) The total number of assessable units is 35 CU. The net acreage of the assessable units is 9.88 acres. The total cost to be assessed for Fiscal Year 2016-2017 is \$7,645.55. The assessment per acre is determined by dividing the total cost assessed for Fiscal Year 2016-2017 by 9.88 acres, which equals \$773.84 per acre. The Fiscal Year 2016-2017 assessment will be \$720.56 per acre, which accounts for a planned capital improvement programmed for construction in 2019-2020 and allowable reserve funding.

LIMITATIONS ON ASSESSMENTS

- (a) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$180.14 per RU, which occurred in 2014-2015.) Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2014-2015 was \$180.14 per RU.) In accordance with the forgoing limitations, the assessment for 2016-2017 will be \$180.14 per RU.
- (b) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$720.56 per acre, which occurred in 2015-2016.) Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$720.56 per acre.) In accordance with the forgoing limitations, the assessment for 2016-2017 will be \$720.56 per acre.

PART D

METHOD OF ASSESSMENT SPREAD

LANDSCAPING AND LIGHTING DISTRICT NO. 6
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) as follows:

St. Francis Estates, Unit 1 and Unit 2 and Phases 1, 2, and 3 of Tract 91-1 have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

The total number of assessable units is 322 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$32,153.00 divided by 322 equals \$99.85 per assessable unit. Given the balance forward, the assessment for the Fiscal Year 2016-2017 will remain at \$79.00 per RU.

LIMITATION ON ASSESSMENTS

Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$79.00 per RU which occurred in Fiscal Year 2012-2013). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$79.00 per RU). In accordance with the foregoing limitations, the assessment will be \$79.00 per RU.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 7

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN VALLEY MEADOWS

#	Description	Total Amount
1	Fleet Repair & Maintenance	462.00
2	Fleet Services	352.00
3	Sidewalk Maintenance	350.00
4	Water Sewerage & Disposal	1,500.00
5	Landscape Maintenance	604.00
6	Park Maintenance	2,507.00
7	Storm Drain Maintenance	0
8	Street Sign Maintenance	500.00
9	Street Tree Maintenance	2,200.00
10	Fence Maintenance	500.00
11	Professional Services	0
12	Street Light Maintenance	600.00
13	Electricity & Gas	612.00
14	Gasoline & Oil	426.00
	Sub Total	\$ 10,613.00
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 10,613.00

B. INCIDENTAL EXPENSES

1	District Administrative Costs	563.00
2	City Engineer	0
3	Legal Fees	0
4	Charge In	1,248.00
	Total Incidental Expenses	\$ 1,811.00

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 12,424.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 6,740.00
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E. BALANCE TO ASSESSMENT 2016-2017 \$ (5,684.00)

PART D

METHOD OF ASSESSMENT SPREAD

LANDSCAPING AND LIGHTING DISTRICT NO. 7
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) as follows:

The improvements constructed in conjunction with Valley Meadows Subdivision has been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

The total number of assessable units is 87 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$12,424.00 divided by 87 equals \$142.80 per assessable unit. Allowable reserve funding and planned capital projects will increase the Fiscal Year 2016-2017 assessment to \$170.46 per RU.

LIMITATIONS ON ASSESSMENTS

Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$154.96 per RU, which occurred in 2014-2015). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$154.96 per RU). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$170.46 per RU.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 9

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN JO-LIN PARK MANOR AND RANCHO DE AMIGOS

#	Description	Total Amount
1	Fleet Repair & Maintenance	492.80
2	Fleet Services	376.00
3	Sidewalk Maintenance	1,200.00
4	Water Sewerage & Disposal	7,200.00
5	Landscape Maintenance	2,145.60
6	Park Maintenance	14,684.00
7	Storm Drain Maintenance	1,600.00
8	Street Sign Maintenance	800.00
9	Street Tree Maintenance	960.00
10	Fence Maintenance	2,080.00
11	Professional Services	5,545.60
12	Street Light Maintenance	2,400.00
13	Electricity & Gas	7,568.80
14	Gasoline & Oil	680.80
	Sub Total	\$ 47,733.60
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 47,733.60

B. INCIDENTAL EXPENSES

1	District Administrative Costs	3,782.40
2	City Engineer	0
3	Legal Fees	0
4	Charge In	31,904.00
	Total Incidental Expenses	\$ 35,686.40

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 83,420.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 16,441.34
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E. BALANCE TO ASSESSMENT 2016-2017 \$ (66,978.66)

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 9

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN COLLEGE PLAZA SHOPPING CENTER

#	Description	Total Amount
1	Fleet Repair & Maintenance	123.20
2	Fleet Services	94.00
3	Sidewalk Maintenance	300.00
4	Water Sewerage & Disposal	1,800.00
5	Landscape Maintenance	536.40
6	Park Maintenance	3,671.00
7	Storm Drain Maintenance	400.00
8	Street Sign Maintenance	200.00
9	Street Tree Maintenance	240.00
10	Fence Maintenance	520.00
11	Professional Services	1,386.40
12	Street Light Maintenance	600.00
13	Electricity & Gas	1,892.20
14	Gasoline & Oil	170.20
	Sub Total	\$ 11,933.40
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 11,933.40

B. INCIDENTAL EXPENSES

1	District Administrative Costs	945.60
2	City Engineer	0
3	Legal Fees	0
4	Charge In	7,976.00
	Total Incidental Expenses	\$ 8,921.60

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 20,855.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 4,110.34
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E. BALANCE TO ASSESSMENT 2016-2017 \$ (16,744.66)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING DISTRICT NO. 9 METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) and commercial unit (CU) as follows:

- (a) The improvements constructed in conjunction with Tract No. 89-6, Phases 1, 2, 3 and 4 (Jo-Lin Park Manor); and Tract No. 89-2, Phases 1, 2, 3 and 4 (Rancho De Amigos) have been completed and accepted by the City.
- (b) Public improvements associated with College Plaza Shopping Center have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

- (a) The total number of assessable units is 456 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$83,420.00 divided by 456 equals \$182.94 per assessable unit. The Fiscal Year 2016-2017 assessment will be at \$202.68 per RU, which accounts for future rehabilitation of storm facilities and allowable reserve funding.
- (b) The total number of assessable units is 12 CU. The net acreage of the assessable units is 19.53 acres. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$20,855.00. The assessment per acre is determined by dividing the total estimated cost for Fiscal Year 2016-2017 by 19.53 acres, which equals \$1,067.84 per acre. The Fiscal Year 2016-2017 assessment will be at \$1,176.74 per acre, which accounts for future rehabilitation of storm facilities and allowable reserve funding.

LIMITATIONS ON ASSESSMENTS

- (a) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$202.68 per RU, which occurred in Fiscal Year 2014-2015). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for the 2015-2016 Fiscal Year was \$202.68 per RU). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$202.68 per RU.
- (b) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$1,176.74 per acre, which occurred in Fiscal Year 2014-2015). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 Fiscal Year was \$1,176.74 per acre). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$1,176.74 per acre.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 10

ENGINEER'S COST ESTIMATE

2016-2017

A.	ITEMS TO BE MAINTAINED IN LOS BANOS CREEK SHOPPING CENTER	Total Amount
#	<u>Description</u>	
1	Fleet Repair & Maintenance	462.00
2	Fleet Services	352.00
3	Sidewalk Maintenance	500.00
4	Water Sewerage & Disposal	0
5	Landscape Maintenance	7,972.00
6	Park Maintenance	8,000.00
7	Storm Drain Maintenance	1,200.00
8	Street Sign Maintenance	600.00
9	Street Tree Maintenance	1,000.00
10	Fence Maintenance	0
11	Professional Services	0
12	Street Light Maintenance	750.00
13	Electricity & Gas	1,070.00
14	Gasoline & Oil	638.00
	Sub Total	\$ 22,544.00
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 22,544.00
B.	INCIDENTAL EXPENSES	
1	District Administrative Costs	1,609.00
2	City Engineer	0
3	Legal Fees	0
4	Charge In	11,346.00
	Total Incidental Expenses	\$ 12,955.00
C.	CAPITAL EXPENSES	
1	Pump replacement	10,000.00
2		0
	Total Capital Expenses	\$ 10,000.00
	Total Estimated Cost 2016-2017	\$ 45,499.00
D.	MONIES IN ASSESSMENT DISTRICT FUND	
1	Balance from 2015-2016	\$ 18,374.38
E.	BALANCE TO ASSESSMENT 2016-2017	\$ (27,124.62)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING DISTRICT NO. 10
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread proportional to the parcel size of each commercial unit (CU).

Public improvements associated with Parcel Maps 93-2, 94-02, 95-01, and Walmart Expansion have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

The total number of assessable units is 7 CU. The net acreage of the assessable units is 39.91 acres. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$45,499.00 divided by 39.91 acres, which equals \$1,140.04 per acre. The Fiscal Year 2016-2017 assessment will be \$954.32 per acre, which accounts for future rehabilitation of storm facilities and allowable reserve funding.

LIMITATIONS ON ASSESSMENTS

Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$954.32 per acre, which occurred in Fiscal Year 2014-2015). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 Fiscal Year was \$954.32 per acre). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$954.32 per acre.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 11

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN MEADOWLANDS

#	Description	Total Amount
1	Fleet Repair & Maintenance	1,497.69
2	Fleet Services	1,141.29
3	Sidewalk Maintenance	0
4	Water Sewerage & Disposal	34,020.00
5	Landscape Maintenance	12,307.95
6	Park Maintenance	17,820.00
7	Storm Drain Maintenance	0
8	Street Sign Maintenance	810.00
9	Street Tree Maintenance	810.00
10	Fence Maintenance	810.00
11	Professional Services	51,064.02
12	Street Light Maintenance	5,670.00
13	Electricity & Gas	13,910.94
14	Gasoline & Oil	2,585.52
	Sub Total	\$ 142,447.41
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 142,447.41

B. INCIDENTAL EXPENSES

1	District Administrative Costs	7,828.65
2	City Engineer	0
3	Legal Fees	0
4	Charge In	22,373.82
	Total Incidental Expenses	\$ 30,202.47

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 172,649.88

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ (300,844.74)
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E. BALANCE TO ASSESSMENT 2016-2017

\$ (473,494.62)

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 11

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN LOS BANOS MINI STORAGE

#	Description	Total Amount
1	Fleet Repair & Maintenance	110.94
2	Fleet Services	84.54
3	Sidewalk Maintenance	0
4	Water Sewerage & Disposal	2,520.00
5	Landscape Maintenance	911.70
6	Park Maintenance	1,320.00
7	Storm Drain Maintenance	0
8	Street Sign Maintenance	60.00
9	Street Tree Maintenance	60.00
10	Fence Maintenance	60.00
11	Professional Services	3,782.52
12	Street Light Maintenance	420.00
13	Electricity & Gas	1,030.44
14	Gasoline & Oil	191.52
	Sub Total	\$ 10,551.66
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 10,551.66

B. INCIDENTAL EXPENSES

1	District Administrative Costs	579.90
2	City Engineer	0
3	Legal Fees	0
4	Charge In	1,657.32
	Total Incidental Expenses	\$ 2,237.22

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 12,788.88

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ (22,284.80)
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E. BALANCE TO ASSESSMENT 2016-2017

\$ (35,073.68)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING DISTRICT NO. 11
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) and commercial unit (CU) as follows:

- (a) The improvements constructed in conjunction with Tract No. 98-01, Phases 1, 2, 3, 4, 5, 6, 7 and 8, Tract No. 2001-07, Phases 1 and 2, and Tract No. 2002-06, The Meadowlands, Unit 3, Phases 1, 2, 3 and 4 have been completed and accepted by the City.
- (b) The improvements constructed in conjunction with Avalon at the Meadowlands, east and west of San Luis Street, have been completed and accepted by the City.
- (c) Public improvements associated with Los Banos Mini Storage have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

- (a) The total number of assessable units is 833 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$473,494.62 divided by 833 equals \$568.42 per assessable unit (which includes the existing deficit balance forward). Due to limitations on assessments, the assessment for 2016-2017 Fiscal Year will be \$197.08 per RU.
- (b) The total number of assessable units is 101 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$75,992.96 divided by 101 equals \$752.40 per assessable unit (which includes the existing deficit balance forward). Due to limitations on assessments, the assessment for 2016-2017 Fiscal Year will be \$200.10 per RU.
- (c) The total number of assessable units is 2 CU. The net acreage of the assessable units is 2.00 acres. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$35,073.68 divided by 2.00 acres, which equals \$17,536.84 per assessable unit (which includes the existing deficit balance forward). Due to limitations on assessments, the assessment for 2016-2017 Fiscal Year will be \$987.26 per acre.

LIMITATIONS ON ASSESSMENTS

- (a) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by five percent (5%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$187.70 per RU, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for the 2015-2016 Fiscal Year was \$187.70 per RU). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$197.08 per RU.
- (b) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by five percent (5%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$190.58 per RU, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for the 2015-2016 Fiscal Year was \$190.58 per RU). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$200.10 per RU.
- (c) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by five percent (5%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$940.26 per CU, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for the 2015-2016 Fiscal Year was \$940.26 per CU). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$987.26 per CU.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 12

ENGINEER'S COST ESTIMATE

2016-2017

#	Description	Total Amount
A.	ITEMS TO BE MAINTAINED IN VERONA, PHASES 1 THROUGH 3 AND MISSION ESTATES, UNITS 1 THROUGH 5 AND MISSION VILLAGE SOUTH, PHASE 2	
1	Fleet Repair & Maintenance	616.00
2	Fleet Services	470.00
3	Sidewalk Maintenance	1,000.00
4	Water Sewerage & Disposal	5,500.00
5	Landscape Maintenance	2,297.00
6	Park Maintenance	5,719.00
7	Storm Drain Maintenance	3,000.00
8	Street Sign Maintenance	1,000.00
9	Street Tree Maintenance	5,000.00
10	Fence Maintenance	1,500.00
11	Professional Services	12,117.00
12	Street Light Maintenance	4,000.00
13	Electricity & Gas	19,899.00
14	Gasoline & Oil	851.00
	Sub Total	\$ 62,969.00
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 62,969.00
B.	INCIDENTAL EXPENSES	
1	District Administrative Costs	5,394.00
2	City Engineer	0
3	Legal Fees	0
4	Charge In	50,585.00
	Total Incidental Expenses	\$ 55,979.00
C.	CAPITAL EXPENSES	
1		0
2		0
	Total Capital Expenses	\$ 0
	Total Estimated Cost 2016-2017	\$ 118,948.00
D.	MONIES IN ASSESSMENT DISTRICT FUND	
1	Balance from 2015-2016	\$ 84,353.36
E.	BALANCE TO ASSESSMENT 2016-2017	\$ (34,594.64)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING DISTRICT NO. 12
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) as follows:

Verona, Units No. 1 and 2, and Tract No. 2000-06, Mission Estates, Units No. 1 through 5, Verona, Units 3, Tract No. 2001-02, Mission Village South, Phase 2 have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

The total number of assessable units is 476 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$118,948.00 divided by 476 equals \$249.89 per assessable unit. Due to limitations and deficit spending, the assessment for 2016-2017 Fiscal Year will be \$213.26 per RU.

LIMITATION ON ASSESSMENTS

Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by five percent (5%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$203.10 per RU, which occurred in Fiscal Year 2010-2011). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$203.10 per RU). In accordance with the forgoing limitations, the assessment for 2016-2017 will be \$213.26 per RU.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 13

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN SOMERSET PARK

#	Description	Total Amount
1	Fleet Repair & Maintenance	425.04
2	Fleet Services	323.84
3	Sidewalk Maintenance	736.00
4	Water Sewerage & Disposal	1,288.00
5	Landscape Maintenance	647.68
6	Park Maintenance	3,220.00
7	Storm Drain Maintenance	460.00
8	Street Sign Maintenance	1,380.00
9	Street Tree Maintenance	920.00
10	Fence Maintenance	368.00
11	Professional Services	0
12	Street Light Maintenance	1,196.00
13	Electricity & Gas	4,002.00
14	Gasoline & Oil	391.92
	Sub Total	\$ 15,358.48
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 15,358.48

B. INCIDENTAL EXPENSES

1	District Administrative Costs	1,131.60
2	City Engineer	0
3	Legal Fees	0
4	Charge In	8,470.44
	Total Incidental Expenses	\$ 9,602.04

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 24,960.52

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 24,960.81
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E. BALANCE TO ASSESSMENT 2016-2017

\$ 0.29

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 13

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED AT CIRCLE K STORE

#	Description	Total Amount
1	Fleet Repair & Maintenance	36.96
2	Fleet Services	28.16
3	Sidewalk Maintenance	64.00
4	Water Sewerage & Disposal	112.00
5	Landscape Maintenance	56.32
6	Park Maintenance	280.00
7	Storm Drain Maintenance	40.00
8	Street Sign Maintenance	120.00
9	Street Tree Maintenance	80.00
10	Fence Maintenance	32.00
11	Professional Services	0
12	Street Light Maintenance	104.00
13	Electricity & Gas	348.00
14	Gasoline & Oil	34.08
	Sub Total	\$ 1,335.52
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 1,335.52

B. INCIDENTAL EXPENSES

1	District Administrative Costs	98.40
2	City Engineer	0
3	Legal Fees	0
4	Charge In	736.56
	Total Incidental Expenses	\$ 834.96

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 2,170.48

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 2,170.51
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E. BALANCE TO ASSESSMENT 2016-2017

\$ 0.03

PART D

METHOD OF ASSESSMENT SPREAD

LANDSCAPING AND LIGHTING DISTRICT NO. 13
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) and commercial unit (CU) as follows:

- (a) The improvements constructed in conjunction with Tract No. 2000-05, Somerset Park have been completed and accepted by the City.
- (b) Public improvements associated with Circle K Store have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

- (a) The total number of assessable units is 77 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$24,960.52 divided by 77 equals \$324.16 per assessable unit. Given the balance forward and deficit spending, the assessment for the 2016-2017 Fiscal Year will remain at \$299.24 per RU.
- (b) The total number of assessable units is 1 CU. The net acreage of the assessable unit is 1.80 acres. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$2,170.48. The assessment per acre is determined by dividing the total estimated cost assessed for Fiscal Year 2016-2017 by 1.80 acres, which equals \$1,205.82 per acre. Given the balance forward and deficit spending, the assessment for the 2016-2017 Fiscal Year will remain at \$1,196.96 per acre.

LIMITATION ON ASSESSMENTS

- (a) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$299.24 per RU, which occurred in 2014-2015). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$299.24 per RU). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$299.24 per RU.
- (b) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$1,196.96 per acre, which occurred in 2015-16). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$1,196.96 per acre). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$1,196.96 per acre.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 14

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN NORTHGATE AT REGENCY PARK II, UNITS 1 THROUGH 4 AND REGENCY PARK ESTATES, UNITS 1 THROUGH 7

#	Description	Total Amount
1	Fleet Repair & Maintenance	1,001.00
2	Fleet Services	763.10
3	Sidewalk Maintenance	325.00
4	Water Sewerage & Disposal	14,950.00
5	Landscape Maintenance	7,653.10
6	Park Maintenance	8,996.65
7	Storm Drain Maintenance	650.00
8	Street Sign Maintenance	975.00
9	Street Tree Maintenance	520.00
10	Fence Maintenance	325.00
11	Professional Services	13,553.80
12	Street Light Maintenance	2,600.00
13	Electricity & Gas	15,839.85
14	Gasoline & Oil	1,660.10
	Sub Total	\$ 69,812.60
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 69,812.60

B. INCIDENTAL EXPENSES

1	District Administrative Costs	7,027.80
2	City Engineer	0
3	Legal Fees	0
4	Charge In	78,145.60
	Total Incidental Expenses	\$ 85,173.40

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0
	Total Estimated Cost 2016-2017	\$ 154,986.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 57,348.93
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E. BALANCE TO ASSESSMENT 2016-2017

\$ (97,637.07)

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 14

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN MISSION VILLAGE NORTH UNIT 1 THROUGH 4 AND COURT OF FOUNTAINS

#	Description	Total Amount
1	Fleet Repair & Maintenance	539.00
2	Fleet Services	410.90
3	Sidewalk Maintenance	175.00
4	Water Sewerage & Disposal	8,050.00
5	Landscape Maintenance	4,120.90
6	Park Maintenance	4,844.35
7	Storm Drain Maintenance	350.00
8	Street Sign Maintenance	525.00
9	Street Tree Maintenance	280.00
10	Fence Maintenance	175.00
11	Professional Services	7,298.20
12	Street Light Maintenance	1,400.00
13	Electricity & Gas	8,529.15
14	Gasoline & Oil	893.90
	Sub Total	\$ 37,591.40
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 37,591.40

B. INCIDENTAL EXPENSES

1	District Administrative Costs	3,784.20
2	City Engineer	0
3	Legal Fees	0
4	Charge In	42,078.40
	Total Incidental Expenses	\$ 45,862.60

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 83,454.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 30,880.19
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E. BALANCE TO ASSESSMENT 2016-2017 \$ (52,573.81)

PART D

METHOD OF ASSESSMENT SPREAD

LANDSCAPING AND LIGHTING DISTRICT NO. 14
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) and commercial unit (CU) as follows:

- (a) The improvements constructed in conjunction with Tract No. 2000-1, Northgate at Regency Park II, Units No. 1, 2, 3 and 4, Tract No. 99-02, Regency Park Estates, Units 1, 2, 3, 4, 5, 6 and 7 have been completed and accepted by the City.
- (b) The improvements constructed in conjunction with Mission Village North, Unit 1, 2, 3, 4 and Court of Fountains have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

- (a) The total number of assessable units is 563 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$154,986.00 divided by 563 equals \$275.28 per assessable unit. Deficit spending will raise the assessment for the 2016-2017 Fiscal Year to \$248.22 per RU.
- (b) The total number of assessable units is 245 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$83,454.00 divided by 245 equals \$340.63 per assessable unit. Deficit spending will raise the assessment for the 2016-2017 Fiscal Year to \$290.94 per RU.

LIMITATIONS ON ASSESSMENTS

- (a) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$225.66 per RU, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$225.66 per RU). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$248.22 per RU.
- (b) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$264.50 per RU, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$264.50 per RU). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$290.94 per RU.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 15

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN MAGNOLIA GROVE

#	Description	Total Amount
1	Fleet Repair & Maintenance	462.00
2	Fleet Services	352.00
3	Sidewalk Maintenance	100.00
4	Water Sewerage & Disposal	1,100.00
5	Landscape Maintenance	404.00
6	Park Maintenance	1,586.00
7	Storm Drain Maintenance	100.00
8	Street Sign Maintenance	50.00
9	Street Tree Maintenance	50.00
10	Fence Maintenance	50.00
11	Professional Services	0
12	Street Light Maintenance	300.00
13	Electricity & Gas	1,125.00
14	Gasoline & Oil	426.00
	Sub Total	\$ 6,105.00
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 6,105.00

B. INCIDENTAL EXPENSES

1	District Administrative Costs	290.00
2	City Engineer	0
3	Legal Fees	0
4	Charge In	0
	Total Incidental Expenses	\$ 290.00

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 6,395.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ (31,227.88)
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E. BALANCE TO ASSESSMENT 2016-2017

\$ (37,622.88)

PART D

METHOD OF ASSESSMENT SPREAD

LANDSCAPING AND LIGHTING DISTRICT NO. 15
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) as follows:

The improvements constructed in conjunction with Tract No. 2002-03 Magnolia Grove has been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

The total number of assessable units is 31 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$37,622.88 divided by 31 equals \$1,213.64 per assessable unit (which includes the existing deficit balance forward). Due to the limitations on assessments, the assessment for 2016-2017 Fiscal Year will be \$334.76 per RU.

LIMITATIONS ON ASSESSMENTS

Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$304.34 per RU which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$304.34 per RU). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$334.76 per RU.

PART D

METHOD OF ASSESSMENT SPREAD

LANDSCAPING AND LIGHTING DISTRICT NO. 16
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) as follows:

The improvements constructed in conjunction with Tract No. 2003-02, The Villages at Los Banos No. 1 and 2 have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

The total number of assessable units is 146 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$10,966.53 divided by 146 equals \$75.11 per RU. The assessment for 2016-2017 Fiscal Year will increase to \$75.80 per RU, which accounts for allowable reserve funding.

LIMITATIONS ON ASSESSMENTS

Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$68.92 per RU, which occurred in Fiscal Year 2014-2015). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$68.92 per RU). In accordance with the forgoing limitations, the assessment for 2016-2017 will be \$75.80 per RU.

PART B
ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 17

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN STONECREEK AT LOS BANOS, THE VILLAGES

#	<u>Description</u>	Total Amount
1	Fleet Repair & Maintenance	499.50
2	Fleet Services	380.16
3	Sidewalk Maintenance	540.00
4	Water Sewerage & Disposal	24,300.00
5	Landscape Maintenance	8,103.49
6	Park Maintenance	2,160.00
7	Storm Drain Maintenance	810.00
8	Street Sign Maintenance	594.00
9	Street Tree Maintenance	864.00
10	Fence Maintenance	648.00
11	Professional Services	8,520.66
12	Street Light Maintenance	8,100.00
13	Electricity & Gas	16,200.00
14	Gasoline & Oil	689.58
	Sub Total	\$ 72,409.39
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 72,409.39

B. INCIDENTAL EXPENSES

1	District Administrative Costs	4,293.54
2	City Engineer	0
3	Legal Fees	0
4	Charge In	17,983.08
	Total Incidental Expenses	\$ 22,276.62

C. CAPITAL EXPENSES

1		0
2		0
	Total Capital Expenses	\$ 0

Total Estimated Cost 2016-2017 \$ 94,686.01

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ (107,609.66)
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E. BALANCE TO ASSESSMENT 2016-2017 \$ (202,295.43)

PART B
ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 17

ENGINEER'S COST ESTIMATE

2016-2017

	<u>Description</u>	Total Amount
A.	ITEMS TO BE MAINTAINED IN STONECREEK AT LOS BANOS, THE VILLAGES III	
	#	
	1 Fleet Repair & Maintenance	397.75
	2 Fleet Services	302.72
	3 Sidewalk Maintenance	430.00
	4 Water Sewerage & Disposal	19,350.00
	5 Landscape Maintenance	6,452.58
	6 Park Maintenance	1,720.00
	7 Storm Drain Maintenance	645.00
	8 Street Sign Maintenance	473.00
	9 Street Tree Maintenance	688.00
	10 Fence Maintenance	516.00
	11 Professional Services	6,784.97
	12 Street Light Maintenance	6,450.00
	13 Electricity & Gas	12,900.00
	14 Gasoline & Oil	549.11
	Sub Total	\$ 57,659.13
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 57,659.13
B.	INCIDENTAL EXPENSES	
	District Administrative Costs	3,418.93
	2 City Engineer	0
	3 Legal Fees	0
	4 Charge In	14,319.86
	Total Incidental Expenses	\$ 17,738.79
C.	CAPITAL EXPENSES	
	1	0
	2	0
	Total Capital Expenses	\$ 0
	Total Estimated Cost 2016-2017	\$ 75,397.92
D.	MONIES IN ASSESSMENT DISTRICT FUND	
	1 Balance from 2015-2016	\$ (85,689.18)
E.	BALANCE TO ASSESSMENT 2016-2017	\$ (161,087.10)

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 17

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN STONECREEK PLAZA AND ARCO/MCDONALD'S		Total Amount
#	Description	
1	Fleet Repair & Maintenance	27.50
2	Fleet Services	21.12
3	Sidewalk Maintenance	30.00
4	Water Sewerage & Disposal	1,350.00
5	Landscape Maintenance	450.18
6	Park Maintenance	120.00
7	Storm Drain Maintenance	45.00
8	Street Sign Maintenance	33.00
9	Street Tree Maintenance	48.00
10	Fence Maintenance	36.00
11	Professional Services	473.37
12	Street Light Maintenance	450.00
13	Electricity & Gas	900.00
14	Gasoline & Oil	38.31
	Sub Total	\$ 4,022.48
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 4,022.48
B. INCIDENTAL EXPENSES		
1	District Administrative Costs	238.53
2	City Engineer	0
3	Legal Fees	0
4	Charge In	999.06
	Total Incidental Expenses	\$ 1,237.59
C. CAPITAL EXPENSES		
1		0
2		0
	Total Capital Expenses	\$ 0
	Total Estimated Cost 2016-2017	\$ 5,260.07
D. MONIES IN ASSESSMENT DISTRICT FUND		
1	Balance from 2015-2016	\$ (5,978.32)
E. BALANCE TO ASSESSMENT 2016-2017		\$ (11,238.39)

PART D

METHOD OF ASSESSMENT SPREAD

LANDSCAPING AND LIGHTING DISTRICT NO. 17
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) as follows:

- (a) The improvements constructed in conjunction with Tract No. 2002-05, Stonecreek at Los Banos, The Villages; Tract No. 2003-01, Stonecreek at Los Banos, Single Family, Area 1, Tract No. 2004-05, The Villages IIA, Phase 1 at Stonecreek; Tract No. 2005-05, The Villages IV, Southbrook, Phase 1B at Stonecreek; Tract No. 2005-06, The Villages IV, Southbrook, Phase 1A at Stonecreek, have been completed and accepted by the City.
- (b) The improvements constructed in conjunction with Tract No. 2004-05, The Villages III, Phase 1 at Stonecreek; Tract No. 2004-05, The Villages III, Phase 2 at Stonecreek have been completed and accepted by the City.
- (c) The improvements constructed in conjunction with Stonecreek Plaza and Arco/McDonald's have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

- (a) The total number of assessable units is 407 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$202,295.43 divided by 407 equals \$497.04 per assessable unit (which includes the existing deficit balance forward). With the addition of the Villages III residential units, the assessment for 2016-2017 Fiscal Year will remain at \$374.20 per RU.
- (b) The total number of assessable units is 172 RU. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$161,087.10 divided by 172 equals \$936.55 per assessable unit. The base assessment was determined by the 2015-2016 calculated cost per residential unit of \$710.10 RU for maintaining the district. The base initial assessment for 2016-2017 Fiscal Year will be \$710.10 per RU.
- (c) The total number of assessable units is 12 CU. The net acreage of the assessable units is 16.74 acres. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$11,238.39. The assessment per acre is determined by dividing the total estimated cost for Fiscal Year 2016-2017 by 16.74 acres, which equals \$671.34 per acre (which includes the existing deficit balance forward). With the addition of the Villages III residential units, the assessment for 2016-2017 Fiscal Year will remain at \$418.68 per acre.

LIMITATIONS ON ASSESSMENTS

- (a) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$374.20 per RU, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for Fiscal Year 2015-2016 was \$374.20 per RU). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$374.20 per RU.
- (b) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (This is a first year assessment). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (This is a first year assessment). The first year assessment has been established at \$710.10 per RU.
- (c) Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$418.68 per acre, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 Fiscal Year was \$418.68 per acre). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$418.68 per acre.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 18

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN RAIL TRAIL CORRIDOR

#	Description	Total Amount
1	Fleet Repair & Maintenance	925.00
2	Fleet Services	704.00
3	Sidewalk Maintenance	300.00
4	Water Sewerage & Disposal	8,000.00
5	Landscape Maintenance	10,503.00
6	Park Maintenance	16,000.00
7	Storm Drain Maintenance	0
8	Street Sign Maintenance	400.00
9	Street Tree Maintenance	2,500.00
10	Fence Maintenance	0
11	Professional Services	0
12	Street Light Maintenance	2,000.00
13	Electricity & Gas	6,000.00
14	Gasoline & Oil	1,277.00
	Sub Total	\$ 48,609.00
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 48,609.00

B. INCIDENTAL EXPENSES

1	District Administrative Costs	4,058.00
2	City Engineer	0
3	Legal Fees	0
4	Charge In	36,829.00
	Total Incidental Expenses	\$ 40,887.00

C. CAPITAL EXPENSES

1	Landscape Irrigation Improvements	20,000.00
2		0
	Total Capital Expenses	\$ 20,000.00
	Total Estimated Cost 2016-2017	\$ 109,496.00

D. MONIES IN ASSESSMENT DISTRICT FUND

1	Balance from 2015-2016	\$ 39,447.13
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E. BALANCE TO ASSESSMENT 2016-2017

\$ (70,048.87)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING DISTRICT NO. 18
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each parcel as follows:

The improvements constructed in conjunction with the Rail Corridor Redevelopment Multi-use Trail have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

The total number of parcels abutting the Rail Trail improvements is 32 lots. Each parcel abutting the Rail Trail was then evaluated to determine the total linear feet of each parcel sharing common frontage with the Rail Trail. The total linear feet of the Rail Trail abutting adjacent properties was determined to be 10,601.13 linear feet. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$109,496.00 divided by 10,601.13 linear feet, which equals \$10.32 per linear foot. With planned capital improvements and allowable reserve funding, the 2016-2017 Fiscal Year will remain at \$10.22 per linear foot.

LIMITATIONS ON ASSESSMENTS

Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$10.22 per linear foot, which occurred in Fiscal Year 2014-2015). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for 2015-2016 was \$10.22 per linear foot). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$10.22 per linear foot.

PART B

ESTIMATE OF COST

CITY OF LOS BANOS
LANDSCAPING AND LIGHTING DISTRICT NO. 19

ENGINEER'S COST ESTIMATE

2016-2017

A. ITEMS TO BE MAINTAINED IN EAST PACHECO CENTER, SAN JOAQUIN VALLEY HAY GROWERS		Total Amount
#	Description	
1	Fleet Repair & Maintenance	771.00
2	Fleet Services	587.00
3	Sidewalk Maintenance	0
4	Water Sewerage & Disposal	20,000.00
5	Landscape Maintenance	0
6	Park Maintenance	6,000.00
7	Storm Drain Maintenance	0
8	Street Sign Maintenance	0
9	Street Tree Maintenance	0
10	Fence Maintenance	0
11	Professional Services	16,819.00
12	Street Light Maintenance	1,000.00
13	Electricity & Gas	3,927.00
14	Gasoline & Oil	1,064.00
	Sub Total	\$ 50,168.00
	Contingency Allowance	0
	Total Maintenance Expenses	\$ 50,168.00
B. INCIDENTAL EXPENSES		
1	District Administrative Costs	3,695.00
2	City Engineer	0
3	Legal Fees	0
4	Charge In	27,622.00
	Total Incidental Expenses	\$ 31,317.00
C. CAPITAL EXPENSES		
1		0
2		0
	Total Capital Expenses	\$ 0
	Total Estimated Cost 2016-2017	\$ 81,485.00
D. MONIES IN ASSESSMENT DISTRICT FUND		
1	Balance from 2015-2016	\$ (63,361.35)
E. BALANCE TO ASSESSMENT 2016-2017		\$ (144,846.35)

PART D

METHOD OF ASSESSMENT SPREAD

LANDSCAPING AND LIGHTING DISTRICT NO. 19
(Pursuant to the Landscaping and Lighting Act of 1972)

METHOD OF ASSESSMENT SPREAD

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each commercial unit (CU), as follows:

The improvements constructed in conjunction with Home Depot and San Joaquin Valley Hay Growers Association have been completed and accepted by the City.

COMPUTING INDIVIDUAL ASSESSMENT

The total number of assessable units is 11 CU. The net acreage of the assessable units is 20.77 acres. The total estimated cost to be assessed for Fiscal Year 2016-2017 is \$144,846.35. The assessment per acre is determined by dividing the total estimated cost assessed for Fiscal Year 2016-2017 by 20.77 acres, which equals \$6,973.82 per acre (which includes the existing deficit balance forward). Due to the limitations on assessments, the assessment for 2016-2017 Fiscal Year will be \$2,013.70 per acre.

LIMITATIONS ON ASSESSMENTS

Assessments in each successive year, exclusive of capital/reserve funding/developer reimbursements, shall not exceed the maximum for any preceding year, increased by ten percent (10%) or the increase in the cost of living index found by the Council to be applicable to the Los Banos area for the preceding twelve months, whichever is greater. (The maximum previous assessment was \$1,830.64 per acre, which occurred in Fiscal Year 2015-2016). Furthermore, assessments in each successive year shall not decrease from the preceding year by more than ten percent (10%). (The assessment for the 2015-2016 was \$1,830.64 per acre). In accordance with the foregoing limitations, the assessment for 2016-2017 will be \$2,013.70 per acre.

NOTE: Storm Drainage improvements associated with this assessment district were completed in Fiscal Year 2011-2012. Recognizing that the area to be supported by this district has not ultimately been installed at this time, when these improvements are constructed there will be a substantial increase of assessable units.



City of
Los Banos
At the Crossroads of California

Agenda Staff Report

TO: Mayor & City Council Members
FROM:  William A. Vaughn, City Attorney
DATE: June 1, 2016
SUBJECT: City Manager Appointment
TYPE OF REPORT: Non Consent Agenda

Recommendation:

Adopt the Resolution appointing a City Manager and approving City Manager Employment agreement as presented.

The City Council has concluded its recruitment of a permanent City Manager and a resolution is required to set the compensation of the City Manager. Employment agreement will be presented at the meeting for your approval and consideration.

Attachments:

Resolution

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS BANOS
APPOINTING A CITY MANAGER AND APPROVING CITY MANAGER
EMPLOYMENT AGREEMENT**

WHEREAS, the City Council has concluded its recruitment of a permanent City Manager.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS BANOS DOES HEREBY RESOLVE AS FOLLOWS:

1. That the City Council of the City of Los Banos, does hereby appoint Alex Terrazas as City Manager and approves and authorizes the Mayor or his designee to execute the Los Banos City Manager Employment Agreement as presented.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on this 1st day of June 2016, by Council Member _____, who moved 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



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: May 27, 2016

Regarding: Notice of Public Hearing

Proposal: Conditional Use Permit #2016-09 – Type 20 Alcohol License

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 use of a Type 20 Alcohol License for the off-sale of beer and wine. The requested Conditional Use Permit is for the 99 Cent Only Store located at 1209 W. Pacheco Boulevard, more specifically described as Assessor's Parcel Number: 431-141-020.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos Planning Commission on Wednesday, June 8, 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 Ordinance 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



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: May 27, 2016

Regarding: Notice of Public Hearing

Proposal: Conditional Use Permit #2016-11 – Merced County Community
Action Agency - WIC

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 professional office in the General Industrial zoning district (I) for Merced County Community Action Agency – WIC Program. The subject property is located at 30 W. G Street, Suites A & B, more specifically described as Assessor's Parcel Number: 081-190-017 and 081-190-018.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos Planning Commission on Wednesday, June 8, 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



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: May 27, 2016

Regarding: Notice of Public Hearing

Proposal: Conditional Use Permit #2016-06 – Baby's Nutrition

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 retail store for WIC programs in the General Industrial zoning district (I). The subject property is located at 30 W. G Street, Suite C, more specifically described as Assessor's Parcel Number: 081-190-019.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos Planning Commission on Wednesday, June 8, 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