



# City of Los Banos

At the Crossroads of California

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Updated 12/1/2016 @ 4:30 pm

## AGENDA

### CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS  
520 J Street  
Los Banos, California

**DECEMBER 7, 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.*

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*Si requiere asistencia especial para atender o participar en esta junta por favor llame a la oficina de la Secretaria de la ciudad al (209) 827-7000 a lo menos de 48 horas previas de la junta.*

*La Ciudad de Los Banos cumple con la Acta de Americanos con Deshabilidad (ADA) de 1990.*

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

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

### HOLIDAY OPEN HOUSE

**6:00 PM**

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1. CALL TO ORDER.

**7:00 PM**

2. PLEDGE OF ALLEGIANCE.

3. ROLL CALL: (City Council Members)

Faria \_\_\_\_, Lewis \_\_\_\_, Silveira \_\_\_\_, Stonegrove \_\_\_\_, Villalta \_\_\_\_

4. CONSIDERATION OF APPROVAL OF AGENDA.

5. CONSIDERATION OF CERTIFICATION OF VOTE OF MUNICIPAL ELECTION, NOVEMBER 8, 2016.
  - A. City Council Resolution No. 5805 – Certifying Results of the Merced County General Election held in the City of Los Banos on November 8, 2016 as it Pertains to the Election of the Mayor and City Council Members for Districts 1 and 4.

*Recommendation: Adopt the resolution as submitted.*
6. ADMINISTRATION OF OATH OF OFFICE TO ELECTED OFFICIALS.
  - A. Mayor Michael Villalta, Council Members Daronica Johnson-Santos and Deborah Lewis.
7. ROLL CALL:

Faria \_\_\_\_, Johnson-Santos, \_\_\_\_, Lewis \_\_\_\_, Silveira \_\_\_\_, Villalta \_\_\_\_
8. RESOLUTION OF COMMENDATION TO OUTGOING COUNCIL MEMBER.
  - A. City Council Resolution No. 5806 – A Resolution of Commendation to Elizabeth Stonegrove.

*Recommendation: Adopt the resolution as submitted.*
9. REORGANIZATION OF CITY COUNCIL – SELECTION OF MAYOR PRO TEM.

*Recommendation: Selection made by the consensus of the City Council.*
10. 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.)
11. 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 #201921 - #202175 in the Amount of \$1,267,346.37.

*Recommendation: Approve the check register as submitted.*
  - B. Development Impact Fees Report for Fiscal Years 2012-2016 (AB 1600).

*Recommendation: Accept the reports as submitted.*

- C. Minutes for the November 2, 2016 City Council Meeting.  
*Recommendation: Approve the minutes as submitted.*
- D. City Council Resolution No. 5807 – Approving First Amendment to Amended and Restated Property Tax Sharing Agreement between the City of Los Banos and County of Merced.  
*Recommendation: Adopt the resolution as submitted.*
- E. City Council Resolution No. 5808 – Supporting and Implementing Timely Use of Congestion Mitigation and Air Quality (CMAQ) Grant Funding  
*Recommendation: Adopt the resolution as submitted.*
- F. City Council Resolution No. 5809 – Accepting the Mercey Springs Sewer Line Replacement as Complete and Authorizing the Filing of a Notice of Completion with the Merced County Recorder.  
*Recommendation: Adopt the resolution as submitted.*
- G. City Council Resolution No. 5810 – Accepting the West I Street Water Line as Complete and Authorizing the Filing of a Notice of Completion with the Merced County Recorder.  
*Recommendation: Adopt the resolution as submitted.*
- H. City Council Resolution No. 5811 – Accepting the Jo-Lin Sewer Lift Station Rehabilitation Project Improvements as Complete and Authorizing the Filing of a Notice of Completion with the Merced County Recorder.  
*Recommendation: Adopt the resolution as submitted.*
- I. City Council Resolution No. 5812 – Acceptance of the Donation from Los Banos Memorial Hospital and Amending the 2016-2017 Fiscal Year Budget by Increasing the Appropriation Amount for Expenditures and Revenues in the Amount of \$7,000.  
*Recommendation: Adopt the resolution as submitted.*
- J. City Council Resolution No. 5813 – Adopting a Revised Budget for the 2016-2017 Fiscal Year as it Pertains to Expenditures in the City Hall Impact Fee Fund in the Amount of \$20,000.  
*Recommendation: Adopt the resolution as submitted.*
- K. City Council Resolution No. 5814 – Adopting a Revised Budget for the 2016-2017 Fiscal Year as it Pertains to Expenditures in the California Department of Housing and Community Development (CDBG) Fund in the Amount of \$339.  
*Recommendation: Adopt the resolution as submitted.*

- L. City Council Resolution No. 5815 – Approving, Authorizing and Ratifying the City’s Participation in the Homeland Security Grant Program and Authorizing the City Manager on Behalf of the City of Los Banos to Enter into the Standard Grand Assurance Agreement with Cal-OES and a Sub-Recipient Agreement with the County of Merced.

*Recommendation: Adopt the resolution as submitted.*

**M. City Council Resolution No. 5817 – Approving and Adopting Final Tract Map #2013-01 for Harvest Grove and Accompanying Subdivision Improvement Agreement.**

***Recommendation: Adopt the resolution as submitted.***

12. 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 Amending Article 35, Title 9, Chapter 3 of the Los Banos Municipal Code to Regulate the Personal, Medical and Commercial Use of Marijuana in the City of Los Banos.

- 1) Ordinance No. 1152 – Amending Article 35, of Title 9, Chapter 3 of the Los Banos Municipal Code to Regulate the Personal, Medical, and Commercial Use of Marijuana in the City of Los Banos.

**(First Reading & Introduction)**

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

13. CONSIDERATION OF ORDINANCE NO. 1151 – AMENDING TITLE 2 CHAPTER 2 OF THE LOS BANOS MUNICIPAL CODE TO CHANGE THE MEETING DATES AND TIMES OF THE LOS BANOS PARKS & RECREATION COMMISSION AND THE LOS BANOS ECONOMIC DEVELOPMENT COMMISSION.

**(Second Reading & Adoption)**

*Recommendation: Receive staff report, waive the second reading and adopt the ordinance as submitted.*

14. CONSIDERATION OF THE ADOPTION OF CITY COUNCIL RESOLUTION NO. 5816 – AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH OPENCOUNTER ENTERPRISES, INC. TO BUILD, DEPLOY, AND MAINTAIN A CUSTOM ONLINE INTERFACE FOR ZONING AND BUSINESS LICENSE FEE INFORMATION AND ADOPTING A REVISED BUDGET FOR THE 2016-2017 FISCAL YEAR AS IT PERTAINS TO EXPENDITURES IN THE AMOUNT OF \$15,000.

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

15. CANCELLATION OF THE REGULAR CITY COUNCIL MEETING SCHEDULED FOR WEDNESDAY, DECEMBER 21, 2016 DUE TO THE HOLIDAY SEASON.

*Recommendation: Cancel the meeting as stated.*

16. APPOINTMENT OF COUNCIL MEMBER(S) TO SERVE WITH THE MAYOR ON THE SELECTION COMMITTEE FOR THE FOLLOWING:

- A. Airport Advisory Commission – Three (3) Vacancies
- B. Economic Development Advisory Committee – Three (3) Vacancies
- C. Parks & Recreation Commission – Four (4) Vacancies
- D. Planning Commission – Four (4) Vacancies
- E. Tree Commission – Two (2) Vacancies

*Recommendation: Appoint Council Member(s) to serve with the Mayor on the Selection Committee(s) for each.*

17. ADVISEMENT OF PUBLIC NOTICES. (One Report)

18. CITY MANAGER REPORT.

19. CITY COUNCIL MEMBER REPORTS.

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

20. CLOSED SESSION – Conference with Real Property Negotiators, Pursuant to Government Code Section 54956.8; Property Located at 1111 G Street, Los Banos, California, (APN 026-161-003, 026-161-008 (portion)), Approximately 6.04 Acres; City Negotiators: City Manager Terrazas, City Attorney Vaughn, Finance Director Williams, Police Chief Brizzee; Negotiating Parties: Sam Watson; Under Negotiation: Purchase Price and Terms of Sale.

21. 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.

  
Jennifer Matthews, HR Technician I

Dated this 1<sup>st</sup> day of December 2016