



City of Los Banos

At the Crossroads of California

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AGENDA

CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

NOVEMBER 16, 2016

If you require special assistance to attend or participate in this meeting, please call the City Clerk's Office @ (209) 827-7000 at least 48 hours prior to the meeting.

The City of Los Banos complies with the Americans with Disabilities Act (ADA) of 1990.

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

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

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

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

1. CALL TO ORDER. **7:00 PM**
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL: (City Council Members)
Faria ____, Lewis ____, Silveira ____, Stonegrove ____, Villalta ____
4. CONSIDERATION OF APPROVAL OF AGENDA.

5. PRESENTATIONS.

- A. Certificates of Recognition – Veterans of Foreign Wars, American Legion and Parade Awards.
- B. Certificates of Recognition – Churches Sponsoring the Harvest of Fun Festivals.

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 #201645 – #201920 in the Amount of \$786,483.83.

Recommendation: Approve the check register as submitted.

- B. Re-appointment of Mark Bodley to Serve a Four (4) Year Term as the City's Representative on the Merced County Mosquito Abatement District Board of Trustees.

Recommendation: Approve the re-appointment as submitted.

- C. City Council Resolution No. 5803 – Approving a Side Letter Agreement to the Existing Memorandum of Understanding with the Los Banos Police Officers Association Regarding Reporting the Monetary Value of Uniform Expenses.

Recommendation: Adopt the resolution as submitted.

- D. City Council Resolution No. 5804 – Approving Closure of Non-Essential City Offices on Friday, December 23, 2016 and Friday, December 30, 2016.

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 Presidential Estates East Area Plan to Guide Future Development; a General Plan Amendment to Re-designate the Project Site from Professional Office, Medium Density Residential, and Commercial to Low Density Residential, Annexation and Prezone of Approximately 106 Acres; and Associated

Mitigated Negative Declaration (SCH #2015061056), Project Site Located North of Pioneer Road, West of Mercey Springs Road (SR 165) and East of Eleventh Street, APNs 026-290-001, 002, 003, 004, 005, 083-120-012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 027 and 028.

(Continued from October 19, 2016)

- 1) City Council Resolution No. 5786 – Approving Mitigated Negative Declaration (SCH #2015061056) and Associated Mitigation Monitoring and Reporting Program for the Presidential Estates East Area Plan and Annexation #2014-01, General Plan Amendment #2015-03, Pre-Zone #2014-02, and Associated Pre-Annexation Development Agreements.
- 2) City Council Resolution No. 5787 – Approving General Plan Amendment #2015-03 for Property Located within the Presidential Estates East Area Plan Project, More Specifically Identified as Assessor’s Parcel Numbers: 026-290-001, 002, 003, 004, and 005.
- 3) Ordinance No. 1145 – Amending the Zoning Map to Pre-Zone Approximately 106 Acres Located North of Pioneer Road and West of Mercey Springs Road (SR 165), Merced County, California, from County R-1 (Residential-Single Family) to City R-1 (Low Density Residential), to be Annexed into the City of Los Banos. **(Second Reading & Adoption)**
- 4) City Council Resolution No. 5788 – Requesting the Annexation and Pre-Zone of Approximately 106 Acres for the Presidential Estates East Area Plan and Annexation.
- 5) Ordinance No. 1146 – Approving a Pre-Annexation Development Agreement Between the City of Los Banos and Stonefield Communities, Inc., for the Project Commonly known as the Presidential Estates East Area Plan and Annexation. **(First Reading & Introduction)**
- 6) Ordinance No. 1147 – Approving a Pre-Annexation Development Agreement Between the City of Los Banos and The Manuel M. Cardoza Property, for the Project Commonly Known as the Presidential Estates East Area Plan and Annexation. **(First Reading & Introduction)**

Recommendation: Receive staff report, open public hearing, receive public comment, and direction from the City Council on how to proceed.

- B. Public Hearing – To Receive Public Comment and Consider Final Development Plan #2016-03 and Development Agreement Consistent with the Stonecreek Environmental Impact Report. The Proposed Property Consists of the Subdivision of Approximately 18.6 Acres into 71 Single-family Residential Lots. The Final Development Plan Consists of Site Design and Conceptual Architecture to Implement the Planned Development Zoning. The Project Site is Located at the Northwest Corner of Ortigalita Road and Pioneer Road, Assessor’s Parcel Number 430-060-020.

- 1) Ordinance No. 1148 – Approving a Development Agreement between the City of Los Banos and Anderson Homes, a California Corporation for Development of Approximately 18.64 Acres Located at the Northwest Corner of Ortigalita and Pioneer Roads, More Specifically Identified as Assessor’s Parcel Number 430-060-020 (Villages at Stonecreek IX).
(Second Reading & Adoption)

Recommendation: Receive staff report, open public hearing, receive public comment, close the public hearing, waive the second reading and adopt the ordinance as submitted.

- C. **Public Hearing** – To Receive Public Comment and Consider Amendments to the City Fire Prevention Code Ordinance to Adopt by Reference the California Fire Code 2016 Edition and Local Amendments Thereto.

- 1) Ordinance No. 1149 – Adopting by Reference the 2016 Edition of the California Fire Code by Amendment to Title 4 Chapter 3 of the Los Banos Municipal Code and Adoption of Local Amendments Thereto.
(Second Reading & Adoption)

Recommendation: Receive staff report, open public hearing, receive public comment, close the public hearing, waive the second reading and adopt the ordinance as submitted.

- D. **Public Hearing** – To Receive Public Comment and Consider Amendments to the City Building Code Ordinance to Adopt by Reference the California Building Code 2016 Edition and Related 2016 Edition Codes.

- 1) Ordinance No. 1150 – Adopting by Reference the 2016 Edition of the California Building Code, the 2016 Edition of the California Energy Code, the 2016 Edition of the California Historical Building Code, the 2016 Edition of the California Referenced Standards Code, the 2016 Edition of the California Electrical Code, the 2016 Edition of the California Mechanical Code, the 2016 Edition of the California Administrative Code, the 2016 Edition of the California Existing Building Code, the 2016 Edition of the California Green Building Standards Code, the 2016 of the California Residential Code, the 2016 Edition of the California Plumbing Code; by Amendment to Title 8 Chapter 1 of the Los Banos Municipal Code.
(Second Reading & Adoption)

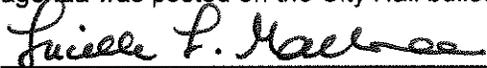
Recommendation: Receive staff report, open public hearing, receive public comment, close the public hearing, waive the second reading and adopt the ordinance as submitted.

9. **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.**
(First Reading & Introduction)

Recommendation: Receive staff report, waive the first reading and introduce the ordinance as submitted.

10. ADVISEMENT OF PUBLIC NOTICES. (No Report)
11. CITY MANAGER REPORT.
12. CITY COUNCIL MEMBER REPORTS.
 - A. Scott Silveira
 - B. Elizabeth Stonegrove
 - C. Tom Faria
 - D. Deborah Lewis
 - E. Mayor Mike Villalta
13. ADJOURNMENT.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.



Lucille L. Mallonee, City Clerk

Dated this 10th day of November 2016