



City of Los Banos

At the Crossroads of California

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AGENDA

CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

AUGUST 21, 2019

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 Desehabilidad (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 ____, Johnson-Santos ____, Jones ____, Lewis ____, Villalta ____
4. CONSIDERATION OF APPROVAL OF AGENDA.
5. 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.)

6. 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 #217399 – #217702 in the Amount of \$480,652.86.

Recommendation: Approve the check register as submitted.

- B. Minutes for the July 17, 2019 City Council Meeting.

Recommendation: Approve the minutes as submitted.

- C. Approval of Response Letters from the Los Banos City Council and the Los Banos Police Chief Regarding Merced County Civil Grand Jury Final Report 2018-2019 Regarding the Los Banos Police Department.

Recommendation: Approve the letters as submitted and authorize execution.

- D. City Council Resolution No. 6121 – Authorizing Award of Construction Contract to Sinclair General Engineering Construction, Inc. in the Amount of \$881,799 with a 20% Contingency in the Amount of \$176,360.00 for Fire Station 1 and 2 ADA (Americans with Disabilities Act) and “State Streets” Sidewalk Improvement Project.

Recommendation: Approve the resolution as submitted.

- E. City Council Resolution No. 6122 – Authorizing Award of Construction Contract to United Pavement Maintenance, Inc. in the Amount of \$1,116,831.35 with a 20% Contingency in the Amount of \$223,366.00 for 2019 Street Rehabilitations Project.

Recommendation: Approve the resolution as submitted.

- F. City Council Resolution No. 6123 – Approving and Adopting Final Tract Map No. 2018-03 Shaunessy Village Phase No. 2 and Accompanying Improvement Agreement (Stonefield Home, Inc.).

Recommendation: Approve the resolution as submitted.

- G. City Council Resolution No. 6124 – Approving and Adopting Final Tract Map No. 2018-03 Shaunessy Village Phase No. 3 and Accompanying Improvement Agreement (Stonefield Home, Inc.).

Recommendation: Approve the resolution as submitted.

7. 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 General Plan Amendment 2019-01, Zone Change #2019-01, and Categorical Exemption from the California Environmental Quality Act Pursuant to Section 15301 (Existing Facilities) for the Child Development Center Located at 1624 San Luis Street, APN 428-070-001 .

- 1) City Council Resolution No. 6113 – Approving General Plan Amendment #2019-01 for the Child Development Center to Re-designate Approximately 1.33 Acres from Park to Professional Office Located at 1624 San Luis Street, More Specifically Identified as a Portion of Assessor’s Parcel Number: 428-070-001 and Finding that the Disposition of the Property is Consistent with the City’s General Plan.
- 2) Ordinance No. 1173 – Amending the Official Zoning Map by Rezoning Property for the Los Banos Child Development Center from Park to Professional Office (P-O) on Approximately 1.33 Acres Locate at 1624 San Luis Street, More Specifically Identified as a Portion of APN 428-070-001. **(Second Reading & Adoption)**

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

B. Public Hearing – To Receive Public Comment and Consideration of Amending Chapter 3 of Title 9 of the Los Banos Municipal Code to Allow Child Day Care Centers in all Zoning Districts, Exempt Industrial Zones, Subject to Conditional Use Permit.

- 1) Ordinance No. 1174 – Amending Article 37, Chapter 3 of Title 9 of the Los Banos Municipal Code to Relating to Child Day Care Facilities and Related Zoning Code Classifications and Definitions. **(Second Reading & Adoption)**

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

8. CONSIDERATION OF NOMINATION TO MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) MEASURE V CITIZENS OVERSIGHT COMMITTEE.

Recommendation: Approve the nomination as submitted.

9. ADVISEMENT OF PUBLIC NOTICES. (Two Reports)

10. CITY MANAGER REPORT.

11. REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) AND MEASURE V COMMITTEE.

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

12. CITY COUNCIL MEMBER REPORTS.

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

13. CLOSED SESSION.

- A. Conference with Labor Negotiators, Pursuant to Government Code Section 54957.6, Agency Designated Representatives: City Manager Terrazas, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Finance Director Williams, Legal Counsel Tuffo; Employee Organizations: Los Banos Public Employees Union (Public Works), Local 1/AFSCME Unrepresented Miscellaneous Employees.
- B. Public Employee Annual Performance Evaluation, Pursuant to Government Code Section 54957, Title: City Manager.

14. ADJOURNMENT.

- A. 5:00 PM, Tuesday, August 27, 2019 in The Lounge at the Los Banos Community Center Located at 645 7th Street, Los Banos, California to Attend the City of Los Banos Capital Improvement Plan 2020-2024 Workshop.

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 15th day of August 2019