



# 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

**DECEMBER 18, 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 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).*

*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 \_\_\_\_, 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 #219346 – #219582 in the Amount of \$1,081,132.36.

*Recommendation: Approve the check register as submitted.*

B. Minutes for the December 4, 2019 City Council Meeting.

*Recommendation: Approve the minutes as submitted.*

C. City Council Resolution No. 6165 – Approving a Lease Agreement Between the City of Los Banos and Pentagon Company DBA Delta Farms for Approximately 50 Acres of Pasture Land and 150 Acres of Farmable Land Located at the Wastewater Treatment Plant.

*Recommendation: Approve the resolution as submitted.*

D. City Council Resolution No. 6166 – Approving and Adopting Final Tract Map No. 2016-02 East Center Phase 2B and Accompanying Subdivision Improvement Agreement; More Specifically Identified as APN 431-270-005; Applicant: Pioneer Development Company, Inc.

E. City Council Resolution No. 6167 – Amending City Council Resolution No. 5604 Regarding Use of City Council Chambers to Include City Hall Conference Rooms.

*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 a Conditional Use Permit and Categorical Exemption from the California Environmental Quality Act Pursuant to Section 15301, Existing Facilities to Allow the Use of a Type 41 Alcohol License for the On-Sale of Beer and Wine in Conjunction with a Bona Fide Eating Establishment for Bertha Carillo DBA Aju! Restaurant to be Located at 1041 East Pacheco Boulevard; More Specifically Identified as Assessor's Parcel Number 026-182-003.

1) City Council Resolution No. 6168 – Finding the Proposed Project to be Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15301, Existing Facilities and Approving Conditional Use Permit #2019-04 to Allow for the Sale of Alcohol Under a Type 41

On-Sale Beer and Wine License at 1041 East Pacheco Boulevard; More Specifically Identified as Assessor's Parcel Number: 026-182-003.

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

- B. Public Hearing – To Receive Public Comment and Consideration of A Conditional Use Permit and Categorical Exemption from the California Environmental Quality Act Pursuant to Section 15301, Existing Facilities to Allow the Use of a Type 41 Alcohol License for the On-Sale of Beer and Wine in Conjunction with a Bona Fide Eating Establishment for Tariq Abedi DBA Mountain Mike's Pizza to be Located at 2260 E. Pacheco Boulevard Suites A and B; More Specifically Identified as Assessor's Parcel Number 428-160-027.

- 1) City Council Resolution No. 6169 – Finding the Proposed Project to be Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15301, Existing Facilities and Approving Conditional Use Permit #2019-06 to Allow for the Sale of Alcohol under a Type 41 On-Sale Beer and Wine License at 2260 East Pacheco Boulevard, Suites A and B; More Specifically Identified as Assessor's Parcel Number: 428-160-027.

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

- C. Public Hearing – To Receive Public Comment and Consideration of Amendments to the City Building Code Ordinance by Adoption by Reference the California Building Code 2019 Edition and Related 2019 Edition Codes.

- 1) Ordinance No. 1179 – Adopting by Reference the 2019 Edition of the California Building Code, the 2019 Edition of the California Energy Code, the 2019 Edition of the California Historical Building Code, the 2019 Edition of the California Referenced Standards Code, the 2019 Edition of the California Electrical Code, the 2019 Edition of the California Mechanical Code, the 2019 Edition of the California Administrative Code, the 2019 Edition of the California Existing Building Code, the 2019 Edition of the California Green Building Standards Code, the 2019 Edition of the California Residential Code, the 2019 Edition of the California Plumbing Code; by Amendment to Title 8 Chapter 1 of the Los Banos Municipal Code.

**(First Reading & Introduction)**

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

- D. Public Hearing – To Receive Public Comment and Consideration of Amendments to the City Fire Prevention Code Ordinance by Adoption by Reference the California Fire Code 2019 Edition and Local Amendments Thereto.

- 1) Ordinance No. 1180 – Adopting by Reference the 2019 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.  
**(First Reading & Introduction)**

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

8. ANNOUNCEMENT OF DISTRICT 2 VACANCY ON PLANNING COMMISSION.

*Recommendation: Receive staff report and announce the vacant position.*

9. CITY OF LOS BANOS IMPROVEMENT STANDARDS AND SPECIFICATIONS UPDATE, IN REGARDS TO COUNCIL MEMBER JONES' COUNCIL MEMBER REQUEST.

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

10. ADVISEMENT OF PUBLIC NOTICES. (2 Reports)

11. CITY MANAGER REPORT.

- A. Report Pursuant to Government Code Section 54953(c)(3) Executive Compensation: Finance Director.

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

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

13. CITY COUNCIL MEMBER REPORTS.

- A. Brett Jones
- B. Deborah Lewis
- C. Tom Faria
- D. Daronica Johnson-Santos
- 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.

  
Sara Blevins, Deputy City Clerk

Dated this 12<sup>th</sup> day of December 2019