

**CITY OF LOS BANOS  
CITY COUNCIL MEETING MINUTES  
August 1, 2018**

***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 7:00 p.m.

**PLEDGE OF ALLEGIANCE:** Police Chief Brizzee led the pledge of allegiance.

**ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT:** Council Members Tom Faria, Daronica Johnson-Santos (7:20 PM), Deborah Lewis, Scott Silveira, Mayor Michael Villalta; Absent: None.

**STAFF MEMBERS PRESENT:** City Manager Terrazas, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Police Chief Brizzee, Assistant Fire Chief Strauch, Finance Director Williams, City Treasurer/Accounting & Budget Supervisor Tomas, Public Works Director/City Engineer Fachin.

**CONSIDERATION OF APPROVAL OF AGENDA:** Motion by Lewis, seconded by Faria to approve the City Council Meeting agenda. The motion carried by the affirmative action of all City Council Members present, Johnson-Santos absent.

**PRESENTATIONS – PROCLAMATION RECOGNIZING YOUNG’S AIR CONDITIONING.** Mayor Villalta presented the proclamation to Charles Young of Young’s Air Conditioning. Mr. Young thanked the City for the recognition and spoke regarding the Medal of Excellence that the business had received. He further thanked the community for all the years of support.

**PROCLAMATION RECOGNIZING NATIONAL HEALTH CENTER WEEK.** Mayor Villalta presented the proclamation to representatives in attendance from Golden Valley Health Center: Yamilet Valladolid, Jose De La Torre, and Marisol Raza. Mr. De La Torre thanked the City for all of the support. He spoke to how Golden Valley Health Centers are here to serve the community and that they are focused on the patient’s experience and to be sure that they are well taken care of. Ms. Raza spoke briefly to what the Golden Valley Health Center’s mission is and how she feels privileged to work with the organization. Ms. Valladolid stated that it is an honor to serve Los Banos and that they look forward to serving the area for many years to come.

**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.** Mayor Villalta opened the public forum. No one came forward to speak and the public forum was closed.

**CONSIDERATION OF APPROVAL OF CONSENT AGENDA.** Motion by Faria, seconded by Lewis to approve the consent agenda as follows: Check Register for #211577 – #211810 in the Amount of \$1,226,021.26; Fourth Quarter Investment Report for Fiscal Year 2017/2018; Minutes for the July 10, 2018 Adjourned City Council Meeting; Minutes for the July 18, 2018 City Council Meeting; City Council Resolution No. 5983 – Authorizing Award of Construction Contract to Rolfe Construction Company in the amount of \$489,039 with a 20% Contingency in the Amount of \$97,000 for G Street Waterline Replacement; City Council Resolution No. 5984 – Authorizing Award of Construction Contract to AJ Excavation, Inc. in the Amount of \$449,003 with a 20% Contingency in the Amount \$89,000 for Place Road Rehabilitation Project; City Council Resolution No. 5985 – Approving and Adopting Final Tract Map No. 2005-05 for Southbrook at Stonecreek, The Villages IV-Phase 2A and Accompanying Subdivision Improvement Agreement; City Council Resolution No. 5986 – Approving and Adopting Final Tract Map No. 2005-05 for Southbrook at Stonecreek, The Villages IV-Phase 3C and Accompanying Subdivision Improvement Agreement; City Council Resolution No. 5987 – Approving the Acceptance of a United States Department of Agriculture (USDA) Rural Business Development Grant (RBDG) in the Amount of \$36,000 and Amending the 2018-2019 Fiscal Year Budget as it Pertains to Revenues and Expenditures; City Council Resolution No. 5988 – Approving a Tentative Agreement / Memorandum of Understanding by and Between the City of Los Banos and the Los Banos Fire Fighters Association (LBFFA) from July 1, 2018 – June 30, 2020; City Council Resolution No. 5989 – Amending Division 4, Salary Schedule – Employee Classification Relating to Changes to Section F – Fire & Building Associated with the Los Banos Fire Fighters Association (LBFFA) Tentative Agreement / Memorandum of Understanding. The motion carried by the affirmative action of all Council Members present, Johnson-Santos absent.

**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 47 ALCOHOL LICENSE FOR THE ON-SALE OF GENERAL ALCOHOL IN CONJUNCTION WITH A BONA-FIDE EATING ESTABLISHMENT, FOR DOUBLE R GRILL LOCATED AT 1451 WEST PACHECO BOULEVARD, SUITE G, APN 430-010-046; CITY COUNCIL RESOLUTION NO. 5990 – APPROVING CONDITIONAL USE PERMIT #2018-05 FOR THE USE OF A TYPE 47 ALCOHOL LICENSE FOR THE ON-SALE OF GENERAL ALCOHOL IN CONJUNCTION WITH AN EATING PLACE FOR DOUBLE R GRILL LOCATED AT 1451 WEST PACHECO BOULEVARD, SUITE G, APN 430-010-046.**

Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation.

*[Council Member Johnson-Santos arrived at the meeting at 7:20 PM and took her seat at the dais.]*

Mayor Villalta opened the public hearing. ROBIN RECLA, applicant, spoke regarding her restaurant and that she is excited to be returning to the area after fifteen years and bring this comfort-food concept to town. No one else came forward to speak and the public hearing was closed.

Motion by Faria, seconded by Lewis to adopt City Council Resolution No. 5990 – Approving Conditional Use Permit #2018-05 for the Use of a Type 47 Alcohol License for the On-Sale of General Alcohol in Conjunction with an Eating Place for Double R Grill Located at 1451 West Pacheco Boulevard, Suite G, APN 430-010-046. The motion carried by the affirmative action of all Council Members present.

**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 QUAIL WINE BISTRO LOCATED AT 639 NINTH STREET, APN 025-112-012; CITY COUNCIL RESOLUTION NO. 5991 – APPROVING CONDITIONAL USE PERMIT #2018-06 FOR THE USE OF A TYPE 41 ALCOHOL LICENSE FOR THE ON-SALE OF BEER AND WINE IN CONJUNCTION WITH AN EATING PLACE FOR QUAIL WINE BISTRO LOCATED AT 639 NINTH STREET, APN 025-112-012.** Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation.

Mayor Villalta opened the public hearing. MICHAEL NEU, applicant, introduced himself and stated that he is available for any questions, he thanked Community & Economic Development Director Elms and her Planning Staff for all of their help, the restaurant will be providing Western Mediterranean food that is meant to be paired with a wide variety of wine and beer, there will also be other food choices offered such as vegan plates. No one else came forward to speak and the public hearing was closed.

Motion by Lewis, seconded by Faria to adopt City Council Resolution No. 5991 – Approving Conditional Use Permit #2018-06 for the Use of a Type 41 Alcohol License for the On-Sale of Beer and Wine in Conjunction with an Eating Place for Quail Wine Bistro Located at 639 Ninth Street, APN 025-112-012. The motion carried by the affirmative action of all Council Members present.

**PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF A FINAL DEVELOPMENT PLAN #2015-01 ADDENDUM NO. 1 (ARCHITECTURE) AND EXTENSION REQUEST FOR VESTING TENTATIVE TRACT MAP #2015-01 FOR SOUTHPOINTE AT REGENCY PARK, LOCATED EAST OF PLACE ROAD, NORTH OF THE VERONA ESTATES, AND WEST OF WARD ROAD, APNS 424-120-009 AND 073-220-015; CITY COUNCIL RESOLUTION NO. 5992 – APPROVING**

**FINAL DEVELOPMENT PLAN #2015-01 FOR SOUTHPOINTE AT REGENCY PARK ADDENDUM NO. 1 (ARCHITECTURE); CITY COUNCIL RESOLUTION NO. 5993 – APPROVING AN EXTENSION FOR SOUTHPOINTE AT REGENCY PARK VESTING TENTATIVE TRACT MAP #2015-01 FOR TWENTY-FOUR (24) MONTHS.** Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation.

There was Council Member and Staff discussion regarding solar panels and how the permitting process would work for these homes in relation to new building codes to be adopted in 2020.

Mayor Villalta opened the public hearing. RICK MUMERT, Benchmark Engineering - applicant's representative, spoke regarding the project before them for approval, gave a brief update on maps that have already been approved by the Public Works Department and maps that are ready for submittal, noted that an exhibit has changed after receiving comments from the Police & Fire Chief to eliminate homes fronting Ward Road. No one else came forward to speak and the public hearing was closed.

There was a question from Council regarding the anticipated project time for these homes for which Mr. Mumert said it will be at a rate of approximately seventy-five (75) homes a year for six (6) to seven (7) years.

Motion by Johnson-Santos, seconded by Lewis to adopt City Council Resolution No. 5992 – Approving Final Development Plan #2015-01 for Southpointe at Regency Park Addendum No. 1 (Architecture). The motion carried by the affirmative action of all Council Members present.

Motion by Lewis, seconded by Faria to adopt City Council Resolution No. 5993 – Approving an Extension for Southpointe at Regency Park Vesting Tentative Tract Map #2015-01 for Twenty-Four (24) Months. The motion carried by the affirmative action of all Council Members present.

**DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE 2018 LEAGUE OF CALIFORNIA CITIES (LCC) ANNUAL CONFERENCE BEING HELD SEPTEMBER 12-14, 2018 IN LONG BEACH.** Motion by Villalta, seconded by Johnson-Santos to designate Mayor Pro Tem Lewis as the voting delegate and Council Member Silveira as alternate voting delegate. The motion carried by the affirmative action of all Council Members present.

**CANCELLATION OF THE REGULAR CITY COUNCIL MEETING SCHEDULED FOR WEDNESDAY, AUGUST 15, 2018 DUE TO SUMMER BREAK.** Motion by Lewis, seconded by Faria to cancel the Regular City Council Meeting scheduled for August 15, 2018. AYES: Faria, Johnson-Santos, Lewis, Villalta; NOES: Silveira.

**ADVISEMENT OF PUBLIC NOTICES (One Report).** Community & Economic Development Director Elms stated that a public hearing will be held at the Planning

Commission meeting on Wednesday, August 8, 2018 at 7:00 p.m. regarding a conditional use permit for Reece's Painting which is a home occupation business involving employees in a low-density residential zoning district.

**CITY MANAGER REPORT.** No report.

**CITY COUNCIL MEMBER REPORTS.**

**DARONICA JOHNSON-SANTOS:** Council Member Johnson-Santos thanked the new businesses that are coming to town and looks forward to dining there.

**DEBORAH LEWIS:** Council Member Lewis thanked the new businesses that are opening and that it is a sign that the community is demanding more choices. The Los Banos Police Department will present its National Night Out event on August 7, 2018 from 5:30 p.m. to 8:30 p.m. and will include the first annual Taco Truck Throwdown. She thanked the Chief for having the annual event and encouraged everyone to attend.

**SCOTT SILVEIRA:** No report.

**TOM FARIA:** Council Member Faria congratulated and thanked the new businesses that are opening up and appreciates the concepts they are presenting.

**MAYOR MICHAEL VILLALTA:** Mayor Villalta welcomed the new businesses to town. He thanked Planning Commission for participating in the joint City Council/Planning Commission Meeting as there was a lot of accomplishments met. It has been quite hot out lately and thanked City Staff for opening up the cooling shelter for the residents.

**ADJOURNMENT.** The meeting was adjourned at 8:01 PM.

APPROVED:

/s/ Michael Villalta  
Michael Villalta, Mayor

ATTEST:

/s/ Lucille L. Mallonee  
Lucille L. Mallonee, City Clerk