



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 7, 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.

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. PRESENTATIONS.

- A. Proclamation Recognizing National Health Center Week.
- B. Certificates of Recognition of Participation in the 2019 Los Banos Youth Business Expo for Elizabeth Buenrostro & Mason Ferreira.

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 #217077 – #217398 in the Amount of \$2,237,000.80.

Recommendation: Approve the check register as submitted.

- B. Fourth Quarter Investment Report for the 2018/2019 Fiscal Year.

Recommendation: Accept the report as submitted.

- C. City Council Resolution No. 6107 – Approving and Adopting Final Tract Map No. 2018-03 Shaunessy Village Phase No. 1 and Accompanying Subdivision Agreement Which is Generally Located Within the Area Bounded by APN 083-130-042 to the North, College Greens to the East, Scripps Drive to the South and Mercey Springs Road to the West (Applicant: Stonefield Home, Inc.).

Recommendation: Approve the resolution as submitted.

- D. City Council Resolution No. 6108 – Authorizing the Re-establishment of the Merced County Abandoned Vehicle Service Authority Plan.

Recommendation: Approve the resolution as submitted.

- E. City Council Resolution No. 6109 – Authorizing the City Manager to Sign a Memorandum of Understanding with the Merced County Sheriff's Department for Inmate Transportation Services for July 1, 2019 - June 30, 2022.

Recommendation: Approve the resolution as submitted.

- F. City Council Resolution No. 6110 – Amending the Fiscal Year 2019/2020 Budget by Increasing Revenue for Congestion Mitigation and Air Quality Improvement (CMAQ) Grant in the Amount of \$69,846.82, Increasing Expenditures for CMAQ Grant in the Amount of \$78,511.52, and Transfer Regional Surface Transportation (RSTP) to CMAQ in the Amount of \$8,664.70 for Pedestrian Sidewalk Infill Project.

Recommendation: Approve the resolution as submitted.

- G. City Council Resolution No. 6111 – Amending the Fiscal Year 2019/2020 Budget by Increasing Appropriations in Park Development Fund Specialized Equipment Account Number 250-454-220-753 for Expenditures in the Amount

of \$34,600 to Purchase and Install Soccer Goal Backstop Netting on the South Side of Oliveira Park.

Recommendation: Approve 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 Levying Properties for Weed Abatement Services Performed During the Fiscal Year 2018/2019 or Prior for Areas of Land Located in the City of Los Banos, Merced County as Follows: Assessor Parcel Numbers 083-310-042, 084-243-012, 431-092-013.

1) City Council Resolution No. 6112 – Authorizing the Levy and Collection of Assessments for Weed Abatement within the City of Los Banos.

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 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) Ordinance No. 1173 – 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 APN 428-070-001 and Finding that the Disposition of the Property is Consistent with the City's General Plan. **(First Reading & Introduction)**

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

C. 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) 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.

(Motion of Intent to Adopt)

- 2) Ordinance No. 1174 – Amending Article 37, 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 Condition Use Permit.

(First Reading & Introduction)

Recommendation: Receive staff report, open the public hearing, receive public comment, motion of intent to adopt the resolution, and introduce the ordinance as submitted.

9. CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6114 – RECOGNIZING THE IMPORTANCE OF THE 2020 CENSUS AND SUPPORTING THE EFFORTS TO HELP ENSURE A COMPLETE, FAIR, AND ACCURATE COUNT OF ALL CALIFORNIANS.

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

10. CONSIDERATION OF PARTICIPATION IN A PROPERTY AND BUSINESS IMPROVEMENT DISTRICT FOR DOWNTOWN LOS BANOS AND ADOPTION OF A RESOLUTION OF INTENT TO ESTABLISH DISTRICT.

- A. City Council Resolution No. 6115 – Authorizing the City Manager to Sign a Petition and Assessment Ballot Regarding the City Properties within the Los Banos Downtown Property and Business Improvement District.

- B. City Council Resolution No. 6116 – Declaring Its Intention to Form the Los Banos Downtown Property and Business Improvement District.

Recommendation: Receive staff report and adopt the resolutions as submitted.

11. CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6117 – ACCEPTING AND APPROVING THE NEW LOS BANOS AIRPORT SITE SELECTION & CONCEPT STUDY, NARRATIVE REPORT, A CITY OF LOS BANOS AVIATION FACILITY, DATED MAY 2019 AND AUTHORIZING THE CITY MANAGER TO SUBMIT SAID STUDY TO THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THEIR REVIEW.

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

12. CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6118 – DECLARING REAL PROPERTY SURPLUS AND AUTHORIZING SALE OF SURPLUS PROPERTY LOCATED AT 1329 FRANK STREET, DOS PALOS, APN 012-104-017.

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

13. CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6119 – RECOMMENDING THAT THE MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) CARRYOVER THE 2020 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) UN-PROGRAMMED

BALANCE ESTIMATE OF \$26.2 MILLION AND TO KEEP IT AVAILABLE FOR FUTURE FUNDING FOR THE PIONEER ROAD WIDENING PROJECT.

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

14. CONSIDERATION OF CITY COUNCIL RESOLUTION NO. 6105 – AUTHORIZING THE CITY MANAGER TO EXECUTE A PARKING LOT LEASE AGREEMENT WITH LODGE MOUNTAIN BROW NO. 82 IOOF HALL ASSOCIATION IN THE AMOUNT OF \$10,000 FOR THE PARKING LOT LOCATED AT 626 J STREET, APN 025-023-016 AND A PORTION OF APN 025-023-01514.

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

15. CONSIDERATION OF COUNCIL MEMBER REQUEST REGARDING PLANNING COMMISSIONER MEETING ATTENDANCE [LEWIS].

Recommendation: Discussion and direction from the City Council on how to proceed.

16. ADVISEMENT OF PUBLIC NOTICES. (No Report)

17. CITY MANAGER REPORT.

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

Recommendation: Informational item only, no action to be taken

19. CITY COUNCIL MEMBER REPORTS.

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

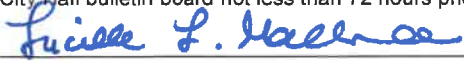
20. CLOSED SESSION.

- 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.

21. ADJOURNMENT.

- A. 6:00 PM, Wednesday, August 14, 2019 at the Police Annex Located at 535 J Street, Los Banos, California to Conduct a Joint Study Session with the Planning Commission Regarding the Police Facility Needs Assessment.

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 1st day of August 2019