



# City of Los Banos

At the Crossroads of California

[www.losbanos.org](http://www.losbanos.org)

Updated 1/31/2020 @ 10:15 am

## AGENDA

### CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS  
520 J Street  
Los Banos, California

**FEBRUARY 5, 2020**

*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).*

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. PRESENTATIONS.
  - A. Proclamation Recognizing February as "Teen Dating Violence Awareness and Prevention Month".

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 #219954 – #220239 in the Amount of \$2,011,008.89.  
*Recommendation: Approve the check register as submitted.*
  
  - B. Second Quarter Investment Report for the 2019/2020 Fiscal Year.  
*Recommendation: Accept the report as submitted.*
  
  - C. Minutes for the January 15, 2020 City Council Meeting.  
*Recommendation: Approve the minutes as submitted.*
  
  - D. City Council Resolution No. 6176 – Approving, Authorizing and Ratifying the City's Participation in the Homeland Security Grant Program and Authorizing the City Manager on behalf of the City of Los Banos to Enter into the Standard Grant Assurance Agreement with Cal-OES and a Sub-Recipient Agreement with the County of Merced and Accepting State Homeland Security Grant Program Excess Funding, in the Amount of \$18,943.41 and Amending the 2019/2020 Fiscal Year Budget by Increasing the Appropriation Amount for Expenditures and Revenues in the Amount of \$18,943.41.  
*Recommendation: Approve the resolution as submitted.*
  
  - E. City Council Resolution No. 6177 – Accepting the 7<sup>th</sup> Street Ball Park Restroom Project as Complete and Authorizing the Filing of a Notice of Completion with the Merced County Recorder.  
*Recommendation: Approve the resolution as submitted.*
  
  - F. City Council Resolution No. 6178 – Accepting the 2019 Street Rehabilitations Project as Complete and Authorizing the Filing of a Notice of Completion with the Merced County Recorder.  
*Recommendation: Approve the resolution as submitted.*
  
  - G. City Council Resolution No. 6179 – Accepting Public Improvements for Mission Village South, Phase 3C (Stonefield Home, Inc.).  
*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 Approving and Adopting ~~an Updated AB 1600 Development Impact Fee Justification Study Prepared for the City of Los Banos by DTA (David Taussig & Associates, Inc.); Adjusting the City's Development Impact Fees for All Development within the City of Los Banos; and~~ a Proposed Amendment to Title 9, Chapter 2, Article 6 of the Los Banos Municipal Code Establishing a General Government Facilities Development Impact Fee.

1) Ordinance No. 1178 – Amending Title 9 Chapter 2 Article 6 of the Los Banos Municipal Code Establishing a General Government Facilities Development Impact Fee. **(Second Reading & Adoption)**

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

9. PARKS & RECREATION PRESENTATION.

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

10. CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6180 – ADOPTING THE LOS BANOS DOWNTOWN STRATEGIC PLAN.

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

11. REPORT REGARDING POTENTIAL IT DATA BREACH INCIDENT SUMMARY AND CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6181 – ADOPTING A REVISED BUDGET FOR THE 2019/2020 FISCAL YEAR AS IT PERTAINS TO RELATED EXPENDITURES.

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

12. ADVISEMENT OF PUBLIC NOTICES. (No Report)

13. CITY MANAGER REPORT.

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

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

15. CITY COUNCIL MEMBER REPORTS.

A. Tom Faria

B. Daronica Johnson-Santos

- C. Brett Jones
  - D. Deborah Lewis
  - E. Mayor Mike Villalta
16. CLOSED SESSION – Conference with Legal Counsel – Anticipated Litigation; Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Government Code Section 54956.9: One Potential Case.
17. 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 31st day of January 2020

CK # 219954 - # 220239

02/05/2020

\$2,011,008.89

# Bank Reconciliation

## Checks by Date

User: jcanchola

Printed: 01/28/2020 - 9:10AM

Cleared and Not Cleared Checks

Print Void Checks



# City of Los Banos

At the Crossroads of California

Check	Check Date	Name	Module	Void	Amount
219954	1/8/2020	Walmart	AP		786.74
219955	1/10/2020	Abbott & Kindermann, Inc.	AP		447.23
219956	1/10/2020	Advanced Chemical Transport, Inc.	AP		3,243.94
219957	1/10/2020	American Society of Composers, Authors & Publishers	AP		363.00
219958	1/10/2020	Ameripride Services	AP		298.58
219959	1/10/2020	Animal Damage Management, Inc.	AP		4,040.00
219960	1/10/2020	Anthony Gomes	AP		343.89
219961	1/10/2020	Aramark Uniform Ser Inc	AP		1,170.48
219962	1/10/2020	AT&T	AP		87.12
219963	1/10/2020	California Affordable Housing Agency	AP		10.00
219964	1/10/2020	BCI Burke Company LLC	AP		1,674.88
219965	1/10/2020	Boot Barn	AP		332.76
219966	1/10/2020	Bruce's Tire Inc	AP		1,342.87
219967	1/10/2020	BSK Associates	AP		420.00
219968	1/10/2020	Laura Lucia Barrios	AP		500.00
219969	1/10/2020	LN Curtis & Sons	AP		2,487.90
219970	1/10/2020	Edges Electrical Group, LLC	AP		238.01
219971	1/10/2020	Employee Relations, Inc.	AP		50.00
219972	1/10/2020	Ernest Packaging Solutions	AP		756.79
219973	1/10/2020	Farmer Brothers Coffee	AP		193.15
219974	1/10/2020	Fastenal Company	AP		182.41
219975	1/10/2020	Federal Express Corporation	AP		5.79
219976	1/10/2020	Golden State Flow Measurement	AP		3,934.07
219977	1/10/2020	Halcyon Creek Inc.	AP		1,686.71
219978	1/10/2020	Heppner Precision Machine Shop, Inc.	AP		939.50
219979	1/10/2020	Holt of California	AP		766.54
219980	1/10/2020	Jerry Witt	AP		2,389.00
219981	1/10/2020	David A Jones	AP		2,060.00
219982	1/10/2020	Kalmikov Enterprises, Inc	AP		336.24
219983	1/10/2020	Lucas Business Systems	AP		1,978.81
219984	1/10/2020	Luz Del Carmen Lopez	AP		500.00
219985	1/10/2020	Marfab Inc	AP		37.57
219986	1/10/2020	Merced Chevrolet Inc.	AP		308.44
219987	1/10/2020	Merced County Weights & Measures	AP		142.20
219988	1/10/2020	Modesto Janitorial Supply Center, Inc.	AP		213.35
219989	1/10/2020	Monterey Auto Services Inc.	AP		1,308.79
219990	1/10/2020	MOO, Inc.	AP		323.29
219991	1/10/2020	Napa Auto Parts of Los Banos	AP		3.97
219992	1/10/2020	NDN International LLC	AP		2,179.84
219993	1/10/2020	O'Reilly Auto Parts	AP		1,055.57
219994	1/10/2020	PG&E Company	AP		60.19
219995	1/10/2020	PG Tools & Equipment, LLC	AP		213.10
219996	1/10/2020	The Phone Connection Inc	AP		146.03
219997	1/10/2020	Protech Security & Electronics, Inc.	AP		198.00

219998	1/10/2020	Jeremy Rahn	AP	141.38
219999	1/10/2020	Razzari Ford	AP	223.21
220000	1/10/2020	SJVAPCD	AP	388.00
220001	1/10/2020	SESAC, Inc.	AP	919.00
220002	1/10/2020	Santos Ford Inc.	AP	25.72
220003	1/10/2020	Save Mart Supermarkets	AP	319.01
220004	1/10/2020	Sherwin Williams Co	AP	95.26
220005	1/10/2020	Soares Lumber & Fence Inc	AP	162.04
220006	1/10/2020	Sorensens True Value	AP	291.46
220007	1/10/2020	Sprint Solutions, Inc.	AP	189.95
220008	1/10/2020	Oralia Sanchez	AP	600.00
220009	1/10/2020	Triangle Rock Products	AP	1,762.28
220010	1/10/2020	United Site Services, Inc.	AP	232.18
220011	1/10/2020	Beverly Stenberg	AP	188.02
220012	1/10/2020	Beverly Stenberg	AP	59.25
220013	1/10/2020	Beverly Stenberg	AP	86.51
220014	1/10/2020	Maria Valencia	AP	47.79
220015	1/10/2020	Adalberto Alejandro Cabrera	AP	46.28
220016	1/10/2020	Jose Medina	AP	16.43
220017	1/10/2020	Eunice Carbajal	AP	137.33
220018	1/10/2020	Lisa Miano	AP	47.86
220019	1/10/2020	Tim Torres	AP	145.14
220020	1/10/2020	Blossom Valley Realty, JR Souza	AP	74.64
220021	1/10/2020	D.R. Horton	AP	155.87
220022	1/10/2020	Sherrill Campbell	AP	80.61
220023	1/10/2020	Jynnette Sousa-Melo	AP	59.73
220024	1/10/2020	Yolanda Fernandez	AP	37.99
220025	1/10/2020	Vortex Industries, Inc.	AP	3,485.00
220026	1/10/2020	Westside Water Conditioning	AP	52.32
220027	1/10/2020	Windecker Inc	AP	3,982.53
220028	1/10/2020	Young's Air Conditioning	AP	1,999.26
220029	1/10/2020	Bartel Associates, LLC	AP	1,000.00
220030	1/10/2020	Brenntag Pacific Inc	AP	5,652.29
220031	1/10/2020	BSK Associates	AP	10,864.71
220032	1/10/2020	CSJVRMA	AP	242,232.00
220033	1/10/2020	Matthew Hernandez	AP	190.00
220034	1/10/2020	InfoSend Inc.	AP	5,854.81
220035	1/10/2020	LC Action Police Supply, LTD	AP	24,448.29
220036	1/10/2020	Liebert Cassidy Whitmore	AP	3,639.00
220037	1/10/2020	Pet Partners	AP	300.00
220038	1/10/2020	Premier Access Insurance Co.	AP	20,580.33
220039	1/10/2020	Ronny's Inc.	AP	39,044.86
220040	1/10/2020	Ronny's Inc.	AP	9,138.84
220041	1/10/2020	Ronny's Inc.	AP	1,069.49
220042	1/10/2020	Sarah Sanchez	AP	482.11
220043	1/10/2020	Sun Life Financial	AP	6,863.88
220044	1/10/2020	Sun Ridge Systems, Inc.	AP	35,055.00
220045	1/10/2020	SWRCB Accounting Office	AP	90.00
220046	1/10/2020	Eddie Vierra	AP	21.04
220047	1/10/2020	Windecker Inc	AP	17,102.83
220048	1/10/2020	Xerox Financial Services	AP	2,464.46
220061	1/17/2020	Alert-O-Lite, Inc.	AP	1,271.29
220062	1/17/2020	Aramark Uniform Ser Inc	AP	1,164.86
220063	1/17/2020	AT&T Mobility	AP	40.24

220064	1/17/2020	AT&T	AP	713.70
220065	1/17/2020	BJ's Consumers Choice	AP	127.00
220066	1/17/2020	Boot Barn	AP	380.00
220067	1/17/2020	Borelli Real Estate Service, Inc.	AP	90.00
220068	1/17/2020	Brinks Inc.	AP	736.72
220069	1/17/2020	BSK Associates	AP	485.00
220070	1/17/2020	Coffee Break Service Inc.	AP	204.75
220071	1/17/2020	Comcast	AP	10.56
220072	1/17/2020	Cook's Communications Corp.	AP	3,932.67
220073	1/17/2020	Crescent Surplus Inc.	AP	215.73
220074	1/17/2020	David Cummins	AP	125.00
220075	1/17/2020	Custom Locksmith & Alarm Inc.	AP	2,312.01
220076	1/17/2020	Farmer Brothers Coffee	AP	131.96
220077	1/17/2020	Federal Express Corporation	AP	36.53
220078	1/17/2020	Gladwell Governmental Services, Inc.	AP	500.00
220079	1/17/2020	Heppner Precision Machine Shop, Inc.	AP	131.94
220080	1/17/2020	Holt of California	AP	1,686.95
220081	1/17/2020	Lawson Products, Inc.	AP	486.95
220082	1/17/2020	Lehigh Hanson Heidelberg Cement Group	AP	780.99
220083	1/17/2020	Los Banos Enterprise	AP	75.04
220084	1/17/2020	Lucas Business Systems	AP	393.29
220085	1/17/2020	Marfab Inc	AP	1,269.21
220086	1/17/2020	Matson Alarm Co Inc	AP	181.00
220087	1/17/2020	McNamara Sports Inc	AP	641.73
220088	1/17/2020	Merced Truck & Trailer Inc	AP	5.70
220089	1/17/2020	Madera Uniform & Accessories, LLC	AP	1,347.15
220090	1/17/2020	Modesto Janitorial Supply Center, Inc.	AP	111.15
220091	1/17/2020	NDN International LLC	AP	1,410.08
220092	1/17/2020	The Office City	AP	288.06
220093	1/17/2020	OSE	AP	551.31
220094	1/17/2020	O'Reilly Auto Parts	AP	575.41
220095	1/17/2020	PG&E Company	AP	35.22
220096	1/17/2020	Pacific Water Resources	AP	890.85
220097	1/17/2020	The Phone Connection Inc	AP	80.58
220098	1/17/2020	PlayPower LT Farmington, INC.	AP	1,453.18
220099	1/17/2020	Regal Pacific Aviation Equipment Inc.	AP	1,618.29
220100	1/17/2020	Randik Paper Co	AP	103.03
220101	1/17/2020	Regal Pacific Contracting and Compliance Inc.	AP	2,843.00
220102	1/17/2020	Rolfe Construction Inc.	AP	1,000.00
220103	1/17/2020	Save Mart Supermarkets	AP	214.25
220104	1/17/2020	Sherwin Williams Co	AP	231.87
220105	1/17/2020	Shred-It US JV LLC	AP	282.20
220106	1/17/2020	Frank Silveria	AP	2,075.00
220107	1/17/2020	Soares Lumber & Fence Inc	AP	283.19
220108	1/17/2020	Springbrook Software, Inc.	AP	1,687.00
220109	1/17/2020	Sorensens True Value	AP	995.32
220110	1/17/2020	Sorensens True Value	AP	28.34
220111	1/17/2020	Terryberry Company LLC	AP	212.57
220112	1/17/2020	Triangle Rock Products	AP	373.66
220113	1/17/2020	United Pavement Maintenance, Inc.	AP	1,000.00
220114	1/17/2020	Westhill Real Estate	AP	101.50
220115	1/17/2020	D.R. Horton	AP	160.78
220116	1/17/2020	Jose Servin	AP	5.70
220117	1/17/2020	Monique Pacheco	AP	6.02

220118	1/17/2020	Rita's Italian Ice	AP	48.65
220119	1/17/2020	Paul Accinelli	AP	43.31
220120	1/17/2020	Manjit Sandhu	AP	97.69
220121	1/17/2020	Christopher Morikang	AP	56.74
220122	1/17/2020	Juan Jr and Florinda Lopez	AP	113.45
220123	1/17/2020	Robert and Carmen Esquivel, Sr.	AP	110.46
220124	1/17/2020	George and Linda Allen	AP	2.99
220125	1/17/2020	D.R. Horton	AP	25.45
220126	1/17/2020	D.R. Horton	AP	25.45
220127	1/17/2020	Nail Now	AP	4.34
220128	1/17/2020	Mayra Cosio	AP	3.46
220129	1/17/2020	Ma De Jesus Juarez Reyna	AP	20.92
220130	1/17/2020	Sunshine Investments	AP	89.54
220131	1/17/2020	Westside Water Conditioning	AP	373.00
220132	1/17/2020	West Publishing Corporation	AP	359.77
220133	1/17/2020	Matthew Culley	AP	217.50
220134	1/17/2020	Young's Air Conditioning	AP	406.00
220135	1/17/2020	Apex Annex Health Center, Inc.	AP	340.00
220136	1/17/2020	Ca Dept of Justice	AP	1,049.00
220137	1/17/2020	California Building Standards Commission	AP	892.80
220138	1/17/2020	CDTFA California Dept. of Tax & Fee	AP	268.00
220139	1/17/2020	Central Valley Cardiovascular Group Inc.	AP	360.00
220140	1/17/2020	CSG Consultants Inc.	AP	99,871.47
220141	1/17/2020	City of Los Banos Utility	AP	23,216.90
220142	1/17/2020	Dispensing Technology Corporation	AP	93,481.24
220143	1/17/2020	Dept of Conservation	AP	2,820.84
220144	1/17/2020	Dept of Housing & Community Development State NSP	AP	12,544.00
220145	1/17/2020	Ford Motor Credit Company LLC	AP	1,307.85
220146	1/17/2020	Fernando Garcia	AP	721.00
220147	1/17/2020	Surina Gonzales	AP	1,282.24
220148	1/17/2020	Halcyon Creek Inc.	AP	6,500.00
220149	1/17/2020	KD Medical Group, Inc.	AP	65.00
220150	1/17/2020	Merced County Regional Waste Management Authority	AP	2,410.49
220151	1/17/2020	Merced County Regional Waste Management Authority	AP	85,006.65
220152	1/17/2020	Merced County Regional Waste Management Authority	AP	5,417.96
220153	1/17/2020	Merced Sun Star	AP	1,439.74
220154	1/17/2020	Miracle Playsystems, Inc.	AP	5,360.21
220155	1/17/2020	PG&E Company	AP	100,751.95
220156	1/17/2020	Pinnacle Healthcare Medical Group	AP	80.00
220157	1/17/2020	Price Paige and Company Accountancy Corporation	AP	6,275.00
220158	1/17/2020	Ronny's Inc.	AP	4,000.00
220159	1/17/2020	Toyota Sunnyvale	AP	141,279.60
220160	1/17/2020	Tractor Supply Credit Plan	AP	505.85
220161	1/17/2020	Law Offices of William A Vaughn	AP	11,031.00
220162	1/17/2020	Aflac-Customer Service	AP	494.24
220163	1/17/2020	Los Banos Fitness &	AP	416.00
220164	1/17/2020	Los Banos Police Assn	AP	385.00
220165	1/17/2020	Los Banos Police Assn	AP	175.00
220166	1/17/2020	Los Banos Police Assn	AP	840.00
220167	1/17/2020	MassMutual	AP	1,336.96
220168	1/17/2020	MassMutual	AP	3,692.50
220169	1/17/2020	Merced County Sheriff	AP	150.00
220170	1/17/2020	Nationwide Retirement Solutions	AP	3,262.50
220171	1/17/2020	Professional Fire Fighter	AP	630.00

220172	1/17/2020	Public Employees Union, Local One	AP	1,004.64
220173	1/17/2020	State Disbursement Unit	AP	2,088.00
220174	1/17/2020	Vantagepoint Transfer Agents - 306797	AP	884.45
220175	1/17/2020	Vantagepoint Transfer Agents - 705827	AP	25.00
220176	1/17/2020	Vantagepoint Transfer Agents - 801838	AP	2,700.00
220177	1/24/2020	Amerigas Propane, LP	AP	660.22
220178	1/24/2020	Animal Damage Management, Inc.	AP	15.00
220179	1/24/2020	Aramark Uniform Ser Inc	AP	658.73
220180	1/24/2020	AT&T Mobility	AP	137.67
220181	1/24/2020	AT&T	AP	832.33
220182	1/24/2020	Backflow Apparatus & Valve Co.	AP	118.40
220183	1/24/2020	BJ's Consumers Choice	AP	74.00
220184	1/24/2020	Broadcast Music, Inc	AP	364.00
220185	1/24/2020	Bruce's Tire Inc	AP	833.42
220186	1/24/2020	BSK Associates	AP	942.00
220187	1/24/2020	Butler Branding, LLC	AP	400.00
220188	1/24/2020	Clark Pest Control Inc	AP	250.00
220189	1/24/2020	Comcast	AP	106.16
220190	1/24/2020	Docs Towing & Transport, Inc.	AP	130.00
220191	1/24/2020	Ernest Packaging Solutions	AP	378.89
220192	1/24/2020	Federal Express Corporation	AP	5.78
220193	1/24/2020	Fresno County Sherriff's Office	AP	841.98
220194	1/24/2020	Holt of California	AP	746.24
220195	1/24/2020	Maria Ortiz Hernandez - H & R Block	AP	114.00
220196	1/24/2020	Krazan & Associates	AP	937.50
220197	1/24/2020	Marfab Inc	AP	396.95
220198	1/24/2020	McCrometer Inc.	AP	26.00
220199	1/24/2020	Merced County Association of Governments	AP	100.00
220200	1/24/2020	Merced Truck & Trailer Inc	AP	175.72
220201	1/24/2020	MOO, Inc.	AP	129.48
220202	1/24/2020	Yenny Molina	AP	600.00
220203	1/24/2020	OSE	AP	35.29
220204	1/24/2020	O'Reilly Auto Parts	AP	1,337.17
220205	1/24/2020	The Phone Connection Inc	AP	191.41
220206	1/24/2020	Lisette Reyna	AP	250.00
220207	1/24/2020	Santos Ford Inc.	AP	931.45
220208	1/24/2020	Sherwin Williams Co	AP	70.74
220209	1/24/2020	Robert & Susan Hansen	AP	734.06
220210	1/24/2020	Sorensens True Value	AP	169.35
220211	1/24/2020	Stommel, Inc.	AP	410.00
220212	1/24/2020	Terryberry Company LLC	AP	378.38
220213	1/24/2020	The Radar Shop, Inc.	AP	316.00
220214	1/24/2020	Triangle Rock Products	AP	751.38
220215	1/24/2020	United Rotary Brush Corp.	AP	11,558.99
220216	1/24/2020	Verizon Wireless	AP	837.57
220217	1/24/2020	Victoria Venegas	AP	600.00
220218	1/24/2020	Windecker Inc	AP	3,138.07
220219	1/24/2020	Zee Medical Service Co	AP	275.18
220220	1/24/2020	Allied Waste Services #917	AP	288,358.32
220221	1/24/2020	Anthony Gomes	AP	5,679.36
220222	1/24/2020	Ford Motor Credit Company LLC	AP	3,689.59
220223	1/24/2020	Mary Lou Gilardi	AP	83.15
220224	1/24/2020	Home Depot	AP	2,059.73
220225	1/24/2020	KD Medical Group, Inc.	AP	65.00

220226	1/24/2020	Laboratory Corporation of America Holdings	AP	326.00
220227	1/24/2020	Los Banos Medical Group A Medical Corp.	AP	300.00
220228	1/24/2020	Merced County Auditor Controller	AP	652.50
220229	1/24/2020	Merced County Spring Fair	AP	50.00
220230	1/24/2020	PlaceWorks, Inc.	AP	11,879.05
220231	1/24/2020	Precision Grade Inc.	AP	54,567.05
220232	1/24/2020	Juan Ramirez	AP	1,070.00
220233	1/24/2020	Ronny's Inc.	AP	325.00
220234	1/24/2020	SWRCB Accounting Office	AP	60.00
220235	1/24/2020	Taylor Backhoe Service, Inc.	AP	42,786.59
220236	1/24/2020	United Pavement Maintenance, Inc.	AP	332,967.50
220237	1/24/2020	US Bank Corp Pymt System	AP	27,685.04
220238	1/24/2020	Westamerica Bank - Cafeteria Plan	AP	57,660.63
220239	1/24/2020	Sonya Williams	AP	424.80

Break in check sequence due to the following:  
Check #220049 - #220060 (Payroll)

Total Void Check Count:	0
Total Void Check Amount:	
Total Valid Check Count:	274
Total Valid Check Amount:	2,011,008.89
Total Check Count:	274
Total Check Amount:	2,011,008.89



City of  
**Los Banos**  
*At the Crossroads of California*

## **Agenda Staff Report**

**TO:** Mayor & City Council Members

**FROM:** Kim Tomas, City Treasurer/Accounting & Budget Supervisor 

**DATE:** February 5, 2020

**TYPE OF REPORT:** Consent Agenda

**SUBJECT:** Second Quarter Investment Report for 2019/2020

---

**Recommendation:**

To accept the quarterly investment report as submitted.

**Background:**

The City of Los Banos follows its investment policy to assure that it invests all surplus inactive monies in a manner which ensures a maximum return consistent with safety on such investments while maintaining the integrity of such surplus and inactive funds. A quarterly investment report provides proof that City funds are invested in such a manner. It includes all investments except funds held by the City's trustees. Funds held by trustees include bond reserve funds, deferred compensation plans, and other post retirement benefit funds.

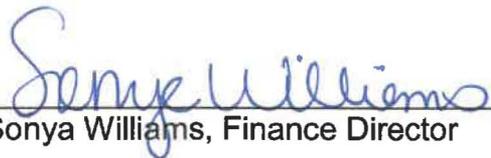
**Fiscal Impact:**

Informational only, no fiscal impact.

**Reviewed by:**



Alex Terrazas, City Manager



Sonya Williams, Finance Director

**Attachments:**

City of Los Banos Second Quarter 2019/2020 Investment Report



City of  
**Los Banos**  
*At the Crossroads of California*

In accordance with Government Code Section 53646 and the City of Los Banos Investment Policy, the following shall constitute the quarterly report of investments on behalf of the City of Los Banos:

**Investment Balances**  
**As of December 31, 2019**

Type of Investment	Issuer	Maturity	Amount Invested	Annual Percentage Yield
LAIF (Local Agency Investment Fund)	State of California	Daily	\$64,988,103	2.02% effective yield
Bonds, Treasury Money Market Funds and CD's (Certificate of Deposits)	Wells Fargo Securities	Staggered 5 years	\$12,747,226	1.45% - 2.45%
Investment Balance:			<b>\$77,735,329</b>	

1. As of the date of this report, the majority of the City of Los Banos funds are invested in the State of California Local Agency Investment Fund (LAIF), in accordance with section 16429.1 of the Governmental Code.
2. As of the date of this report, the remainder of the City of Los Banos' funds are deposited in Corporate Bonds, and various FDIC insured Certificates of Deposits held with Wells Fargo Securities, LLC. Therefore, as provided by Governmental Code Section 53646 (e) attached are the most recent statement(s) received by the City of Los Banos.
3. The portfolio of the City of Los Banos is in compliance with the City of Los Banos' Investment Policy.
4. The investment balances are reconciled monthly to the General Ledger by the Finance Department.
5. It is expected that the City will be able to meet its projected expenditure requirements for the next six months.

California State Treasurer  
**Fiona Ma, CPA**



Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

January 23, 2020

[LAIF Home](#)  
[PMIA Average](#)  
[Monthly Yields](#)

CITY OF LOS BANOS

CITY TREASURER  
520 J STREET  
LOS BANOS, CA 93635

[Tran Type](#)  
[Definitions](#)

December 2019 Statement

**Account Summary**

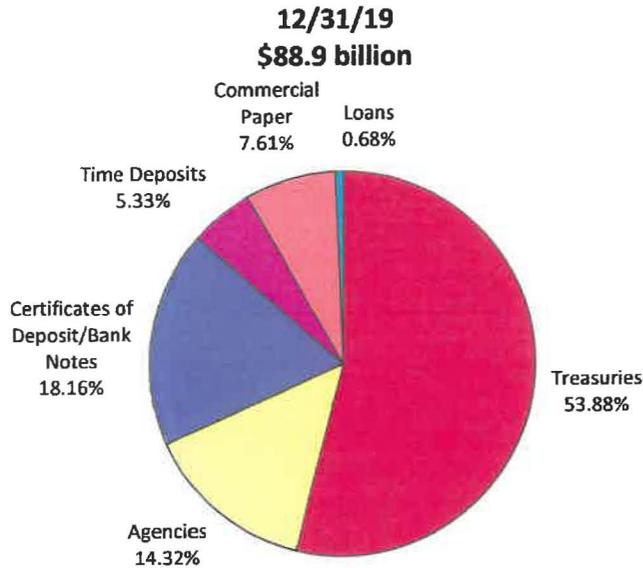
Total Deposit:	0.00	Beginning Balance:	64,988,103.20
Total Withdrawal:	0.00	Ending Balance:	64,988,103.20



## PMIA/LAIF Performance Report as of 01/22/2020



### Pooled Money Investment Account Portfolio Composition <sup>(1)</sup>



Percentages may not total 100% due to rounding

### PMIA Average Monthly Effective Yields <sup>(1)</sup>

Dec 2019	2.043
Nov 2019	2.103
Oct 2019	2.190

### LAIF Quarterly Performance Quarter Ended 12/31/19

Apportionment Rate <sup>(2)</sup> :	2.29
Earnings Ratio <sup>(2)</sup> :	0.0000625008577897
Fair Value Factor <sup>(1)</sup> :	1.001770298
<b>Daily <sup>(1)</sup>:</b>	<b>2.02%</b>
Quarter to Date <sup>(1)</sup> :	2.11%
Average Life <sup>(1)</sup> :	226

### PMIA Daily Rates <sup>(1)</sup>

Date	Daily Yield*	Quarter to Date Yield	Average Maturity (in days)
12/23/19	2.03	2.12	222
12/24/19	2.03	2.12	225
12/25/19	2.03	2.12	225
12/26/19	2.03	2.12	224
12/27/19	2.03	2.12	227
12/28/19	2.03	2.12	227
12/29/19	2.03	2.12	227
12/30/19	2.03	2.11	224
12/31/19	2.02	2.11	226
01/01/20	2.03	2.03	224
01/02/20	2.00	2.02	231
01/03/20	2.00	2.01	229
01/04/20	2.00	2.01	229
01/05/20	2.00	2.01	229
01/06/20	2.00	2.00	226
01/07/20	1.99	2.00	224
01/08/20	1.99	2.00	224
01/09/20	1.99	2.00	224
01/10/20	1.98	2.00	223
01/11/20	1.98	2.00	223
01/12/20	1.98	2.00	223
01/13/20	1.98	1.99	220
01/14/20	1.97	1.99	221
01/15/20	1.96	1.99	228
01/16/20	1.95	1.99	226
01/17/20	1.95	1.99	224
01/18/20	1.95	1.98	224
01/19/20	1.95	1.98	224
01/20/20	1.95	1.98	224
01/21/20	1.95	1.98	219
01/22/20	1.95	1.98	218

\*Daily yield does not reflect capital gains or losses

[View Prior Month Daily Rates](#)

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).

Source:

- (1) State of California, Office of the Treasurer
- (2) State of California, Office of the Controller



Wells Fargo Bank, N.A.  
 45 FREMONT ST  
 FLOOR 34  
 SAN FRANCISCO, CA 94105-2204

WILLIAMS/LEWIS  
 1-800-353-4331

**Combined Summary  
 Brokerage Account and Bank Account**

**Statement Period  
 12/01/2019 - 12/31/2019**

CITY OF LOS BANOS

**Account Number**

**Total Account Value Summary - US Dollar (USD)**

This summary does not reflect the value of unpriced securities. Repurchase agreements are reflected at par value.

	Amount Last Statement Period	Amount This Statement Period	% Portfolio
Cash	\$ 0.00	\$ 0.00	0%
Money Market Mutual Funds	6,490,604.20	<b>6,504,199.19</b>	51%
Bonds	6,243,924.86	<b>6,243,026.91</b>	49%
Stocks	0.00	<b>0.00</b>	0%
<b>Total Account Value</b>	<b>\$ 12,734,529.06</b>	<b>\$ 12,747,226.10</b>	<b>100%</b>
<b>Value Change Since Last Statement Period</b>		<b>\$ 12,697.04</b>	
<b>Percent Increase Since Last Statement Period</b>		<b>0%</b>	
<b>Value Last Year-End</b>		<b>\$ 12,297,282.00</b>	
<b>Percent Increase Since Last Year-End</b>		<b>4%</b>	

\*\*\*Includes amortized Par value of municipal leases and notes.

**Total Income Summary USD**

	This Period	Year-To-Date
Interest	\$ 5,955.44	\$ 147,765.98
Dividends/Capital Gains	0.00	0.00
Money Market Mutual Funds Dividends	7,639.55	99,601.28
Other	0.00	0.00
<b>Income Total</b>	<b>\$ 13,594.99</b>	<b>\$ 247,367.26</b>

**Total Interest Charged USD**

Description	This Period
Debit Interest For December 2019	0.00
<b>Total Interest Charged</b>	<b>\$ 0.00</b>

**Total Money Market Mutual Funds Summary USD**

Description	Amount
<b>Opening Balance</b>	<b>\$ 6,490,604.20</b>
Deposits and Other Additions	5,955.44
Distributions and Other Subtractions	0.00
Dividends Reinvested	7,639.55
Change in Value	0.00
<b>Closing Balance</b>	<b>\$ 6,504,199.19</b>



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**Pricing:** Security and brokered certificate of deposit ("CD") prices shown on the statement are obtained from independent vendors or internal pricing models. While we believe the prices are reliable, we cannot guarantee their accuracy. For exchange-listed securities, the price provided is the closing price at month end. For unlisted securities, it is the "bid" price at month end. The price of CDs that mature in one year or less are shown at last price traded. The price of CDs that mature in greater than one year and of other instruments that trade infrequently are estimated using similar securities for which prices are available. Prices on the statement may not necessarily be obtained when the asset is sold.

**Brokered CD Pricing:** Like bonds, brokered CDs are subject to price fluctuation and the value of a CD, if sold prior to maturity, may be less than at the time of its purchase. Significant loss of principal could result. While WFS generally makes a market in CDs it underwrites, the secondary market for CDs that it does not underwrite may be very limited. In those cases, WFS will use its best efforts to help investors find a buyer.

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**Free Credit Balances:** Any customer free credit balances may be used in the business of WFS subject to limitation of 17 CFR Section 240 § 15c(3)-3 under the Securities Exchange Act of 1934. In the course of normal business operations, a customer has the right to receive delivery of the following: any free credit balances to which he or she is entitled, any fully paid securities to which he or she is entitled, and any securities purchased on margin upon full payment of indebtedness to WFS.

**Equity Order Routing:** WFS will generally route equity and listed options orders taking into consideration among other factors, the quality and speed of execution, as well as the credits, cash or other payments it may receive from any exchange, broker-dealer or market center. This may not be true if a customer has directed or placed limits on any orders. Whenever possible, WFS will route orders in an attempt to obtain executions at prices equal or superior to the nationally displayed best bid or offer. WFS will also attempt to obtain the best execution regardless of any compensation it may receive. The nature and source of credits and payments WFS receives in connection with specific orders will be furnished to a customer upon request. WFS prepares quarterly reports describing its order routing practices for non-directed orders routed to a particular venue for execution. A printed copy of this report along with other compliance and regulatory information is available upon written request or by visiting: <https://www.wellsfargo.com/com/securities/regulatory>.

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**When the investment is sold, the value may be higher or lower than the amount originally invested. WFS is a subsidiary of Wells Fargo & Company, is not a bank or thrift, and is separate from any other affiliated bank or thrift. WFS is a registered broker-dealer and member of FINRA. No affiliate of WFS is responsible for the securities sold by WFS.**

**Mutual Funds:** The distributor of Wells Fargo Funds is affiliated with WFS/Wells Fargo Securities, LLC.

Institutional Prime and Institutional Tax Exempt money market mutual funds are required to price and transact at a net asset value ("NAV") per share that fluctuates based upon the pricing of the underlying portfolio of securities and this requirement may impact the value of those fund shares. Additionally, Institutional Prime and Institutional Tax Exempt funds may be subject to redemption fees and/or gates that can affect the availability of funds invested.

Mutual funds are sold by prospectus, which includes more complete information on risks, charges, expenses and other matters of interest. Investors should read the prospectus carefully before investing.

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Customer Service  
90 South 7th Street  
5th Floor, MAC N9305-05F  
Minneapolis, MN 55402  
[wfscustomerservice@wellsfargo.com](mailto:wfscustomerservice@wellsfargo.com)

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Wells Fargo Bank, N.A.  
 45 FREMONT ST  
 FLOOR 34  
 SAN FRANCISCO, CA 94105-2204

WILLIAMS/LEWIS  
 1-800-353-4331

**Bank Account Statement**  
**Wells Fargo Bank, N.A.**

**Statement Period**  
**12/01/2019 - 12/31/2019**

CITY OF LOS BANOS

Account Number

**Account Value Summary** USD

This summary does not reflect the value of unpriced securities. Repurchase agreements are reflected at par value.

	Amount Last Statement Period	Amount This Statement Period	% Portfolio
Cash	\$ 0.00	\$ 0.00	0%
Money Market Mutual Funds	6,490,604.20	<b>6,504,199.19</b>	51%
Bonds	6,243,924.86	<b>6,243,026.91</b>	49%
Stocks	0.00	<b>0.00</b>	0%
<b>Total Account Value</b>	<b>\$ 12,734,529.06</b>	<b>\$ 12,747,226.10</b>	<b>100%</b>
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<b>Percent Increase Since Last Year-End</b>		<b>4%</b>	

**Income Summary** USD

	This Period	Year-To-Date
Interest	\$ 5,955.44	\$ 147,765.98
Dividends/Capital Gains	0.00	0.00
Money Market Mutual Funds Dividends	7,639.55	99,601.28
Other	0.00	0.00
<b>Income Total</b>	<b>\$ 13,594.99</b>	<b>\$ 247,367.26</b>

**Interest Charged** USD

Description	This Period
Debit Interest For December 2019	0.00
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**Money Market Mutual Funds Summary** USD

Description	Amount
<b>Opening Balance</b>	<b>\$ 6,490,604.20</b>
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5th Floor, MAC N9305-05F  
Minneapolis, MN 55402  
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## CITY OF LOS BANOS

Account Number:

**Portfolio Holdings** *Security positions held with Wells Fargo Bank N.A.*

Security ID	Description	Maturity Date	Coupon	Current Par / Original Par	Market Price*	Market Value	Original Par Pledged**	Callable
<b>Bonds USD</b>								
14042E6A3	CAPITAL ONE NA INTEREST BEARING CERTIFICATE OF DEPOSIT	08/26/20	2.350%	245,000.000	100.4283	246,049.45		
140420UQ1	CAPITAL ONE BANK USA INTEREST BEARING CERTIFICATE OF DEPOSIT	08/26/20	2.350%	245,000.000	100.4546	246,113.66		
20033AMF0	COMENITY CAPITAL BANK INTEREST BEARING CERT OF DEP	08/31/20	2.300%	245,000.000	100.4321	246,058.58		
40434AC72	HSBC BK USA NA INTEREST BEARING CERTIFICATE OF DEPOSIT	11/17/20	3.100%	250,000.000	101.1817	252,954.37		
05580ADQ4	BMW BANK NA INTEREST BEARING CERTIFICATE OF DEPOSIT	01/22/21	2.100%	245,000.000	100.6668	246,633.65		
38148J6M8	GOLDMAN SACHS BANK USA INTEREST BEARING CERTIFICATE OF DEPOSIT	01/27/21	2.100%	245,000.000	100.1426	245,349.25		
48125YS47	JP MORGAN CHASE BANK NA INTEREST BEARING CERTIFICATE OF DEPOSIT	04/19/21	1.550%	250,000.000	99.8382	249,595.50		Y
58733ACR8	MERCANTIL COMMERCEBANK INTEREST BEARING CERTIFICATE OF DEPOSIT	05/13/21	1.600%	250,000.000	100.0281	250,070.28		
31938QS54	FIRST BUSINESS BANK INTEREST BEARING CERTIFICATE OF DEPOSIT	06/24/21	1.500%	250,000.000	99.7290	249,322.44		
51210SLV7	LAKESIDE BANK INTEREST BEARING CERTIFICATE OF DEPOSIT	09/16/21	1.550%	250,000.000	99.5856	248,964.10		Y
32117HAN5	FIRST NATIONAL BK BERLIN INTEREST BEARING CERTIFICATE OF DEPOSIT	09/24/21	1.500%	250,000.000	99.5946	248,986.38		Y
29266N3W5	ENERBANK USA INTEREST BEARING CERTIFICATE OF DEPOSIT	09/29/21	1.450%	250,000.000	99.5729	248,932.24		
03753XAL4	APEX BANK INTEREST BEARING CERTIFICATE OF DEPOSIT	09/30/21	1.500%	250,000.000	99.6581	249,145.37		
81423LCA8	SECURITY FED BANK INTEREST BEARING CERTIFICATE OF DEPOSIT	09/30/21	1.500%	250,000.000	99.5896	248,973.88		Y
96926CAE2	WILLIAM PENN BANK INTEREST BEARING CERTIFICATE OF DEPOSIT	09/30/21	1.500%	250,000.000	99.5896	248,974.01		Y
8562846A7	STATE BANK OF INDIA INTEREST BEARING CERTIFICATE OF DEPOSIT	01/26/22	2.250%	245,000.000	101.0753	247,634.44		
2546723C0	DISCOVER BANK INTEREST BEARING CERTIFICATE OF DEPOSIT	02/15/22	2.250%	245,000.000	101.0899	247,670.36		

Statement Ending: December 31, 2019

CITY OF LOS BANOS  
Account Number:**Portfolio Holdings (Continued)** *Security positions held with Wells Fargo Bank N.A.*

Security ID	Description	Maturity Date	Coupon	Current Par / Original Par	Market Price*	Market Value	Original Par Pledged**	Callable
<b>Bonds USD</b>								
13063DAD0	CALIFORNIA ST TXBL-HIGH-SPEED PASSENGER TRAI	04/01/22	2.367%	1,500,000.000	101.4010	1,521,015.00		N
02587DN38	AMERICAN EXPR CENTURION INTEREST BEARING CERTIFICATE OF DEPOSIT	04/05/22	2.450%	245,000.000	101.2326	248,019.94		
02587CEM8	AMERICAN EXPRESS BK FSB INTEREST BEARING CERTIFICATE OF DEPOSIT	05/03/22	2.350%	250,000.000	101.0256	252,564.01		
				6,210,000.000		6,243,026.91	0.00	

\*See important information regarding security pricing on Page 2.

\*\*Total amount that is pledged to or held for another party or parties. Refer to the Pledge Detail Report for more information.

**Daily Account Activity**

Your investment transactions during this statement period.

Transaction / Trade Date	Settlement / Effective Date	Activity	Security ID	Description	Par / Quantity	Price	Principal Amount	Income Amount	Debit / Credit Amount
12/02/19	12/02/19	Interest	20033AMF0	COMENITY CAPITAL BANK INTEREST				463.15	463.15
12/02/19	12/02/19	Interest	96926CAE2	WILLIAM PENN BANK INTEREST				318.49	318.49
12/02/19	12/02/19	Interest	81423LCA8	SECURITY FED BANK INTEREST				318.49	318.49
12/02/19	12/02/19	Interest	03753XAL4	APEX BANK INTEREST BEARING				318.49	318.49
12/13/19	12/13/19	Interest	58733ACR8	MERCANTIL COMMERCEBANK				328.77	328.77
12/16/19	12/16/19	Interest	51210SLV7	LAKESIDE BANK INTEREST BEARING				318.49	318.49
12/24/19	12/24/19	Interest	31938QS54	FIRST BUSINESS BANK INTEREST				1,880.14	1,880.14
12/26/19	12/26/19	Interest	32117HAN5	FIRST NATIONAL BK BERLIN				308.22	308.22
12/30/19	12/30/19	Interest	96926CAE2	WILLIAM PENN BANK INTEREST				308.22	308.22
12/30/19	12/30/19	Interest	81423LCA8	SECURITY FED BANK INTEREST				308.22	308.22
12/30/19	12/30/19	Interest	29266N3W5	ENERBANK USA INTEREST BEARING				297.95	297.95
12/30/19	12/30/19	Interest	03753XAL4	APEX BANK INTEREST BEARING				308.22	308.22
12/31/19	12/31/19	Interest	20033AMF0	COMENITY CAPITAL BANK INTEREST				478.59	478.59

CITY OF LOS BANOS  
Account Number:

**Money Market Fund Activity**

<b>WF 100% Treas S 8</b>	<b>Dividend paid this period</b>	<b>7 day* simple yield</b>	<b>30 day* simple yield</b>
*As of December 31, 2019			
USD	0.35	1.140%	1.160%

Transaction Date	Activity	Shares	Price	Market Value (\$)	Dividend Amount	Share Balance
	<b>Beginning Balance</b>		<b>1.0000</b>	<b>349.20</b>		<b>349.20000</b>
12/02/19	Reinvest	0.35000			0.35	349.55000
	<b>Ending Balance</b>		<b>1.0000</b>	<b>349.55</b>		<b>349.55000</b>

<b>WF 100% Trea Adm 3722</b>	<b>Dividend paid this period</b>	<b>7 day* simple yield</b>	<b>30 day* simple yield</b>
*As of December 31, 2019			
USD	7,639.20	1.340%	1.360%

Transaction Date	Activity	Shares	Price	Market Value (\$)	Dividend Amount	Share Balance
	<b>Beginning Balance</b>		<b>1.0000</b>	<b>6,490,255.00</b>		<b>6,490,255.00000</b>
12/02/19	Purchase	1,418.62000		1,418.62		6,491,673.62000
12/02/19	Reinvest	7,639.20000			7,639.20	6,499,312.82000
12/13/19	Purchase	328.77000		328.77		6,499,641.59000
12/16/19	Purchase	318.49000		318.49		6,499,960.08000
12/24/19	Purchase	1,880.14000		1,880.14		6,501,840.22000
12/26/19	Purchase	308.22000		308.22		6,502,148.44000
12/30/19	Purchase	1,222.61000		1,222.61		6,503,371.05000
12/31/19	Purchase	478.59000		478.59		6,503,849.64000
	<b>Ending Balance</b>		<b>1.0000</b>	<b>6,503,849.64</b>		<b>6,503,849.64000</b>

**CITY OF LOS BANOS  
CITY COUNCIL MEETING MINUTES  
JANUARY 15, 2020**

***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 7:01 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, Deborah Lewis, Brett Jones, Mayor Michael Villalta.

**STAFF MEMBERS PRESENT:** City Manager Terrazas, City Attorney Vaughn, Deputy City Clerk/HR Technician Blevins, City Treasurer/Accounting & Budget Supervisor Tomas, Finance Director Williams, Police Chief Brizzee, Fire Chief Hurley, Community & Economic Development Director Elms, Public Works Director/City Engineer Fachin.

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

**PRESENTATIONS:**

**PROCLAMATION RECOGNIZING JANUARY AS “NATIONAL SLAVERY & HUMAN TRAFFICKING PREVENTION MONTH”.** Mayor Villalta read the proclamation and presented it to Brenda Martinez and Gameelah Alsama from Valley Crisis Center. They thanked the City and the Council Members for their support.

**PROCLAMATIONS RECOGNIZING CITY COMMISSIONERS.** Mayor Villalta spoke to how important volunteerism is to the City and to the community as a whole and how the commissioners that are being recognized do great deeds in their service on City commissions. He called up the commissioners in attendance and presented them each with a proclamation recognizing them for their completed terms of service.

**REORGANIZATION OF CITY COUNCIL – SELECTION OF MAYOR PRO TEM**

Mayor Villalta spoke to the history of the Mayor Pro Tem rotation and how important it is for each Council Member to have a chance to serve in that capacity. He thanked Council Member Johnson-Santos for her service and asked Council Member Jones if he would serve in that capacity for the year 2020 for which he agreed.

Motion by Villalta, seconded by Johnson-Santos to appoint Council Member Jones as Mayor Pro Tem for the year 2020. The motion carried by the affirmative action of all City Council Members present.

**APPOINTMENT OF COMMISSIONERS TO SERVE ON THE FOLLOWING CITY COMMISSIONS: AIRPORT ADVISORY COMMISSION – ONE (1) TWO (2) YEAR TERM EXPIRING DECEMBER 31, 2021; PARKS AND RECREATION COMMISSION – ONE (1) TWO (2) YEAR TERM EXPIRING DECEMBER 31, 2021; TREE COMMISSION – TWO (2) TWO (2) YEAR TERMS EXPIRING DECEMBER 31, 2021; MEASURE H CITIZENS’ OVERSIGHT COMMITTEE – TWO (2) TWO (2) YEAR TERMS EXPIRING DECEMBER 31, 2021; PLANNING COMMISSION – DISTRICT 2 – ONE (1) UNEXPIRED TERM EXPIRING DECEMBER 31, 2020.**

Motion by Villalta, seconded by Jones to appoint Dennis Reed to the Airport Advisory Commission for a two (2) year term expiring December 31, 2021. The motion carried by the affirmative action of all City Council Members present.

Motion by Villalta, seconded by Lewis to appoint John Spevak to the Parks & Recreation Commission for a two (2) year term expiring December 31, 2021. The motion carried by the affirmative action of all City Council Members present.

Motion by Villalta, seconded by Faria to appoint Laurel Heaton and Trinidad Ramos to the Tree Commission for two (2) year terms expiring December 31, 2021. The motion carried by the affirmative action of all City Council Members present.

Motion by Villalta, seconded by Johnson-Santos to appoint Kathy Ballard and Roger Pruitt to the Measure H Citizens’ Oversight Committee for two (2) year terms expiring on December 31, 2021. The motion carried by the affirmative action of all City Council Members present.

Motion by Villalta, seconded by Faria to appoint Clarence “Rob” Robinson to the Planning Commission for an unexpired term expiring on December 30, 2020. The motion carried by the affirmative action of all City Council Members present.

Council Member Faria stated that despite the fact that he is recovering from a recent surgery, he wanted to be present to second the motion of the Planning Commission appointment as the new commissioner is from his district. He asked to be excused from the meeting and he left at 7:20 p.m.

Mayor Villalta spoke to the commissions that still have vacancies and how staff needs to re-advertise in order to fill these vacancies.

Motion by Villalta, seconded by Johnson-Santos to approve the re-advertisement of vacant City commissions. The motion carried by the affirmative action of all City Council Members present; Faria absent.

**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.**

REBECCA WOOD, Los Banos, spoke to how she is present to convey concerns regarding a person who has been living in his car outside of her residence and has been causing a disturbance, this issue has escalated in the last couple of weeks, he flees law enforcement but returns in a short time to begin the nuisance again; PENNY GLICK, Los Banos, present on behalf of Sharon Silva, spoke to how there is a board of directors currently being formed for the PBID, spoke to the terms and how it will be run, thanked the City for its support. No one else came forward to speak.

**CONSIDERATION OF APPROVAL OF CONSENT AGENDA.** Mayor Villalta spoke to how he has a conflict with item 9H - City Council Resolution No. 6174 – Authorizing the City Manager to Execute an Agreement for Implementation of the Los Banos Downtown Property and Business Improvement District (PBID) Management District Plan between the City of Los Banos and the Los Banos Downtown Association. He asked that other agenda items as follows be approved in his presence.

Motion by Johnson-Santos, seconded by Lewis to approve the consent agenda as follows with the removal of item 9H - City Council Resolution No. 6174 – Authorizing the City Manager to Execute an Agreement for Implementation of the Los Banos Downtown Property and Business Improvement District (PBID) Management District Plan between the City of Los Banos and the Los Banos Downtown Association, as follows: Check Register for #219583 - #219953 in the Amount of \$2,318,399.03; Development Impact Fee Report for Fiscal Years 2015-2019 (AB 1600); Minutes for the December 18, 2019 City Council Meeting; City Council Resolution No. 6170 – Appointing Members to the Measure P Citizens' Oversight Committee (Tom Need, Gerald Giesel & Richard Stewart, Terms Ending December 31, 2022); City Council Resolution No. 6171 – Approving the Consultant Agreement – Notice of Augmentation of the Professional Services Agreement with David Taussig & Associates, Inc., to Provide a Nexus Study for the Update of the City of Los Banos Development Impact Fee Program and Adopt a Revised Budget for the Fiscal Year 2019-2020 as it Pertains to the City Hall Admin Impact Fee Account in the Amount of \$29,7000 and the Traffic Impact Fee Account in the Amount of \$3,300; City Council Resolution No. 6172 – Acting as the City of Los Banos Groundwater Sustainability Agency (GSA) Authorizing and Directing that Application be Made to Obtain a Grant Under the Sustainable Groundwater Management Grant Program's Planning Grant – Round 3 and to Enter into an Agreement with the California Department of Water Resource to Receive a Grant for the Delta-Mendota Subbasin Supplemental Ground Water Sustainability Plan (GSP) Development Proposal; City Council Resolution No. 6173 – Accepting Public Improvements for Mission Village South, Phase 3B, Generally Located within the Area Bounded by Mission Drive to the North, Las Palmas Road to the East, Willmott Road to the South (Developer: Stonefield Home, Inc.); ~~City Council Resolution No. 6174 – Authorizing the City Manager to Execute an Agreement for Implementation of the Los~~

~~Banos Downtown Property and Business Improvement District (PBID) Management District Plan between the City of Los Banos and the Los Banos Downtown Association.~~

Mayor Villalta excused himself from the dais and exited the Council Chambers.

**CITY COUNCIL RESOLUTION NO. 6174 – AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR IMPLEMENTATION OF THE LOS BANOS DOWNTOWN PROPERTY AND BUSINESS IMPROVEMENT DISTRICT (PBID) MANAGEMENT DISTRICT PLAN BETWEEN THE CITY OF LOS BANOS AND THE LOS BANOS DOWNTOWN ASSOCIATION.**

There was Council Member and staff discussion regarding the insurance requirements the District would be required to produce for this agreement and often the budget and performance goals of the District would be audited. Community and Economic Development Director Elms explained that once this agreement is officially approved by Council, that the District would be obtaining the insurance requirements and would be submitting proof of coverage before the agreement is fully executed. As far as auditing goes, the City can request progress reports and/or audits whenever and how often it chooses.

Motion by Lewis, seconded by Johnson-Santos to approve City Council Resolution No. 6174 – Authorizing the City Manager to Execute an Agreement for Implementation of the Los Banos Downtown Property and Business Improvement District (PBID) Management District Plan between the City of Los Banos and the Los Banos Downtown Association. The motion carried by the affirmative action of all City Council Members present; Faria and Villalta absent.

Mayor Villalta returned to the Council Chambers and took his seat at the dais.

**UPDATE ON MCAG, THE BUS AND REGIONAL WASTE AUTHORITY (RWA).**

Executive Director, Stacie Guzman presented a PowerPoint presentation.

There was discussion between the City Council and Stacie Guzman regarding when there would be busing services from Merced County to the Bay Area. That idea is currently being worked on and analyzed for implementation in the near future.

Informational item only, no action taken.

**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.** Fire Chief Hurley presented the staff report.

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

Motion by Lewis, seconded by Jones to waive the second reading of 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. The motion carried by the affirmative action of all City Council Members present, Faria absent.

Motion by Lewis, seconded by Jones to adopt 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. The motion carried by the following roll call vote: AYES: Johnson-Santos, Jones, Lewis, Villalta; NOES: None; ABSENT: Faria.

**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.** Fire Chief Hurley presented the staff report.

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

Motion by Johnson-Santos, seconded by Jones, to waive the second reading of 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. The motion carried by the affirmative action of all City Council Members present; Faria absent.

Motion by Johnson-Santos, seconded by Jones, to adopt 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. The motion carried by the following roll call vote: AYES: Johnson-Santos, Jones, Lewis, Villalta; NOES: None.; ABSENT: Faria.

**PUBLIC HEARING –TO RECEIVE PUBLIC COMMENT AND CONSIDERATION OF APPROVING AND ADOPTING AN UPDATED AB 1600 DEVELOPMENT IMPACT FEE JUSTIFICATION STUDY PREPARED FOR THE CITY OF LOS BANOS BY DTA (DAVID TAUSSIG & ASSOCIATES, INC.); ADJUSTING THE CITY’S DEVELOPMENT IMPACT FEES FOR ALL DEVELOPMENT WITHIN THE CITY OF LOS BANOS; AND A PROPOSED AMENDMENT TO TITLE 9, CHAPTER 2, ARTICLE 6 OF THE LOS BANOS MUNICIPAL CODE ESTABLISHING A GENERAL GOVERNMENT FACILITIES DEVELOPMENT IMPACT FEE (CONTINUED FROM DECEMBER 4,**

**2019 CITY COUNCIL MEETING**). Public Works Director/City Engineer Fachin gave a brief history of this item and how it has been quite a long process. He introduced the representative of David Taussig & Associates, Inc. who continued the item with a PowerPoint presentation.

There was Council Member and staff discussion regarding what assessments were used in order to come up with the comparison chart in the study and how other cities compared. It was noted and discussed how there are various components that went into this study and how other cities do not necessarily report or assess in the same manner as the City of Los Banos.

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

Motion by Lewis, seconded by Jones, to adopt City Council Resolution No. 6163 – Adopting a Development Impact Fee Justification Study for the City of Los Banos and Revising Development Impact Fees for All Development within the City of Los Banos. The motion carried by the affirmative action of all City Council Members present; Faria absent.

Motion by Jones, seconded by Lewis, to waive the first reading of Ordinance No. 1178 – Amending Title 9 Chapter 2 Article 6 of the Los Banos Municipal Code Establishing a General Government Facilities Development Impact Fee. The motion carried by the affirmative action of all City Council Members present; Faria absent

Motion by Jones, seconded by Lewis to introduce Ordinance No. 1178 – Amending Title 9 Chapter 2 Article 6 of the Los Banos Municipal Code Establishing a General Government Facilities Development Impact Fee. The motion carried by the following roll call vote: AYES: Johnson-Santos, Jones, Lewis, Villalta; NOES: None; ABSENT: Faria.

**CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6175 – AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH BUXTON COMPANY FOR RETAIL RECRUITMENT STRATEGY AND SERVICES.** Community and Economic Development Director Elms presented the staff report, which included a PowerPoint presentation.

There was Council Member and staff discussion regarding the differences between Buxton and the other agencies that submitted proposals for this service for which Community & Economic Development Director Elms stated it was their experience with healthcare services that was appealing.

Motion by Lewis, seconded by Johnson-Santos to approve City Council Resolution No. 6175 – Authorizing the City Manager to Execute a Professional Service Agreement with Buxton Company for Retail Recruitment Strategy and Services. The motion carried by the affirmative action of all City Council Members present; Faria absent.

**CITY MANAGER REPORT.** City Manager Terrazas spoke to how the first Parks Master Plan Workshop was last week and how there was a good turnout of people who came to show their support for a wide range of interests including high support for a skate park. On February 4 from 6:30 p.m. to 8:00 p.m. at the community center there will be a second workshop held in regards to the SR-152/Pioneer Project. There will be a consultant presenting alternatives related to this project.

**REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) AND MEASURE V COMMITTEE.** Mayor Villalta spoke to the dangers of SR-152 and how these safety issues cannot be put on the back burner. He additionally spoke regarding the Billy Wright expansion project and how the project is essential in order to keep certain costs down. Lastly, the topic of transportation for those citizens who work over the hill was spoken to and how the possible busing option is much needed.

**BRETT JONES:** No report.

**DEBORAH LEWIS:** Council Member Lewis congratulated Council Member Brett Jones on his Mayor Pro Tem designation. The delegation process for One Voice was spoken to and how she thinks there should be an alternate chosen in addition to the two firm attendees just in case one of them is not able to attend.

**TOM FARIA:** Absent.

**DARONICA JOHNSON-SANTOS:** No report.

**MAYOR MICHAEL VILLALTA:** No report.

**ADJOURNMENT.** The meeting was adjourned at 9:27 p.m..

APPROVED:

\_\_\_\_\_  
Michael Villalta, Mayor

ATTEST:

\_\_\_\_\_  
Sara Blevins, Deputy City Clerk



City of  
**Los Banos**  
*At the Crossroads of California*

**Agenda Staff Report**

**TO:** Mayor and Council Members

**FROM:** Mason Hurley, Fire Chief   
Ray Reyna, Police Commander

**DATE:** February 5, 2020

**SUBJECT:** Acceptance of State Homeland Security Grant Program funding and authorize the City's Participation in the Homeland Security Grant Program and Authorize the City Manager on behalf of the City of Los Banos to enter into the Standard Grant Assurance Agreement with CAL-OES and a Sub-Recipient Agreement with the County of Merced

**TYPE OF REPORT:** Consent Agenda

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**Recommendation:**

Authorize the City Manager to enter into an agreement with Cal-OES pertaining to the Department of Homeland Security "Standard Assurances for All Cal OES Federal Grant Programs", and; enter into an agreement between the County of Merced (COUNTY) and the City of Los Banos (SUB-RECIPIENT) pertaining to same assurances. And that the City Council approves the acceptance of State Homeland Security Grant Program (S.H.S.G.P.) funding, in the amount of \$18,943.41 and approve an increase in City revenues and expenditures in the amount of \$18,943.41 for FY 2019-2020.

**Background:**

The City of Los Banos has received annual Federal Grant funding through the Department of Homeland Security since 2003. These grant funds are distributed through the California State Homeland Security Grant Program (SHSGP) which is administered by the Governor's Office of Emergency Services (Cal-OES). Cal-OES distributes the Federal Grant funding throughout the 58 Counties within California.

Merced County OES is the Implementing Agency of SHSGP grant funding within Merced County. Each of the Municipalities within Merced County are considered Sub-Recipients.

The California State Homeland Security Grant Program (SHSGP) provides funding through federal grants from the Department of Homeland Security to enhance the capabilities of state and local first responders by allowing the purchase of advanced types of equipment, as well as addressing other critical homeland security needs, including administration, planning, training and exercise related costs. This grant funding is then distributed by the Merced County Authorized Body of 5, which consists of (1) County Public Health Officer, (1) County Fire Chief, (1) Municipal Fire Chief, (1) County Sheriff and (1) Chief of Police. The allocations are based on Operational Area needs to prepare for and respond to disasters and/or large scale emergencies.

**Discussion:**

The City of Los Banos has willingly entered into Assurance Agreements with Cal-OES for a number of years. Previous agreements were authorized by the City Manager without action by City Council.

At the end of the 2014 grant cycle, Cal-OES conducted an audit of Merced County OES SHSGP program and recommended that Merced County (COUNTY) enter into annual assurance agreements with each of the municipalities participating in the SHSGP program. The creation of the separate assurance agreement with Merced County is the result of that recommendation.

It is recommended that the Los Banos City Council take action to authorize the City Manager to enter into assurance agreements with Cal-OES and Merced County OES annually, without further action by City Council, unless substantial changes are made to the annual agreements.

The Police and Fire Departments have received excess grant funding in the amount of \$18,943.41 (Police 9,113.25 and Fire \$9,830.16) by the S.H.S.G.P. through the Merced County Office of Emergency Services (O.E.S.). Funding has been identified through the O.E.S. to purchase portable VHF radio units that will benefit the operational area.

The budget for this grant, including account numbers are as follows:

**Revenues:**

Federal Grants Funding:	248-000-331-010	\$18,943.41
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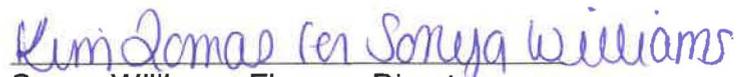
**Expenditures:**

Specialized Equipment:	248-421-140-753	\$9,113.25	Police
	248-422-100-753	\$9,830.16	Fire

**Fiscal Impact:**

Revenues and Expenditures for the FY 2019-2020 will increase in the amount of \$18,943.41.

**Reviewed by:**

  
Sonya Williams, Finance Director

  
Alex Terrazas, City Manager

**Attachments:**

Merced County OES Grant Assurance Agreement  
Cal-OES Grant Assurance Agreement  
Resolution

## OFFICE OF EMERGENCY SERVICES

### State Homeland Security Grant Programs Funding for Equipment, Planning, Administration, Training and Exercises

**THIS AGREEMENT** is entered into by and between Merced County ("County") and the \_\_\_\_\_  
\_\_\_\_\_ ("SUB-RECIPIENT").

COUNTY and SUB-RECIPIENT have entered into this AGREEMENT with reference to the following circumstances:

- A. The California State Homeland Security Grant Program (SHSGP) is providing funding through federal grants from the Department of Homeland Security to enhance the capabilities of state and local first responders by allowing the purchase of advanced types of equipment, as well as addressing other critical homeland security needs, including administration, planning, training and exercise related costs.

**NOW, THEREFORE**, based on the foregoing recitals, which the parties agree to be true and correct, it is mutually agreed between both parties:

- I. This AGREEMENT applies to the State Homeland Security Grant Program, funded through the COUNTY to the SUB-RECIPIENT.
- II. Amendments or modifications to the terms of this AGREEMENT must be made in writing, and approved by all parties hereto, in order to maintain compliance with changes pursuant to federal or state laws, regulations, or policies affecting pertinent regulations or funding.
- III. The 2017 GRANT ASSURANCES for the SHSGP, promulgated by the California Office of Emergency Services, is made part of this AGREEMENT and included as ATTACHMENT A.

SUB-RECIPIENT certifies that:

- 1) SUB-RECIPIENT will comply with the 2017 GRANT ASSURANCES;
- 2) SUB-RECIPIENT's signatory to this agreement will separately sign the 2017 GRANT ASSURANCES included as ATTACHMENT A;
- 3) SUB-RECIPIENT's signatory has obtained the required written authorization from signatory's applicable governing body, as set forth in the attached 2017 GRANT ASSURANCES, that signatory is authorized to sign this AGREEMENT.

#### IV. TERMINATION:

- A. Without Cause: COUNTY will have the right to terminate this AGREEMENT without cause by giving thirty (30) days prior written notice of intention to terminate pursuant to this provision, specifying the date of termination. COUNTY will pay to the SUB-RECIPIENT the compensation earned for pre-approved work

performed and not previously paid for during the period of this agreement. to the date of termination. COUNTY will not pay lost anticipated profits or other economic loss. The payment of such compensation is subject to the restrictions on payment of compensation otherwise provided in this AGREEMENT, and is conditioned upon receipt from SUB-RECIPIENT of any and all plans, specifications and estimates, and other documents prepared by SUB-RECIPIENT in accordance with this AGREEMENT. No sanctions will be imposed.

- B. With Cause: This AGREEMENT may be terminated by either party should the other party:
1. be adjudged a bankrupt, or
  2. become insolvent or have a receiver appointed, or
  3. make a general assignment for the benefit of creditors, or
  4. suffer any judgment which remains unsatisfied for 30 days, and which would substantively impair the ability of the judgment debtor to perform under this AGREEMENT, or
  5. materially breach this AGREEMENT.

For any of the occurrences except item (5), termination may be effected upon written notice by the terminating party specifying the date of the termination. Upon a material breach, the AGREEMENT may be terminated following the failure of the defaulting party to remedy the breach to the satisfaction of the non-defaulting party within FIVE (5) days of written notice specifying the breach. If the breach is not remedied within that FIVE (5) day period, the non-defaulting party may terminate the AGREEMENT on further written notice specifying the date of termination. If the nature of the breach is such that it cannot be cured within a 5 day period, the defaulting party may, submit a written proposal within that period which sets forth a specific means to resolve the default. If the non-defaulting party consents to that proposal in writing, which consent shall not be unreasonably withheld, the defaulting party shall immediately embark on its plan to cure. If the default is not cured within the time agreed, the non-defaulting party may terminate upon written notice specifying the date of termination. COUNTY will pay to the SUB-RECIPIENT the compensation earned for work performed and not previously paid for to the date of termination. COUNTY will not pay lost anticipated profits or other economic loss, nor will the County pay compensation or make reimbursement to cure a breach arising out of or resulting from such termination. If the expense of finishing the SUB-RECIPIENT scope of work exceeds the unpaid balance of the AGREEMENT, the SUB-RECIPIENT must pay the difference to the COUNTY. The payment of such compensation is subject to the restrictions on payment of compensation otherwise provided in this AGREEMENT, and is conditioned upon receipt from SUB-RECIPIENT of any and all plans, specifications and estimates, and other documents prepared by SUB-RECIPIENT by the date of termination in accordance with this AGREEMENT. Sanctions taken will be possible rejection of future proposals based on specific causes of non-performance.

- C. Effects of Termination: Expiration or termination of this AGREEMENT shall not terminate any obligations to indemnify, to maintain and make available any records pertaining to the AGREEMENT, to cooperate with any audit, to be subject to offset, or to make any reports of pre-termination contract activities.

Where SUB-RECIPIENT'S services have been terminated by the COUNTY, said termination will not affect any rights of the COUNTY to recover damages against the SUB-RECIPIENT or to require the forfeiture of equipment acquired or obtained through grant funds as provided in section III, paragraph 44, subparagraph (c).

- D. Suspension of Performance: Independent of any right to terminate this AGREEMENT, the authorized representative of COUNTY for which SUB-RECIPIENT'S services are to be performed, may immediately suspend performance by SUB-RECIPIENT, in whole or in part, in response to health, safety or financial emergency, or a failure or refusal by SUB-RECIPIENT to comply with the provisions of this AGREEMENT, until such time as the cause for suspension is resolved, or a notice of termination becomes effective.
- V. TERM: This AGREEMENT shall commence on the date of COUNTY signature and continue until terminated under the provisions of paragraph IV.
- VI. INDEMNIFICATION:
- A. COUNTY shall defend, indemnify and hold SUB-RECIPIENT and its respective officers, board members, employees and agents, harmless from and against any and all liability, loss, expense, reasonable attorneys' fees, or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, reasonable attorneys' fees, or claims for injury or damages are caused by or result from the negligent acts or omissions, or willful misconduct of COUNTY, its officers, agents, or employees.
- B. SUB-RECIPIENT shall defend, indemnify and hold COUNTY, its officers, board members, employees and agents, harmless from and against any and all liability, loss, expense, reasonable attorneys' fees, or claims for injury or damage arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent acts or omissions, or willful misconduct of SUB-RECIPIENT and its officers, agents, or employees.
- VII. INSURANCE: SUB-RECIPIENT certifies it is insured or self-insured for general liability exposures with limits of no less than \$1 million per occurrence. SUB-RECIPIENT certifies it is insured or self-insured for workers' compensation and maintains statutory limits. SUB-RECIPIENT agrees that coverage limits specified within the agreement will not be used to reduce limits of coverage from SUB-RECIPIENT full policy limits. Insurance Policies will not be used to limit liability or to limit the indemnification provisions and requirements of this agreement or act in any way to reduce available coverage and limits from the insurer. Failure to maintain or renew coverage may be a material breach of this Agreement.

VIII. ENTIRE AGREEMENT REPRESENTED: This Agreement represents the entire agreement between SUB-RECIPIENT and COUNTY as to its subject matter and no prior oral or written understanding shall be of any force or effect. No part of this Agreement may be modified without the written consent of both parties.

**SUB-RECIPIENT**

The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the SUB-RECIPIENT.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**COUNTY OF MERCED**

By: \_\_\_\_\_

Chairman, Board of Supervisors

Date: \_\_\_\_\_

**REVIEWED AS TO FORM**

By: \_\_\_\_\_

County Counsel



## Standard Assurances For All Cal OES Federal Grant Programs

**As the duly authorized representative of the Applicant, I hereby certify that the Applicant has the legal authority to apply for federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay any non-federal share of project cost) to ensure proper planning, management and completion of the project described in this application, within prescribed timelines.**

**I further acknowledge that the Applicant is responsible for reviewing and adhering to all requirements within the:**

- (a) Applicable Federal Regulations (see below);
- (b) Federal Program Notice of Funding Opportunity (NOFO);
- (c) California Supplement to the NOFO; and
- (d) Federal and State Grant Program Guidelines.

### **Federal Regulations**

Government cost principles, uniform administrative requirements and audit requirements for federal grant programs are set forth in Title 2, Part 200 of the Code of Federal Regulations (C.F.R.). Updates are issued by the Office of Management and Budget (OMB) and can be found at <http://www.whitehouse.gov/omb/>.

**Significant state and federal grant award requirements (some of which appear in the documents listed above) are set forth below. The Applicant hereby agrees to comply with the following:**

### **1. Proof of Authority**

The Applicant will obtain written authorization from the city council, governing board or authorized body in support of this project. This written authorization must specify that the Applicant and the city council, governing board, or authorized body agree:

- (a) To provide all matching funds required for the grant project and that any cash match will be appropriated as required.
- (b) Any liability arising out of the performance of this agreement shall be the responsibility of the Applicant and the city council, governing board or authorized body.
- (c) Grant funds shall not be used to supplant expenditures controlled by the city council, governing board or authorized body; and
- (d) The official executing this agreement is, in fact, authorized to do so.

This Proof of Authority must be maintained on file and readily available upon request.

## **2. Period of Performance**

The Applicant will initiate work after approval of the award and complete all work within the period of performance specified in the grant.

## **3. Lobbying and Political Activities**

As required by Section 1352, Title 31 of the United States Code (U.S.C.), for persons entering into a contract, grant, loan or cooperative agreement from an agency or requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan, the Applicant certifies that:

- (a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

The Applicant will also comply with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and §§7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

Finally, the Applicant agrees that federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation or policy without the express written approval from the California Governor's Office of Emergency Services (Cal OES) or the federal awarding agency.

## **4. Debarment and Suspension**

As required by Executive Orders 12549 and 12689, and 2 C.F.R. §200.212 and codified in 2 C.F.R. Part 180, Debarment and Suspension, the Applicant will provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the federal government. The Applicant certifies that it and its principal, subgrantees, recipients or subrecipients:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transaction (federal, state, or local) terminated for cause or default.

Where the Applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

#### **5. Non-Discrimination and Equal Employment Opportunity**

The Applicant will comply with all federal statutes relating to non-discrimination. These include, but are not limited to, the following:

- (a) Title VI of the Civil Rights Act of 1964 (Public Law (P.L.) 88-352 and 42 U.S.C. §2000d et. seq.) which prohibits discrimination on the basis of race, color, or national origin and requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services;
- (b) Title IX of the Education Amendments of 1972, (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex in any federally funded educational program or activity;
- (c) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. §794), which prohibits discrimination against those with disabilities or access and functional needs;
- (d) Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability and requires buildings and structures be accessible to those with disabilities and access and functional needs (42 U.S.C. §§ 12101-12213.);
- (e) Age Discrimination Act of 1975, (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
- (f) Public Health Service Act of 1912 (42 U.S.C. §§ 290), relating to confidentiality of patient records regarding substance abuse treatment;
- (g) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), relating to nondiscrimination in the sale, rental or financing of housing as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units

- (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (See 24 C.F.R. § 100.201); ;
- (h) Executive Order 11246, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin;
  - (i) Executive Order 11375, which bans discrimination on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin in hiring and employment in both the United States federal workforce and on the part of government contractors;
  - (j) California Public Contract Code §10295.3, which prohibits discrimination based on domestic partnerships and those in same sex marriages;
  - (k) DHS policy to ensure the equal treatment of faith-based organizations, under which all applicants and recipients must comply with equal treatment policies and requirements contained in 6 C.F.R. Part 19;
  - (l) Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and
  - (m) The requirements of any other nondiscrimination statute(s) which may apply to the application.

In addition to the items listed in (a) through (m), the Applicant will comply with California's Fair Employment and Housing Act (FEHA). FEHA prohibits harassment and discrimination in employment because of ancestry, familial status, race, color, religious creed (including religious dress and grooming practices), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth, or breastfeeding), gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, genetic information, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave (California Government Code §§ 12940, 12945, 12945.2), military and veteran status, and/or retaliation for protesting illegal discrimination related to one of these categories, or for reporting patient abuse in tax supported institutions.

## **6. Drug-Free Workplace**

As required by the Drug-Free Workplace Act of 1988 (41 U.S.C. §701 et seq.), the Applicant certifies that it will maintain a drug-free workplace and a drug-free awareness program as outlined in the Act.

## **7. Environmental Standards**

The Applicant will comply with state and federal environmental standards, which may be prescribed pursuant to the following, as applicable:

- (a) California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000-21177), to include coordination with the city or county planning agency;
- (b) CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387);

- (c) Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.), which establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters;
- (d) Federal Clean Air Act of 1955 (42 U.S.C. § 7401) which regulates air emissions from stationary and mobile sources;
- (e) Institution of environmental quality control measures under the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190); the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA; and Executive Order 12898 which focuses on the environmental and human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities;
- (f) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988;
- (g) Executive Order 11514 which sets forth national environmental standards;
- (h) Executive Order 11738 instituted to assure that each federal agency empowered to enter into contracts for the procurement of goods, materials, or services and each federal agency empowered to extend federal assistance by way of grant, loan, or contract shall undertake such procurement and assistance activities in a manner that will result in effective enforcement of the Clean Air Act and the Federal Water Pollution Control Act Executive Order 11990 which requires preservation of wetlands;
- (i) The Safe Drinking Water Act of 1974, (P.L. 93-523);
- (j) The Endangered Species Act of 1973, (P.L. 93-205);
- (k) Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.);
- (l) Conformity of Federal Actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.);
- (m) Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

The Applicant shall not be: 1) in violation of any order or resolution promulgated by the State Air Resources Board or an air pollution district; 2) subject to a cease and desist order pursuant to § 13301 of the California Water Code for violation of waste discharge requirements or discharge prohibitions; or 3) determined to be in violation of federal law relating to air or water pollution.

#### **8. Audits**

For subrecipients expending \$750,000 or more in federal grant funds annually, the Applicant will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and Title 2 of the Code of Federal Regulations, Part 200, Subpart F Audit Requirements.

#### **9. Access to Records**

In accordance with 2 C.F.R. §200.336, the Applicant will give the awarding agency, the Comptroller General of the United States and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award.

The Applicant will require any subrecipients, contractors, successors, transferees and assignees to acknowledge and agree to comply with this provision.

#### **10. Conflict of Interest**

The Applicant will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

#### **11. Financial Management**

False Claims for Payment The Applicant will comply with 31 U.S.C §§ 3729-3733 which sets forth that no recipient shall submit a false claim for payment, reimbursement or advance.

#### **12. Reporting - Accountability**

The Applicant agrees to comply with applicable provisions of the Federal Funding Accountability and Transparency Act (FFATA) (P.L. 109-282), specifically (a) the reporting of subawards obligating \$25,000 or more in federal funds and (b) executive compensation data for first-tier subawards. This includes the provisions of FFATA, which includes requirements for executive compensation, and also requirements implementing the Act for the non-federal entity at 2 C.F.R. Part 25 Financial Assistance Use of Universal Identifier and Central Contractor Registration and 2 C.F.R. Part 170 Reporting Subaward and Executive Compensation Information.

#### **13. Whistleblower Protections**

The Applicant also must comply with statutory requirements for whistleblower protections at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. § 4304 and § 4310.

#### **14. Human Trafficking**

The Applicant will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from: (1) engaging in trafficking in persons during the period of time that the award is in effect: (2) procuring a commercial sex act during the period of time that the award is in effect: or (3) using forced labor in the performance of the award or subawards under the award.

#### **15. Labor Standards**

The Applicant will comply with the following federal labor standards:

- (a) The Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), as applicable, and the Copeland Act (40 U.S.C. § 3145 and 18 U.S.C. § 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally-assisted construction contracts or subcontracts; and
- (b) The Federal Fair Labor Standards Act (29 U.S.C. § 201 et al.) as they apply to employees of institutes of higher learning (IHE), hospitals and other non-profit organizations.

#### **16. Worker's Compensation**

The Applicant must comply with provisions which require every employer to be insured to protect workers who may be injured on the job at all times during the performance of the work of this

Agreement, as per the workers compensation laws set forth in California Labor Code §§ 3700 et seq.

### **17. Property-Related**

If applicable to the type of project funded by this federal award, the Applicant will:

- (a) Comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchase;
- (b) Comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires subrecipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;
- (c) Assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), Executive Order 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. § 469a-1 et seq.); and
- (d) Comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4831 and 24 CFR Part 35) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

### **18. Certifications Applicable Only to Federally-Funded Construction Projects**

For all construction projects, the Applicant will:

- (a) Not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project;
- (b) Comply with the requirements of the awarding agency with regard to the drafting, review and approval of construction plans and specifications; and
- (c) Provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

### **19. Use of Cellular Device While Driving is Prohibited**

Applicants are required to comply with California Vehicle Code sections 23123 and 23123.5. These laws prohibit driving a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication. Drivers are also prohibited from the use of a wireless telephone without hands-free listening and talking, unless to make an emergency call to 911, law enforcement, or similar services.

## **20. California Public Records Act and Freedom of Information Act**

The Applicant acknowledges that all information submitted in the course of applying for funding under this program, or provided in the course of an entity's grant management activities that are under Federal control, is subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the California Public Records Act, California Government Code section 6250 et seq. The Applicant should consider these laws and consult its own State and local laws and regulations regarding the release of information when reporting sensitive matters in the grant application, needs assessment, and strategic planning process.

## **HOMELAND SECURITY GRANT PROGRAM - PROGRAM SPECIFIC ASSURANCES / CERTIFICATIONS**

### **21. Reporting Accusations and Findings of Discrimination**

If during the past three years the recipient has been accused of discrimination on any basis the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS Financial Assistance Office and the DHS Office for Civil Rights and Civil Liberties (CRCL) by e-mail at [crcl@hq.dhs.gov](mailto:crcl@hq.dhs.gov) or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties, Building 410, Mail Stop #0190, Washington, D.C. 20528.

If the courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the recipient, or the recipients settle a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Financial Assistance Office and the CRCL by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

### **22. Acknowledgment of Federal Funding from DHS**

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

### **23. Activities Conducted Abroad**

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

### **24. Best Practices for Collection and Use of Personally Identifiable Information (PII)**

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Recipients may also

find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template a useful resource respectively.

**25. Copyright**

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

**26. Duplication of Benefits**

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

**27. Energy Policy and Conservation Act**

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

**28. Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

**29. Fly America Act of 1974**

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942

**30. Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. § 2225a.

**31. Non-supplanting Requirements**

All recipients who receive federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

**32. Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

**33. SAFECOM**

All recipients who receive federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

**34. Terrorist Financing**

All recipients must comply with Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

**35. Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

**36. USA Patriot Act of 2001**

All recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

**37. Use of DHS Seal, Logo, and Flags**

All recipients must obtain permission from their DHS Financial Assistance Office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

**IMPORTANT**

The purpose of the assurance is to obtain federal and state financial assistance, including any and all federal and state grants, loans, reimbursement, contracts, etc. The Applicant recognizes and agrees that state financial assistance will be extended based on the representations made in this assurance. This assurance is binding on the Applicant, its successors, transferees, assignees, etc. Failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

All appropriate documentation, as outlined above, must be maintained on file by the Applicant and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the subrecipient may be ineligible for award of any future grants if the Cal OES determines that any of the following has occurred: (1) the recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

All of the language contained within this document must be included in the award documents for all subawards at all tiers. All recipients are bound by the Department of Homeland Security Standard Terms and Conditions 2017, Version 7.0, hereby incorporated by reference, which can be found at: <https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions>.

The undersigned represents that he/she is authorized by the Applicant to enter into this agreement for and on behalf of the said Applicant.

Applicant: \_\_\_\_\_

Signature of Authorized Agent: \_\_\_\_\_

Printed Name of Authorized Agent: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS BANOS APPROVING, AUTHORIZING AND RATIFYING THE CITY'S PARTICIPATION IN THE HOMELAND SECURITY GRANT PROGRAM AND AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY OF LOS BANOS TO ENTER INTO THE STANDARD GRANT ASSURANCE AGREEMENT WITH CAL-OES AND A SUB-RECIPIENT AGREEMENT WITH THE COUNTY OF MERCED AND ACCEPTING STATE HOMELAND SECURITY GRANT PROGRAM EXCESS FUNDING, IN THE AMOUNT OF \$18,943.41 AND AMENDING THE 2019-2020 FISCAL YEAR BUDGET BY INCREASING THE APPROPRIATION AMOUNT FOR EXPENDITURES AND REVENUES IN THE AMOUNT OF \$18,943.41**

WHEREAS, the State Homeland Security and Security Grant Program (SHSGP) supports the implementation of State Homeland Security Strategies to address the identified planning, organization, equipment, training, and exercise needs to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events.

WHEREAS, the California Governor's Office of Emergency Services requires FY2017 Grant Assurances be executed by an authorized representative of the applicant (the City) to receive an award; and

WHEREAS, beginning 2016, the Merced County Office of Emergency Services also requires Grant Assurances Sub Recipient Agreement be executed between Merced County ("County") and the City of Los Banos ("Sub-Recipient").

WHEREAS, the Police and Fire Departments have received excess State Homeland Security Grant Program funding through the Merced County Office of Emergency Services in the amount of \$18,943.41; and

WHEREAS, this funding has been identified through the Office of Emergency Services for the purchase of portable VHF radio units that will benefit the Merced County operational area; and

WHEREAS, a proposal has been presented to the City Council of the City of Los Banos to increase the appropriation limit in the City Budget for the FY 2019-2020; and

WHEREAS, the City Council of the City of Los Banos may adjust the overall appropriation levels in each fund at any time during the FY 2019-2020 by action to amend this budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby:

Section 1. Authorize the City Manager of the City of Los Banos, on its behalf, to execute Exhibit "A" (the Sub-Recipient Agreement with the County of Merced), including any annual extension thereof;

Section 2. Authorize the City Manager of the City of Los Banos, on its behalf, to execute Exhibit "B" (the SHSGP Grant Assurance Agreements with Cal- OES) including any annual extensions thereof.

Section 3. Approve the acceptance of the State Homeland Security Grant Program funding in the amount of \$18,943.41 and an increase to the appropriation limit for revenues and expenditures in the amount of \$18,943.41 as follows:

**Revenues:**

Federal Grants:	248-000-331-010	\$18,943.41
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**Expenditures:**

Specialized Equipment:	248-421-140-753	\$9,113.25	Police
	248-422-100-753	\$9,830.16	Fire

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 5th day of February 2020, by Council Member \_\_\_\_\_ who moved its adoption, which motion was duly seconded by Council Member \_\_\_\_\_ and the Resolution adopted by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
Michael Villalta, Mayor

ATTEST:

---

Lucille L. Mallonee, City Clerk



City of  
**Los Banos**  
*At the Crossroads of California*

**Agenda Staff Report**

**TO:** Mayor & City Council Members

**FROM:** Mark Fachin, P.E., Public Works Director/City Engineer

**DATE:** February 5, 2020

**TYPE OF REPORT:** Consent Agenda

**SUBJECT:** Accepting the 7<sup>th</sup> Street Ball Park Restroom Project as complete and authorizing the Filing of a Notice of Completion with the Merced County Recorder

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**Recommendation:**

That the City Council adopts the Resolution accepting the 7<sup>th</sup> Street Ball Park Restroom construction project as completed; authorizes the City Manager to file the "Notice of Completion" with the Merced County Recorder; and authorizes the Public Works Director/City Engineer to release the five (5) percent retention after the thirty-five (35) day period from the date of filing the Notice of Completion with the County Recorder.

**Background:**

The City recently entered into a lease agreement with the County of Merced for the shared uses of the local fairground ball fields. As part of the lease agreement, the City agreed to construct and install the specific restroom facilities as described in the Amended and Restated Ground Lease. The permanent public restroom facility is located adjacent to the parking lot on the portion of the property used for sporting activities at the Seventh Street ball fields. The lease agreement identified a pre-fabricated restroom building with adequate Americans with Disabilities Act (ADA) access. To support the restroom facility, the City identified sidewalk and ramp additions for ADA improvements that span each side of the restroom and provide access to the parking lot.

**Discussion:**

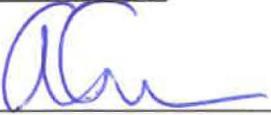
The Engineering Division of the Public Works Department initiated a construction contract for the 7<sup>th</sup> Street Ball Park Restroom Project. Plans and specifications were designed by O'Dell Engineering. The scope of work included the sub-grade pad preparation of a 24' x 26'6" area, for the placement of a pre-fabricated modular restroom building, and the installation of approximately 2,803 square feet of sidewalk, which included two concrete ADA ramps with truncated domes.

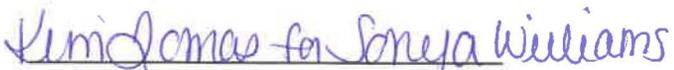
The project was publicly advertised. Bids were opened for this project on Thursday, October 17, 2019. The City Council awarded the construction contract on November 6, 2019 to Precision Grade, Inc. of San Juan Bautista for the amount of \$52,439.00 with a 10% contingency of \$5,243.00. The Engineering Division performed the construction management for the project, and Gouveia Engineering provided supporting elevation and staking markers for the project. One Change Order was required for this project. Change Order #1 consisted of extra work to stub out and cap a 4" and 2" irrigation waterline that required relocation, for a total amount of \$5,000.00. The total construction cost for the project was \$57,439.00. This represents the original bid, plus one Change Order. The Change Order percentage is 10% of the original bid amount.

**Fiscal Impact:**

Funds for this project have been allocated in the 2019-2020 Fiscal Year budget within Administration Fund 100-410-100-720.

**Reviewed by:**

  
\_\_\_\_\_  
Alex Terrazas, City Manager

  
\_\_\_\_\_  
Sonya Williams, Finance Director

**Attachments:**

Resolution  
2019-2020 Fiscal Budget Sheet  
Notice of Completion  
Project Pictures  
Project Schedule as outlined in Exhibit B-1 of the Amended and Reinstated Ground Lease Between the City of Los Banos and County of Merced [Los Banos Fairgrounds Ballfields]

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LOS BANOS ACCEPTING THE 7<sup>TH</sup>  
STREET BALL PARK RESTROOM PROJECT AS  
COMPLETE AND AUTHORIZING THE FILING OF  
A NOTICE OF COMPLETION WITH THE MERCED  
COUNTY RECORDER**

WHEREAS, on October 17, 2019 the City of Los Banos received competitive bids for the construction of 7<sup>th</sup> Street Ball Park Restroom Project; and

WHEREAS, on November 6, 2019 the City Council awarded the Construction Contract to Precision Grade, Inc. for the construction of the 7<sup>th</sup> Street Ball Park Restroom; and

WHEREAS, the Public Works Director/City Engineer has determined, upon inspection, that all work has been completed in compliance with the plans and specifications, and in accordance with the approved contract.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby accept the 7<sup>th</sup> Street Ball Park Restroom Project as complete; authorize the City Manager to file a Notice of Completion with the Merced County Recorder within ten (10) days after acceptance; and authorize the Public Works Director/City Engineer to release the five (5) percent retention held in escrow after the thirty-five (35) days from the date of filing the Notice of Completion.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 5th day of February 2020, by Council Member \_\_\_\_\_ who moved its adoption, which motion was duly seconded by Council Member \_\_\_\_\_ and the Resolution adopted by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
Michael Villalta, Mayor

ATTEST:

\_\_\_\_\_  
Lucille L. Mallonee, City Clerk

City of Los Banos  
Administration  
2019-2020

Description		2016-2017 Actual	2017-2018 Actual	2018-2019 Estimated	2019-2020 Adopted
100-410-100-101	Salaries	323,093	333,415	335,687	368,712
100-410-100-103	Overtime	6	770	50	250
100-410-100-120	Benefits	327,814	330,546	303,615	313,562
100-410-100-121	Benefits-PERS	72,914	72,156	83,000	86,110
	<b>Personnel Services</b>	<b>723,828</b>	<b>736,888</b>	<b>722,352</b>	<b>768,634</b>
100-410-100-203	Equipment Repair & Maint	9,734	10,104	10,009	11,028
100-410-100-205	Facility Maintenance	4,138	2,344	3,900	3,900
100-410-100-231	Professional Services	164,598	159,630	171,000	165,000
100-410-100-232	Service Charges	0	23,721	29,000	30,100
100-410-100-233	Consulting Services	0	13,541	15,900	16,590
100-410-100-236	Medical Services	0	35	0	55
100-410-100-237	Recruitment	5,254	745	300	500
100-410-100-238	Technical Services	0	66,870	44,015	0
100-410-100-239	Elections	4,586	0	15,440	0
100-410-100-240	I.T. Services	23,311	31,172	30,001	34,633
100-410-100-250	Insurance	16,002	14,899	17,567	16,523
100-410-100-251	Memberships & Dues	37,853	42,102	50,319	54,530
100-410-100-252	Communications	1,164	1,302	1,825	2,750
100-410-100-253	Advertising	1,612	1,233	1,700	1,700
100-410-100-257	Travel & Training	14,803	13,674	16,000	18,190
100-410-100-259	Meetings & Events	756	5,071	5,600	5,725
100-410-100-260	Office Supplies	31,261	25,815	27,000	29,000
100-410-100-262	Uniform Expenses	0	55	30	50
100-410-100-264	Electricity & Gas	24,400	25,992	29,500	31,565
100-410-100-270	Special Programs	18,587	109	0	12,000
100-410-100-273	Special Departmental Exp.	4,485	4,247	10,283	4,825
100-410-100-274	Books & Periodicals	281	421	500	500
100-410-100-300	Cash Over/Under	(2)	109	0	0
	<b>Supplies &amp; Services</b>	<b>362,824</b>	<b>443,192</b>	<b>479,889</b>	<b>439,164</b>
★ 100-410-100-720	Building & Structures	0	0	34,000	450,000 ★
100-410-100-750	Vehicles	0	0	0	102,000
100-410-100-752	Communication Equipment	5,764	175	7,888	9,091
100-410-100-770	Computer Equipment	881	0	0	0
	<b>Capital Outlay</b>	<b>6,645</b>	<b>175</b>	<b>41,888</b>	<b>561,091</b>

# Administration

## SERVICES & SUPPLIES

**203-EQUIPMENT REPAIR & MAINTENANCE:** Expenses related to Accela software maintenance and City Hall phone system maintenance for Telcion and Cisco.

**231-PROFESSIONAL SERVICES:** Expenses for independent auditors, contracted legal services, California Municipal Statistics, Employee Relations, labor law posters, admin citation hearings, NeoGov, Ted Gaebler and other miscellaneous professional services.

**232-SERVICE CHARGES:** Expenses for bank fees, credit card fees, credit card machine lease and Brinks services.

**233-CONSULTING SERVICES:** Expenses related to consultant for legislative representation services.

**251-MEMBERSHIP & DUES:** Expenses related to cost of memberships for CSMFO, GFOA, International Institute of Municipal Clerks (IIMC), Local Agency Formation Commission (LAFCO), League of California Cities, Liebert Cassidy Whitmore (LCW) Central Valley Consortium, City Clerk Association of California (CCAC), Grant Registry Sam, California Public Employers Labor Relations Association (CALPELRA), International Council of Shopping Centers (ICSC), CCMF and Merced County Association of Governments (MCAG).

**252-COMMUNICATIONS:** Covers expenses for telephone, internet and other services provided to assist in transmitting and receiving messages. Service related to social media archiving.

**259-MEETINGS/EVENTS:** Expenses for City related business meetings and events, Employee Appreciation Event, 2 Employee meeting events and Park Site Chats.

**270-SPECIAL PROGRAMS:** Funds to be used for general homeless services upon approval by City Council in the amount \$12,000.

**273-SPECIAL DEPARTMENTAL EXPENSE:** Budget and CAFR award applications, GASB CalPERS reports, GovInvest and Employee Longevity Awards.

## CAPITAL OUTLAY

**720-BUILDING & STRUCTURES:** Expenses related to project at the PAL Fields located on 7<sup>th</sup> Street. Project is to include: the purchase of restroom structure, contracted construction, electrical, materials for utilities and sidewalks, and to be ADA compliant.

**750-VEHICLES:** Funds assigned for the expenditures related to the purchase of three vehicles. Two of the vehicles are being purchased through a grant that has matching fund requirements. The vehicles will be utilized by all departments located in City Hall, as well as the IT Department.

**752-COMMUNICATION EQUIPMENT:** Expenses related to Telephone System Replacement.

RECORDING REQUESTED BY:

WHEN RECORDED RETURN TO:

CITY OF LOS BANOS  
520 'J' Street  
Los Banos, California 93635

**NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN:

1. That the interest of estate stated in paragraph 3 below in the real property hereinafter described is owned by the following:

NAME	STREET AND NO.	CITY	STATE
CITY OF LOS BANOS	520 'J' Street	Los Banos	California

(If more than one owner of the interest stated, the name and address of each must be inserted.)

2. That the full name and address of the owner of said interest or estate, if there is only one owner, and the full names and addresses of all the co-owners who own said interest or estate as joint tenants, as tenants in common or otherwise, if there is more than one owner, are set forth in the preceding paragraph.

3. That the nature of the title of said owner, or if more than one, then of said owner and co-owner is: In Fee.

4. That on the 3<sup>rd</sup> day of January, 2020, a work of improvement on the real property hereinafter described was completed.

5. That the name of the original contractor, if any, for such work of improvement was \_\_\_\_\_

**Precision Grade, Inc.**

(If no contractor for work of improvement as a whole, insert "No Contractor.")

6. That the real property herein referred to is situated in the \_\_\_\_\_ City of Los Banos

County of Merced State of California, and is described as follows:

**"Construction of 7<sup>th</sup> Street Ball Park Restroom"**

The major work consisted of sub-grading pad preparation of a 24' x 26'6" area, and the installation of approximately 2,803 square feet of sidewalk, including two concrete ADA ramps with truncated domes at the 7<sup>th</sup> Street Ball Park in the City of Los Banos.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_ CITY OF LOS BANOS  
Owner

Place: Los Banos, California By: \_\_\_\_\_

**ACKNOWLEDGMENT**

# 7<sup>th</sup> Street Ball Park Restroom



## **EXHIBIT B-1**

### **Restroom Facilities Schedule**

- 1) September 28, 2018; Design Agreement executed by O'Dell and the City.
- 2) Field Survey completed by O'Dell by October 12, 2018.
- 3) October 26, 2018, rough design sketch showing actual location based on field sewer inverts and required fall.
- 4) July 18, 2019, (or the first business day after approval of the lease extension by both parties whichever is later). Note: the restroom to be ordered through Public Restrooms. There is a 180 day delivery.
- 5) September 15, 2019, design complete and can be sent out to bid.
- 6) December 4, 2019, Council awards contract for ADA path work.
- 7) December 15, 2019, Notice to proceed on path work.
- 8) January 18, 2020, approximate date of delivery of Restroom.
- 9) March 18, 2020, Estimated date of project completion. Note: This assumes that the restroom is ordered July 18, 2019. The completion date shall be extended based upon the order date, if the Agreement is not approved prior to July 18, 2019.



City of  
**Los Banos**  
*At the Crossroads of California*

**Agenda Staff Report**

**TO:** Mayor & City Council Members

**FROM:** Mark Fachin, P.E., Public Works Director/City Engineer

**DATE:** December 4, 2019

**TYPE OF REPORT:** Consent Agenda

**SUBJECT:** Accepting the 2019 Street Rehabilitations Project as complete and authorizing the Filing of a Notice of Completion with the Merced County Recorder

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**Recommendation:**

That the City Council adopts the Resolution accepting the 2019 Street Rehabilitations project as completed; authorizes the City Manager to file the "Notice of Completion" with the Merced County Recorder; and authorizes the Public Works Director/City Engineer to release the five (5) percent retention after the thirty-five (35) day period from the date of filing the Notice of Completion with the County Recorder.

**Background:**

The City's Capital Improvement Plan included the rehabilitation of several segments of arterial streets identified in its pavement management system. City staff identified the following streets as the first phase of the rehabilitation schedule:

- Overland Avenue from North Street to Santa Ana Street
- San Luis Street from Place Road to Ward Road
- East B Street from Seventh Street to Mercey Springs Road
- Center Avenue from Cardoza Road to CCID main canal (south of Madison Ave)
- Cardoza Road from Center Avenue to Hemlock Drive

**Discussion:**

The Engineering Division of the Public Works Department initiated a construction contract for the 2019 Street Rehabilitation Project. Plans and specifications were

designed by Gouveia Engineering. The scope of work consisted of pavement rehabilitation using asphalt concrete overlays, and reconstruction by pulverization and repaving. The work also included the construction of curb cut ramps, application of pavement striping and markings, and other miscellaneous appurtenant work.

The project was publicly advertised. Bids were opened for this project on Thursday, August 1, 2019. The City Council awarded the construction contract on August 21, 2019 to United Pavement Maintenance, Inc. of Hughson for the amount of \$1,116,831.35 with a 20% contingency of \$223,336.00. The Engineering Division performed the construction management for the project. There were two Change Orders with this project. Change Order #1 consisted of a revision of the limits of the project streets, which resulted in an increase in quantity, for a total amount of \$161,920.85. Change Order #2 involved excavation and removal of unsuitable soil and placement of asphalt material to stabilize the soft spots throughout the length of San Luis Street in the amount of \$59,464.12. The total construction cost for this project was \$1,338,216.32. This represents the original bid, plus the two Change Orders. The Change Order percentage is 17% of the original bid amount.

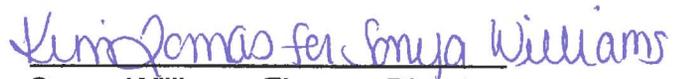
**Fiscal Impact:**

Funds for this project have been allocated in the 2019-2020 Fiscal Year budget within the Measure V account 214-430-210-715.

**Reviewed by:**



Alex Terrazas, City Manager



Sonya Williams, Finance Director

**Attachments:**

Resolution  
2019-2020 Fiscal Budget Sheet  
Notice of Completion  
Project Pictures

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LOS BANOS ACCEPTING THE 2019  
STREET REHABILITATIONS PROJECT AS  
COMPLETE AND AUTHORIZING THE FILING OF  
A NOTICE OF COMPLETION WITH THE MERCED  
COUNTY RECORDER**

WHEREAS, on August 1, 2019 the City of Los Banos received competitive bids for the construction of the 2019 Street Rehabilitations Project; and

WHEREAS, on August 21, 2019 the City Council awarded the Construction Contract to United Pavement Maintenance, Inc. for the construction of the 2019 Street Rehabilitations; and

WHEREAS, the Public Works Director/City Engineer has determined, upon inspection, that all work has been completed in compliance with the plans and specifications, and in accordance with the approved contract.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby accept the 2019 Street Rehabilitations Project as complete; authorize the City Manager to file a Notice of Completion with the Merced County Recorder within ten (10) days after acceptance; and authorize the Public Works Director/City Engineer to release the five (5) percent retention held in escrow after the thirty-five (35) days from the date of filing the Notice of Completion.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 5th day of February 2020, by Council Member \_\_\_\_\_ who moved its adoption, which motion was duly seconded by Council Member \_\_\_\_\_ and the Resolution adopted by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
Michael Villalta, Mayor

ATTEST:

\_\_\_\_\_  
Lucille L. Mallonee, City Clerk

City of Los Banos  
RSTP Exchange  
Transportation Expenditure Plan  
Gas Tax  
2019-2020

Account Number	Description	2016-2017 Actual	2017-2018 Actual	2018-2019 Estimated	2019-2020 Adopted
<b><u>RSTP EXCHANGE</u></b>					
207-430-210-820	Charge-In	1,200,000	1,336,919	306,466	638,944
	<b>Charge Ins - Outs</b>	<b>1,200,000</b>	<b>1,336,919</b>	<b>306,466</b>	<b>638,944</b>
207-498-000-000	Transfer Out	0	0	7,000	34,377
	<b>Transfer Out</b>	<b>0</b>	<b>0</b>	<b>7,000</b>	<b>34,377</b>
	<b>Total RSTP</b>	<b>\$1,200,000</b>	<b>\$1,336,919</b>	<b>\$313,466</b>	<b>\$673,321</b>
<b><u>TRANSPORTATION EXPENDITURE PLAN</u></b>					
214-430-210-233	Consulting Services	0	0	0	81,000
	<b>Supplies &amp; Services</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>81,000</b>
★ 214-430-210-715	Street & Road Impr. Overlay	0	0	49,000	1,500,000 ★
214-430-210-730	Alternative Street Impr	0	250,000	41,250	820,000
	<b>Capital Outlay</b>	<b>0</b>	<b>250,000</b>	<b>90,250</b>	<b>2,320,000</b>
	<b>Total Trans Expend Plan</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$90,250</b>	<b>\$2,401,000</b>
<b><u>GAS TAX</u></b>					
215-430-210-264	Electricity & Gas	64,455	64,789	65,000	70,000
	<b>Supplies &amp; Services</b>	<b>64,455</b>	<b>64,789</b>	<b>65,000</b>	<b>70,000</b>
215-430-220-819	Street Charge In-SB1 Projects	0	226,371	700,000	700,000
215-430-220-820	Street Charge-In	251,262	228,375	1,000,000	700,000
	<b>Charge Ins - Outs</b>	<b>251,262</b>	<b>454,746</b>	<b>1,700,000</b>	<b>1,400,000</b>
	<b>Total Gas Tax</b>	<b>\$315,718</b>	<b>\$519,535</b>	<b>\$1,765,000</b>	<b>\$1,470,000</b>

# *RSTP Exchange*

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## CHARGE IN

**820-CHARGE IN:** Support Street Services maintenance, repair and rehabilitation of local roads.

## TRANSFER OUT

**000-TRANSFER OUT:** Construction of the Pedestrian Sidewalk In-Fills estimated at \$296,743 (\$34,377 from RSTP and \$262,366 from CMAQ grant funding).

# *Transportation Expenditure Plan*

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## SERVICES & SUPPLIES

**233-CONSULTING SERVICES:** Charges for services to outside engineering firms to complete environmental, ROW, design, drawings, and project management of regional projects (Trail to the College); as well as other miscellaneous professional services, which may be required.

## CAPITAL OUTLAY

**715-STREET & ROAD OVERLAYS:** Construction of the 2019 Street Rehabilitation Work estimated at \$1,500,000 (Additional \$50,000 in RSTP).

**730-ALTERNATIVE STREET IMPROVEMENTS:** Sidewalk improvements, ADA pedestrian ramps, storm drain catch basins, fire hydrants and water meter relocations in the area of Colorado Ballpark on Maryland Avenue, Pennsylvania Avenue, Vermont Avenue, Pine Street and Colorado Avenue. Construction costs will be shared accordingly with Measure V, Water, and Wastewater Collection funds. Costs are estimated at \$1,010,000 for design and construction (Measure V-alternative \$820,000, Water 126,000, and Collections \$84,000).

# *Gas Tax*

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## CHARGE IN

**819-CHARGE IN- SB1 PROJECTS:** Funding for varies SB1 street projects and work throughout the city.

**820-CHARGE IN:** Support Street Services maintenance, repair and rehabilitation of local roads.

RECORDING REQUESTED BY:

WHEN RECORDED RETURN TO:

CITY OF LOS BANOS  
520 'J' Street  
Los Banos, California 93635

**NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN:

1. That the interest of estate stated in paragraph 3 below in the real property hereinafter described is owned by the following:

NAME	STREET AND NO.	CITY	STATE
CITY OF LOS BANOS	520 'J' Street	Los Banos	California

(If more than one owner of the interest stated, the name and address of each must be inserted.)

2. That the full name and address of the owner of said interest or estate, if there is only one owner, and the full names and addresses of all the co-owners who own said interest or estate as joint tenants, as tenants in common or otherwise, if there is more than one owner, are set forth in the preceding paragraph.

3. That the nature of the title of said owner, or if more than one, then of said owner and co-owner is: In Fee.

4. That on the 7<sup>th</sup> day of January, 2020, a work of improvement on the real property hereinafter described was completed.

5. That the name of the original contractor, if any, for such work of improvement was \_\_\_\_\_

**United Pavement Maintenance, Inc.**

(If no contractor for work of improvement as a whole, insert "No Contractor.")

6. That the real property herein referred to is situated in the \_\_\_\_\_ City of Los Banos

County of Merced State of California, and is described as follows:

**"Construction of 2019 Street Rehabilitations"**

The major work consisted of pavement rehabilitation using asphalt concrete overlays, and reconstruction by pulverization and repaving. The work also included construction of curb cut ramps, application of pavement striping and markings, and other miscellaneous appurtenant work within the following streets in the City of Los Banos:  
Overland Avenue, from North Street to Santa Ana Street  
San Luis Street from Place Road to Ward Road  
East B Street from Seventh Street to Mercey Springs Road  
Center Avenue from Cardoza Road to CCID main canal (south of Madison Ave)  
Cardoza Road from Center Avenue to Hemlock Drive

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

CITY OF LOS BANOS  
Owner

Place: Los Banos, California

By: \_\_\_\_\_

Cardoza Road at Mulberry Way



B Street at 7<sup>th</sup> Street





City of  
**Los Banos**  
*At the Crossroads of California*

**Agenda Staff Report**

**TO:** Mayor & City Council Members

**FROM:** Mark Fachin, P.E., Public Works Director/City Engineer

**DATE:** February 5, 2020

**TYPE OF REPORT:** Consent Item

**SUBJECT:** Accepting Public Improvements for Mission Village South, Phase 3C

---

**Recommendation:**

That the City Council adopts the Resolution accepting Public Improvements for Mission Village South, Phase 3C.

**Background:**

The Tentative Tract Map No. 2001-02 was approved by the City of Los Banos Planning Commission on April 25, 2001 by Resolution No. 2001-17. In December 2018, the Public Works staff was contacted by the developer, Stonefield Home, Inc., for Final Map approval. The City Council adopted a resolution approving the Final Map for Mission Village South, Phase 3C, with accompanying Subdivision Improvement Agreement on November 6, 2019.

The subject site is generally located within the area bounded by Mission Village South Phase 3B to the north, Las Palmas Road to the east, Willmott Road to the south, and APN. 428-280-002 to the west, more specifically identified as APN. 428-280-010. The map consists of 58 single family lots on 12.14± acres. Public improvements were subject to all Subdivision Improvement Agreement conditions. A Landscaping and Lighting District letter of inclusion was executed for the parcels.

**Discussion:**

All public improvements for Mission Village South, Phase 3C have been completed by the Developer.

**Fiscal Impact:**

None

**Reviewed by:**



---

Alex Terrazas, City Manager

**Attachments:**

Resolution

Site Map

Subdivision Improvement Agreement, including Tract Map

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LOS BANOS ACCEPTING PUBLIC  
IMPROVEMENTS FOR MISSION VILLAGE  
SOUTH, PHASE 3C**

WHEREAS, the City Council of the City of Los Banos has received a request from the developers of Mission Village South, Phase 3C that public Improvements for Mission Village South, Phase 3C be accepted by the City of Los Banos; and,

WHEREAS, the City Council of the City of Los Banos has reviewed said request and finds that the public Improvements of said project are in a position to be accepted by the City of Los Banos.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos that is does hereby accept the Public Improvements for Mission Village South, Phase 3C as presented.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 5<sup>th</sup> day of February, 2020 by Council Member \_\_\_\_\_ who moved its adoption, which motion was duly seconded by Council Member \_\_\_\_\_ and the Resolution adopted by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
Michael Villalta, Mayor

ATTEST:

\_\_\_\_\_  
Lucille L. Mallonee, City Clerk

**SITE MAP**  
Mission Village South, Phase 3C



Recording Requested By:

City of Los Banos

And When Recorded Mail to:

Lucille L. Mallonee, City Clerk  
City of Los Banos  
520 J Street  
Los Banos CA 93635

Recorded in Official Records,  
MERCED COUNTY  
Doc#: 2019038060  
11/19/2019 08:30 AM

Space above this line for Recorder's use.

## SUBDIVISION IMPROVEMENT AGREEMENT

THIS AGREEMENT made this 8<sup>th</sup> day of November, 2019, between STONEFIELD HOME, INC., a California Corporation, Parties of the First Part, hereinafter designated and called "DEVELOPER(S)", and the CITY OF LOS BANOS, a municipal corporation, the Parties of the Second Part, hereinafter designated and called "CITY".

WHEREAS, the DEVELOPER(S) have presented to the CITY a certain Final Map located within the corporate limits of the CITY, and known and described as Tract Map 2001-02 Mission Village South, Phase 3C, comprised of 58 residential lots, a total of 12.14± acres, a copy of which is on file at the City of Los Banos Community and Economic Development Department and made a part of this AGREEMENT by reference, and said DEVELOPER(S) have requested the CITY to accept the dedications delineated and shown on said Final Map in order that the same may be recorded as required by law; and,

WHEREAS, the CITY requires as a condition precedent to the acceptance and approval of said Final Map, the dedication of said easements as are delineated and shown on said Final Map, and deems the same as necessary for public use, and requires and deems as necessary for the public use that any and all street improvements delineated and shown thereon shall be improved by the construction thereon and the installation therein of the improvements hereinafter specified in Paragraph One herein; and,

WHEREAS, certain sections of the Los Banos Municipal Code require the DEVELOPER(S) to enter into this AGREEMENT with the CITY whereby DEVELOPER(S) agree to do, perform, and complete the works and matters hereinafter in this AGREEMENT mentioned

and set forth in detail, within the time hereinafter mentioned, in consideration of the acceptance of the offers of dedication by the CITY; and,

WHEREAS, the City Council of the City of Los Banos has found said Final Map by Resolution No. \_\_\_\_\_ to be in substantial compliance with the designs and Conditions of Approval of Vesting Tentative Tract Map No. 2001-02.

NOW, THEREFORE, in consideration of the acceptance of the offers of dedication of easements, and facilities as shown and delineated on said Final Map, and the approval of said Final Map for filing and recording as provided and required by law, it is mutually agreed and understood by and between DEVELOPER(S) and CITY as follows:

**SUBDIVISION AGREEMENT**

1. That the CITY has fixed and does fix the time within which DEVELOPER(S) shall do and perform the work and improvements hereinafter specified and at such time during this period as designated by the Public Works Director/City Engineer of the CITY, but no later than the 30th day of December 2021, with the said provision that this time may be extended by consent of the City Council, and that the DEVELOPER(S) will, within the period of time stated herein above in this paragraph stated and fixed, do or cause to be done and performed, the following described work and improvements, (as detailed in attached Exhibit A) all at their own cost and expense, to the satisfaction of the Public Works Director/City Engineer in accord with the approved subdivision improvement plans and existing City Policies and adopted Standards, including all costs of inspection, to-wit;

**IMPROVEMENTS:**

**ENGINEER'S  
ESTIMATED COST:**

1. SITE PREPARATION	\$ 56,513.60
2. WATER	\$ 91,424.00
3. SANITARY SEWER	\$ 61,512.00
4. STORM DRAIN	\$ 43,547.00
5. CONCRETE WORK	\$ 163,973.75

6. PAVEMENT	\$ 219,801.05
7. ELECTROLIERS	\$ 22,500.00
8. MISCELLANEOUS	\$ 15,000.00
<b>TOTAL</b>	<b><u>\$ 674,271.40</u></b>

2. The DEVELOPER(S) shall furnish bonding or other forms of security for the estimated cost of the improvements, agreed to by the CITY for Performance at 100%, \$674,271.40 and Labor and Materials at 50%, \$337,135.70 and prior to the release of other security, for Warranty and Guarantee at 10% in the amount of \$67,427.14.

3. The DEVELOPER(S) agrees to pay the following fees at the time of signing the AGREEMENT less any amount previously paid.

**FINAL MAP REVIEW**

Charges for	\$ 3,065.01
Less: Map Review Deposit (Receipt# 1273133)	\$ (1,000.00)
Less: Map Review Payment (Receipt# 1379812)	\$ (2,065.01)
<b>TOTAL</b>	<b><u>\$ 0.00</u></b>

4. In accordance with adopted City Policy, security funds may be released for each category of improvements, as per Engineer's cost estimates for \$674,271.40 (attached as Exhibit "A"), as approved by Public Works Director/City Engineer and accepted by the City Council.

5. The DEVELOPER(S) shall install improvements in accordance with the requirements of the City of Los Banos Municipal Code, the Standard Specifications of the City of Los Banos, the approved Subdivision Improvements and Grading Plans and the Conditions of Approval of Vesting Tentative Tract Map 2001-02 Mission Village South. All public improvements and utilities must be installed prior to occupancy of units.

6. In the event that the DEVELOPER(S) shall damage, destroy, or tear up any existing improvements, DEVELOPER(S) agree to repair or replace such destroyed or damaged improvements at their cost whenever such damage shall occur.

7. Street lights shall be furnished and installed by the DEVELOPER(S). It is solely the DEVELOPER(S) responsibility to coordinate the installation of street lights with the Pacific Gas and Electric Company and pay any and all fees necessary for their installation. At the time of

acceptance, the street lights, including conductors to utility owner splice boxes, shall become the property of the CITY.

8. Any improvements not shown on the approved Improvement Plans which are to be dedicated to the CITY or which are to be placed within the proposed City right-of-way, including mailboxes, private and utility works, shall not be constructed without written approval from the CITY. It shall be the DEVELOPER(S) responsibility to ensure that mailboxes for use by the U.S. Postal Service are available for residents at the time of occupancy; installation to be per plans approved by the Postmaster and the CITY.

9. All earthwork and construction shall meet the requirements and recommendations of the Soils Report, the Amended Soils Report for the Project and the adopted Improvement Standards and Specifications of the City. The DEVELOPER(S) shall, at their expense, provide a Soils Engineer whose responsibility includes the professional inspection and approval concerning the preparation of ground to receive fills, excavation and backfill operations, stability of all finished slopes, and testing for required compaction. Prior to the issuance of structural permits and prior to occupancy release, the Soils Engineer shall certify, in writing, that all earthwork including trench backfill meets the requirements and recommendations of the Soils Report and the adopted Improvement Standards and Specifications of the City.

10. Neither the CITY nor any of its officers or agents shall be liable to DEVELOPER(S) or their contractors for any error or omission arising out of or in connection with any work to be performed under this AGREEMENT. During the progress of the work, if it becomes necessary to modify the design because of errors or omissions on the plans or unforeseen conditions which render a portion of the project inoperable, unsafe, or prohibits a part of the project from performing satisfactorily in the opinion of the CITY, the plans shall be modified in accordance with the recommendations of the CITY. The DEVELOPER(S) shall be responsible for all costs incurred in revising the plans and performing the work in accordance with the modified plans.

11. The Improvement Plans may be modified upon approval by the CITY at no cost to the CITY.

12. The CITY shall not be liable to the DEVELOPER(S) or to any other person, firm, or corporation whatsoever, for any injury or damage that may result to any person or property by or from any cause whatsoever in, on, or about the subdivision of said land covered by this AGREEMENT, or any part thereof.

13. The DEVELOPER(S) hereby release and agree to indemnify and hold the CITY harmless from and against any and all injuries to and deaths of persons and injuries to property, and all claims, demands, costs, loss, damage, and liability, howsoever the same may be caused and whensoever the same may appear, resulting directly or indirectly from the performance or nonperformance of any or all work to be done in and upon the street rights-of-way in said subdivision and upon the premises adjacent thereto pursuant to this AGREEMENT, and also from any and all injuries to and deaths of persons and injuries to property or other interests, and all claims, demands, costs, loss, damage, and liability, howsoever the same may be caused and whensoever the same may appear, either directly or indirectly made or suffered by the DEVELOPER(S), the DEVELOPER(S) agents, employees, and subcontractors, while engaged in the performance of said work.

14. The DEVELOPER(S) agree that the use for any purpose and by any persons of any and all of the improvements herein before specified, shall be at the sole and exclusive risk of the DEVELOPER(S) at all times prior to final acceptance by the CITY of the completed improvements. Thereon and therein; provided, that acceptance by the CITY shall in no way eliminate or lessen any of DEVELOPER(S) obligations and undertakings contained in this AGREEMENT. The issuance of any occupancy permits by the CITY for dwellings located within said subdivision shall not be construed in any manner to constitute an acceptance and approval of any or all of the improvements in said subdivision.

15. It is mutually agreed by the parties hereto that the Public Works Director/City Engineer shall have the right to reject any or all of the work to be performed under this AGREEMENT if such work does not conform with the plans and specifications mentioned herein or the ordinances of the CITY. Reinspection of corrected work shall be at the expense of the DEVELOPER(S). The

cost of such reinspection is not included in the Engineering and Inspection Fee described in Paragraph 4 of this AGREEMENT. Any damage to the sewer system, utilities, concrete work, or street paving that occurs after installation shall be repaired by the DEVELOPER(S) to the satisfaction of the Public Works Director/City Engineer by the DEVELOPER(S) before release of bond or final acceptance of completed work.

16. DEVELOPER(S) shall provide for adequate erosion control as determined by the Public Works Director/City Engineer on individual lots and from exterior property draining into the area of the subdivision, to protect the public rights-of-way and improvements. Erosion control on individual lots shall continue until such a time as front and street side yard landscaping is installed.

17. Without limiting the foregoing, DEVELOPER(S) warrant and guarantee materials used and workmanship performed on said work for a period of one (1) year after completion and acceptance thereof by the City Council, or the Public Works Director/City Engineer.

18. Upon completion of the improvements, specified herein the DEVELOPER(S) shall file a Notice of Completion with Merced County and submit to the City "As Built" drawings on mylar, of the improvements. The Notice of Completion shall be filed no later than thirty-five (35) days prior to consideration for acceptance of the improvements by the City Council. As part of the request for acceptance of improvements, the DEVELOPER(S) shall submit a title report encompassing each of the parcels within the Subdivision which discloses all liens or claims which may have been recorded in or prior to thirty-one (31) days following the date of recordation of the Notice of Completion. If any liens or claims are thus revealed, the DEVELOPER(S) shall either remove the liens and claims and submit an updated title report prior to acceptance of the Subdivision by the CITY, or shall enter into an agreement with the CITY that provides to the satisfaction of the CITY a method for the removal of such liens and claims at no cost to the CITY.

19. It is hereby mutually covenanted and agreed by the parties hereto that DEVELOPER(S) contractors are not agents of the CITY and that the contractors' relations to CITY, if any, are those of independent contractors.

20. That the applicant furnish the CITY with a reproducible 8 1/2" x 11" map of the Final Map of this development prior to issuance of permits.
21. DEVELOPER(S) shall comply with all applicable original or amended Conditions of Approval of Vesting Tentative Tract Map # 2001-02, prior to acceptance of public improvements or final of any housing units.
22. No work shall commence under the terms of this AGREEMENT prior to all of the following being completed: deposit of improvement security per City Council resolution; issuance of a Subdivision Improvements grading permit other than rough grading and site preparation; and payment of all required development fees.
23. All costs for engineering and inspection services which exceed the 5% fee specified above will be invoiced to the DEVELOPER(S) and must be paid in full prior to acceptance of the subject improvements by the CITY.
24. If construction of improvements has not begun within one (1) year from the date of this AGREEMENT, then prior to commencement of work the Public Works Director/City Engineer shall review the improvement plans and determine if revisions are required. In any case, a new engineer's cost estimate shall be submitted by the applicant to the Public Works Director/City Engineer. The applicant shall be responsible for any modification to the plans required by the Public Works Director/City Engineer and shall pay all plan check fees plus the difference in inspection fees due based on the new cost estimate.
25. The DEVELOPER(S) acknowledge the requirement to comply with the environmental mitigation measures for Vesting Tentative Tract Map #2001-02 and the conditions of approval for said tentative map, (attached herein as Exhibit 'B'), in the development of this Subdivision.
26. The terms of this AGREEMENT are not intended to, nor do they, relieve the DEVELOPER(S) of any conditions of approval, compliance with City Standards or compliance with mitigation measures of adopted environmental documents, the compliance with which may be placed as a condition of permit issuance or occupancy.

27. Time is of the essence of this AGREEMENT. It is agreed that the provisions of this AGREEMENT shall apply to and bind the heirs, executors, administrators, successors, devisees, and assignees of the respective parties hereto.

IN WITNESS WHEREOF, the parties have executed these presents or caused the same to be executed by the officers thereunto duly authorized on the date and year in this AGREEMENT first above written.

STONEFIELD HOME, INC.  
A California Corporation,



---

Greg Hostetler, President

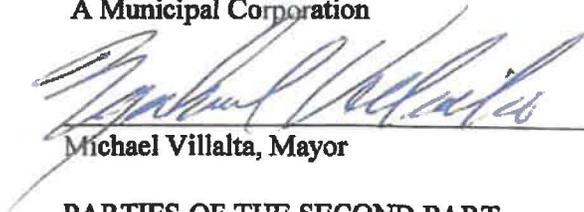
PARTIES OF THE FIRST PART

ATTEST:

CITY OF LOS BANOS  
A Municipal Corporation



Lucille L. Mallonee  
City Clerk  
City of Los Banos



Michael Villalta, Mayor

PARTIES OF THE SECOND PART

**Signatures need to be notarized. Attach a Notary Acknowledgement.**

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Merced )

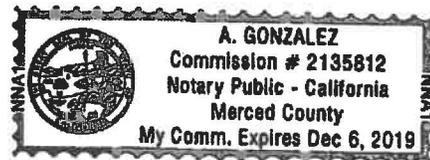
On September 23, 2019 before me, A. Gonzalez, Notary Public  
(insert name and title of the officer)

personally appeared Greg Hostetler,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/~~they~~ executed the same in his/her/~~their~~ authorized capacity(ies), and that by his/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Merced

On November 8, 2019 before me, Jennifer Matthews, Notary Public  
(insert name and title of the officer)

personally appeared Michael Villalta  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jennifer Matthews (Seal)





EXHIBIT 'A'

# BENCHMARK ENGINEERING INC.

## CIVIL ENGINEERING & LAND SURVEYING

JOB #208262  
September 10, 2019

**ENGINEERS BOND ESTIMATE  
FOR  
MISSION VILLAGE SOUTH PHASE 3C  
58 LOTS  
LOS BANOS, CA**

ITEM	DESCRIPTION	UNIT	QUAN.	UNIT PRICE	AMOUNT
<b>A. SITE PREPARATION</b>					
1.	GRADING	SF	553,316	\$0.10	\$55,331.60
2.	REMOVE EXISTING BARRICADES	EA	3	\$250.00	\$750.00
3.	SAWCUT EXISTING PAVEMENT	LF	96	\$2.50	\$240.00
4.	REMOVE EXISTING PAVEMENT	SF	192	\$1.00	\$192.00
SUB-TOTAL					\$56,513.60
<b>B. WATER</b>					
1.	8" WATER	LF	2,414	\$16.00	\$38,624.00
2.	8" GATE VALVE	EA	4	\$1,300.00	\$5,200.00
3.	1" WATER SERVICE	EA	58	\$450.00	\$26,100.00
4.	FIRE HYDRANT WITH TEE, GATE VALVE, AND BURY	EA	5	\$3,500.00	\$17,500.00
5.	CONNECT 8" WATER EXISTING	EA	4	\$1,000.00	\$4,000.00
SUB-TOTAL					\$91,424.00
<b>C. SEWER</b>					
1.	8" SEWER	LF	1,758	\$14.00	\$24,612.00
2.	4" SEWER SERVICE	EA	58	\$300.00	\$17,400.00
3.	STANDARD MANHOLE	EA	6	\$2,500.00	\$15,000.00
4.	CONNECT 4" SERVICE TO EXISTING	EA	6	\$500.00	\$3,000.00
5.	CONNECT TO EXISTING	EA	3	\$500.00	\$1,500.00
SUB-TOTAL					\$61,512.00
<b>D. STORM DRAIN</b>					
1.	15" STORM DRAIN	LF	1,089	\$23.00	\$25,047.00
2.	STANDARD MANHOLE	EA	3	\$2,500.00	\$7,500.00
3.	CATCH BASIN	EA	7	\$1,500.00	\$10,500.00
4.	CONNECT TO EXISTING	EA	1	\$500.00	\$500.00
SUB-TOTAL					\$43,547.00
<b>E. CONCRETE</b>					
1.	6" VERTICAL CURB & GUTTER	LF	4,712	\$13.00	\$61,256.00
2.	SIDEWALK (INCLUDING RAMPS AND RETURNS)	LF	22,087	\$3.25	\$71,717.75
3.	HANDICAP RAMP (LABOR ONLY)	SF	4	\$500.00	\$2,000.00
4.	RESIDENTIAL DRIVEWAY	EA	58	\$500.00	\$29,000.00
SUB-TOTAL					\$163,973.75

MODESTO: 915 17th Street • Modesto, CA 95354 • 209.548.9300

LOS BANOS: 507 J Street • Los Banos, CA 93635 • 209.737.0900

ENGINEERS BOND ESTIMATE  
MISSION VILLAGE SOUTH PHASE 3C  
LOS BANOS, CA  
JOB #209262  
September 10, 2019  
Page 2

ITEM	DESCRIPTION	UNIT	QUAN.	UNIT PRICE	AMOUNT
<b>F. PAVEMENT</b>					
1.	0.25' AC/0.83' AB	SF	17,217	\$3.15	\$54,233.55
2.	0.21' AC/0.63' AB	SF	64,067	\$2.50	\$160,167.50
3.	MONUMENT WELL	EA	18	\$300.00	\$5,400.00
SUB-TOTAL					\$219,801.05
<b>G. ELECTROLIERS</b>					
1.	150W STREET LIGHT	EA	9	\$2,500.00	\$22,500.00
SUB-TOTAL					\$22,500.00
<b>H. MISCELLANEOUS</b>					
1.	EROSION CONTROL	LS	1	\$10,000.00	\$10,000.00
2.	STRIPING AND SIGNAGE	LS	1	\$5,000.00	\$5,000.00
SUB-TOTAL					\$15,000.00
<b>CONSTRUCTION TOTAL</b>					<b>\$674,271.40</b>
<b>10% CONTINGENCY</b>					<b>\$67,427.14</b>
<b>GRAND TOTAL</b>					<b>\$741,698.54</b>

**NOTE:**

1. THE ABOVE DEVELOPMENT COST ESTIMATE DOES **NOT** INCLUDE LAND, ADJACENT RIGHT-OF-WAY, INTEREST, TAXES, COMMISSIONS, LEGAL FEES, ENGINEERING FEES, GEOTECHNICAL FEES, CITY FEES, FEES CHARGED IN CONNECTION WITH A BUILDING PERMIT. PRICES REFLECT CURRENT NORMAL CONSTRUCTION COSTS AND ARE SUBJECT TO CHANGE.

EXHIBIT 'B'

**EXHIBIT F**

**VESTING TENTATIVE MAP AND  
CONDITIONS OF APPROVAL**

---

*Development Agreement Between the City of Las Vegas,  
Mission Village, LLC and Anderson Homes, Inc., Regarding Mission Village South*

October 12, 2001

  
0000040  
VOL 4374PG 630





LOT "A"  
COMMERCIAL  
12.2 AC

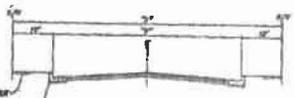
- LEGEND**
- EXISTING POWER POLE
  - EXISTING SEWER POLE
  - EXISTING SEWER MANHOLE
  - EXISTING WELL
  - EXISTING FLOODING PUMP
  - EXISTING FLOODING PIPE
  - IF REMEDIATIVE MASONRY BEHIND WALL
  - ▬ EXISTING GRADE WALK

LOT "B"  
MULTI-FAMILY HOMES  
5.8 AC

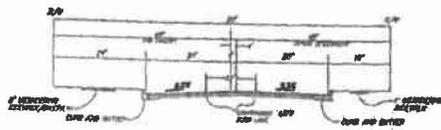
LOT "C"  
SCHOOL/PARK SITE  
18.4 AC

SOMERSET PARK  
(APPROVED TENTATIVE MAP)

MERCY SPRINGS  
MISSION VILLAGE (TENTATIVE MAP)



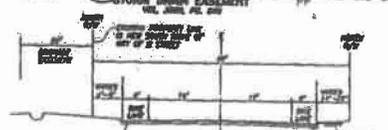
60' STREET SECTION  
NOT TO SCALE



PLACE ROAD (80' RW)  
NOT TO SCALE



MERCY SPRINGS / SR 168 SECTION  
NOT TO SCALE



66' STREET SECTION (B STREET)  
NOT TO SCALE

VOL. 4374R 632000001A2

# RESOLUTION #2001-17

**A RESOLUTION OF THE  
PLANNING COMMISSION OF THE CITY OF LOS BANOS  
APPROVING VESTING TENTATIVE TRACT MAP #2001-02  
AND RECOMMENDING APPROVAL OF ZONE CHANGES #2001-03 AND #2001-04  
AND ASSOCIATED MITIGATED NEGATIVE DECLARATION**

**PROJECT NAME:** Vesting Tentative Tract Map #2001-02 (Mission Village South Subdivision), Zone Change #2001-03 and Zone Change #2001-04.

**REQUEST:**

1. Vesting Tentative Tract Map (Mission Village South) to subdivide 79.9 acres into 179 single-family residential lots, 1 school/park site totaling 16.4 acres, a 5.6-acre multi-family parcel, and an 11.8-acre commercial parcel.
2. Zone Change to rezone the 5.6-acre multi-family parcel from the R-2 (Medium Density Residential) district to the P-D (Planned Development) district.
3. Zone Change to rezone 11.8 acres from the R-2 (Medium Density Residential) district to H-C (Highway Commercial) District.

**LOCATION:**

The property is generally located south of the existing Willmott Avenue alignment, north and east of the Valley Meadows subdivision, north of East B Street, and west of the planned Place Road extension.

**PROJECT APPLICANT:** Miller and Associates

WHEREAS, the City of Los Banos Planning Commission having reviewed the proposal and having reviewed any written or verbal comments received prior to the public hearing, including the recommendations of City Staff and having heard oral comments received during the Planning Commission public hearing, does hereby find and declare that the proposal will not have a significant effect on the environment and adopts by resolution approval of Vesting Tentative Tract Map #2001-02 and a recommendation of approval of Zone Change #2001-03, Zone Change #2001-04 and associated Mitigated Negative Declaration based on the following findings and conditions of approval:

**FINDINGS FOR APPROVAL:**

**CEQA Findings**

1. Although the proposed project could have a potentially significant effect on the environment, all potentially significant effects have been addressed in the Mitigated Negative Declaration prepared for the project and have been avoided or mitigation measures imposed upon the project.
2. The City of Los Banos prepared a mitigated negative declaration, in compliance with CEQA Guidelines section 15070, where the initial study identified potentially significant

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- environmental effect, but revisions were agreed to by the applicant before the proposed negative declaration and initial study were released for public review that would avoid the effects or mitigate the effects to the point where clearly no significant effects would occur, and there no substantial evident in light of the whole record before the City that the project as revised may have a significant effect on the environment.
3. The project is consistent with the land use designations, policies and densities in the *Los Banos General Plan*, for which an EIR has been certified. Applicable mitigation measures from the *Los Banos General Plan EIR* are incorporated by reference in the Mitigated Negative Declaration and are included as conditions of approval.
  4. The custodian of the mitigated negative declaration and all of the material that constitutes the record of proceedings is the City of Los Banos Planning Department.
  5. The mitigated negative declaration reflects the Lead Agency's independent analysis and judgment.

#### Project Findings

1. That the project is consistent with the General Plan in that the design of the vesting tentative tract map, as amended, is consistent with the General Plan general goals, policies, and programs.
2. That the proposal is consistent with the General Plan in that the proposed density and building intensity are consistent with the land use designation.
3. That the Vesting Tentative Tract Map meets the criteria of the Los Banos Subdivision Ordinance.
4. That the Zone Change requests are consistent with the underlying general plan designations.
5. That with the incorporation of conditions 2 and 3 listed below, adequate public services will be provided as the project develops.

**MITIGATION MEASURES:** As found in the Mitigated Negative Declaration.

#### CONDITIONS OF APPROVAL:

##### Project Specific

1. The applicant shall submit a revised Vesting Tentative Tract Map to the Planning Department reflecting the modifications and additions identified within the staff report, City Engineer comments dated 3/13/01, and conditions of approval within 30 days from Planning Commission approval. Said revised Vesting Tentative Tract Map shall be reviewed by the City Engineer and the Planning Director and signed by the Planning Director for purposes of providing a clear record of the approved Vesting Tentative Tract Map.
2. Prior to approval of the final map, the developer shall form or annex to a community facilities district created for the purposes of funding public safety, as authorized by Government Code §53313(a) and (b). The District shall include all of the property designated on the tentative subdivision map. The form, terms and conditions and the tax rate for the formation of a Mello-Roos district, or in the alternative the annexation of the

property to an existing district, shall be as approved by the City Council. District formation shall be at the sole cost of the developer. Alternatively, the developer may request, and the City may approve the use of a special tax authorized by Government Code §53978.

3. Approval of the tentative map is contingent upon approval of a phasing plan by the City Council. The phasing plan is intended to balance the availability of public services, with the demands created by new development as expressly provided for in the general plan. Phasing for individual projects is to be coordinated as part of an overall growth rate of 5% in the construction of single-family homes, excluding infill opportunities. Approval of a phasing plan shall be incorporated into a development agreement (Government Code §65864-65869.5), or by an alternative mechanism, as may be approved by the City Council.

#### Traffic and Circulation

4. The Final Map(s) shall denote a one-foot, non-access easement on the property line(s) that abut East B Street and Place Road.
5. East "B" Street will be 68 feet in width and consist of two travel lanes, dedicated turn lanes (eastbound left turn into "N" Street and Place Road and westbound right turn lane into "N" Street), curb, gutter and meandering sidewalk on the north side, and curb and gutter on the south side of East "B" Street.
6. The developer is eligible for reimbursement for the southern travel lane and curb and gutter of East "B" Street from Traffic Impact Fees.
7. Development occurring south of Willmott Avenue will require East "B" Street to be constructed to its ultimate width and design along the project frontage (excepting sidewalk, curb, and landscaping on the south side), fully connecting with the Place Road intersection.
8. Development occurring north of Willmott Avenue will require construction of Willmott Avenue from Mercey Springs Road to "N" Street unless there are two alternative points of paved ingress/egress available to the public.
9. Place Road shall be an 80-foot wide right-of-way. The cross-section shall include a northbound and southbound travel lane, continuous center turn lane, 16 feet of right-of-way on the east side for a meandering walk and landscaping, and 24 feet of right-of-way on the west side for an 8-foot off-street bike path and landscaping.
10. Place Road shall be constructed and completed along the property frontage concurrent with construction of the School/Park site or prior to acceptance of improvements of the last phase of the map, whichever occurs first. Timing for Place Road construction may be sooner, dependent upon how build-out of adjacent subdivisions proceeds.
11. Developer shall be eligible for reimbursement for construction of the eastern half of Place Road (travel lane, curb and gutter (if in permanent location)).
12. Streets shall incorporate a park strip design whereby sidewalks are separated from the curb by a landscaped strip. Paved street widths for internal residential streets will be allowed to be reduced to 36 feet from the typical 40-foot standard to assist in traffic calming throughout the development and to allow the incorporation of park strips.
13. Final street cross-sections to be reviewed and approved at the improvement plan stage. East B Street and Place Road cross-sections to be consistent with cross-sections approved as part of the Mission Estates Subdivision immediately east of the subject site.

Land Use

14. The developer shall construct a six-foot tall, decorative, masonry wall along Place Road and East B Street through the project boundaries. Said wall shall be placed on private property. A six-foot tall decorative masonry or stucco-finish wall will be constructed on the south side of Willmott Road concurrent with construction of Willmott Road.
15. The monotony of straight building lines shall be alleviated by varying the size of individual dwellings, staggering the front yard setbacks, varying exterior building materials and colors, and utilizing extensive landscaping.
16. Decorative crosswalks, subdivision identification signs, and heavy landscaping are required at the entries to the subdivision off of Place Road and East "B" Street along with decorative streetlights. Such decorative lights shall be approved by PG&E who maintains the City's streetlights.
17. This subdivision shall join the Verona Landscape and Lighting District.

Water

18. The proposed project shall conform to the requirements of the Los Banos Water Master Plan, including payment of the water impact fee adopted December 20, 2000.

Sewer

19. The sewer collection system shall connect to the Northgate sewer lift station unless developer opts to interimly connect to the Southeast sewer line. Connection to the Southeast sewer line requires reimbursement to the Southeast Sewer Group in accordance with the Southeast Sewer Agreement.
20. Developer shall construct all on-site and of-site sewer facilities necessary to serve the project, subject to reimbursement for oversizing, as determined by the City.

Storm Drainage

21. That portion of the development south of Willmott Avenue alignment will drain to the Verona Storm Drainage Basin. The developer of this portion of Mission Village South is responsible for reimbursing the developer who installs oversized storm drain lines east of the project area. Developer is responsible for obtaining any off-site easements necessary to gain access to the Verona Basin.
22. That portion of the development north of Willmott Avenue alignment will drain to the Northgate II interim and/or St. Francis Storm Drainage Basins. The developer of this portion of Mission Village South is responsible for reimbursing the developer who installs oversized storm drain lines north of the project area. Developer is responsible for obtaining any off-site easements necessary to gain access to the mentioned basins.
23. All on-site minor irrigation ditches are to be abandoned. Modification to any storm drain, irrigation, or tail water ditch utilized by "others" will require approval from the individual or organization whose drainage or irrigation facilities the developer proposes to modify prior to approval of the improvement plans.



Parks

24. Based on a park dedication requirement of 5.0 acre /1,000 population, approximately 2.8 acres of parkland are required to be dedicated.
25. Since it is unknown at time of this map approval as to how much of the school/park site will be school (if it becomes a school), it is not known whether this dedication will be more or less than the dedication requirement. This will be worked out with the Public Services Department at the improvement plan stage. Any deficiency in dedication will require payment of the park dedication in-lieu fee. The developer shall be required to pay park development fees with each building permit.
26. Timing of park development shall be determined at the improvement plan stage and prior to start of any construction within the project area.

**Standard Conditions**

27. Approval of this Vesting Tentative Tract Map shall extend for a period of two (2) years following date of approval and is eligible for extensions as provided for in the Subdivision Map Act. Time extensions must be requested prior to expiration of the map and will be considered only upon receipt of a written request by the applicant.
28. All development shall be consistent with the Vesting Tentative Tract Map, reflecting any amendments added during approval.
29. The final map(s) shall be in substantial compliance with the approved Tentative Tract Map, including the changes set forth in the conditions of approval.
30. Improvement plans shall be submitted to the City for approval prior to/or concurrent with the application for each final map.
31. On-site improvements may be constructed prior to the recording of the final map subject to City approval of Improvement Plans and payment of applicable plan check and inspection fees.
32. Locations for temporary construction trailers shall be permitted only within that portion of the subdivision where active subdivision construction is taking place. Placement of said construction trailer is subject to Public Works and Planning Department approval.
33. The applicant shall obtain City approval in advance for permanent and temporary on-site and off-site signs through separate sign reviews and bonding consistent with the development criteria of the Los Banos Municipal Code - Sign Ordinance. Prior to approval of final map, a master subdivision sales sign plan shall be prepared and submitted to the Planning Department for review and approval.
34. If model homes are to be constructed, a model home plan shall be submitted to the Planning Department for approval prior to construction. Manufactured/modular trailers/units shall be prohibited for use as a sales office.
35. It is the applicant's responsibility to ensure that the development complies with the Americans with Disabilities Act requirements.
36. It shall be the responsibility of the applicant to convey copies of the conditions of approval to all contractors and sub-contractors.
37. Subsequent to acceptance of improvements, during construction, and for safety purposes, the developer and assigned contractors shall keep the public right-of-way clear of obstructions, and provide for clean up on a daily basis.



38. Prior to acceptance of public improvements, all entries to the subdivision shall be barricaded to prevent the public from entering the construction site.
39. All contractors performing work relative to this project shall obtain City of Los Banos Business Licenses, prior to start of work on the project. All work performed on the project shall comply with the requirements of the State Business and Professions Code.
40. Construction shall be limited to those times allowed by City Ordinance and properly muffled equipment shall be used.
41. Building permits will be issued in accordance with City Subdivision Policy that identifies the improvements required in order for a building permit to be issued.
42. Improvement and grading plans shall delineate the location and design of all required walls and fences including retaining walls.
43. Improvement plans shall include mailbox locations, which must be approved by the US Postmaster and the City of Los Banos.
44. All existing overhead utilities shall be undergrounded with the exception of high voltage power lines. No new overhead utility lines and equipment shall be shown on improvement and grading plans.
45. Undeveloped portions of the subdivision shall be controlled of weeds and free of debris and litter.
46. All street lighting shall be hooded and/or fitted with prismatic directional lenses to prevent illumination onto adjoining properties and glare into on-coming traffic. Streetlights shall be shown on improvement plans. Developer may utilize decorative streetlights, provided they meet the illumination standards otherwise required in the City street light standards.

Land Use

47. A Passive Solar Energy Plan addressing east/west-facing lots shall be submitted to the Planning Department for approval prior to issuance of any building permit for the subject lots.
48. Developer shall comply with the adopted street tree ordinance.
49. In conformance with the Subdivision Map Act, developer shall permit installation of underground cable television delivery systems within public utility easements. All dwelling shall be made cable ready.
50. Prior to approval of Improvement Plans or Final Maps, the developer shall obtain any necessary easements for utilities across adjoining properties.

Streets/Streetscape

51. Prior to acceptance of the subdivision improvements, the developer shall be responsible for installation of all street and traffic control signs, pavement striping, and street name signs in accordance with City and/or CalTrans standards.
52. The developer shall be responsible for obtaining encroachment permits from the City of Los Banos prior to performing any work with the City's right-of-way.
53. Sidewalks shall be separated from the curb and gutter by a park strip. Where park strips front a residence (abut the front or side), the developer is responsible for landscaping those park strips prior to final of the fronting residence. Where park strips do not front a

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- residence, such landscaping shall be completed prior to acceptance of public improvements.
54. Park strip maintenance is the responsibility of the fronting residential property owner where park strips front (abut the front or side) a residence or the City via the landscaping and lighting district.
  55. All residential lots shall have fully landscaped front yards prior to occupancy of each dwelling.
  56. The applicant shall submit landscape and irrigation plans with each phase of the improvement plans for City review and approval of streetscape landscaping.

Fire

57. The developer shall install fire hydrants in the number of locations required by the Fire Chief and in compliance with City standards in a manner that shall minimize impacts on on-street parking.
58. Fire hydrant locations shall be approved during the Improvement Plan stage and shall be installed based upon City standards.
59. The developer, as specified by City development standards, shall install "Blue Dot" fire hydrant locators.
60. Fire hydrants shall be operational to the satisfaction of the Fire Chief prior to combustible material being located on the site.
61. Two points of all-weather access shall be provided to all areas of the development during all phases of construction to the satisfaction of the Fire Department in areas where residential units are under construction.
62. Each residence shall have 6-inch lighted address numbers installed on the front elevations or alternative size as agreed to by developer and Fire Chief.

Utilities

63. Approved backflow devices shall be installed as required.
64. Domestic water services shall not be placed in driveways.
65. The development of the subject project shall be in compliance with the findings and recommendations of the City of Los Banos Water Master Plan.

Air Quality

66. If fireplaces or wood burning stoves are planned to be included in the project, Environmental Protection Agency certified fireplace inserts and stoves shall be required.
67. Developer shall comply with all applicable Indirect Source Rule requirements of the air district.

The foregoing resolution was introduced at a regular meeting of the Planning Commission of the City of Los Banos held on the 25<sup>th</sup> day of April, 2001, by Commissioner Hurley, who moved its adoption, which motion was duly seconded by Commissioner Lewis and the Resolution adopted by the following vote:

AYES: Giesel, Hurley, Lewis, Williams, Chairman Buettner

  
00000000

Resolution #2001-17  
VTTM #2001-02, ZC #2001-03, 04

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Planning Commission  
April 25, 2001

NOES: None  
ABSENT: None

APPROVED:



\_\_\_\_\_  
Planning Commission Chairman

ATTEST:



\_\_\_\_\_  
Planning Commission Secretary

I HEREBY CERTIFY THAT THE FOREGOING IS A FULL, CORRECT, AND TRUE COPY OF RESOLUTION NO. 2001-17 ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF LOS BANOS, A MUNICIPAL CORPORATION OF THE COUNTY OF MERCED, STATE OF CALIFORNIA, AT A CONTINUED REGULAR MEETING HELD ON APRIL 25, 2001, AND TO FURTHER CERTIFY THAT SAID RESOLUTION HAS NEVER BEEN RESCINDED OR MODIFIED.

\_\_\_\_\_  
Planning Commission Secretary

\_\_\_\_\_  
DATED

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**RESOLUTION NO. 6144**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LOS BANOS APPROVING AND  
ADOPTING FINAL TRACT MAP NO. 2001-02  
MISSION VILLAGE SOUTH PHASE 3C AND  
ACCOMPANYING SUBDIVISION IMPROVEMENT  
AGREEMENT**

WHEREAS, there has been submitted to the City Council of the City of Los Banos Tract Map No. 2001-02 Mission Village South, Phase 3C, and accompanying Subdivision Improvement Agreement; and

WHEREAS, the single-family residential subdivision consists of 58 residential lots consisting of 14.21± acres; and

WHEREAS, the Public Works Director/City Engineer has approved the Final Map, the plan check and inspection fees have been paid in full, the City has received all necessary bonds and financial security, and said Final Tract Map has been submitted to the City Council of the City of Los Banos for approval.

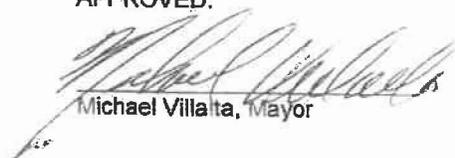
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Los Banos that it does hereby approve and adopt Final Tract Map No. 2001-02 Mission Village South, Phase 3C and accompanying Subdivision Improvement Agreement for the real property described in Exhibit "A", shown in Exhibit "B" and authorize recording based upon the following findings:

1. Final Map is in substantial compliance with Tentative Map No. 2001-02.
2. Financial security as required by the Subdivision Improvement Agreement, Subdivision Map Act, and Los Banos Municipal Code has been deposited with the City.
3. All required processing, development, plan check, and inspection fees have been paid.
4. All bonds have been paid to Merced County.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 6th day of November 2019, by Council Member Lewis who moved its adoption, which motion was duly seconded by Council Member Jones and the Resolution adopted by the following vote:

AYES: Council Member Johnson-Santos, Jones, Lewis, Mayor Villalta  
NOES: None  
ABSENT: Council Member Faria

APPROVED:

  
Michael Villalta, Mayor

ATTEST:

  
Lucille L. Mallonee, City Clerk

**Exhibit A**  
**Legal Description**

**For APN/Parcel ID(s): 428-280-010-000**

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**THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS BANOS, COUNTY OF MERCED, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:**

**Lot B of Tract No. 2001-02 Mission Village South, Phase 3B recorded April 4, 2019 in Book 81 of Maps, Page 10, Merced County Records.**

**Excepting the property rights excepted and reserved in Deed recorded April 29, 1936 in Book 502 of Official Records, Page 108, as Instrument No. 4124, Merced county Records, by Bank of America National Trust and Savings Association, a national banking association.**

**Said property rights being an undivided  $\frac{1}{2}$  interest in all oil, gas and other hydrocarbons and minerals with the right of entry.**

**OWNER'S STATEMENT**

WE, THE UNDERSIGNED, DO HEREBY STATE THAT WE ARE THE OWNERS OR HAVE SOME RIGHT, TITLE, OR INTEREST OF RECORD IN THE LAND SHOWN ON THIS MAP AND WE CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP. WE ALSO HEREBY OFFER AN IRREVOCABLE EASEMENT TO THE CITY OF LOS BANOS AS EASEMENTS FOR PUBLIC USE ALL PUBLIC UTILITY EASEMENTS (PUE) AS SHOWN ON THIS FINAL MAP. WE ALSO HEREBY OFFER AN IRREVOCABLE EASEMENT TO THE CITY OF LOS BANOS IN FEE FOR PUBLIC USE, ALL STREET RIGHTS OF WAY AS SHOWN ON THIS FINAL MAP.

OWNER: BENCHMARK ENGINEERING, INC. A CALIFORNIA CORPORATION

BY: [Signature] DATE: 7-30-19  
VICE PRESIDENT - MANAGER

TRUSTED FACILITY NATIONAL TITLE COMPANY

BY: Diane H. Robinson, Asst. VP DATE: 7-31-19  
Diane H. Robinson, Asst. VP  
PRINT NAME AND TITLE

**TRACT NO. 2001-02  
MISSION VILLAGE SOUTH,  
PHASE 3C**

BEING A SUBDIVISION OF LOT B OF MISSION VILLAGE SOUTH, PHASE 3B, FILED IN BOOK 81 OF OFFICIAL PLATS, PAGES 10 TO 12, LYING IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 10 EAST, MOUNT Diablo BASE AND MERIDIAN, CITY OF LOS BANOS, COUNTY OF MERCED, STATE OF CALIFORNIA, APRIL 2019

**BENCHMARK ENGINEERING, INC.**

507 J STREET, LOS BANOS, CALIFORNIA, 93635

**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF STONEFIELD HOMES, INC. IN JULY 2019, I HEREBY CERTIFY THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONSENTED APPROVED TENTATIVE MAP. THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MEASUREMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, ON THAT THEY WILL BE SET IN THESE POSITIONS BEFORE SAID SUBDIVISION IMPROVEMENTS ARE ACCEPTED BY THE CITY OF LOS BANOS, AND THAT THE MEASUREMENTS ARE OF SUFFICIENT ACCURACY TO ENABLE THE SURVEY TO BE REPRODUCED.

DATED THIS 12 DAY OF August, 2019.

[Signature]  
MORAN WILSON, L.S. 8040

**CITY SURVEYOR'S STATEMENT**

I HEREBY STATE THAT AT THE REQUEST OF THE CITY ENGINEER OF THE CITY OF LOS BANOS, I HAVE EXAMINED THIS FINAL MAP AND THAT I AM ADVISED THAT THIS MAP IS TECHNICALLY CORRECT AND COMPLIES WITH APPLICABLE PROVISIONS OF THE SUBDIVISION MAP ACT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

[Signature]  
JENNIFER J. SCHAFF, P.L.S. 8089

**CITY ENGINEER'S STATEMENT**

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP AND STATE THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERNATING THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES OF THE CITY OF LOS BANOS AND MERCED COUNTY, APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

[Signature]  
DAVE FACHAL, P.E. 34674

**CITY CLERK'S STATEMENT**

I, LINDSEY L. WILSON, CITY CLERK OF THE CITY OF LOS BANOS, STATE OF CALIFORNIA, DO HEREBY STATE THAT AT THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LOS BANOS, STATE OF CALIFORNIA, HELD ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, THE ACCOMPANYING FINAL MAP OF "TRACT NO. 2001-02, MISSION VILLAGE SOUTH, PHASE 3C" WAS APPROVED ON BEHALF OF THE PUBLIC, FOR PUBLIC USE, THE OFFICE OF RECORDATION IN EVIDENCE OF ALL PUBLIC UTILITY EASEMENTS (PUE) AND ACCEPTED THE OFFICE OF RECORDATION IN FEE OF THE SAID RIGHTS-OF-WAY, ALL AS SHOWN ON THIS FINAL MAP, SUBJECT TO ACCEPTANCE OF IMPROVEMENTS.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

[Signature]  
LINDSEY L. WILSON, CITY CLERK  
CITY OF LOS BANOS

**RECORDER'S STATEMENT**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

IN BOOK \_\_\_\_\_ OF OFFICIAL PLATS, AT PAGES \_\_\_\_\_, M.C.R.

AT THE REQUEST OF STONEFIELD HOMES, INC.

ISS: \_\_\_\_\_

BARRON J. LEVY, COUNTY RECORDER BY \_\_\_\_\_, DEPUTY

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

SHEET 1 OF 4



**NOTARY STATEMENT**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE PERSONAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA

COUNTY OF Merced

ON July 30, 2019, BEFORE ME, A. Gonzalez

A NOTARY PUBLIC, PERSONALLY APPEARED Greg Hostetler

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WRITEN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE: [Signature] COMMISSION NUMBER: 2135812  
PRINCIPAL COUNTY OF BUSINESS: Merced MY COMMISSION EXPIRES: 12/16/19

**NOTARY STATEMENT**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE PERSONAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA

COUNTY OF Merced

ON July 31, 2019, BEFORE ME, J. Rosa Lopez

A NOTARY PUBLIC, PERSONALLY APPEARED Diane H. Robinson

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WRITEN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE: [Signature] COMMISSION NUMBER: 2147549  
PRINCIPAL COUNTY OF BUSINESS: Merced MY COMMISSION EXPIRES: April 23, 2020

DATE: 7/31/2019 8:40 FILED: M:\2019\19\Survey Drawings\PHASE 3C\3C SHEET1.dwg



**OMITTED SIGNATURE STATEMENT**

PURSUANT TO SECTION 06430(a)(2)(A)(i) OF THE SUBDIVISION MAP ACT, THE FOLLOWING SIGNATURES HAVE BEEN OMITTED:

TYPE OF INTEREST: EASEMENT FOR PUBLIC STREET/ROAD, TELEPHONE, TELEVISION AND ELECTRIC POWER LINES, PIPE LINES, SEWERS, DRAINAGE DITCHES, CANALS, RECLAMATION AND IMPROVEMENT WORKS, AND IMPROVEMENTS  
IN FAVOR OF: BLENZ AND LEE, INC.  
USED REFERENCE: BOOK 336 OF OFFICIAL RECORDS, PAGE 376, M.C.R., RECORDED 7 AUGUST, 1987  
NOTES: LOCATION OF EASEMENT IS NOT ASCERTAINABLE FROM RECORD

**PLANNING COMMISSION STATEMENT**

I, STACY SOUSA BLAS, DIRECTOR FOR THE CITY OF LOS BANOS COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT, DO HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT NO. 2001-02, MISSION VILLAGE SOUTH, PHASE 3C" AND THAT THE SUBDIVISION IS SUBSTANTIALLY THE SAME AS THAT SHOWN ON THE TENTATIVE MAP APPROVED BY THE CITY PLANNING COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND THAT THIS FINAL MAP OF "TRACT NO. 2001-02, MISSION VILLAGE SOUTH, PHASE 3C" COMPLIES WITH ALL REQUIREMENTS OF SAID PLANNING COMMISSION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

[Signature]  
STACY SOUSA BLAS, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR  
CITY OF LOS BANOS

**RIGHT TO FARM STATEMENT**

PER MERCED COUNTY ORDINANCE NO. 1213:

THE PROPERTY DESCRIBED ON THE AFORESAID MAP IS IN THE VICINITY OF LAND UTILIZED FOR AGRICULTURAL PURPOSES AND RESIDENTS OF THIS PROPERTY MAY BE SUBJECT TO INCONVENIENCE OR DISCOMFORT ARISING FROM THE USE OF AGRICULTURAL CHEMICALS, INCLUDING, BUT NOT LIMITED TO, PESTICIDES AND FERTILIZERS, AND FROM THE PRACTICE OF AGRICULTURAL OPERATIONS INCLUDING, BUT NOT LIMITED TO, PLANTING, SPRAYING, AND BURNING WHICH OCCASIONALLY MAY GENERATE DUST, SMOKE, NOISE, AND ODOR.

THE COUNTY OF MERCED HAS ESTABLISHED AGRICULTURE AS A PRIORITY USE IN AGRICULTURAL ZONES WHICH ARE OUTSIDE OF AN ESTABLISHED SPECIFIC URBAN DEVELOPMENT (SUD) BOUNDARY, BLANK RESIDENTIAL CENTER (BRC) BOUNDARY, METROPOLITAN INTERCHANGE CENTER (MIC) BOUNDARY, OR AGRICULTURAL SERVICE CENTER (ASC) BOUNDARY, AND RESIDENTS OF PROPERTY IN THE VICINITY OF SUCH AGRICULTURAL ZONES SHOULD BE PROMPTED TO ACCEPT INCONVENIENCE OR DISCOMFORT FROM NORMAL, NECESSARY AGRICULTURAL OPERATIONS.

Exhibit B

**NOTES**

1. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED UNLESS OTHERWISE NOTED.
2. ALL DISTANCES AND DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
3. ALL RECORD INFORMATION SHOWN IS FROM MERCED COUNTY RECORDS.

**BASIS OF BEARINGS**

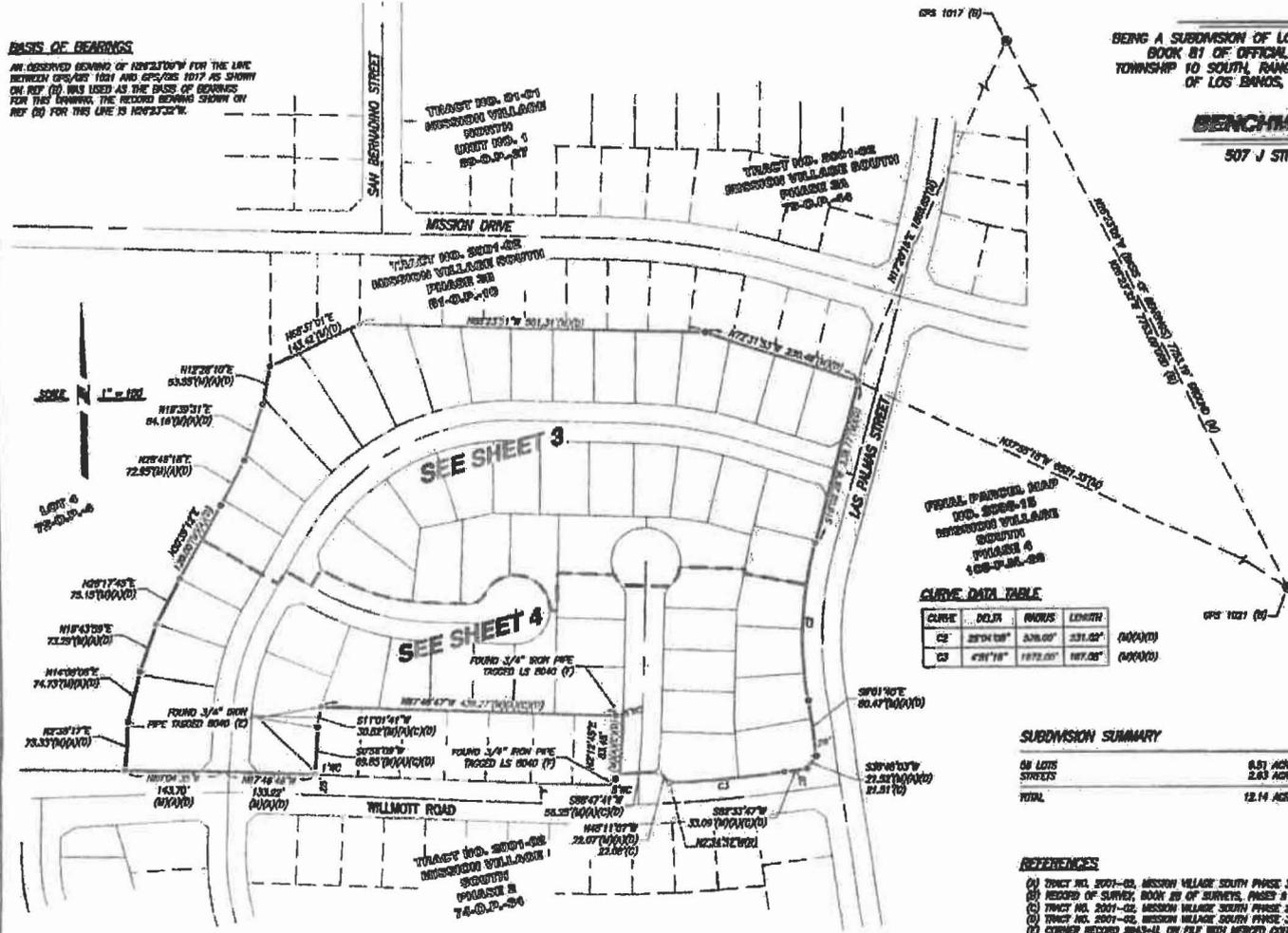
AN OBSERVED BEARING OF 109°23'00" FOR THE LINE BETWEEN 025/025 1001 AND 025/025 1017 AS SHOWN ON REF (B) WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY. THE RECORDED BEARING SHOWN ON REF (B) FOR THIS LINE IS 109°23'00".

**TRACT NO. 2001-02  
MISSION VILLAGE SOUTH,  
PHASE 3C**

BEING A SUBDIVISION OF LOT B OF MISSION VILLAGE SOUTH PHASE 3B, FILED IN BOOK 81 OF OFFICIAL PLATS, PAGES 10 TO 12, LYING IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 10 EAST, MOUNT DIABLO BASE AND MERIDIAN, CITY OF LOS BANOS, COUNTY OF MERCED, STATE OF CALIFORNIA  
APRIL 2019

**BENCHMARK ENGINEERING, INC.**

507 J STREET, LOS BANOS, CALIFORNIA, 93633



**LEGEND**

- NOTE: ALL PIPE SIZES ARE INSIDE DIAMETER
- FOUND MONUMENT PER (A), OR AS NOTED
  - FOUND MONUMENT IN MONUMENT WELL PER (D), OR AS NOTED
  - FOUND GPS MONUMENT, AS SHOWN PER (B)
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC FLAG STAMPED LS BOND
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC FLAG STAMPED LS BOND IN MONUMENT WELL
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC FLAG STAMPED LS BOND AT ALL NEAR LOT CORNERS AND LOT CORNER POINTS, UNLESS NOTED AS A WITNESS CORNER
  - ✕ SET BRASS TAG STAMPED LS BOND IN CONCRETE AT 1.00' INTERVALS PERPENDICULAR OR PARALLEL FROM FRONT-OF-DRY WALLS AND CURVE POINTS
  - SET BRASS TAG STAMPED LS BOND IN CONCRETE AT 1.50 FOOT INTERVALS FROM ALL LOT LINES AND STREETS
- O.P. OFFICIAL PLATS  
 P.U. PUBLIC UTILITY  
 (B) MEASURED ON THIS SURVEY  
 (D) MONUMENT  
 (F) FOUND  
 (P) PUBLIC UTILITY EASEMENT  
 (C) CURVE TABLE REFERENCE  
 (W) WITNESS CORNER

**CURVE DATA TABLE**

CURVE	DELTA	ARCUS	LENGTH	(00)(00)
C2	25°04'08"	236.00'	331.00'	(00)(00)
C3	42°17'18"	1872.00'	187.00'	(00)(00)

**SUBDIVISION SUMMARY**

ON LOTS	ACRES
STREETS	0.51
TOTAL	2.83
	12.14

- REFERENCES**
- (1) TRACT NO. 2001-02, MISSION VILLAGE SOUTH PHASE 3B, BOOK 79 OF OFFICIAL PLATS, PAGES 44 TO 47
  - (2) RECORD OF SURVEY, BOOK 80 OF SURVEYS, PAGES 8 TO 18
  - (3) TRACT NO. 2001-02, MISSION VILLAGE SOUTH PHASE 3B, BOOK 74 OF OFFICIAL PLATS, PAGES 34 TO 39
  - (4) TRACT NO. 2001-02, MISSION VILLAGE SOUTH PHASE 3B, BOOK 81 OF OFFICIAL PLATS, PAGES 10 TO 12
  - (5) CORNER RECORD 0948-14, ON FILE WITH MERCED COUNTY SURVEYOR
  - (6) CORNER RECORD 2945-2, ON FILE WITH MERCED COUNTY SURVEYOR

**LEGEND:**

- NOTE: ALL PIPE SIZES ARE INSIDE DIAMETER
- FOUND MONUMENT PER (D), OR AS NOTED
  - FOUND MONUMENT BY MONUMENT WELL PER (D), OR AS NOTED
  - FOUND OPEN MONUMENT, AS SHOWN PER (D)
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040 IN MONUMENT WELL
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040 AT ALL IRON LOT CORNERS, AND LOT ANGLE POINTS, UNLESS NOTED AS A WITNESS CORNER
  - ⊗ SET BRASS TWO STAMPED LS 8040 IN CONCRETE AT 1.00' MEASURED PERPENDICULAR OR PARALLEL FROM RIGHT-OF-WAY ANGLE AND CURVE POINTS
  - ⊗ SET BRASS TWO STAMPED LS 8040 IN CONCRETE AT 1.00 FOOT PROJECTION OF ALL LOT LINE WITH STREET
- D.P. OFFICIAL PLATS  
P.M. PLAT, MAP  
(M) MEASURED ON THIS SURVEY  
(R) RACIAL BARRING  
SFN SEARCHED, FOUND NOTHING  
P.U.E. PUBLIC UTILITY EASEMENT  
C&Z CURVE TABLE REFERENCE  
WC WITNESS CORNER

**REFERENCES:**

- (A) TRACT NO. 2001-02, MISSION VILLAGE SOUTH, PHASE 3A, BOOK 79 OF OFFICIAL PLATS, PAGES 44 TO 47
- (B) RECORD OF SURVEY, BOOK 29 OF SURVEYS, PAGES 9 TO 12
- (C) TRACT NO. 2001-02, MISSION VILLAGE SOUTH, PHASE 2, BOOK 74 OF OFFICIAL PLATS, PAGES 34 TO 39
- (D) TRACT NO. 2001-02, MISSION VILLAGE SOUTH, PHASE 3B, BOOK 81 OF OFFICIAL PLATS, PAGES 10 TO 12
- (E) CORNER RECORD 2843-4, ON FILE WITH MERCED COUNTY SURVEYOR
- (F) CORNER RECORD 2843-4, ON FILE WITH MERCED COUNTY SURVEYOR

**NOTES:**

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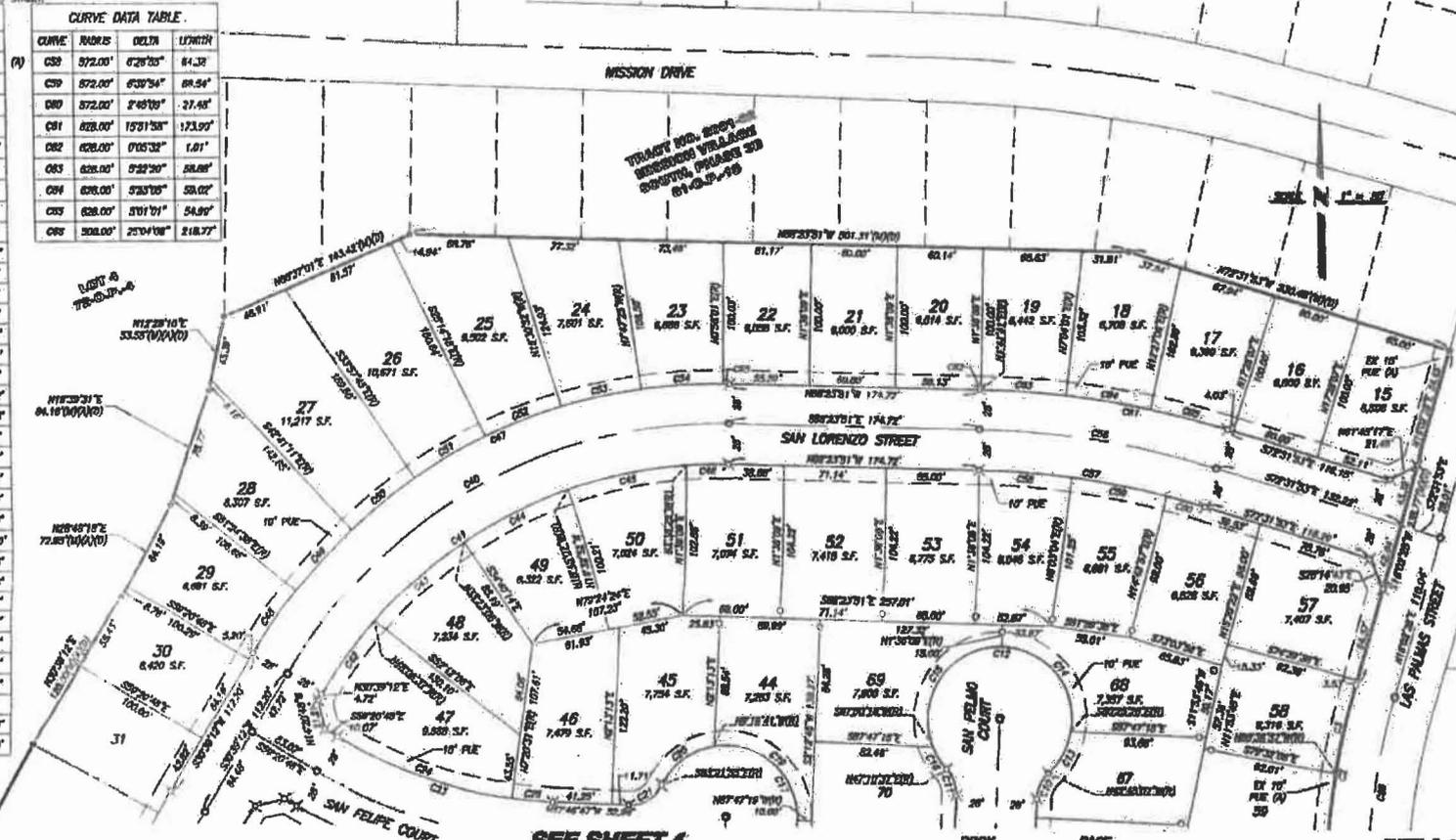
**TRACT NO. 2001-02  
MISSION VILLAGE SOUTH,  
PHASE 3C**

BEING A SUBDIVISION OF LOT B OF MISSION VILLAGE SOUTH, PHASE 3B, FILED IN BOOK 81 OF OFFICIAL PLATS, PAGES 10 TO 12, LYING IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 10 EAST, MOUNT Diablo BASE AND MERIDIAN, CITY OF LOS BANOS, COUNTY OF MERCED, STATE OF CALIFORNIA  
APRIL 2018

**BENCHMARK ENGINEERING, INC.**

507 J STREET, LOS BANOS, CALIFORNIA, 93835

CURVE DATA TABLE			CURVE DATA TABLE					
CURVE	RADIUS	DELTA	LENGTH	CURVE	RADIUS	DELTA	LENGTH	
C2	328.00'	25°04'08"	231.02'	(A)	C39	572.00'	0°28'05"	84.38'
C3	338.00'	0°30'25"	61.35'		C39	572.00'	0°30'54"	68.54'
C10	25.00'	45°02'08"	18.65'		C80	572.00'	2°45'10"	21.45'
C11	25.00'	45°02'08"	18.65'		C81	828.00'	1°51'38"	123.92'
C12	30.00'	2°04'17"	235.68'		C82	628.00'	0°05'38"	1.01'
C13	30.00'	3°48'18"	32.87'		C83	628.00'	0°22'20"	58.88'
C14	30.00'	0°58'28"	88.50'		C84	628.00'	0°20'10"	58.02'
C15	30.00'	1°17'45'31"	91.88'		C85	628.00'	3°01'01"	54.89'
C16	30.00'	0°30'34"	18.03'		C86	308.00'	25°04'08"	218.77'
C17	30.00'	1°48'05'08"	214.31'					
C18	30.00'	1°07'32'58"	88.81'					
C20	30.00'	0°42'14"	47.16'					
C21	25.00'	0°33'08"	28.84'					
C23	322.00'	0°25'58"	108.78'					
C24	322.00'	0°31'40"	151.01'					
C25	322.00'	0°07'18"	38.78'					
C40	322.00'	0°08'57"	372.32'					
C41	322.00'	0°08'58"	342.53'					
C42	322.00'	1°14'11"	83.15'					
C43	322.00'	1°48'31"	82.78'					
C44	322.00'	1°43'58"	82.24'					
C45	322.00'	1°08'41"	84.83'					
C46	322.00'	0°14'35"	25.48'					
C47	378.00'	0°28'57"	402.10'					
C48	378.00'	7°38'18"	32.38'					
C49	308.00'	0°43'27"	51.58'					
C50	378.00'	0°43'27"	37.58'					
C51	378.00'	0°43'27"	37.58'					
C52	378.00'	0°43'27"	37.58'					
C53	378.00'	0°43'27"	37.58'					
C54	378.00'	0°43'27"	37.58'					
C55	378.00'	0°40'18"	4.41'					
C56	678.00'	1°51'38"	108.13'					
C57	572.00'	1°51'38"	108.40'					



SEE SHEET 4

BOOK PAGE

SHEET 3 OF 4

**LEGEND:**

- NOTED ALL PIPE SIZES ARE INSIDE DIAMETER
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- FOUND GPS MONUMENT, AS SHOWN PER (D)
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- SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040 IN MONUMENT WELL
- SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040 AT ALL FOUR LOT CORNERS, AND LOT ANGLE POINTS, UNLESS NOTED AS A WITNESS CORNER
- X SET CORNER TAG STAMPED LS 8040 IN CONCRETE AT 1.00' MEASURED PERPENDICULAR OR DIAGONAL FROM RIGHT-OF-WAY ANGLE AND CURVE POINTS
- SET BRASS TAG STAMPED LS 8040 IN CONCRETE AT 1.00 FOOT PROJECTION OF ALL LOT LINE INTO STREET.

- O.P. OFFICIAL PLATS
- P.M. PARCEL MAP
- (M) MEASURED ON THIS SURVEY
- (M) MARK, BEARING
- (S) SEARCHED, FOUND NOTHING
- P.U.E. PUBLIC UTILITY EASEMENT
- C.A.P. CURVE TABLE REFERENCE
- W.C. WITNESS CORNER

**REFERENCES:**

- (1) TRACT NO. 2001-02, MISSION VILLAGE SOUTH PHASE 3A, BOOK 79 OF OFFICIAL PLATS, PAGES 44 TO 67
- (2) RECORD OF SURVEY, BOOK 28 OF SURVEYS, PAGES 8 TO 12
- (3) TRACT NO. 2001-02, MISSION VILLAGE SOUTH PHASE 2, BOOK 74 OF OFFICIAL PLATS, PAGES 34 TO 39
- (4) TRACT NO. 2001-02, MISSION VILLAGE SOUTH PHASE 3B, BOOK 81 OF OFFICIAL PLATS, PAGES 10 TO 12
- (5) CORNER RECORD 3943-4, ON FILE WITH MERCED COUNTY SURVEYOR
- (6) CORNER RECORD 3943-2, ON FILE WITH MERCED COUNTY SURVEYOR

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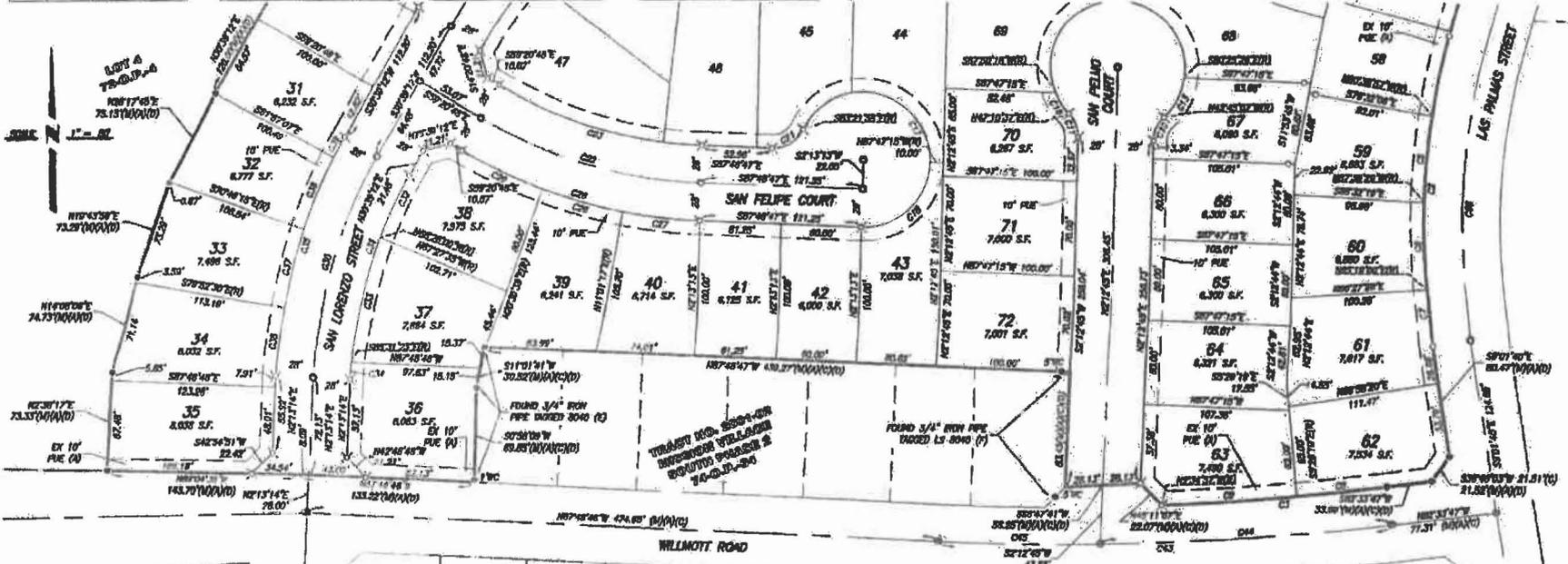
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MISSION VILLAGE SOUTH,  
PHASE 3C**

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APRIL 2010

**BENCHMARK ENGINEERING, INC.**

507 J STREET, LOS BANOS, CALIFORNIA, 93835

CURVE DATA TABLE				CURVE DATA TABLE				CURVE DATA TABLE				CURVE DATA TABLE				CURVE DATA TABLE			
CURVE	RADIUS	DELTA	LENGTH	CURVE	RADIUS	DELTA	LENGTH	CURVE	RADIUS	DELTA	LENGTH	CURVE	RADIUS	DELTA	LENGTH	CURVE	RADIUS	DELTA	LENGTH
C1	528.00'	25°04'08"	231.62'	C11	25.00'	45°02'08"	19.65'	C21	322.00'	28°29'39"	189.79'	C31	322.00'	28°29'39"	189.79'	C41	3000.00'	6°11'33"	218.18'
C2	1922.00'	45°11'18"	167.08'	C12	30.00'	37°40'19"	32.87'	C22	320.00'	28°29'39"	173.09'	C32	322.00'	28°29'39"	189.79'	C42	3000.00'	6°11'33"	218.18'
C3	528.00'	7°02'28"	64.80'	C13	30.00'	30°30'41"	18.03'	C23	378.00'	0°29'22"	62.91'	C33	322.00'	28°29'39"	189.79'	C43	3000.00'	6°11'33"	218.18'
C4	528.00'	7°01'32"	64.74'	C14	30.00'	24°03'30"	214.31'	C24	378.00'	1°06'02"	68.81'	C34	322.00'	28°29'39"	189.79'	C44	3000.00'	6°11'33"	218.18'
C5	528.00'	4°20'40"	40.04'	C15	30.00'	00°00'28"	78.55'	C25	300.00'	28°29'39"	173.09'	C35	322.00'	28°29'39"	189.79'	C45	3000.00'	6°11'33"	218.18'
C6	1072.00'	1°28'34"	67.06'	C16	25.00'	65°23'18"	28.82'	C26	322.00'	28°29'39"	189.79'	C36	322.00'	28°29'39"	189.79'	C46	3000.00'	6°11'33"	218.18'
C7	1922.00'	2°54'22"	100.02'	C17	30.00'	24°03'30"	214.31'	C27	378.00'	0°29'22"	62.91'	C37	322.00'	28°29'39"	189.79'	C47	3000.00'	6°11'33"	218.18'
C8	1922.00'	45°02'08"	19.65'	C18	30.00'	00°00'28"	78.55'	C28	378.00'	1°06'02"	68.81'	C38	322.00'	28°29'39"	189.79'	C48	3000.00'	6°11'33"	218.18'
C9	1922.00'	45°02'08"	19.65'	C19	30.00'	30°30'41"	18.03'	C29	378.00'	0°29'22"	62.91'	C39	322.00'	28°29'39"	189.79'	C49	3000.00'	6°11'33"	218.18'
C10	25.00'	45°02'08"	19.65'	C20	30.00'	24°03'30"	214.31'	C30	378.00'	1°06'02"	68.81'	C40	322.00'	28°29'39"	189.79'	C50	3000.00'	6°11'33"	218.18'



SEE SHEET 3



City of  
**Los Banos**  
*At the Crossroads of California*

**Agenda Staff Report**

**TO:** Mayor & City Council Members

**FROM:** Mark Fachin, P.E., Public Works Director/City Engineer

**DATE:** February 5, 2020

**TYPE OF REPORT:** Public Hearing

**SUBJECT:** Adoption of Ordinance No. 1178, Establishing a General Government Facilities Development Impact Fee

---

**Recommendation:**

That the City Council of the City of Los Banos receive the staff report, waive the second reading and adopt Ordinance No. 1178 Amending Title 9 Chapter 12 Article 6 of the Los Banos Municipal Code, establishing a General Government Facilities Development Impact Fee.

**Discussion:**

On January 15, 2020, the City Council of the City of Los Banos held a Public Hearing to receive public comment on the adoption of Ordinance No. 1178. The City Council received no public comments, waived the first reading and introduced Ordinance No. 1178 as submitted.

Ordinance No. 1178, if adopted by the City Council, would combine the existing City Hall Development Impact Fee, Corporation Yard Development Fee, and Community Center Development Fee into one fee known as the General Government Facilities Development Fee.

Attached Ordinance No. 1178 will create section 9-2.614 General Government Facilities Development Impact Fee. This fee will be consistent with the Development Impact Fee Justification Study and the updated Development Impact Fee Schedule which was adopted by the City of Los Banos City Council on January 15, 2020.

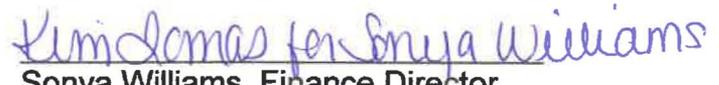
**Fiscal Impact:**

As future development occurs, the updated Development Impact Fees will be due, including the General Government Facilities Development Impact Fee, as established by the adoption of Ordinance No. 1178.

**Reviewed by:**



\_\_\_\_\_  
Alex Terrazas, City Manager



\_\_\_\_\_  
Sonya Williams, Finance Director

**Attachments:**

- Proposed Ordinance No. 1178
- Summary of Ordinance No. 1178
- Updated Development Impact Fee Schedule

**ORDINANCE NO. 1178**

**AN ORDINANCE OF THE CITY OF LOS BANOS  
AMENDING TITLE 9 CHAPTER 2 ARTICLE 6 OF  
THE LOS BANOS MUNICIPAL CODE ESTABLISHING A GENERAL  
GOVERNMENT FACILITES DEVELOPMENT IMPACT FEE**

WHEREAS, the City Council enacts this ordinance pursuant to the authority granted cities by Article XI, Section 7 of the California Constitution; and

WHEREAS, the Land Use Element of the City of Los Banos' (hereinafter "City") 2030 General Plan update "requires new development to pay its proportionate share of the costs of public infrastructure, services, and transportation facilities. This shall include parks, fire, and police stations, schools, utilities, roads, and other needed infrastructure"; and

WHEREAS, to help finance needed public facilities within the City, the City has adopted Ordinances to establish appropriate development impact fees pursuant to Government Code sections 66000 *et seq*; and

WHEREAS, the City has not updated or revised its development impact fee program since October of 2006; and

WHEREAS, in accordance with policies established in the 2030 General Plan update, staff has taken steps to conduct a comprehensive review of the City's development impact fees to determine whether those fees are adequate to defray the cost of public facilities related to the development project; and

WHEREAS, DTA (previously known as David Taussig & Associates, Inc.) was engaged by the City to prepare an updated AB 1600 Fee Justification Study;

WHEREAS, as a part of the update effort the City has held a number of stakeholder's workshops attended by interested community members and the development community; and

WHEREAS, DTA. has prepared a report, entitled *Development Impact Fee Justification Study*, dated December 31, 2019 that calculates the maximum fee levels that may be imposed on new development and sets forth the nexus/basis for the imposition of the fees on new development; and

WHEREAS, the City Council held and conducted a public hearing on January 15, 2020, in accordance with applicable public notice, to review and consider the *Development Impact Fee Justification Study*, and the updated Development Impact Fee Schedule and this proposed ordinance; and

WHEREAS, the purpose of this ordinance is to amend Chapter 2 Title 9 Article 6 of the Los Banos Municipal Code relating to development impact fees in the City of Los Banos by combining the Corporate Yard Development Impact Fee; City Hall Development Impact Fee; and Community Center Development Impact Fee; and establishing a General Government Facilities Development Impact Fee consistent with the above referenced *Development Impact Fee Justification Study*, and the updated Development Impact Fee Schedule.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS BANOS DOES ORDAIN AS FOLLOWS:**

Section 1. Pursuant to Resolution 6163 the City Council using its independent judgment found and determined that the *Development Impact Fee Justification Study* prepared by DTA and dated December 31, 2019, complies with California Government Code section 66001 by establishing the basis for the imposition of fees on new development. The City Council hereby incorporates those findings by reference herein in that the *Development Impact Fee Justification Study*:

- (a) Identifies the purpose of the fee;
- (b) Identifies the use and the public facilities to which the fee will be put;
- (c) Shows a reasonable relationship between the use of the fee and the type of development project on which the fee is imposed;
- (d) Demonstrates a reasonable relationship between the need for the public facilities and the type of development projects on which the fee is imposed; and
- (e) Demonstrates a reasonable relationship between the amount of the fee and the cost of the public facilities or portion of the public facilities attributable to the development on which the fee is imposed.

Section 2. The City Council of the City of Los Banos does hereby add the following section to Title 9, Chapter 2, Article 6 of the Los Banos Municipal Code.

**Sec. 9-2.614 General Government Facilities Development Impact Fee.**

The City hereby establishes a fee for general government facilities to serve new residential and nonresidential land uses in the City and the City Council does hereby impose a general government facilities development impact fee to be paid at the rate set forth by City Council resolution.

Section 3. To the extent that the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance, motion, resolution, rule or regulation governing the same subject, the terms of this Ordinance shall prevail with respect to the subject matter thereof and such inconsistent

or conflicting provisions of prior ordinances, motions, resolutions, rules or regulations are hereby repealed.

Section 4. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

Section 5. The proposed amendments to the Los Banos Municipal Code do not propose any changes to City policies or regulations that would result in a direct or indirect physical environmental impact; therefore it has been determined that this ordinance amendment is covered by the general rule that the California Environmental Quality Act applies only to projects which have the potential for causing a significant effect on the environment pursuant to CEQA guidelines section 15061(b)(3) and is not subject to environmental review. Alternatively, the proposed amendments to the Los Banos Municipal Code were contemplated as a subsequent implementation measure to address impacts on public facilities contemplated in the Los Banos 2030 General Plan Program Environmental Impact Report (SCH #2006121055)(“GP Program EIR”) and the Los Banos General Plan Land Resources Amendment Subsequent EIR (SCH #2016051033)(“GPA SEIR”), and are generally consistent with the anticipated public facilities contemplated in the GP Program EIR/GPA SEIR; therefore it has been determined that this ordinance amendment falls within the scope of the project covered by the GP Program EIR/GP SEIR pursuant to CEQA guidelines section 15162 and is not subject to further environmental review.

Section 6. This Ordinance shall go into effect and be in full force and operation sixty (60) days after its final passage and adoption. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five (5) days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

Introduced by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2020.

Passed on the \_\_\_\_ day of \_\_\_\_\_, 2020 by the following vote:

AYES: Council Members  
NOES:  
ABSENT:

APPROVED:

---

Michael Villalta, Mayor

ATTEST:

---

Lucille L. Mallonee, City Clerk

**SUMMARY OF ORDINANCE NO. 1178**

**AN ORDINANCE OF THE CITY OF LOS BANOS AMENDING TITLE 9  
CHAPTER 2 ARTICLE 6 OF THE LOS BANOS MUNICIPAL CODE  
ESTABLISHING A GENERAL GOVERNMENT FACILITIES DEVELOPMENT  
IMPACT FEE**

On January 15, 2020 the Los Banos City Council introduced Ordinance No. 1178, which if adopted will establish a fee for general government facilities to serve new residential and nonresidential land uses in the City and impose a general government facilities development impact fee to be paid at the rate set forth by City Council Resolution 6163. The Ordinance shall go into effect and be in full force and operation sixty (60) days after its final passage and adoption. A copy of the complete text of the Ordinance is on file with the City Clerk, at 520 J Street.

The City Council will consider adoption of this Ordinance at the regular City Council Meeting scheduled for February 5, 2020.

LUCILLE L. MALLONEE  
CITY CLERK

The total fee amounts required to finance new development's "fair share" of the costs of facilities in the Needs Lists are summarized in Table 43 below.

**Table 43: City of Los Banos Development Impact Fee Summary**

City of Los Banos										
Development Impact Fees per Unit (Residential)/1,000 Square Feet (Non-Residential)										
	Fire	Police	Parks & Rec.	Water	Sewer	Storm Drain	Traffic	General Govt.	Admin. (3%)	Total Fees
Single Family	\$1,258	\$2,354	\$7,028	\$6,317	\$4,847	\$2,958	\$1,304	\$702	\$803	\$27,571
Multi-family	\$1,006	\$1,883	\$5,622	\$5,054	\$3,878	\$2,367	\$903	\$562	\$638	\$21,913
Age Restricted	\$681	\$1,274	\$3,804	\$3,419	\$2,624	\$1,601	\$704	\$380	\$435	\$14,923
Retail	\$717	\$1,341	\$0	\$3,599	\$2,762	\$1,686	\$6,495	\$0	\$498	\$17,098
Office	\$538	\$1,006	\$0	\$2,700	\$2,071	\$1,264	\$1,301	\$0	\$266	\$9,146
Institutional	\$269	\$503	\$0	\$1,350	\$1,036	\$632	\$1,574	\$0	\$161	\$5,524
Industrial	\$179	\$335	\$0	\$900	\$690	\$421	\$1,105	\$0	\$109	\$3,740



City of  
**Los Banos**  
*At the Crossroads of California*

**Agenda Staff Report**

**TO:** Mayor & City Council Members

**FROM:** Mark Fachin, P.E., Public Works Director/City Engineer

**DATE:** February 5, 2020

**TYPE OF REPORT:** Informational Item

**SUBJECT:** Parks & Recreation Presentation

---

**Recommendation:**

Informational item only, no action to be taken.

**Discussion:**

There will be an update regarding Parks & Recreation, presented by Parks & Recreation Operations Manager, Joe Heim.

**Reviewed by:**

---

Alex Terrazas, City Manager

**Attachment:**

Powerpoint Presentation

CITY OF LOS BANOS



City of  
**Los Banos**  
*At the Crossroads of California*

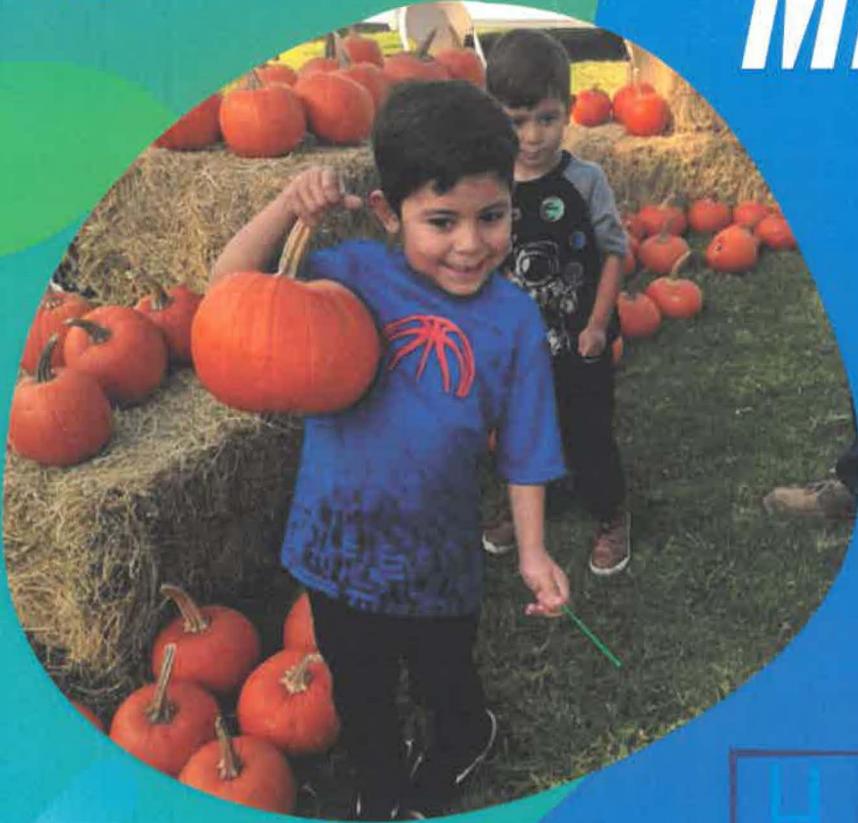
# ***PARKS & RECREATION***

**February 2020 Update**



# *MEASURE H IMPACT*

## *TRANSFORMING PARKS & REC.*



With the support of the Los Banos Police Department and the passing of Measure H, Parks and Recreation has added programs, park improvements and staffing.



City of Los Banos  
Supported by  
Measure H   
Police - Parks & Rec



# *COMMUNITY PROGRAMS*

## *WE WORK SO OTHERS CAN PLAY*



### **SPORTS**

Soccer, Basketball, Tee-Ball, Flag Football, Volleyball, Zumba, Adult Yoga, 3 v 3 Basketball, Indoor soccer, Aikido, Karate



### **ACTIVITIES**

4-H STEM, Hip Hop Dance, Weightwatchers, BINGO, Caring for Kids, Pulse Youth Group,



### **EVENTS**

Salute to Seniors, Breakfast with Santa, Party in the Park, Movies in the Park, Big Truck Day, Egg Hunt



# ***PARK IMPROVEMENTS***

***CREATING COMMUNITY THROUGH PEOPLE, PARKS & PROGRAMS***





# PARKS MASTER PLAN

PARKS MASTER PLAN



## LOS BANOS

## *PLANNING FOR THE FUTURE!*

- Classifying Parks
- Developing a long term capital program
- Identifying community needs
- Evaluating regional trends such as shade, green infrastructure, artificial turf & tourism
- Community based planning for future facility needs
- September 2020 completion target



*LOS BANOS' FIRST*

# *DOG PARK*

**AG SPORTS COMPLEX  
SUMMER 2020**

- An off-leash facility for people and dogs
- Spring/Summer Construction
- Small dog/mixed dog area
- Per Capita Program funding





# PRELIMINARY DESIGN

QK ENGINEERING  
NOVEMBER 2019

CITY OF  
LOS BRINOS  
- DOG PARK PROPOSAL -





# ***PACHECO PARK AT THE HEART OF LOS BANOS***

In August 2019, Parks and Recreation submitted an application for the Statewide Parks Program grant.

- Installation of a splash pad and large playground
- Installation of a Veterans Memorial Wall
- Installation of lighted basketball and pickleball courts
- Construction of a replacement Rec. Hall facility
- Turf, tree, shade, lighting & parking upgrades



- Establish the City of Los Banos' first Tree Master Plan
- Plant 100 trees in the community
- Fund tree care training for staff and provide GIS mapping for trees in the community

***TREE CITY USA***  
***CAL FIRE TREE GRANT***





# *UPCOMING EVENTS & ACTIVITIES*

- Summer Party in the Park Series - March - June - July
- Egg Hunt - Oliveira Park - April
- Big Truck Day - May
- Dog Park Grand Opening - Summer 2020
- 4-H Stem Programming - Ongoing
- Spring Youth Soccer - April-May
- Youth Tee-Ball - May-June
- 49er Prep Flag Football - May-June
- Adult Softball - May-June
- Summer Youth Basketball - June-July



LOS BANOS PARKS & RECREATION

***QUESTIONS?***

Los Banos Community Center  
645 7th St.



City of  
**Los Banos**  
*At the Crossroads of California*

**Agenda Staff Report**

**TO:** Mayor Villalta and City Council Members

**FROM:** Stacy Souza Elms, Community and Economic Development Director 

**DATE:** February 5, 2020

**TYPE OF REPORT:** Agenda Item

**SUBJECT:** Los Banos Downtown Strategic Plan

---

**Recommendation:**

That the City Council consider and adopt the Los Banos Downtown Strategic Plan.

**Background:**

The Los Banos Downtown Strategic Plan serves as a roadmap and implementation guide to achieve the vision of downtown. The Strategic Plan seeks to address issues to enhance Downtown and promote development on opportunity sites, while maintaining its historic, small-town character. The Downtown Strategic Plan is an implementation task of the General Plan Update and was prepared concurrently with the on-going General Plan Update.

The Strategic Plan was developed with public input to ensure that it appropriately reflects stakeholders' and community values and vision for the future of Downtown Los Banos. A stakeholder meeting was held on May 28, 2019, which included downtown property and business owners, leaders of business and community organizations, members of the public, the consultant's team, and City staff. A community workshop was held on July 8, 2019, and included members of the public, elected and appointed officials, downtown property and business owners, leaders of business and community organizations. A joint Planning Commission/City Council study session was held on September 25, 2019, to review the draft Downtown Strategic Plan, provide an overview of the project, and seek input on key topic areas of the Strategic Plan.

**Discussion:**

The Strategic Plan has identified 10 Downtown Strategies that focus on addressing issues and take advantage of opportunities.

- Plan for Land Use and Housing;
- Implement Gateways and Wayfinding;
- Strengthen Businesses;
- Rehabilitate Buildings;
- Upgrade Infrastructure;
- Improve Safety;
- Enhance Los Banos Character;
- Develop a Food Scene;
- Manage Parking; and
- Enhance Public Spaces

The City's General Plan consultant, PlaceWorks, will be presenting the Downtown Strategic Plan and will be discussing the key topic areas and revisions that have been incorporated into the Plan since the joint Planning Commission/City Council study session.

Upon adoption of the Downtown Strategic Plan, staff will come back with a request for prioritization of strategies. Based on future direction from the City Council, staff will prioritize strategies and develop an implementation plan. Staff anticipates developing a workplan which will consist of periodic progress reports to provide the Council updates on the Strategic Plan.

**Reviewed by:**



---

Alex Terrazas, City Manager

**Attachments:**

1. PlaceWorks Los Banos Downtown Strategic Plan Background Memo
2. Los Banos Downtown Strategic Plan
3. Resolution

## MEMORANDUM

DATE January 29, 2020  
TO Los Banos City Council  
FROM Eric Panzer and Bruce Brubaker  
SUBJECT Los Banos Downtown Strategic Plan - City Council Meeting

This memorandum is intended to help the City Council prepare for the February 5 City Council meeting to consider adoption of the Los Banos Downtown Strategic Plan. It provides an overview of the Strategic Plan; summarizes past public outreach; identifies the key topic areas of the Strategic Plan; and concludes with a list of modifications that were made to the Draft Strategic Plan based on comments received from members of the City Council and Planning Commission at the September 25, 2019 joint City Council and Planning Commission Study Session meeting.

### PROJECT OVERVIEW

The Downtown Strategic Plan is an implementation task of the General Plan Update and is being prepared concurrently with the ongoing General Plan Update. The Downtown Strategic Plan will harmonize with the General Plan update, and with other efforts including the recent Façade Improvement Program, to accomplish goals for the Downtown and Los Banos at large.

The Strategic Plan is focused on a variety of key issues and preliminary opportunities:

- Downtown has a good mix of uses, a pedestrian-friendly street grid, good architecture and historic assets, and a fairly continuous building fabric, with some vacant/underutilized sites.
- Downtown could benefit from improved wayfinding and identity, in order to draw people in from regional corridors and create a stronger sense of place.
- Attracting a stronger mix of businesses should be a priority for Downtown Los Banos.
- Maintaining and enhancing Downtown's historic qualities should also be a priority.
- Downtown would benefit from public realm improvements, including more pedestrian amenities, improved building facades, new public spaces, and enhanced landscaping.
- Vacant lots and other underutilized creates gaps in Los Banos's urban fabric but offer opportunities for beneficial infill development.
- The rail corridor continues to be an important focus for future development and revitalization.
- Addressing homelessness and public safety are key to attracting more residents and visitors.
- Planning for more downtown events and an enlivened food scene would help attract people Downtown, support businesses, and improve public safety.

To address these issues and take advantage of these opportunities, the Strategic Plan provides context discussion and strategies organized under the following ten goals:

- Plan for New Land Uses
- Implement Gateways and Wayfinding
- Strengthen Businesses
- Rehabilitate Buildings
- Upgrade Infrastructure
- Improve Safety
- Establish Character
- Develop a Food Scene
- Manage Parking
- Create Public Spaces

## PROJECT OUTREACH

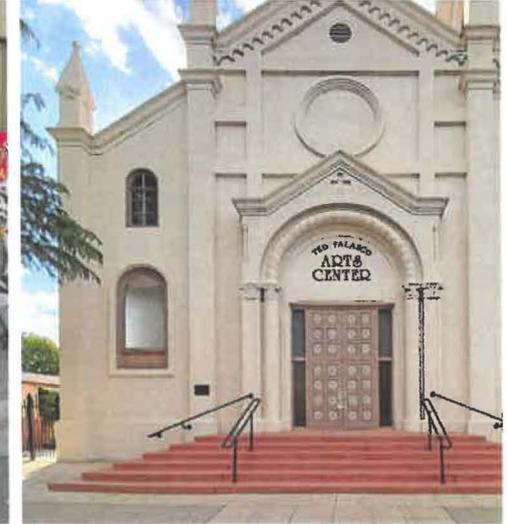
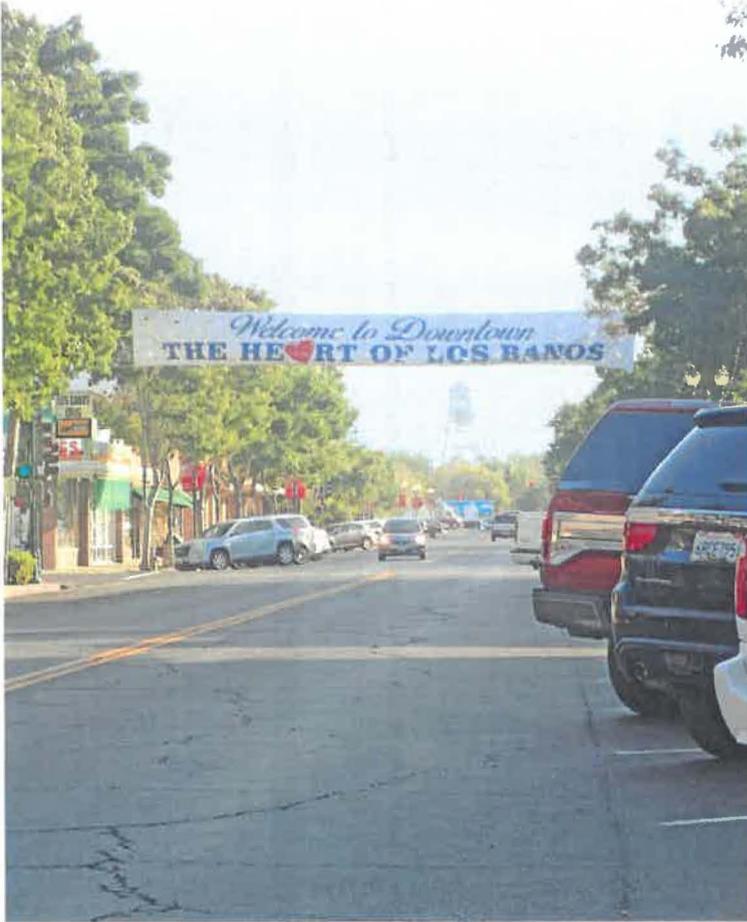
The Strategic Plan is based on public outreach to ensure that it appropriately reflects stakeholders' and the community's values and vision for the Downtown's future.

- **Stakeholder Meeting.** On May 28, 2019, the City of Los Banos held a public stakeholder meeting regarding Downtown Los Banos and the creation of the Downtown Strategic Plan. Attendees included Downtown property and business owners, leaders of business and community organizations, members of the public and the consultant team, and City staff. The meeting included a presentation about existing conditions in the Downtown, the Downtown Strategic Planning process, and the Downtown Strategic Plan boundary. This was followed by a group discussion of Downtown Los Banos's challenges and opportunities, with a particular emphasis on topics of importance for the Downtown Strategic Plan.
- **Community Workshop.** On July 8, 2019, the City of Los Banos held a public community workshop regarding Downtown Los Banos and the creation of the Downtown Strategic Plan. Attendees included members of the public, elected and appointed officials, Downtown property and business owners, leaders of business and community organizations, the consultant team, and City staff. Community members identified the homey feel and local businesses as Downtown's greatest strengths, but indicated the atmosphere could be further improved, especially through rehabilitated buildings and public spaces. Participants also indicated that more and better restaurants, a wider variety of stores, new outdoor eating spaces, more civic/cultural uses, and improved nightlife and nighttime safety would serve to attract them and their families.
- **Joint City Council and Planning Commission Meeting.** On September 25, 2019, a draft of the Los Banos Downtown Strategic Plan was presented to a joint session of the Los Banos City Council and Planning Commission. Following a review of the Plan's content, comments on the draft were received from members of the Council, Planning Commission, and general public. The draft Plan was revised to address those comments, and the final Los Banos Downtown Strategic Plan incorporates and responds to the feedback received at the September 25th Council/Planning Commission meeting. The following section details substantive changes made to the document to address those comments.

## REVISIONS TO THE DRAFT PLAN

Based on the feedback received at the September 25, 2019 City Council/Planning Commission Study Session, the draft Los Banos Downtown Strategic Plan was revised in the following ways:

- A paragraph was added to the Introduction section describing the joint City Council / Planning Commission meeting that took place on September 25th.
- A full-page informational text box was added on page 16 regarding gateways and wayfinding.
- Captions were added to describe the images on page 17 that illustrate potential gateway/archway options.
- The following policies were added to the Strengthen Business section on page 20:
  - r. Evaluate the potential for adopting a system to manage the mix and number of downtown business types to ensure a diverse mix of businesses in Downtown Los Banos.
  - s. Evaluate what land uses should be subject to discretionary approval to best achieve a vibrant and diverse business mix, and adopt changes to the Municipal Code to require conditional use permits for those uses.
- The following policies were added to the Rehabilitate Buildings section on page 22 to enable redevelopment of existing Downtown structures:
  - e. Consider reducing on-site parking requirements for existing structures.
  - f. Allow flexibility to subdivide existing structures to create separate front/rear spaces and access.
- On page 22, a policy was also added regarding addressing the issue of substandard housing:
  - p. Partner with nonprofits to buy substandard buildings with residential units and leverage outside funds to rehabilitate them into safe, well-managed housing.
- In the Improve Safety section, the following policy on page 25 was to help address the issue of homelessness in the Downtown:
  - i. Convene a panel or commission to address Los Banos's homelessness issues and recommend best practices.
- Strategy c. on page 29, under Develop a Food Scene, was amended to encourage and allow for food trucks (including through municipal code revisions).
- A series of artistic renderings were added on page 30 to illustrate how food trucks could be used to enliven the Downtown.
- An Implementation Matrix was added to the Strategic Plan, delineating the strategies, potential partners, and estimated cost and timing. This matrix also highlights the priorities identified by the City Council and Planning Commission at the September 25 meeting.



# LOS BANOS DOWNTOWN STRATEGIC PLAN



# LOS BANOS DOWNTOWN STRATEGIC PLAN

FEBRUARY 5, 2020

Prepared By:



1625 Shattuck Avenue, Suite 300  
Berkeley, California 94709  
510.848.3815

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**Los Banos Downtown Strategic Plan**

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# 1

## Introduction and Vision

Downtown is the geographical, historical, and cultural heart of Los Banos. Located in the area surrounding Main Street, Downtown is compact, highly walkable, and boasts a charming mix of new and old buildings integral to the city’s small-town identity. Downtown Los Banos features a pedestrian-oriented environment; mixed-use development with a backbone of retail uses; a traditional, well-connected street grid; and direct pedestrian and bicycle connections to nearby neighborhoods.

Downtown has many strong assets including its historic architectural character, a tight-knit central retail area, the adjacent Rail Trail Corridor, successful businesses, and important local destinations like Wool Growers, Santa Fe Foods, and City Hall. However, the Downtown core is disconnected from nearby regional corridors, has gaps in its fabric, and lacks prominent wayfinding and signage.

This Strategic Plan seeks to address these and other issues to enhance Downtown and promote development on opportunity sites, while maintaining its historic, small-town character. With careful planning, Downtown Los Banos can flourish as a thriving retail, cultural, recreational, and entertainment center.

### 1.1 DOWNTOWN VISION STATEMENT

*Downtown Los Banos is a vibrant, welcoming neighborhood where residents and visitors come together to share in food, shopping, and culture. Downtown’s well-kept historic fabric and high-quality new buildings host a healthy mix of local and national retail, restaurants, and entertainment venues. Old and new housing in Downtown Los Banos meets a high standard of quality and supports its thriving business climate. Downtown Los Banos is clean, safe, and attracts young people, families with children, and tourists during the day and in the evenings.*

This vision of Downtown can be realized by encouraging a mix of ‘work-live-and-play’ land uses. A mixed-use land use designation allows for a variety of activities including residential, commercial and office uses, as well as public and quasi-public uses. By supplementing Los Banos’s existing policies and efforts, as well as those of the 2040 General Plan Update, the Downtown Strategic Plan can serve as a roadmap and implementation guide to achieve this vision.

## 1.2 EXISTING RELEVANT PLANNING EFFORTS & DOCUMENTS

This section describes a number of planning efforts and documents that directly concern Downtown.

### *Community Design Standards*

The Los Banos Community Design Standards, adopted in 2008, establish development standards to support implementing a coherent character for development within the city. Among other goals, the standards emphasize maintaining the city's "small town atmosphere." Chapter 2 of the standards provides design guidance for Downtown. Several objectives outlined by the standards include improving the pedestrian environment, maintaining the traditional street grid and alley circulation system, providing transition between dense urban core and surrounding lower-density uses, and maintaining and enhancing the existing architectural character of Downtown.

### *Downtown Revitalization Plan & Façade Improvement Program by Downtown Property Owners*

During the summer of 2018, property owners in Downtown initiated the Downtown Revitalization Plan effort to improve Downtown. They worked with a consultant to identify goals and objectives for Downtown, as well as determine an approach for implementing improvements on private property. The Los Banos Downtown Façade Improvement Program is the result of this effort, which focuses on improvement of existing buildings in Downtown and allows business/building owners to apply for support for improvement projects. The Program establishes a Program Committee that will review applications and select projects to receive funding.

Following the launch of this improvement program, several property owners have petitioned for the creation of a Property and Business Improvement District (PBID), which is the next step in the Revitalization Plan. Under a PBID, property owners assess their properties to facilitate and fund improvements and activities within the district. The Downtown Association would enter a partnership with the City to develop a District Management Plan, which could include services such as lighting, maintenance, marketing, events, environmental beautification, streetscape enhancement, security, and signage. The process to set up a PBID is voluntary, initiated through a vote by property owners, and can take approximately one to one-and-one-half years to complete.

### *Rail Trail Corridor Regulating Code*

The Rail Trail Corridor Regulating Code, Resolution No. 5380, prepared in 2007 and revised in 2012, governs the development and future land use of 60 acres of land along the existing Rail Trail that runs along the former route of the Union Pacific Railroad tracks. The Regulating Code's plan area lies between H and G Streets and spans from 2<sup>nd</sup> Street to one parcel away from Mercey Springs Road. The Regulating Code provides a vision and sets forth regulations for a mix of land uses, building standards, architectural design standards, streetscape standards, block configurations, public spaces, and parking. This Strategic Plan will support and harmonize with the vision and strategy in the Rail Trail Corridor Regulating Code and will focus on the heart of Downtown in the blocks to the south and west.

### *2040 General Plan Update*

The Los Banos Downtown Strategic Plan is a component of the broader Los Banos 2040 General Plan Update effort. This Strategic Plan and the General Plan Update were developed concurrently, and the policies and strategies of the two, while not identical, are intended to reflect and reinforce one another. Each document informs the other, and they are designed to harmonize with respect to both land use and policy.

### *Downtown Strategic Plan Existing Conditions Memo*

This Strategic Plan is informed, in part, by the findings of the Downtown Strategic Plan Existing Conditions Memo, which is a separate document presented to the City in November 2018. Some of the figures and information in that memo are reproduced in modified form in this document.

## **1.3 STAKEHOLDER AND COMMUNITY ENGAGEMENT**

### *Stakeholder Meeting*

On May 28, 2019, the City of Los Banos held a public stakeholder meeting regarding Downtown Los Banos and the creation of the Downtown Strategic Plan. Attendees included Downtown property and business owners, leaders of business and community organizations, members of the public and the consultant team, and City staff.

The meeting included a presentation about existing conditions in the Downtown, the Downtown Strategic Planning process, and the Downtown Strategic Plan boundary. This was followed by a group discussion of Downtown Los Banos's challenges and opportunities, with a particular emphasis on topics of importance for the Downtown Strategic Plan.

### *Community Workshop*

On July 8, 2019, the City of Los Banos held a public community workshop regarding Downtown Los Banos and the creation of the Downtown Strategic Plan. Attendees included members of the public, elected and appointed officials, Downtown property and business owners, leaders of business and community organizations, the consultant team, and City staff.

The workshop began with a presentation about existing conditions in the Downtown, the Downtown Strategic Planning process, the Downtown Strategic Plan boundary, and the challenges and opportunities identified by the Existing Conditions Memo and the Stakeholder Meeting. The Presentation was followed by a small group activity that invited participants to:

- ◆ Indicate primary and secondary access routes to Downtown Los Banos, for both Los Banos residents and visitors;
- ◆ Identify Downtown entry points and potential gateways;
- ◆ Examine Downtown Los Banos' strengths and weaknesses;
- ◆ Discuss what the Downtown needs to achieve success; and
- ◆ Share what new uses, features, or amenities would serve to attract them and their families to Downtown.

Community members identified the homey feel and local businesses as Downtown's greatest strengths, but indicated the atmosphere could be further improved, especially through rehabilitated buildings and public spaces. Participants also indicated that more and better restaurants, a wider variety of stores, new outdoor eating spaces, more civic/cultural uses, and improved nightlife and nighttime safety would serve to attract them and their families to Downtown.

## Los Banos Downtown Strategic Plan

A draft of the Los Banos Downtown Strategic Plan was presented to a joint session of the Los Banos City Council and Planning Commission on September 25<sup>th</sup>, 2019. Following a review of the Plan's content, comments on the draft were received from members of the Council, Planning Commission, and general public. The draft Plan was revised to address those comments, and this final Los Banos Downtown Strategic Plan incorporates and responds to the feedback received at the September 25<sup>th</sup> Council/Planning Commission meeting.

### 1.4 DOWNTOWN STRATEGIC PLAN AREA

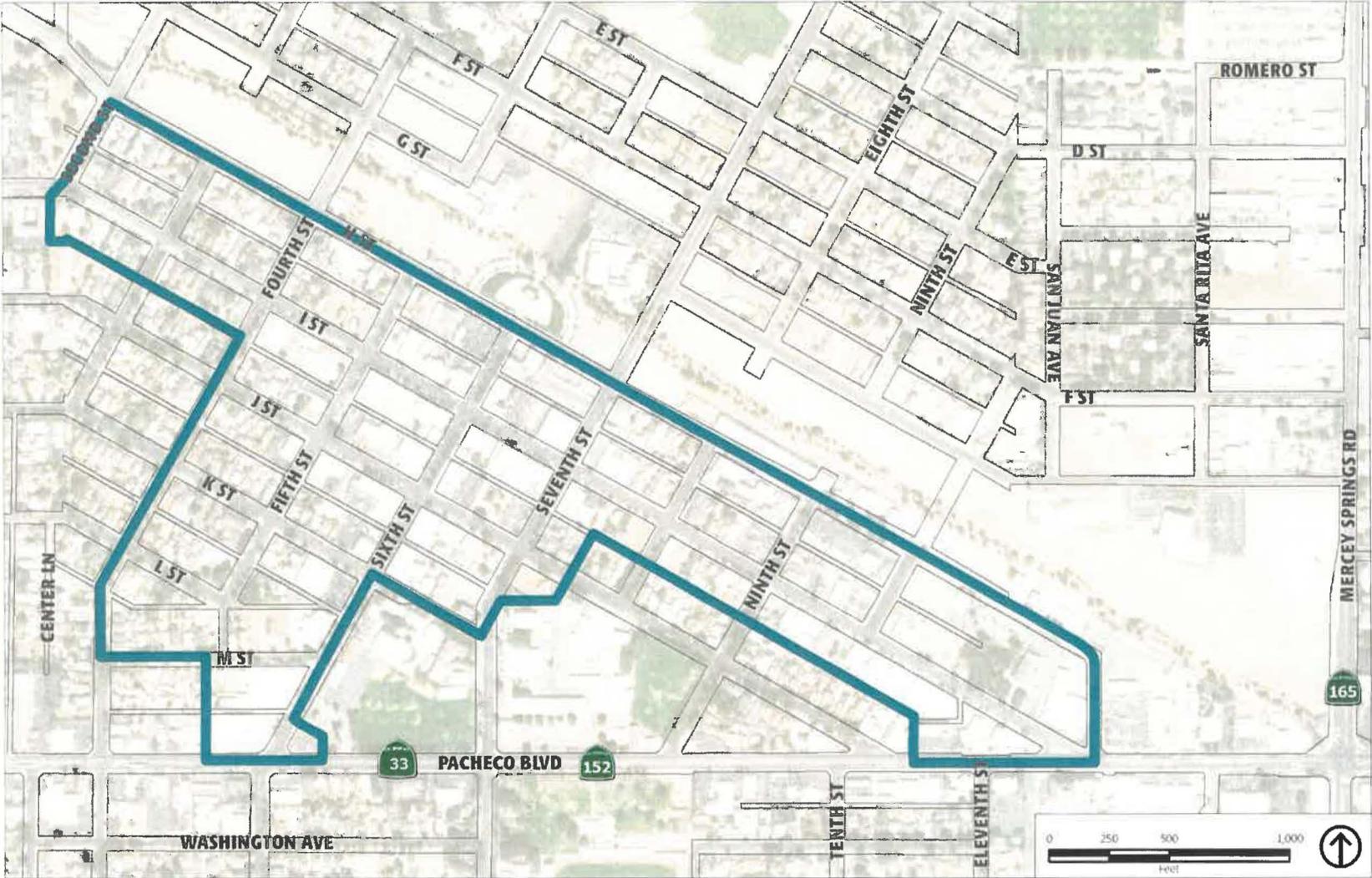
The Downtown Strategic Plan Area was developed based on the Downtown boundary included in Los Banos' previous General Plan, with adjustments made based on the input of stakeholders, community members, and City staff.

The Downtown Strategic Plan Area encompasses the core of Downtown Los Banos, roughly bounded by 4<sup>th</sup>, 7<sup>th</sup>, H, and I Streets, as well as extensions to the northwest, southwest, and southeast. These extensions incorporate mixed uses on H and I Streets, extending northwest to 2<sup>nd</sup> Street, and southeast toward Pacheco Boulevard; and another area of mixed uses extending southwest along 5<sup>th</sup> and 6<sup>th</sup> streets toward Pacheco Boulevard. The extensions toward Pacheco Boulevard also serve to incorporate important gateways to Downtown at 6<sup>th</sup> and Pacheco Boulevard, and I Street and Pacheco Boulevard.

Figure 1-1 illustrates the Los Banos Downtown Strategic Plan Area. It should be noted that Los Banos could also consider applying many of the strategies included in this Plan to adjacent areas, especially the Rail Corridor, and other areas of the city as well.

Figure 1-2 and Figure 1-3 provide additional context by showing, respectively, the 2030 Los Banos General Plan Land Uses and the existing Zoning Designations in the vicinity of Downtown.

Figure 1-1 Los Banos Downtown Strategic Plan Area



Sources: ESRI, 2018; Merced County, 2018; PlaceWorks, 2019.

 Downtown Strategic Plan Area

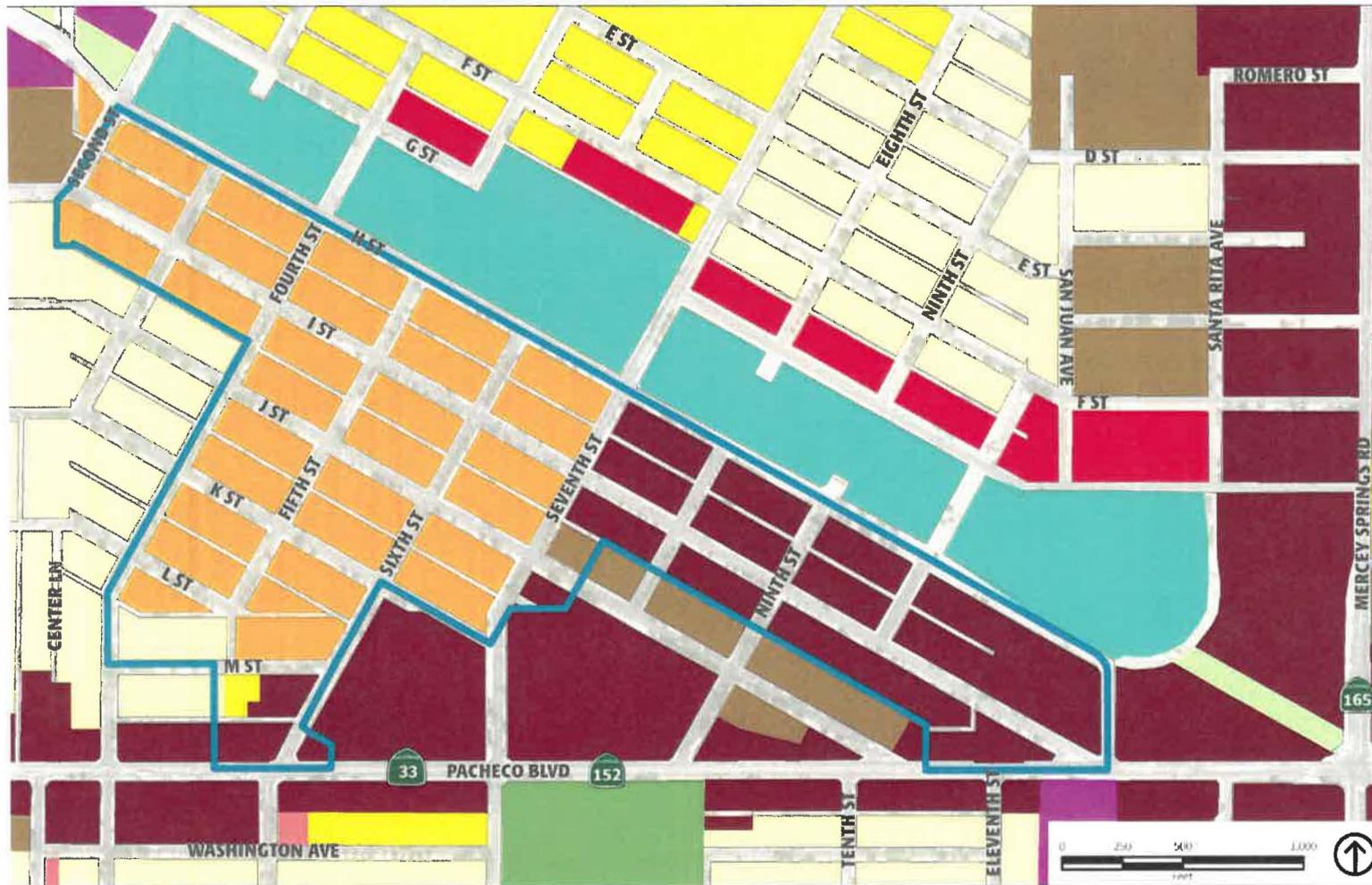
Figure 1-2 Los Banos 2030 General Plan Land Use Designations in the Vicinity of Downtown



Sources: ESRI, 2018; City of Los Banos, 2019; Merced County, 2018; PlaceWorks, 2019.

- |   |   |   |  |  |
|---|---|---|--|--|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> Mixed Use                    | <span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> High Density Residential     | <span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> Park      | <span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> Professional Office | <span style="display: inline-block; width: 15px; height: 15px; border: 2px solid blue;"></span> Downtown Strategic Plan Area |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> Commercial                      | <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> Medium Density Residential   | <span style="display: inline-block; width: 15px; height: 15px; background-color: grey; border: 1px solid black;"></span> Industrial | <span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> Civic/Institutional |  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: lightyellow; border: 1px solid black;"></span> Neighborhood Commercial | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightyellow; border: 1px solid black;"></span> Low Density Residential |   |  |  |

Figure 1-3 Existing Zoning Designations in the Vicinity of Downtown



Sources: ESRI, 2018; City of Los Banos, 2019; Merced County, 2018; PlaceWorks, 2019.

- |                                  |                               |                     |  |
|----------------------------------|-------------------------------|---------------------|--|
| Low Density Residential (R-1)    | Neighborhood Commercial (C-N) | Park (PARK)         |  Downtown Strategic Plan Area |
| Medium Density Residential (R-2) | General Commercial (C-1, C-2) | Open Space (OS)     |  |
| High Density Residential (R-3)   | Highway Commercial (H-C)      | Rail Corridor (R-C) |  |
| Mixed Use (M-X)                  | Professional Office (P-O)     |                     |  |
|                                  |                               |                     |  |

## 2

# Downtown Strategies

The strategies described in this chapter form the core of the Strategic Plan and are divided into sections that address a variety of topic areas identified based on input from stakeholders, community members, and City staff. Each section discusses the overall context and goals for a topic area, followed by a list of strategies designed to help achieve those goals. This chapter addresses the following topics:

- ◆ Plan for New Land Uses
- ◆ Implement Gateways and Wayfinding
- ◆ Strengthen Businesses
- ◆ Rehabilitate Buildings
- ◆ Upgrade Infrastructure
- ◆ Improve Safety
- ◆ Establish Character
- ◆ Develop a Food Scene
- ◆ Manage Parking
- ◆ Create Public Spaces

The goals described in this section are intended to harmonize with those of the 2040 General Plan. The strategies listed in this chapter are designed to overlap, reinforce, and/or supplement the policies and actions included in the 2040 General Plan. This chapter also incorporates photos, diagrams, and maps that inform and illustrate the various topics and strategies.

### 2.1 PLAN FOR NEW LAND USES

One of the keys to ensuring success for the Downtown is fostering a healthier and more vital mix of land uses. As the historic and cultural heart of the city, Downtown Los Banos has enormous potential. Unfortunately, recent levels of investment and development have not met that full potential. A lack of new housing in the Downtown, for example, means that there are relatively few residents living in close proximity to its primary commercial streets. This means fewer customers, a more challenging business climate, and commercial rents that don't yet incentivize new development.

Fostering a mix of residential, retail, office, and civic uses can help build a foundation for an active downtown both during the day and at night. This in turn helps small businesses succeed and serves to attract new development and amenities to the Downtown. The interdependencies between workers, residents, and the business that serve them help build a virtuous cycle that self-reinforces, further improving the economic health of the downtown and its resiliency in the face of downturns. The following sections provide context of each overarching category of land use and describe their role in the downtown. These

## Los Banos Downtown Strategic Plan

discussions are followed by a set of strategies tailored to that land use, but which may be useful for other land uses as well.

Figure 2-1 illustrates opportunity sites in the Downtown Strategic Plan Area, which have long-term potential to develop or redevelop as the variety of new uses discussed below. Based on a preliminary digital survey and information available as of the writing of this Strategic Plan, these areas were identified as candidates for potential redevelopment. Sites were included if they appeared to be undeveloped or featured low-density, non-residential uses that did not appear to be of historical significance. Identifying an area as an opportunity site does not imply that it necessarily can or will be redeveloped, nor are redevelopment opportunities strictly limited to these sites.

### *Housing and Lodging*

Housing is the most fundamental land use for any city; without it, an area could be considered a district, but not a neighborhood. Although housing exists in and near Downtown Los Banos, the city has excellent opportunities to increase the housing supply downtown, and in turn build a stronger Downtown community and foundation for the local economy.

Although demand remains strong for suburban, single-family neighborhoods, demand for downtown housing options is rising. People of all age groups increasingly prioritize walkability when considering what neighborhood to live in, and significant numbers of young people and retirees are interested in the convenience and excitement of living Downtown.

Los Banos has an opportunity to leverage these trends to attract investment in the Downtown and improve its business climate. More residents in the Downtown means more foot traffic and patronage for local businesses. This increased activity is self-

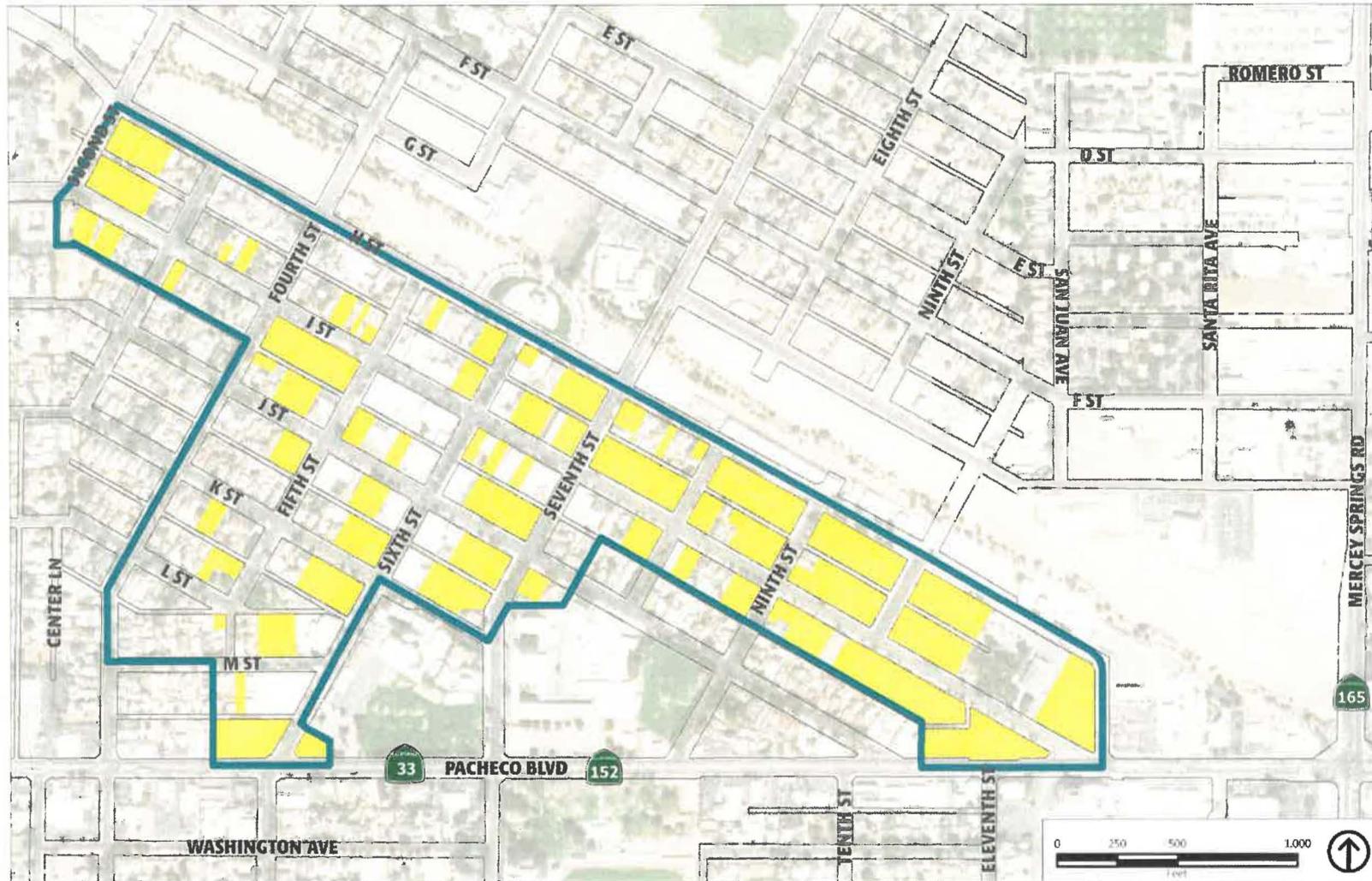


*Housing over ground-floor retail in Windsor.*

reinforcing because it will also serve to attract more people to the Downtown from other neighborhoods. Put simply, people enjoy spending time where they can engage with other people. More downtown residents also means more people to put time and care into enhancing the neighborhood and more eyes on the street to improve safety and deter problematic behavior.

Encouraging more housing Downtown offers other benefits as well. As additional residences and other uses develop in the Downtown, walking, biking, and transit will become increasingly viable alternatives to driving in the area. This serves to reduce air pollution and greenhouse gas emissions, while also improving public health by encouraging active transportation. More people living, working, and shopping in the Downtown also means increased tax revenue for the City, and makes provision of services in the area more efficient.

Figure 2-1 Opportunity Sites within the Downtown Strategic Plan Area



Sources: ESRI, 2018; Merced County, 2018; PlaceWorks, 2019.

- Downtown Strategic Plan Area
- Opportunity Sites\*

\*Opportunity sites are based on a preliminary digital survey and information available as of the writing of the Downtown Strategic Plan. Sites were included if they appeared to be undeveloped or featured low-density, non-residential uses that did not appear to be of historical significance. Areas were designated using inclusive approach with an eye toward long term potential. A site's inclusion in this map does not indicate that the site necessarily can or will be redeveloped.

## Los Banos Downtown Strategic Plan

As part of its efforts to bring more residents to the Downtown, Los Banos also has the opportunity to ensure that the housing built serves a diverse cross section of the community. This means providing housing with a variety of sizes, types, and affordability levels. Providing for a mix of housing types ensures that a diversity of Downtown workers are also able to live in the neighborhood, and it enables people at all income levels and life stages to enjoy and live in the Downtown over the long term.

Similar to housing, new lodging uses also have a role to play in Downtown revitalization. As Downtown Los Banos develops a reinvigorated mix of dining, shopping, and entertainment opportunities, regional visitors and travelers will want to stay in the Downtown. Providing lodging serves this need, while further adding to the customer base for Downtown businesses.

Given these numerous benefits, this Strategic Plan incorporates the following strategies that would serve to encourage and incentivize increased housing and lodging development in the Downtown:

- a. Promote Downtown Los Banos as a pedestrian, specialty retail, entertainment, cultural, office, and housing area.
- b. Promote use of first floor space in new buildings downtown for retail, food service, and other high volume commercial/civic uses, and office, lodging, and residential uses on second floors.
- c. Increase allowable densities in the Downtown to increase project feasibility and attract development and investment.
- d. Consider adoption of a local density bonus that incentivizes affordable housing or other amenities for the



*Historically inspired hotel under construction in Winters, CA (Winters Express).*

Downtown by granting additional density above the State Density Bonus.

- e. Conduct a development fee analysis and permitting audit to determine if the City's various development fees and/or permit procedures are negatively impacting the feasibility of new Downtown development.
- f. Pursue mixed-use, mixed-income projects in Downtown Los Banos—especially projects that could act as catalysts for additional development and investment Downtown. To accomplish this, employ the following sub-strategies:
  1. Seek State and federal affordable housing funds and tax credits to finance development.
  2. Enter into public/private partnerships with non-profit or for-profit developers.
  3. Partner with the Los Banos School District to build housing for teachers, or a mixed-income project with a set-aside for teacher housing.

## Los Banos Downtown Strategic Plan



4. Pursue State set-aside funding to build housing for farmworkers and their families.
- g. Allow and promote the creation of live-work units Downtown for artists and craftspeople.
- h. Revise or add provisions to the development code regarding Group Living Accommodations to allow and encourage cooperative housing for seniors.
- i. Amend Los Banos's building code to allow for and/or encourage the construction of pre-fabricated multi-family housing.
- j. Provide targeted tax or fee reduction incentives to encourage development, potentially including geographically-targeted incentives for areas where development may be difficult.
- k. Explore the possibility of allowing certain projects that include housing or types of housing by right.
- l. Implement objective design and development standards to expedite staff review and discretionary approvals.
- m. Allow for and encourage the development of one or more lodging uses in the Downtown, if economically feasible.



### *Office/Commercial*

Downtown Los Banos currently has only very limited amounts of office space, and the majority of existing office space is for civic uses or financial institutions. This lack of office space means that Downtown Los Banos is not meeting its full potential as a job center and is missing out on the economic benefits of hosting a larger workforce. Encouraging the creation of new office space in Downtown Los Banos has the potential to help the City meet an array of broader goals for the Downtown.

A primary benefit of encouraging new office uses is the daytime foot traffic that it generates. Office workers patronize local businesses before and after work, and especially restaurants during lunch. This Strategic Plan envisions a future where Downtown Los Banos has a healthy mix of commercial office and retail that encourages workers to run errands in the Downtown before and after work and linger in the Downtown for dinner and drinks before going home. (And, if more housing

## Los Banos Downtown Strategic Plan

is built, Downtown may even be home for these workers.) This increased daytime foot traffic can enliven and serve to draw more visitors to the Downtown at times when it might otherwise be less populated.

Creating additional and more modern office space in Downtown Los Banos also serves to boost the local job market and expand economic opportunity. Historically, downtowns similar to Los Banos have provided opportunities for smaller professional offices to provide services to local residents in fields like tax preparation, law, and financial consulting. Although there are some businesses like this in Downtown Los Banos, there may be unmet demand for additional professional services. In addition, having more office space available can encourage startup formation in Los Banos and offer opportunities for existing companies to open Los Banos offices.

Currently, Los Banos's housing demand and economic health is strongly influenced by conditions in far-flung job centers over which the City has no control. Increasing Los Banos's job base can help make it less reliant on other nearby job markets and insulate it, to a degree, from swings in the broader economy.

Overall, creating more office space in the Downtown helps build synergistic relationships with housing, retail and, other uses in the Downtown. Therefore, this Strategic Plan incorporates the following strategies to encourage and incentivize new office development in Los Banos:

- a. Identify opportunity sites within and immediately adjacent to the Downtown where Los Banos could work to attract a larger scale mixed-use office project.
- b. For office projects proposed on larger opportunity sites within and immediately adjacent to the Downtown, encourage the incorporation of:
  1. Supportive services/retail, including pedestrian-oriented retail at key ground floor locations.
  2. Minimum density standards to avoid allowing new projects which underutilize their sites; and creating a process for permitting exceptions when merited by economic and/or site conditions.
- c. Amend design guidelines and development standards to ensure that new office developments provide contemporary amenities that will be attractive to tenants. Examples include but are not limited to: green building features, high speed internet, abundant natural light, informal gathering spaces, etc.
- d. Leverage construction of the new Courthouse and police station to encourage nearby commercial development to serve the needs of Courthouse workers and visitors.
- e. Explore opportunities for creating new office buildings shared by a mix of private-sector, public-sector, non-profit, and community-based organizations.
- f. Work with local business groups, property owners, and developers to approach major firms about the possibility of creating satellite offices in Los Banos.
- g. Grant conditional tax and/or development fee relief when it is necessary to ensure the feasibility of a proposed office/employment use.

## Los Banos Downtown Strategic Plan

- h. Encourage the development of a co-working space in Los Banos to provide office space and collaboration opportunities for freelancers and startups.

### *Civic, Public, and Institutional Uses*

Los Banos has an opportunity to build on existing civic and public uses in and near the Downtown in ways which reinforce other uses and provide additional benefits to the community. Creating new institutional uses in the Downtown not only helps provide necessary services and amenities for new Downtown residents but can signal to potential developers and other private interests that Los Banos is invested in its Downtown.

Downtown Los Banos currently features several institutional uses, including Los Banos City Hall and the Police station, with the Los Banos Community Center just across the Rail Trail. Although the police station will soon be moving to the new Courthouse site, which is just beyond the Downtown boundary, the City can still leverage these civic uses, as well as other opportunities for the creation of new civic uses Downtown.

Civic uses serve a variety of functions, the foremost of which is providing the community with essential services and support. Civic uses foster Los Banos's long-term success by providing residents with health care, education, and opportunities for recreation and physical fitness. Residents who are educated, healthy, happy, and interconnected are more economically successful, require fewer public services, and are better able to give back to their communities. Encouraging more civic uses in the Downtown with the following strategies can thereby enhance Los Banos's safety net and strengthen the city's long-term prosperity:



- a. Pursue State and federal grants and other funding for the planning and construction of civic uses and infrastructure projects; investigate the possibility of using Community Development Block Grants to fund new civic uses and programs in the Downtown.
- b. Propose public bond measures for new civic uses, potentially including a new library and/or expanded community/fitness center; convene a working group to identify unmet needs and priority projects.
- c. Evaluate the potential to place a dual-purpose performance space on the site of the Westside Union or Los Banos Elementary school.
- d. Explore opportunities to create new public facilities and civic uses along the Rail Corridor and/or near the site of the new police station and courthouse.

## Los Banos Downtown Strategic Plan

- e. Investigate options for reusing the Crest Theater as a civic or community use.
- f. Collaborate with Downtown business organizations and property owners to explore the possibility of creating a new children’s museum or activity center.
- g. Approach Sutter Health to investigate opening a community clinic or other health facility Downtown.
- h. Identify opportunity sites within and immediately adjacent to the Downtown where Los Banos could work to attract a large mixed-use project with an institutional anchor.

### Focus Areas

The Downtown Los Banos Existing Conditions Memo identified three key corridors/areas to target for mixed-use infill development to foster more activity and vibrancy:

- ◆ The south side of H Street across from anticipated Rail Corridor developments, from its intersection with 5th Street south and east to Pacheco Boulevard, especially in the vicinity of the 6<sup>th</sup> Street intersection.
- ◆ I Street, from 6<sup>th</sup> Street to Pacheco Boulevard with an emphasis on the area between 7<sup>th</sup> and 9<sup>th</sup> Streets, as well as vacant/underutilized parcels in the vicinity of its intersection with 6<sup>th</sup> Street.
- ◆ The block of 6<sup>th</sup> Street from M street to Pacheco Boulevard, with special emphasis on the Pacheco Boulevard Intersection, which could serve as a new Downtown gateway.

The following strategies apply to these areas:

- a. Incentivize development with zoning overlays that allow for increased density, by-right project approvals, or other incentives to encourage infill projects.
- b. Prioritize historic structures in these areas or rehabilitation incentives and adaptive reuse efforts.
- c. Evaluate opportunities for targeted fee reductions, public-private partnerships, or other direct incentives to encourage infill development in these areas.

### 2.2 IMPLEMENT GATEWAYS AND WAYFINDING

Downtown Los Banos is a welcoming and handsome district, but many visitors pass through without knowing it’s there.

Downtown lies four to five blocks north from State Route 152 / Pacheco Boulevard and is not visible from the highway. Although there are two existing “Welcome to Downtown” monument signs indicating a gateway at 6<sup>th</sup> and SR 152, they are not particularly visible due to the low height and modest size. Many community members expressed an interest in deploying new, more visible signage along SR 152 to better highlight the presence of and ease of access to Downtown.



Gateway signage should be considered for two locations that lead directly from SR 152 to Downtown: 6<sup>th</sup> Street and SR 152 for eastbound travelers, and I street and SR 152 for westbound travelers. Discussions with community members indicate that as the main entry into Downtown, the intersection of 6<sup>th</sup> and SR

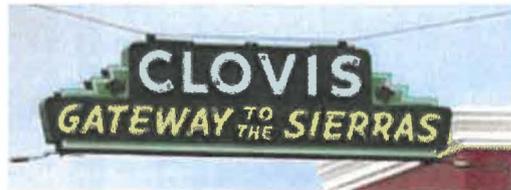
## Gateways and Wayfinding



Taken circa 1927, this photo shows Los Banos's history of gateway features. The sign reads "Los Banos Where East Comes West to Stay"

Gateways and wayfinding help draw visitors to an area, improve their experience of that area, and influence them to remain longer (potentially supporting local businesses along the way).

A variety of non-exclusive approaches exist to improve gateways and wayfinding; these range from simple to elaborate, conventional to quirky. Gateways can take the form of anything from minimalist pylons to intricate archways. Wayfinding can be served by anything from simple directional signage to detailed maps that include walking, biking, and transit information.



Downtown Clovis's "Gateway to the Sierras" sign is attractive and memorable, and could serve as a model for Los Banos to consider.

As Los Banos implements the Downtown Strategic Plan, decision-makers, stakeholders, and downtown users will be able to decide what approaches are best suited to the needs of Downtown Los Banos. If funding allows, a significant new feature, such as an archway over a primary entry to Downtown, could help attract visitors and serve as a focus of civic pride. But even lower-cost measures have the potential to direct visitors Downtown and improve their experience there. Wayfinding can also be used to help people find available parking.



Simple directional signage can alert visitors to attractions and tell them what direction to go.



More elaborate signs with maps help visitors see areas as a whole and better understand distances to destinations and what's in their immediate vicinity.

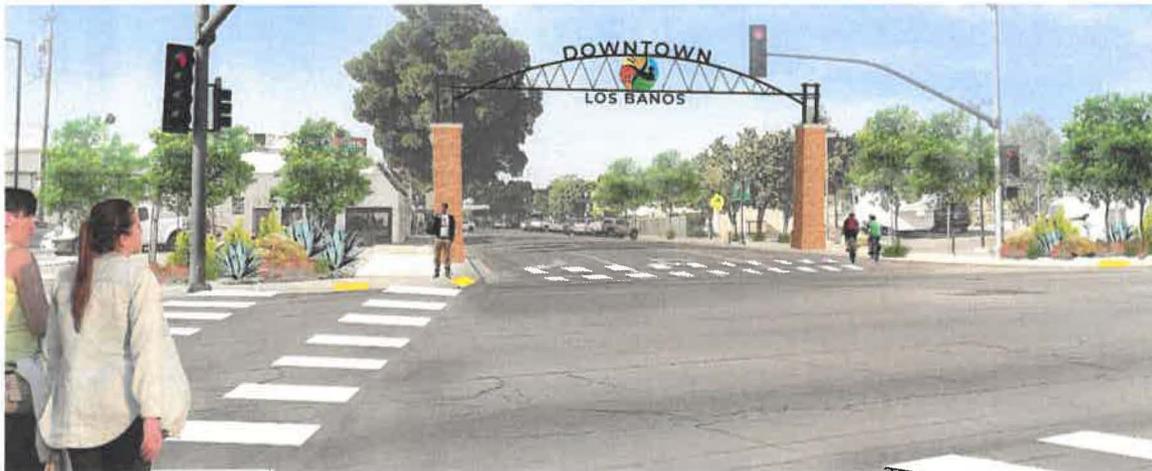
Figure 2-2 Two Potential Downtown Gateway Options



*This option adds new landscaping and signage at Sixth and Pacheco Boulevard. The image also shows potential new development on the corner site to the right, framing the entry to downtown. New development is not proposed, this is for illustration only.*



*Photo showing existing conditions at Sixth and Pacheco Boulevard, with existing entry sign at left corner.*



*This option shows an archway feature leading to downtown, with additional landscaping on the street and in the corner site on the right side. It will be easier to get Caltrans approval to implement the archway feature if it is outside the Caltrans right-of-way along Pacheco Boulevard.*

## Los Banos Downtown Strategic Plan

152 should have a highly visible sign, while the sign at I Street and SR 152 can be a more modest gateway sign.

Once in Downtown, visitors do not know where to find key destinations. Wayfinding signage could help visitors navigate more easily and discover new points of interest. The signage could indicate the location of public parking, Henry Miller Plaza, the Crest Theater, City Hall, and other locations. Los Banos should undertake the following strategies to improve wayfinding and signage in and around Downtown:

- a. Embark on planning, community engagement, and design for two gateway signs and associated landscaping along SR 152 at 6<sup>th</sup> Street and I Street. Because Caltrans controls the right-of-way along SR 152, they should be consulted as part of this process.
- b. Include these gateway signage goals and locations in the discussions of improvements to SR 152 in the ongoing SR 152 Specific Plan project, funded by Caltrans. This planning process is underway in 2019 and expected to be completed in 2020.
- c. Develop a Downtown Wayfinding program that will determine appropriate locations for wayfinding signage, designs for the signage boards or kiosks, and cost estimates for implementation.
- d. Seek funding to implement and maintain the signage installations once designs and costs are determined.

### 2.3 STRENGTHEN BUSINESSES

Diverse, self-sustaining businesses are key to the success of any commercial or mixed-use district. Downtown Los Banos already has many of the ingredients needed for achieving greater

vitality, but still needs a critical mass of places to shop, dine, and socialize. Nurturing existing and new businesses will serve not only to enhance Downtown Los Banos, but to also achieve other citywide goals.

Achieving a mix of restaurants, shops, entertainment, and other commercial uses is essential to creating a vibrant and resilient commercial or mixed-use neighborhood. Areas composed purely of residential, office, or industrial uses serve important functions, but the appeal of a Downtown comes largely from its heterogeneity and the steady stream of activity that fosters. While residential neighborhoods may fall quiet during the daytime and office uses go dormant at night and on weekends, thriving Downtowns are bustling day and night. Knowing that there is nearly always something to buy, do, see, or eat in a Downtown is part of its appeal.

Downtown Los Banos already enjoys features that set the stage for its success, but it falls short on the number and variety of businesses necessary to reach its full potential. Factors in Downtown Los Banos's favor include its central location within the city; easy access to nearby neighborhoods and highways; its tight-knit, walkable urban fabric; and its historic buildings. Because people tend to enjoy areas where they can easily walk around and encounter a variety of stores, restaurants, and other attractions, Downtown Los Banos has a solid geographical/structural foundation. Through a focused effort, Los Banos can foster a business mix that fills out that existing structure, and dovetails with the Downtown's nostalgic, small-town appeal.

Generating more business Downtown also offers significant benefits for Los Banos and its residents as a whole. More businesses Downtown means more jobs and opportunities for Los Banos workers and entrepreneurs. More economic activity



Downtown would also generate additional tax revenue for the City, both through increased sales and through eventual increases in property values as Downtown land becomes more valuable and new developments are completed.

The following strategies cover a variety of ways Los Banos can seek to attract, retain, and grow businesses in the Downtown:

- a. Partner with local business organizations such as the Chamber of Commerce, the Los Banos Downtown Association, and any business improvement districts in their efforts to support and attract Downtown businesses.
- b. Encourage formation of a Buy Local Los Banos organization, through which Los Banos businesses work together to encourage residents and visitors to buy local products and patronize local businesses.
- c. Work with business organizations to develop and market a Los Banos coupon book that focuses on a local, independent, and Downtown businesses.

- d. Revise the City Website to include more detailed direction for starting a business and create an online application system for business licenses.
- e. Create a Revolving Loan Fund to provide low-interest loans to assist small businesses who cannot find private financing, and establish a board, commission, or other review body to evaluate applications and administer the program.
- f. Increase/expand city-offered consultation services for small businesses and entrepreneurs.
- g. Collaborate with business organizations to engage in marketing campaigns both to potential downtown visitors and customers, and to larger business interests who may wish to invest in Downtown Los Banos.
- h. Develop programs for targeted tax or fee relief for small businesses.
- i. Work with business organizations, property owners, and small business owners/founders to identify spaces for new and relocated business and reduce vacancies in the Downtown.
- j. Collaborate on and/or help fund marketing efforts for the Downtown.
- k. Expand, promote, and leverage Downtown events, such as street fairs, farmers markets, etc. to attract new businesses, and to build public awareness and support for Downtown revitalization.
- l. Maintain and update the Downtown Los Banos website to promote events, build public awareness, and market downtown to consumers, businesses, and investors.



- m. Conduct consumer surveys to determine what goods, services, and amenities residents most want and need in Downtown Los Banos.
- n. Explore establishment of a small business of the month and/or year award to highlight local businesses and entrepreneurs.
- o. Use social media to promote Downtown Los Banos businesses and events.
- p. Work with Merced County to explore opportunities for holding more events at the County Fairgrounds and leverage existing events to bring additional foot traffic to Downtown Los Banos.
- q. Establish new Downtown events such as open streets events, holiday gatherings, First Fridays, or others.
- r. Evaluate the potential for adopting a system to manage the mix and number of downtown business types to ensure a diverse business mix in Downtown Los Banos.
- s. Evaluate what land uses should be subject to discretionary approval to best achieve a vibrant and diverse business mix, and adopt changes to the Municipal Code to require conditional use permits for those uses.

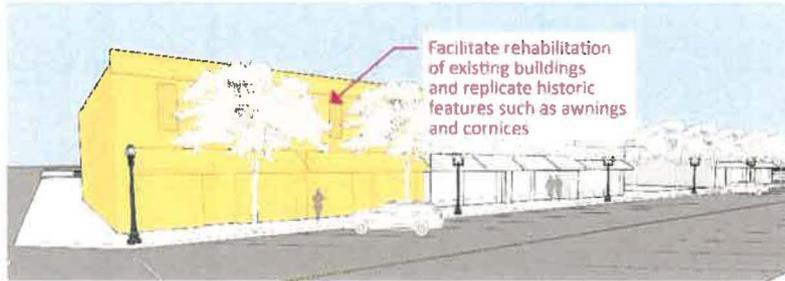
#### 2.4 REHABILITATE BUILDINGS

Downtown Los Banos’s historic fabric is a key asset that is fundamental to the city’s charm and small-town character. Unfortunately, many older buildings are in various states of disrepair and require significant upgrades to meet modern standards. Nevertheless, taking on the challenge of rehabilitating and modernizing Downtown’s historic structures has the potential to yield both tangible and intangible benefits for the City and its residents.

The layout and historic buildings of Downtown Los Banos are reminiscent of small-town main streets in other American cities that were built up during the 19th and early 20th centuries and share a similar agricultural heritage as Los Banos. Downtown Los Banos is unique within the city for the northwest-southeast orientation of its street grid, an orientation that is also found in other historic downtowns of the San Joaquin Valley.

The reason for this striking diagonal grid is the early presence and importance of the railroad in Los Banos, near which the Downtown developed. At the time of Los Banos’s early growth, the railroad was the primary regional transportation system for

## Los Banos Downtown Strategic Plan



both residents and the abundant agricultural products that came from and through Los Banos. Los Banos's downtown reflects a time when walking would have been a commonplace mode of transportation and close proximity to the railroad was key for businesses.

Historic downtowns have enjoyed a recent renaissance in large part because their design feels human scaled and is convenient for walking. A tight-knit fabric of small storefronts is able to constantly provide new sources of visual interest and diverse opportunities for shopping in a small area. With renewed interest in buying locally and finding unique items, consumers are increasingly turning to mom-and-pop stores and the historic areas that host them. Los Banos has the opportunity to make the most of these trends by nurturing the rehabilitation of this traditional urban fabric.

Undertaking these upgrades to the historic fabric will require a variety of approaches depending on the state of a particular structure and the needs of the uses seeking to locate there. Some buildings may only require decorative changes or other exterior upgrades, while others may require new utility systems, foundation work, or safety/seismic upgrades. For example, many older buildings in Los Banos don't meet modern code



requirements for new full-service restaurants, requiring upgrades to electrical, ventilation, and wastewater systems.

These upgrades are currently challenging to undertake and finance because the foot traffic and potential rents in the Downtown do not necessarily justify the expense. It is therefore necessary for the City and Downtown business organizations to provide logistical and financial support to early revitalization efforts. As Downtown business increases, rising revenues and rents have the potential to make future rehabilitation efforts self-sustaining, reducing the need for subsidy and support.

In 2018, the Los Banos Downtown Association initiated a Downtown revitalization effort, including a Downtown Façade Improvement Program. These strategies are intended to reiterate and build on the approaches of that program:

- a. Work with the State Office of Historic Preservation's Local Government Assistance Program and California Main Street Program to craft economic incentives to preserve and rehabilitate historic structures.
- b. Adopt a Local Mills Act program to provide tax relief to property owners who rehabilitate historic structures.

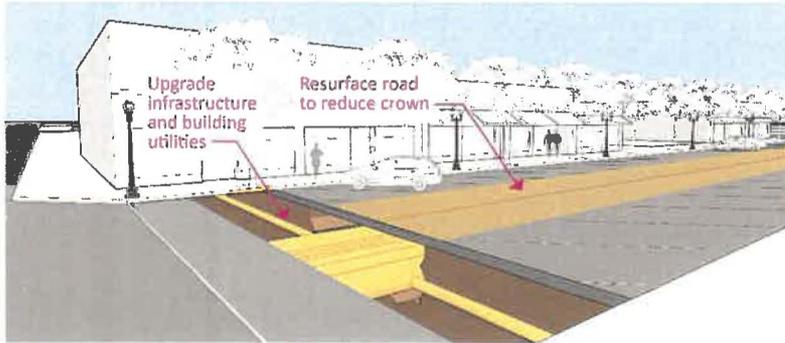


- c. Collaborate with the State Historic Preservation Office to assist owners of historic properties in claiming the 20 percent federal income tax credit available for the rehabilitation of historic, income-producing buildings that are determined by the Secretary of the Interior, through the National Park Service, to be “certified historic structures.”
- d. Institute local tax and/or fee relief to incentivize the preservation and rehabilitation of historic structures.
- e. Relax parking requirements for existing structures.
- f. Allow flexibility to divide existing structures to create separate front/rear spaces and access.
- g. Establish and fund a local grant program to support the preservation and rehabilitation of historic structures.
- h. Enter into public/private partnerships for the preservation and restoration of historic structures.
- i. Pursue private and charitable funding to support building rehabilitation and façade improvement.
- j. Adopt and implement a local landmarking program to help owners of historic properties access preservation incentives and funding.
- k. Establish a historic district in Downtown Los Banos to facilitate preservation efforts and improve access to State and federal rehabilitation incentives.
- l. Incentivize and/or support adaptive reuse.
- m. Encourage project developers to pursue purchase of adjacent historic properties/structures and to integrate their rehabilitation in the overall project.
- n. Allow new developments to preserve and restore historic facades while building new structures above and/or behind them.
- o. Pursue grants and other financial assistance from foundations and organizations with a focus on historic preservation, potentially including but not limited to: the California Council for the Humanities, the Getty Conservation Institute, the National Trust for Historic Preservation, and the US Small Business Administration.
- p. Partner with nonprofits to buy substandard buildings with residential units and leverage outside funds to rehabilitate them into safe, well-managed housing.

## 2.5 UPGRADE INFRASTRUCTURE

Adequate infrastructure is a basic prerequisite for the success of any city, neighborhood, or business district. Although Downtown Los Banos has seen certain infrastructure upgrades in recent years, more needs to be done to make Downtown Los Banos attractive to a wider array of businesses and developments. Fortunately, Downtown Los Banos’s need for upgraded infrastructure coincides with a period of renewed interest in the revitalization of historic downtowns, as well as State efforts to fund new infrastructure.

## Los Banos Downtown Strategic Plan



Downtown Los Banos is fortunate to have already undergone a number of infrastructure upgrades which position the Downtown well for continued improvement. For example, many of Downtown's central blocks have seen their overhead wires undergrounded and sidewalks recently repaved. And, thanks to the efforts of the former Los Banos Redevelopment Agency, Downtown Los Banos has also installed historically inspired, pedestrian-scale lighting on a number of blocks.

However, additional and/or expanded upgrades are still needed for Downtown Los Banos to reach its full potential. For example, there are a number of blocks in the vicinity of Downtown that could benefit from expanded undergrounding of overhead utilities and installation of pedestrian-scale street lighting, most notably certain blocks of I Street that are good candidates for infill development. Additionally, ensuring that all areas of Downtown have broadband internet infrastructure in place could serve to attract new businesses and office developments. And perhaps most importantly, attracting new dining, nightlife, and entertainment uses will require ensuring that water/wastewater infrastructure and its connections to individual buildings are sufficient to meet code requirements.

Pursuing ongoing infrastructure improvements in the Downtown will not only ensure that the services necessary to conduct business are available, but also signal to business owners, investors, and developers that Los Banos has a long-term commitment to the revitalization and redevelopment of Downtown. To help achieve this, the following strategies are recommended to spur and fund further infrastructure upgrades:

- a. Pursue State and Federal grants and other funding for infrastructure construction and planning.
- b. Draft and adopt a Capital Improvements Plan to identify priority projects, funding sources, potential phasing and key stakeholders.
- c. Propose public bond measures for infrastructure/streetscape projects, subsequent to or independent of development of a Capital Improvements Plan, potentially including repaving, improved water/wastewater systems, fiber-optic and/or municipal internet, enhanced street lighting, support for building rehabilitation, and/or renewable energy systems.
- d. Closely follow State-level developments for potential funding sources and other opportunities, such as the revival of redevelopment agencies.
- e. Review infrastructure-related development impact fees and set them at the upper feasible limit to fund infrastructure projects while continuing to encourage Downtown development.
- f. Require large development projects to include and/or fund infrastructure and streetscape improvements, as feasible. These upgrades could include, among other

## Los Banos Downtown Strategic Plan

things: repaved sidewalks, pedestrian-scale lighting, undergrounding of utilities, and/or new street trees.

- g. Pursue street repaving that lowers centerline pavement heights to improve access for disabled persons and facilitate addition of sidewalk bulb-outs.
- h. Encourage formation of a business improvement district that can help direct and fund streetscape and lighting improvements.

### 2.6 IMPROVE SAFETY

Safety is a fundamental concern for a successful downtown. No amount of businesses or amenities can ensure the success of a downtown if people do not feel safe visiting. Fortunately, the safety challenges in Downtown Los Banos are not as intractable as those in some other cities; and Los Banos has already made strides to address these issues. Even so, Downtown Los Banos's continued revitalization depends on additional steps to make the neighborhood safe and welcoming.

Downtown Los Banos stakeholders have identified vagrancy, drug use, and disorderly conduct as major safety concerns in the Downtown. Fortunately, the most recent count of homeless individuals in Merced County identified 57 homeless people in Los Banos, down from 76 in 2017. The recent decline is attributed to the success of local outreach efforts to help people find housing or connect with family.

Stakeholders have also identified the nature of some Downtown establishments as potential drivers of inappropriate behavior and safety issues. As the City works to resolve issues surrounding detrimental business practices, it is also important to bear in mind that the causes of crime and safety issues are



complex, and that perceptions of safety are also important and not necessarily proportional to actual threats. Crime is a result of interplay between socioeconomic opportunity, environmental factors, education, public health, and the criminal justice system—and many of these factors relate to higher-level institutions that are beyond the City's control.

Nevertheless, comprehensive, community-based strategies that rely on evidence and nuance, and which build trust between residents and law enforcement have proven to be highly successful approaches to improving public safety. Although many of the practices that support this approach are beyond the scope of this Strategic Plan, a number of aspirational strategies are included below, alongside more specific, planning-related strategies that may be employed to help deter crime and improve Downtown safety:

- a. Improve street lighting in Downtown Los Banos, with a focus on pedestrian-scale lighting that improves sidewalk safety and adds visual appeal.
- b. Require new developments and major renovations to integrate pedestrian-scale lighting into building façades.
- c. Implement Crime Prevention through Environmental Design (CPTED) concepts and approaches by amending



Los Banos’s development and design standards or by adopting a set of CPTED standards as a supplement to the Community Design Standards. Consider implementation of policies including but not limited to:

1. Work to increase foot and bicycle traffic on streets in Downtown Los Banos
  2. Require new developments to use lighting fixtures and brightness levels that prevent glare and the creation of shadowed areas where people can hide.
  3. Ensure new developments and major rehabilitations put “eyes on the street” by providing building transparency at ground level and preferably on upper stories as well.
  4. Avoid building massing that creates recessed areas or blind corners.
  5. Avoid building features which allow external access to upper windows or roofs.
  6. Discourage use of tall fences and promote fencing that allows visual permeability (e.g. picket fencing); but discourage chain-link fences or other types which create a sense of neglect or squalor.
  7. Increase regular public activities in the Downtown in the evenings and at night to change perceptions and put eyes on the street.
  8. Install string lighting on trees or suspended lights over street to create a sense that Downtown is an active, safe, and enjoyable place to be at night.
- d. Regulate Los Banos’s nightlife more closely and work with business organizations and venue owners to reform practices to create a safer and more welcoming environment.
  - e. Work with the Los Banos Police Department to institute Downtown foot and/or bicycle patrols.
  - f. Work with the Los Banos Police Department to establish and/or expand community-based policing initiatives.
  - g. Seek County, State, federal, and charitable funding to create an emergency shelter, treatment center, and/or supportive housing so that individuals with substance use issues have an alternative to being on the streets.
  - h. Enforce the Los Banos and California building codes to ensure buildings are safe and maintained at a level that meets minimum habitability standards.
  - i. Convene a panel or commission to address Los Banos’s homelessness issues and recommend best practices.

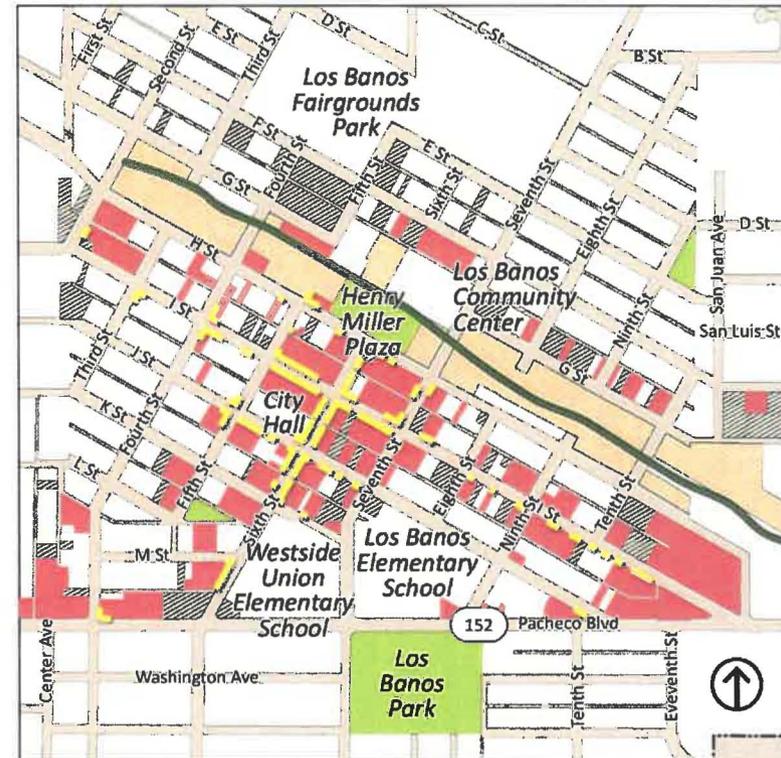
### 2.7 ENHANCE LOS BANOS CHARACTER

Downtowns throughout America were negatively affected by the rise of modern shopping centers and big box stores. Previously lively downtowns began losing customers and businesses in the 1950s and 1960s, and in some places these trends continue. But in recent years many downtowns across California and the US have enjoyed revitalization as shoppers rediscover their appeal and amenities. The history and authenticity of the downtown environment, including the presence of small and local businesses, enhances the shopping experience with a sense of community and substance. Increasingly, residents and visitors are viewing downtowns in their long-standing role as a place not just to shop, but to live, work and play.

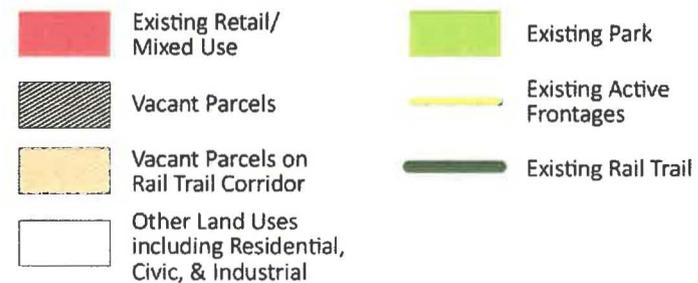
As mentioned previously, Downtown Los Banos has many positive attributes, including a pedestrian friendly circulation network, a concentration of historic buildings, recent pedestrian realm improvements, and several well-known businesses and institutions. Despite these positive attributes, further improvements could provide Downtown visitors with stronger and more cohesive sense of place.

There is a unified scale and detail in the older buildings in Downtown that makes them feel natural and comfortable. Generally this means the buildings have a human scale: the windows have a vertical proportion (like a person); the details of cornices, eaves and sills break down the larger scale of the building and show evidence of being made by hand; and the materials of construction are brick, stone, and painted wood. Ensuring new and rehabilitated buildings reflect these handsome traditions will be key to maintaining and enhancing Downtown’s character. Sometimes the best way to add

Figure 2-3 Los Banos Downtown Defining Features and Community Character



Source: ESRI, 2018; Merced County Assessor, 2018; City of Los Banos, 2009.



## Los Banos Downtown Strategic Plan



*An existing alley in Downtown Los Banos.*



*An improved alleyway in Lodi, California.*

character to a place is to uncover that which has been covered up. Some of the buildings in Downtown may have beautiful facades that are waiting to be exposed and restored. Property and business owners should look for opportunities to uncover character hidden in plain sight throughout Downtown.

Leveraging and improving existing assets in Downtown offers additional opportunity to create character. Following the lead of other downtowns, Los Banos could refurbish and repurpose long-neglected alleys. Turning them into lively places can be as simple as lighting them festively and activating them with new uses and. Similarly, improved signage could bring new attention and patronage to existing Downtown businesses, while also helping Downtown read as a unified whole. Likewise, improving on Los Banos's existing street trees can help soften the transition from building edge to sidewalk and provide shade.

Downtown Los Banos has an enormous opportunity to enhance and amplify its all-American charm and provide visitors with an experience they'll want to return to. The following strategies can help Los Banos achieve this vision for enhanced character:

- a. Cultivate high-quality landscaping that recalls Los Banos's origins as an agricultural and ranching center.
- b. Care for and maintain healthy and vigorous street trees that provide ample shade and are appropriate for Los Banos's climate.
- c. Pursue grants and other funding sources to provide a landscaping and streetscaping program Downtown.
- d. Implement a unified retail signage program in the Downtown, potentially including requirements for all establishments have awnings over entrances, storefront windows, and awning-level blade signs to help pedestrians locate stores.
- e. Build upon the Façade Improvement Program to develop an enhanced set of Design Guidelines for all new construction and additions.

## Los Banos Downtown Strategic Plan

- f. Require contemporary materials (e.g., plaster, hardboard) used for building rehabilitation are detailed to have a scale and feel similar to original historic elements.
- g. Work with property owners and developers to encourage building rehabilitations that expose and restore hidden materials and details in building facades.
- h. Explore opportunities to convert alleyways into pedestrian-oriented public spaces, potentially including dining areas, kiosks, or other amenities.

### 2.8 DEVELOP A FOOD SCENE

California enjoys worldwide recognition for its fresh produce and innovative cuisine, and the Central Valley remains the agricultural powerhouse behind the state's culinary reputation. Los Banos's location in the San Joaquin Valley and history as a center for agricultural production and food processing uniquely positions it to leverage these assets to develop a thriving food scene. Invigorating Los Banos's food scene has the potential to be a driver for Downtown revitalization and increased tourism and consumer spending in the City.

Across California and nationwide there is a growing trend toward the enjoyment of seasonal and locally grown food, for reasons related to health, the environment, and simple pleasure. Younger generations especially are electing to spend less money on material possessions and instead indulge in food, drink, and entertainment. These trends coincide with research showing that people are made happier by the experiences they have than by the things they own. Surrounded by some of the state's most productive farmland, and with an established reputation for food processing and excellent dairy products, Los Banos is an enviable position to benefit from these trends.

Food brings people together because everyone needs it and almost everyone enjoys it. Attracting more full-service restaurants to Downtown Los Banos is therefore an excellent approach to drawing more people downtown and laying a groundwork for further development and revitalization. Additionally, restaurants tend to enjoy higher margins than retail, making them a more stable option for seeding Downtown commercial expansion. A thriving food scene also offers excellent economic opportunities for Los Banos workers, giving them entry points into artisanal food production and restaurant management. Finally, developing a local food scene provides a forum for culinary and cultural exchange for Los Banos's diverse ethnic and immigrant communities.

The following strategies offer a variety of mechanisms and programs the City of Los Banos could pursue to nurture a thriving food scene Downtown and citywide:



*Turlock Farmers Market (Nan Austin, Modesto Bee)*

## Los Banos Downtown Strategic Plan



- a. Offer tax credits, rebates, or other financial incentives to promote building rehabilitations and systems upgrades to meet the needs of full-service restaurants.
- b. Streamline permitting for opening restaurants and adjust permit categories and procedures to allow for restaurants that serve foods that do not require commercial kitchen features such as ventilation and industrial sinks.
- c. Encourage and allow for food trucks in Downtown Los Banos (including through municipal code revisions) and explore creation of a designated space for a cluster of food trucks. Work to ensure the space includes amenities for patrons, such as restrooms, water fountains, seating, and protection from the elements.
- d. Work to attract a biergarten or similar outdoor space for family-friendly drinking and eating options; work with owners to provide games and entertainment.
- e. Assist local restaurants so they can expand their footprint or open additional locations in the Downtown.
- f. Contact popular restaurants in nearby communities to explore opportunities for them to establish a presence in Downtown Los Banos.
- g. Create multiple weekly farmers markets that serve different neighborhoods on different days. Consider creating a Saturday Downtown Farmers Market to draw additional visitors to the Downtown on weekends.
- h. Work with local farmers market organizers to ensure that low-income residents are able to use EBT (food stamps) to purchase farmers market products.
- i. Simplify permitting procedures to allow for sidewalk café seating in appropriate locations.
- j. Pursue creation of a market hall in Downtown Los Banos to feature a mixture of fresh, affordable, local, and gourmet foods.
- k. Work with existing local markets/grocers to expand their retail footprint and offerings in the Downtown.



Vista Ranch Beer Garden in Merced. (eRench Productions)

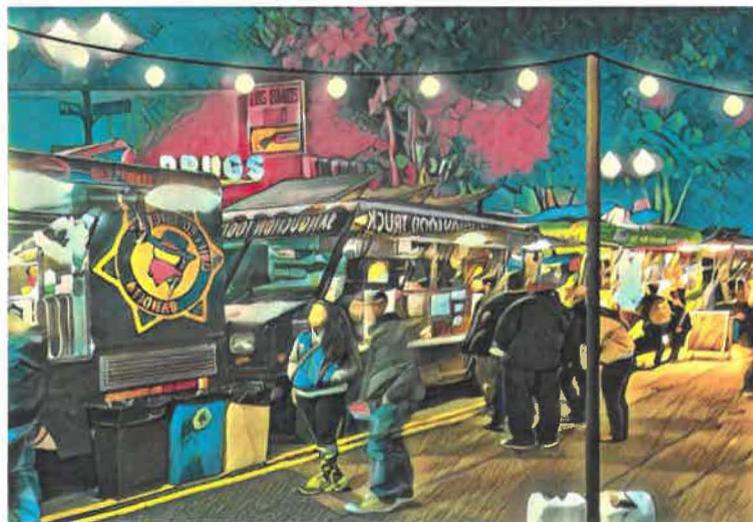
Figure 2-4 Artistic Illustrations of Potential Approaches to Street Food and Events in Los Banos



Food trucks could be brought in for events at a reopened Crest Theater.



Downtown streets could host food truck/vendor events on a regular basis.



Night-time street food events could enliven Downtown and improve safety.



The parking lot at 6<sup>th</sup> and I Streets could be temporarily or permanently repurposed to host street food or other events. (Birds-eye view)

- l. Work with local restaurants, markets, cultural organizations and food growers to organize an annual food festival that celebrates San Joaquin Valley produce and cuisines from across local cultures.
- m. Pursue community gardening and edible schoolyard programs that offer schoolchildren and their families the opportunity to grow their own food and connect with Los Banos's agricultural heritage.
- n. Encourage and/or incentivize new developments to incorporate rooftop agriculture as an amenity for residents, an energy efficiency/stormwater prevention measure, and as a showpiece for Los Banos.
- o. Partner with existing or new community-based organizations whose goals is to teach culinary and restaurateur skills to marginalized populations; work to find space for such organizations in the downtown.



- p. Work with downtown business groups and restaurants to create pub crawls, wine walks, and other similar food/drink tours of Downtown Los Banos.
- q. Pursue a local food scrap collection program to reduce waste, improve Los Banos's sustainability image, and provide high quality compost for local community gardens and food growers.
- r. Work to build or convert an existing space to host a family-friendly brewpub that offers a full menu and entertainment.

## 2.9 MANAGE PARKING

Vehicle parking plays a mixed role in the vitality of cities and downtown areas. Although parking is necessary for people to conveniently access areas by car, an excess of parking, especially in surface lots, can deaden an area. Moreover, devoting space to parking makes it unavailable for use as parks, open space, or revenue/tax-generating uses like new homes and business. Achieving optimal outcomes for any business district requires striking a balance that provides adequate parking, fosters efficient utilization, and promotes alternatives to driving.

Many historic downtowns, including Los Banos's, have seen their urban fabric disrupted by the addition of parking. Fortunately, much of Los Banos's historic street frontage remains; however, there is still a number of buildings in Downtown, especially along I Street and 6<sup>th</sup> Street, which were demolished and replaced with parking during the mid- to late-twentieth century. Working to fill these gaps while maintaining an adequate parking supply will be a key long-term goal for the revitalization of Downtown.

Travelers' parking habits—and satisfaction with their parking experience—depend on location, cost, and the ease of finding a spot. Finding a parking spot near one's destination is always preferable, but can be especially important in Los Banos, where the summertime climate can make walking long distances uncomfortable. Finding a spot within a reasonable amount of time is equally important, since someone who is forced to circle repeatedly in search of a spot may simply give up and drive off, or even decline to return in the future. Although travelers tend to be less sensitive to moderate parking costs than might be expected, the price of parking is also important. All else being equal, drivers will opt to visit neighborhoods where parking is cheap or free over ones where it is expensive. Even so, factors of convenience and a desire to visit an area can often overcome concerns regarding the cost of parking.

The ultimate goal of Downtown parking is not merely to store cars, but to enable the people riding in them to conveniently visit Downtown. This, in turn, means that creative, adaptable approaches to parking are preferable to uncritically maintaining or expanding parking supply. Because drivers tend to be more concerned with quickly finding a spot near their destination than with parking costs—within reason—the optimal approach is to maximize parking utilization, while still making sure a few spots are available on any given block at all times. This approach to parking, championed by parking expert and UCLA professor Donald Shoup, aims to achieve 85 percent occupancy for street parking on most blocks in a business district. This level of usage indicates that an area is receiving a good number of visitors, ensures that anyone driving down the block is likely to find a spot right away, and serves to maximize parking revenue for cities that charge for parking.

As Downtown revitalization advances, more innovative strategies for managing parking may become feasible, or even preferable. Although it is not likely economically justified currently, potentially building a parking structure in Downtown Los Banos could represent a future strategy for achieving optimized street parking utilization and for allowing existing surface parking to be replaced with infill development. If and when a stronger mix of uses and larger employment and resident base is achieved in the Downtown, it may also be possible to explore new public and active transportation options that allow people to travel to and within the Downtown without the need for a car.



Overall, adopting the more managed approach to parking in Downtown Los Banos would represent a major departure from the City's current practice. This shift would require a significant investment of resources and should therefore be undertaken only after thorough study and careful consideration. The following strategies outlined below are consistent with investigating and potentially adopting this approach:

- a. Develop and install clear, visually appealing parking signage based on the best practices of other cities.



- b. Conduct a parking supply study for Downtown Los Banos to identify geographical areas, times of day, and days of the week when parking is most abundant or scarce. This study would serve to inform Los Banos's parking policies by identifying what parking restriction and pricing schemes would be most appropriate for different times and areas.
- c. Aim for an 85 percent parking occupancy rate at any given time; this usually equates to roughly one vacant space per block, which helps travelers find a space quickly while ensuring parking is not underutilized.
- d. Adopt parking time limits for on-street spaces to ensure that street parking is available for visitors and customers. Encourage Downtown employees who need all-day parking to park in centrally-located lots instead.
- e. Implement paid on street parking subject to the findings of a parking study and/or based on the expertise of staff and local business owners.
- f. Consider inexpensive or free parking for the first hour or half hour, with increasing rates for longer periods, in order to encourage turnover and attract customers making quick trips.
- g. Pursue lower-cost options for potential implementation of paid parking, such as solar-powered ticket machines instead of individual parking meters.
- h. Evaluate the feasibility of building a parking structure in Downtown Los Banos:
  - 1. Determine what conditions would fiscally justify the creation of a parking structure.
  - 2. Explore options for building a shared parking structure as part of another project (e.g., a new office).
  - 3. Consider how long-term changes in travel patterns or vehicle ownership may affect parking needs.
  - 4. Investigate options for creating a parking structure designed for future conversion to non-parking uses.
  - 5. Ensure that any new parking structure includes pedestrian-oriented street frontage.
  - 6. Set phased goals for the City to remove surface parking lots and/or replace them with structured parking over time to allow for conversion to other uses.

**Los Banos Downtown Strategic Plan**

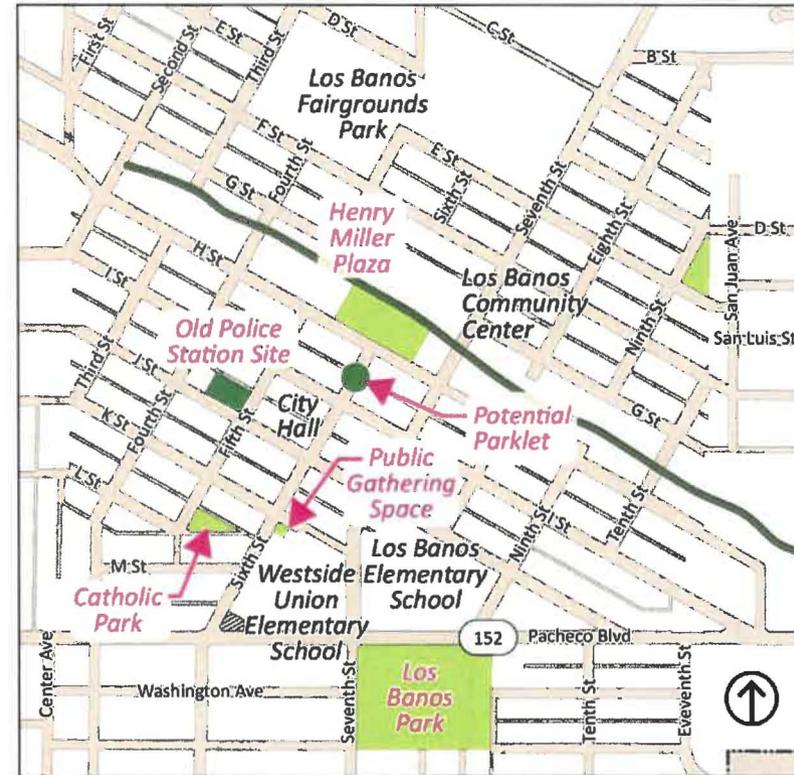
- i. Identify blocks where angled parking could be converted to parallel parking to allow wider sidewalks and/or new parklets; and, if needed, consider what blocks could be converted from parallel to diagonal parking to avoid a net loss of parking spaces.
- j. Explore the need for and potential to convert portions of the old Police station site to public parking to accommodate parking needs if studies show additional parking is needed, or to reuse other parking lots for new uses if the additional parking is not needed.
- k. Work with Downtown business organizations to evaluate the feasibility of creating a Downtown “Shopper Shuttle” that would enable residents to reach the Downtown without driving and parking.
- l. Consider options for redeveloping the parking lot adjacent to City Hall for the purpose of a new civic use or a shared public-private mixed-use project.
- m. Install additional on-street bicycle parking and require large-scale new developments to incorporate bicycle parking for residents, employees, and customers.

**2.10 ENHANCE PUBLIC SPACES**

Downtown Los Banos enjoys a pedestrian-friendly street network and finely scaled buildings. However, Downtown lacks a central, memorable public gathering space, where community members can meet friends, relax, or just people-watch.

Downtown Los Banos currently has three public spaces, each of which have positive features but could be further improved:

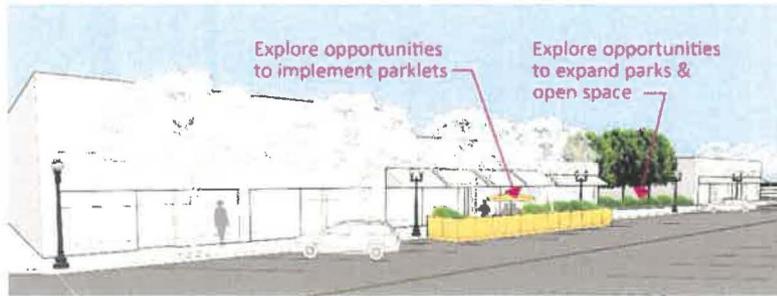
**Figure 2-5 Downtown Los Banos Parks and Open/Public Spaces**



Source: ESRI, 2018; Merced County Assessor, 2018; City of Los Banos, 2009.



## Los Banos Downtown Strategic Plan



- ◆ Catholic Park. Located 5th and L Street, this triangular park features mature trees, good shade, grassy areas, and a play structure for small children.
- ◆ The small gathering space adjacent to Westside Elementary School. Located at the southeast corner of the 6th and K Street intersection, this small square includes benches, trees, and a historically-inspired street lamp. This location is important as it is the beginning of the commercial portion of Downtown along 6<sup>th</sup> Street. The space is visually attractive and shady, but there is no signage or marker announcing the public nature of the space, and it is currently not used by a cross-section of the community.
- ◆ Henry Miller Plaza. Located at the end of 6<sup>th</sup> Street, Henry Miller Plaza is a beautiful and recently built gathering space featuring interesting artwork. Unfortunately, the plaza remains underused due to lack of enclosure and actively-used neighboring buildings.

Jan Gehl, an expert on public street life and the author of the book *Life Between Buildings*, has summarized the benefits of providing welcoming public space, including:

- ◆ Access and opportunities for all groups of society to express themselves

- ◆ Healthy, safe places where people can be outdoors
- ◆ Activity that attracts other activity

Some key characteristics of good public spaces are well known. Strong edges that enclose space are more comfortable to inhabit than wide open places with no edges. Neighboring buildings with indoor activity spilling out and activating the area also helps create good public space. An appropriate scale to the space is important, with the height of surrounding edges proportional to the width of the space.

Given the number of vacant parcels and opportunity sites Downtown, there may be both small- and medium-scale opportunities to add new spaces for public gathering that will help bring activity and energy to downtown. For example, parklets are public spaces created from on-street parking spots that are growing in popularity in many communities. By repurposing some of the public space of the street (which



## Los Banos Downtown Strategic Plan

already belongs to the City), parklets have been found to create interest and activity at low cost. Parklets include seating and landscaping, often installed on a temporary basis but sometimes permanently. They can even be installed as a pilot program for a day or a weekend to test the idea. Ideal locations include spaces in front of an active business like a café.

The following strategies are proposed to improve existing and provide for additional public space in Downtown Los Banos:

- a. Maintain Catholic Park's current features and enhance the park with signage, activity, and amenities.
  1. Engage community members to find out what additional amenities may be needed at Catholic Park (e.g., park lighting, a well-designed sign marking the park, fencing around the play area, seating for parents, sidewalks along L Street, a water fountain, and/or new crosswalks).
  2. Ensure that Catholic Park is noted on any wayfinding signage installed in Downtown.
  3. Explore the potential for the City to purchase the undeveloped parcel immediately to the south in order to expand Catholic Park and connect it to M Street. As part of this effort, also consider the potential to close this block of L street to car/truck traffic and integrate it into the park as a bicycle/pedestrian pathway.
  4. Seek state, regional, or federal parks and recreation funding to implement improvements.
- b. Improve and activate the existing public gathering space at 6<sup>th</sup> and K Streets through new character-defining



Painted intersection in Milwaukie, Oregon. (Bryan Dorr)

features and efforts to ensure the space and its surroundings are safe, welcoming, and engaging:

1. Name the space and install signage to foster a more formalized and memorable sense of identity.
2. Improve lighting in and around the space to make it feel more festive and safer at night. (Options could include new and brighter streetlamps or lights strung around and/or between trees.)
3. Increase the use of this public gathering space through new initiatives and activities, potentially including: after-school activities; bake sales or other school fundraisers; music and performances; creation of chalk or street art; or programming coordinated with Downtown events such as the Fall and Spring Faires.

## Los Banos Downtown Strategic Plan

4. Coordinate with the Los Banos Unified School District so that if and when the portable classrooms adjoining this space are replaced, the District explores options for enhancing the space with new buildings/entrances.
5. Partner with business and property owners to improve properties on all four corners of this important intersection. Potential efforts include:
  - ◆ Expanding the mural on the Farmer's Insurance Building at the northeast corner of the intersection and providing nighttime illumination.
  - ◆ Adding more attractive landscaping and street trees to the sidewalk surrounding the Chase Bank.
  - ◆ Promoting future redevelopment of the Chase Bank site with a new, mixed-use gateway project.
  - ◆ Improve landscaping on the corner occupied by the Santa Fe Market and consider adding a new sign board under store sign featuring the messages "Welcome to Downtown Los Banos" and "Bienvenidos al Centro de Los Banos."
  - ◆ Exploring long-term reconstruction of the Santa Fe Market to incorporate mixed uses and a pedestrian orientation that moves the market entrance up to the sidewalk and provides a sidewalk café and seating.
6. Improve the appearance of the 6th and K Street intersection and visually announce the beginning of commercial Downtown Los Banos by creating eye-catching crosswalks and potentially a design or logo in the center of the intersection.



*Temporary Parklet installed on Alisal Street in Salinas.*



*Permanent parklet installed in Berkeley.*

## Los Banos Downtown Strategic Plan

- c. Activate Henry Miller Plaza and encourage more visitors through a variety of potential efforts, including:
  1. Promoting development of new buildings and land uses surrounding Henry Miller Plaza, as envisioned by the Rail Trail Corridor Regulating Code.
  2. Developing temporary, shaded public parking lots on either side of Henry Miller Plaza.
  3. Upgrading recently-added stop signs to a traffic signal at 6<sup>th</sup> and H street, along with high-visibility crosswalks to calm the speed of traffic, make it safer for pedestrians to cross H street, and make it easier for visitors and employees of the Community Center, as well as the new Courthouse and Police station to walk or bicycle Downtown.
  4. Ensuring that Henry Miller Plaza is prominently featured in any wayfinding signage program.
- d. Partner with Merced County to improve “Pacheco Park” (Merced County, Los Banos Park), enhance its role as a near-Downtown recreational amenity, and include new signage directing park-goers to explore Downtown.
- e. Ensure Rail Corridor development or other larger scale development such as office and employment centers near Downtown includes attractive and well-maintained public spaces. Consider incorporating privately owned public open spaces (POPOS) to create new informal public gathering places and integrate new uses with the broader community.
- f. Create new public spaces in Downtown, potentially including the following opportunities:

1. Consider reusing part of the soon-to-be vacated Police Building complex at 5<sup>th</sup> and J Street as a small gathering space. Depending whether the old police building is demolished, as has been discussed, the site is large enough to accommodate a public gathering space as well as a new public parking lot.
2. Consider repurposing one or two parking spaces along 6<sup>th</sup> Street to create one or more parklets.
3. Consider long-term opportunities to convert public surface parking into parks or plazas, and explore short-term opportunities pilot such conversions on a temporary basis.



3

# Implementation Matrix

Los Banos Downtown Strategic Plan

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
		Note: highlighted rows below are priorities given by Los Banos Planning Commission/City Council in a Study Session on Sept 25, 2019.		\$: \$0–\$100,000 \$\$: \$100,000–\$1 million \$\$\$: 1 million–10 million \$\$\$\$: >\$10 million	Short-term: 0–2 yrs Medium-term: 3–5 yrs Long-term: >5 yrs
<b>2.1 Plan for New Land Uses</b>					
<b>1. Housing and Lodging</b>					
	a.	Promote Downtown Los Banos as a pedestrian, specialty retail, entertainment, cultural, office, and housing area.	Economic Development Advisory Commission, Los Banos Downtown Association, Potential PBID, Property Owners, Los Banos Chamber of Commerce, Developers, Community Based Organizations	\$	Short-term
	b.	Promote use of first floor space in new buildings downtown for retail, food service, and other high volume commercial/civic uses, and office, lodging, and residential uses on second floors.	Economic Development Advisory Commission, Los Banos Downtown Association, Potential PBID, Planning Commission, Property Owners, Los Banos Chamber of Commerce	\$	Short-term
	c.	Increase allowable densities in the Downtown to increase project feasibility and attract development and investment.	Planning Commission, Planning/Zoning Consultant	\$–\$\$	Short- to Medium-term
	d.	Consider adoption of a local density bonus that incentivizes affordable housing or other amenities for the Downtown by granting additional density above the State Density Bonus.	Planning Commission, Planning/Zoning Consultant	\$–\$\$	Short- to Medium-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	e.	Conduct a development fee analysis and permitting audit to determine if the City’s various development fees and/or permit procedures are negatively impacting the feasibility of new Downtown development.	Planning Commission, Planning/Economics Consultant	\$–\$\$	Short- to Medium-term
	f.	Pursue mixed-use, mixed-income projects in Downtown Los Banos—especially projects that could act as catalysts for additional development and investment Downtown. To accomplish this, employ the following sub-strategies:	Planning Commission, Economic Development Advisory Commission, Property Owners, Los Banos Chamber of Commerce, Los Banos Downtown Association, Potential PBID, Planning/Zoning/Economics Consultant(s)	\$	Short- to Medium-term
	1.	Seek State and federal affordable housing funds and tax credits to finance development.	Planning Commission, Economic Development Advisory Commission, CA Dept of housing and Community Development (HCD)	\$	Short- to Medium-term
	2.	Enter into public/private partnerships with non-profit or for-profit developers.	Planning Commission, Economic Development Advisory Commission, Community Based Organizations, Non-profit Developers	Variable	Medium- to Long-term
	3.	Partner with the Los Banos School District to build housing for teachers, or a mixed-income project with a set-aside for teacher housing.	Los Banos Unified School District (LBUSD), Planning Commission, Community Based Organizations, Non-profit Developers	\$\$\$–\$\$\$\$	Long-term
	4.	Pursue State set-aside funding to build housing for farmworkers and their families.	Planning Commission, CA Dept of housing and Community Development (HCD), Farmers/Agribusiness	\$ (pursue) \$\$–\$\$\$ (implement)	Long-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	g.	Allow and promote the creation of live-work units Downtown for artists and craftspeople.	Planning Commission, Economic Development Advisory Commission, Downtown Los Banos Association, Los Banos Arts Council	\$	Short- to Medium-term
	h.	Revise or add provisions to the development code regarding Group Living Accommodations to allow and encourage cooperative housing for seniors.	Planning Commission, Non-profit Developers, Planning/Zoning Consultants, AARP, Los Banos Senior Center	\$	Short- to Medium-term
	i.	Amend Los Banos’s building code to allow for and/or encourage the construction of pre-fabricated multi-family housing.	Planning Commission, Planning/Architectural Consultants	\$	Short- to Medium-term
	j.	Provide targeted tax or fee reduction incentives to encourage development, potentially including geographically-targeted incentives for areas where development may be difficult.	Planning Commission, Economic Development Advisory Commission, Planning/Economics Consultant	Variable	Short- to Medium-term
	k.	Explore the possibility of allowing certain projects that include housing or types of housing by right.	Planning Commission, Planning/Zoning Consultant	\$–\$\$	Short- to Medium-term
	l.	Implement objective design and development standards to expedite staff review and discretionary approvals.	Planning Commission, Planning/Zoning Consultant	\$–\$\$	Short- to Medium-term
	m.	Allow for and encourage the development of one or more lodging uses in the Downtown, if economically feasible.	Planning Commission, Economic Development Advisory Commission, Los Banos Downtown Association, Property Owners, Los Banos Chamber of Commerce, Hotel Operators, Planning/Zoning Consultant	\$	Ongoing

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Category	Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
<b>2. Office and Commercial</b>				
a.	Identify opportunity sites within and immediately adjacent to the Downtown where Los Banos could work to attract a larger scale mixed-use office project.	Economic Development Advisory Commission, Los Banos Downtown Association, Potential PBID, Planning Commission, Property Owners, Los Banos Chamber of Commerce	\$	Ongoing
b.	For office projects proposed on larger opportunity sites within and immediately adjacent to the Downtown, encourage the incorporation of:	--		Short- to Medium-term
1.	Supportive services/retail, including pedestrian-oriented retail at key ground floor locations.	Planning Commission, Economic Development Advisory Commission, Property Owners, Los Banos Chamber of Commerce, Los Banos Downtown Association, Potential PBID, Planning/Zoning/Economics Consultant(s)	\$	Short- to Medium-term
2.	Minimum density standards to avoid allowing new projects which underutilize their sites; and creating a process for permitting exceptions when merited by economic and/or site conditions.	Planning Commission, Planning/Zoning/Economics Consultant	\$	Short- to Medium-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	c.	Amend design guidelines and development standards to ensure that new office developments provide contemporary amenities that will be attractive to tenants. Examples include but are not limited to: green building features, high speed internet, abundant natural light, informal gathering spaces, etc.	Planning Commission, Planning/Zoning/Economics Consultant	\$--\$	Short- to Medium-term
	d.	Leverage construction of the new Courthouse and police station to encourage nearby commercial development to serve the needs of Courthouse workers and visitors.	Planning Commission, Economic Development Advisory Commission, Property Owners, Los Banos Chamber of Commerce, Los Banos Downtown Association, Potential PBID, Planning/Zoning/Economics Consultant(s)	\$	Short- to Medium-term
	e.	Explore opportunities for creating new office buildings shared by a mix of private-sector, public-sector, non-profit, and community-based organizations.	Planning Commission, Economic Development Advisory Commission, Property Owners, Los Banos Chamber of Commerce, Los Banos Downtown Association, Potential PBID, Planning/Zoning/Economics Consultant(s)	\$	Short- to Medium-term
	f.	Work with local business groups, property owners, and developers to approach major firms about the possibility of creating satellite offices in Los Banos.	Economic Development Advisory Commission, Property Owners, Los Banos Chamber of Commerce, Los Banos Downtown Association, Potential PBID, Planning/Zoning/Economics Consultant(s)	\$	Short- to Medium-term

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Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	g.	Grant conditional tax and/or development fee relief when it is necessary to ensure the feasibility of a proposed office/employment use.	Property Owners, Los Banos Chamber of Commerce, Planning Commission, Planning/Economics Consultant(s)	Variable	Short- to Medium-term
	h.	Encourage the development of a co-working space in Los Banos to provide office space and collaboration opportunities for freelancers and startups.	Economic Development Advisory Commission, Planning Commission, Property Owners, Los Banos Chamber of Commerce, Los Banos Downtown Association, Potential PBID, Planning/Zoning/Economics Consultant(s)	\$	Short- to Medium-term
<b>3. Civic Public and Institutional Uses</b>					
	a.	Pursue State and federal grants and other funding for the planning and construction of civic uses and infrastructure projects; investigate the possibility of using Community Development Block Grants to fund new civic uses and programs in the Downtown.	Economic Development Advisory Commission, Planning Commission, HCD, United States Department of Housing and Urban Development (HUD), Utilities Providers	\$	Short- to Medium-term
	b.	Propose public bond measures for new civic uses, potentially including a new library and/or expanded community/fitness center; convene a working group to identify unmet needs and priority projects.	Economic Development Advisory Commission, Planning Commission, Parks and Recreation Commission	\$\$\$-\$\$\$\$	Long-term
	c.	Evaluate the potential to place a dual-purpose performance space on the site of the Westside Union or Los Banos Elementary school.	Planning Commission, Parks and Recreation Commission, LBUSD	\$\$\$	Long-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	d.	Explore opportunities to create new public facilities and civic uses along the Rail Corridor and/or near the site of the new police station and courthouse.	Planning Commission, Parks and Recreation Commission, Los Banos Police Department (LBPD), Superior Court of California	\$\$\$-\$\$\$\$	Long-term
	e.	Investigate options for reusing the Crest Theater as a civic or community use.	Planning Commission, Parks and Recreation Commission, Los Banos Arts Council, Los Banos Downtown Association, Potential PBID, Property Owners, Los Banos Chamber of Commerce	\$ (investigate) \$\$\$ (implement)	Medium- to Long-term
	f.	Collaborate with Downtown business organizations and property owners to explore the possibility of creating a new children’s museum or activity center.	Planning Commission, Parks and Recreation Commission, Los Banos Arts Council, Los Banos Downtown Association, Potential PBID, Property Owners, Los Banos Chamber of Commerce	\$ (explore) \$\$\$ (implement)	Medium-term
	g.	Approach Sutter Health to investigate opening a community clinic or other health facility Downtown.	Planning Commission, Economic Development Advisory Commission, Sutter Health, Los Banos Downtown Association, Property Owners, Los Banos Chamber of Commerce, Potential PBID	\$ (explore) Variable (implement)	Long-term
	h.	Identify opportunity sites within and immediately adjacent to the Downtown where Los Banos could work to attract a large mixed-use project with an institutional anchor	Planning Commission, Economic Development Advisory Commission, Los Banos Downtown Association, Property Owners, Los Banos Chamber of Commerce, Potential PBID	\$	Short- to Medium-term

**Los Banos Downtown Strategic Plan**

Category	Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
<p><b>4. Focus Areas - in the Downtown Strategic Plan, three areas are targeted for mixed-use infill development: the South side of H Street, focusing on 5th Street to 7th Street; I Street from 6th Street to 9th Street; and the Downtown Gateway Area on 6th Street from M Street to Pacheco Boulevard. For these Focus Areas implement the following:</b></p>				
a.	Incentivize development with zoning overlays that allow for increased density, by-right project approvals, or other incentives to encourage infill projects.	Planning Commission, Property Owners, Los Banos Chamber of Commerce, Economic Development Advisory Commission	\$-\$\$	Short- to Medium-term
b.	Prioritize historic structures in these areas or rehabilitation incentives and adaptive reuse efforts.	Planning Commission, California Office of Historic Preservation, California Main Street Program, Los Banos Milliken Museum, Merced County Historical Society, Native American Tribal Representatives	\$	Short- to Medium-term
c.	Evaluate opportunities for targeted fee reductions, public-private partnerships, or other direct incentives to encourage infill development in these areas.	Planning Commission, Economic Development Advisory Commission	\$\$ (evaluate) Variable (implement)	Short- to Medium-term
<p><b>2.2 Gateways and Wayfinding</b></p>				
a.	Embark on planning, community engagement, and design for two gateway signs and associated landscaping along SR 152 at 6th Street and I Street. Because Caltrans controls the right-of-way along SR 152, they should be consulted as part of this process.	Planning Commission, Traffic Safety Commission, California Department of Transportation (Caltrans), Planning/Transportation Consultants	\$\$-\$\$\$\$	Short- to Medium-term

Los Banos Downtown Strategic Plan

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	b.	Include these gateway signage goals and locations in the discussions of improvements to SR 152 in the ongoing SR 152 Specific Plan project, funded by Caltrans. This planning process is underway in 2019 and expected to be completed in 2020.	Planning Commission, Traffic Safety Commission, California Department of Transportation (Caltrans), Planning/Transportation Consultants	\$	Short- to Medium-term
	c.	Develop a Downtown Wayfinding program that will determine appropriate locations for wayfinding signage, designs for the signage boards or kiosks, and cost estimates for implementation.	Planning Commission, Economic Development Advisory Commission, Los Banos Downtown Association, Los Banos Chamber of Commerce, Potential PBID, Property Owners	\$\$ (develop) \$\$\$ (implement)	Short- to Medium-term
	d.	Seek funding to implement and maintain the signage installations once designs and costs are determined.	Planning Commission, Economic Development Advisory Commission, Los Banos Downtown Association, Los Banos Chamber of Commerce, Potential PBID, Property Owners	\$	Short- to Medium-term
<b>2.3 Strengthen Businesses</b>					
	a.	Partner with local business organizations such as the Chamber of Commerce, the Los Banos Downtown Association, and any business improvement districts in their efforts to support and attract Downtown businesses.	Chamber of Commerce, Los Banos Downtown Association, Economic Development Advisory Commission, Planning Commission	\$	Short- to Medium-term
	b.	Encourage formation of a Buy Local Los Banos organization, through which Los Banos businesses work together to encourage residents and visitors to buy local products and patronize local businesses.	Chamber of Commerce, Los Banos Downtown Association, Economic Development Advisory Commission, Planning Commission	\$	Short- to Medium-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	c.	Work with business organizations to develop and market a Los Banos coupon book that focuses on a local, independent, and Downtown businesses.	Chamber of Commerce, Los Banos Downtown Association, Economic Development Advisory Commission, Planning Commission	\$--\$\$	Short- to Medium-term
	d.	Revise the City Website to include more detailed direction for starting a business and create an online application system for business licenses.	Planning Commission, Economic Development Advisory Commission, IT/Web Consultants, User Experience (UX) Designers, Chamber of Commerce	\$	Short-term
	e.	Create a Revolving Loan Fund to provide low-interest loans to assist small businesses who cannot find private financing, and establish a board, commission, or other review body to evaluate applications and administer the program.	Economic Development Advisory Commission, Chamber of Commerce, Economics/Financial Consultant	\$\$\$--\$\$\$\$	Medium- to Long-term
	f.	Increase/expand city-offered consultation services for small businesses and entrepreneurs.	Economic Development Advisory Commission, Chamber of Commerce, Economics/Financial Consultant	\$--\$\$	Short- to Medium-term
	g.	Collaborate with business organizations to engage in marketing campaigns both to potential downtown visitors and customers, and to larger business interests who may wish to invest in Downtown Los Banos.	Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association, Economics/Financial Consultant	\$	Short- to Medium-term
	h.	Develop programs for targeted tax or fee relief for small businesses.	Economic Development Advisory Commission, Planning Commission, Chamber of Commerce, Los Banos Downtown Association, Economics/Financial Consultant	Variable	Short- to Medium-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	i.	Work with business organizations, property owners, and small business owners/founders to identify spaces for new and relocated business and reduce vacancies in the Downtown.	Economic Development Advisory Commission, Planning Commission, Property Owners, Small Business Owners, Chamber of Commerce, Los Banos Downtown Association, Economics/Financial Consultant	\$	Short-term
	j.	Collaborate on and/or help fund marketing efforts for the Downtown.	Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association, Small Business Owners, Graphic Designers/Marketing Consultants	\$	Short-term
	k.	Expand, promote, and leverage Downtown events, such as street fairs, farmers markets, etc. to attract new businesses, and to build public awareness and support for Downtown revitalization.	Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association, Small Business Owners, Graphic Designers/Marketing Consultants	\$--\$\$	Short- to Medium-term
	l.	Maintain and update the Downtown Los Banos website to promote events, build public awareness, and market downtown to consumers, businesses, and investors.	Los Banos Downtown Association, Chamber of Commerce, Los Banos Arts Council, Economic Development Advisory Commission	\$	Short-term
	m.	Conduct consumer surveys to determine what goods, services, and amenities residents most want and need in Downtown Los Banos.	Los Banos Downtown Association, Chamber of Commerce, Marketing Research Consultants, Economic Development Advisory Commission	\$--\$\$	Short- to Medium-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
n.		Explore establishment of a small business of the month and/or year award to highlight local businesses and entrepreneurs.	Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association, Business Owners	\$	Short-term
o.		Use social media to promote Downtown Los Banos businesses and events.	Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association, Business Owners	\$	Short-term
p.		Work with Merced County to explore opportunities for holding more events at the County Fairgrounds and leverage existing events to bring additional foot traffic to Downtown Los Banos.	Merced County, Parks and Recreation Commission, Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association, Business Owners	\$	Short- to Medium-term
q.		Establish new Downtown events such as open streets events, holiday gatherings, Food Truck Fridays, or others.	Los Banos Downtown Association, Business Owners, Parks and Recreation Commission, Chamber of Commerce, Economic Development Advisory Commission	\$\$	Short- to Medium-term
r.		Evaluate the potential for adopting a system to manage the mix and number of downtown business types to ensure a diverse business mix in Downtown Los Banos.	Planning Commission, Los Banos Downtown Association, Chamber of Commerce, Business Owners, Property Owners	\$	Short-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	s.	Evaluate what land uses should be subject to discretionary approval to best achieve a vibrant and diverse business mix, and adopt changes to the Municipal Code to require conditional use permits for those uses.	Planning Commission, Los Banos Downtown Association, Chamber of Commerce, Business Owners, Property Owners	\$	Short-term
<b>2.4 Rehabilitate Buildings</b>					
	a.	Work with the State Office of Historic Preservation’s Local Government Assistance Program and California Main Street Program to craft economic incentives to preserve and rehabilitate historic structures.	California Office of Historic Preservation, California Main Street Program, Los Banos Milliken Museum, Merced County Historical Society, Native American Tribal Representatives, Planning Commission	\$\$	Medium-term
	b.	Adopt a Local Mills Act program to provide tax relief to property owners who rehabilitate historic structures.	Planning Commission, California Office of Historic Preservation, Merced County Historical Society	Variable	Medium-term
	c.	Collaborate with the State Historic Preservation Office to assist owners of historic properties in claiming the 20 percent federal income tax credit available for the rehabilitation of historic, income-producing buildings that are determined by the Secretary of the Interior, through the National Park Service, to be “certified historic structures.”	Planning Commission, California Office of Historic Preservation, California Main Street Program, Merced County Historical Society	\$	Medium-term
	d.	Institute local tax and/or fee relief to incentivize the preservation and rehabilitation of historic structures.	Planning Commission, California Office of Historic Preservation, California Mainstreet Program	Variable	Medium-term
	e.	Relax parking requirements for existing structures.	Planning Commission, Traffic Safety Commission	\$	Short- to Medium-term

Los Banos Downtown Strategic Plan

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	f.	Allow flexibility to divide existing structures to create separate front/rear spaces and access.	Planning Commission	\$	Short- to Medium-term
	g.	Establish and fund a local grant program to support the preservation and rehabilitation of historic structures.	Planning Commission, California Office of Historic Preservation, California Main Street Program, Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association	Variable	Medium- to Long-term
	h.	Enter into public/private partnerships for the preservation and restoration of historic structures.	Planning Commission, California Office of Historic Preservation, California Main Street Program, Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association	Variable	Medium- to Long-term
	i.	Pursue private and charitable funding to support building rehabilitation and façade improvement.	Planning Commission, California Office of Historic Preservation, California Main Street Program, Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association	\$	Short- to Medium-term
	j.	Adopt and implement a local landmarking program to help owners of historic properties access preservation incentives and funding.	Planning Commission, California Office of Historic Preservation, California Main Street Program, Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association	\$\$	Medium- to Long-term

Los Banos Downtown Strategic Plan

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	k.	Establish a historic district in Downtown Los Banos to facilitate preservation efforts and improve access to State and federal rehabilitation incentives.	Planning Commission, California Office of Historic Preservation, California Main Street Program, Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association	\$\$	Medium- to Long-term
	l.	Incentivize and/or support adaptive reuse.	Planning Commission, California Office of Historic Preservation, California Main Street Program, Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association	\$-\$	Short- to Medium-term
	m.	Encourage project developers to pursue purchase of adjacent historic properties/structures and to integrate their rehabilitation in the overall project.	Planning Commission, Economic Development Advisory Commission, Property Owners, Chamber of Commerce, Los Banos Downtown Association	\$	Short-term
	n.	Allow new developments to preserve and restore historic facades while building new structures above and/or behind them.	Planning Commission, Planning/Zoning Consult, Historic Resources Consultant, Architects	\$	Short-term
	o.	Pursue grants and other financial assistance from foundations and organizations with a focus on historic preservation, potentially including but not limited to: the California Council for the Humanities, the Getty Conservation Institute, the National Trust for Historic Preservation, and the US Small Business Administration.	State Office of Historic Preservation, Planning Commission, California Main Street Program, California Council for the Humanities, the Getty Conservation Institute, the National Trust for Historic Preservation, and the US Small Business Administration.	\$	Short- to Medium-term

Los Banos Downtown Strategic Plan

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	p.	Partner with nonprofits to buy substandard buildings with residential units and leverage outside funds to rehabilitate them into safe, well-managed housing.	Planning Commission, Non-Profit Developers, Community Based Organizations	\$\$\$-\$\$\$\$	Medium- to Long-term
<b>2.5 Upgrade Infrastructure</b>					
	a.	Pursue State and Federal grants and other funding for infrastructure construction and planning.	Planning Commission, Economic Development Advisory Commission, HCD, Caltrans, HUD, US Economic Development Administration (EDA), US Public Works Development Facilities Program, Public Telecommunications Facilities Program, Federal Transit Administration (FTA), Utilities Providers	\$	Short- to Medium-term
	b.	Draft and adopt a Capital Improvements Plan to identify priority projects, funding sources, potential phasing and key stakeholders.	Planning Commission, Economic Development Advisory Commission, Chamber of Commerce, Property Owners, Community Based Organizations, Utilities Providers	\$-\$	Medium- to Long-term
	c.	Propose public bond measures for infrastructure/ streetscape projects, subsequent to or independent of development of a Capital Improvements Plan, potentially including repaving, improved water/ wastewater systems, fiber-optic and/or municipal internet, enhanced street lighting, support for building rehabilitation, and/or renewable energy systems.	Planning Commission, Economic Development Advisory Commission, Chamber of Commerce, League of Women Voters, Utilities Providers	\$\$\$\$	Long-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	d.	Closely follow State-level developments for potential funding sources and other opportunities, such as the revival of redevelopment agencies.	Planning Commission, Economic Development Advisory Commission	\$	Short-term
	e.	Review infrastructure-related development impact fees and set them at the upper feasible limit to fund infrastructure projects while continuing to encourage Downtown development.	Planning Commission, Economic Development Advisory Commission, Planning/Economics/Engineering Consultants	\$	Short-term
	f.	Require large development projects to include and/or fund infrastructure and streetscape improvements, as feasible. These upgrades could include, among other things: repaved sidewalks, pedestrian-scale lighting, undergrounding of utilities, and/or new street trees.	Planning Commission, Property Owners, Developers, Planning/Economics Consultants and Architects/Engineers	\$	Short- to Medium-term
	g.	Pursue street repaving that lowers centerline pavement heights to improve access for disabled persons and facilitate addition of sidewalk bulb-outs.	Traffic Safety Commission, Planning Commission	\$\$\$-\$\$\$\$	Medium- to Long-term
	h.	Encourage formation of a business improvement district that can help direct and fund streetscape and lighting improvements.	Los Banos Downtown Association, Chamber of Commerce, Economic Development Advisory Commission	\$	Short- to Medium-term

Los Banos Downtown Strategic Plan

Category	Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
<b>2.6 Improve Safety</b>				
a.	Improve street lighting in Downtown Los Banos, with a focus on pedestrian-scale lighting that improves sidewalk safety and adds visual appeal.	Los Banos Downtown Association, Potential PBID, Planning Commission, Traffic Safety Commission, Chamber of Commerce	\$\$-\$\$\$	Medium- to Long-term
b.	Require new developments and major renovations to integrate pedestrian-scale lighting into building façades.	Planning Commission, Developers, Property Owners	\$	Short- to Medium-term
c.	Implement Crime Prevention through Environmental Design (CPTED) concepts and approaches by amending Los Banos’s development and design standards or by adopting a set of CPTED standards as a supplement to the Community Design Standards. Consider implementation of policies including but not limited to:	Planning Commission, Developers, Property Owners	\$-\$\$	Short- to Medium-term
1	Work to increase foot and bicycle traffic on streets in Downtown Los Banos	Planning Commission, Los Banos Downtown Association, Chamber of Commerce, Business Owners, Los Banos Arts Council (for events), Traffic Safety Commission	\$	Short- to Medium-term
2	Require new developments to use lighting fixtures and brightness levels that prevent glare and the creation of shadowed areas where people can hide.	Planning Commission, Developers, Property Owners	\$	Short- to Medium-term
3	Ensure new developments and major rehabilitations put “eyes on the street” by providing building transparency at ground level and preferably on upper stories as well.	Planning Commission, Developers, Property Owners	\$	Short- to Medium-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	4	Avoid building massing that creates recessed areas or blind corners.	Planning Commission, Developers, Property Owners	\$	Short- to Medium-term
	5	Avoid building features which allow external access to upper windows or roofs.	Planning Commission, Developers, Property Owners	\$	Short- to Medium-term
	6	Discourage use of tall fences and promote fencing that allows visual permeability (e.g. picket fencing); but discourage chain-link fences or other types which create a sense of neglect or squalor.	Planning Commission, Developers, Property Owners	\$	Short- to Medium-term
	7	Increase regular public activities in the Downtown in the evenings and at night to change perceptions and put eyes on the street.	Parks and Recreation Commission, Los Banos Downtown Association, Chamber of Commerce, Business Owners, Los Banos Arts Council (for events)	\$--\$	Short- to Medium-term
	8	Install string lighting on trees or suspended lights over street to create a sense that Downtown is an active, safe, and enjoyable place to be at night.	Potential PBID, Los Banos Downtown Association, Planning Commission, Chamber of Commerce, Business Owners	\$--\$	Medium- to Long-term
d.		Regulate Los Banos’s nightlife more closely and work with business organizations and venue owners to reform practices to create a safer and more welcoming environment.	Planning Commission, Los Banos Police Department, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Business Owners	\$--\$	Short- to Medium-term
e.		Work with the Los Banos Police Department to institute Downtown foot and/or bicycle patrols.	Los Banos Police Department	\$\$\$	Medium-term
f.		Work with the Los Banos Police Department to establish and/or expand community-based policing initiatives.	Los Banos Police Department, Community Based Organizations	\$\$--\$\$\$	Medium-term

Los Banos Downtown Strategic Plan

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	g.	Seek County, State, federal, and charitable funding to create an emergency shelter, treatment center, and/or supportive housing so that individuals with substance use issues have an alternative to being on the streets.	HCD, HUD, Planning Commission, Potential PBID, Non-Profit Developers, Community Based Organizations	\$	Medium- to Long-term
	h.	Enforce the Los Banos and California building codes to ensure buildings are safe and maintained at a level that meets minimum habitability standards.	Planning Department, Los Banos Fire Department, Planning Commission	\$\$	Short- to Medium-term
	i.	Convene a panel or commission to address Los Banos's homelessness issues and recommend best practices.	Planning Commission, Community Based Organizations, HCD, Los Banos Downtown Association, Religious/Service Organizations	\$-\$	Short- to Medium-term
<b>2.7 Enhance Downtown Los Banos's Character</b>					
	a.	Cultivate high-quality landscaping that recalls Los Banos's origins as an agricultural and ranching center.	Planning Commission, Los Banos Tree Commission (Tree Commission) Los Banos Downtown Association, Potential PBID, Property Owners	\$\$-\$\$\$	Medium-term
	b.	Care for and maintain healthy and vigorous street trees that provide ample shade and are appropriate for Los Banos's climate.	Tree Commission, Property Owners, Los Banos Downtown Association, Potential PBID	\$\$-\$\$\$	Medium-term
	c.	Pursue grants and other funding sources to provide a landscaping and streetscaping program Downtown.	Tree Commission, Property Owners, Los Banos Downtown Association, Potential PBID	\$	Short- to Medium-term
	d.	Implement a unified retail signage program in the Downtown, potentially including requirements for all establishments have awnings over entrances, storefront windows, and awning-level blade signs to help pedestrians locate stores.	Planning Commission, Developers, Property Owners, Los Banos Downtown Association, Potential PBID, Chamber of Commerce	\$-\$	Medium-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	e.	Build upon the Façade Improvement Program to develop an enhanced set of Design Guidelines for all new construction and additions.	Planning Commission, Developers, Property Owners, Los Banos Downtown Association, Potential PBID, Chamber of Commerce	\$--\$\$	Short- to Medium-term
	f.	Require contemporary materials (e.g., plaster, hardboard) used for building rehabilitation are detailed to have a scale and feel similar to original historic elements.	Planning Commission, Property Owners, Developers, Contractors	\$	Short- to Medium-term
	g.	Work with property owners and developers to encourage building rehabilitations that expose and restore hidden materials and details in building facades.	Planning Commission, Property Owners, Developers, Contractors	\$	Short- to Medium-term
	h.	Explore opportunities to convert alleyways into pedestrian-oriented public spaces, potentially including dining areas, kiosks, or other amenities.	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce	\$ (explore) \$\$--\$\$\$ (implement)	Medium-term
<b>2.8 Develop a Food Scene</b>					
	a.	Offer tax credits, rebates, or other financial incentives to promote building rehabilitations and systems upgrades to meet the needs of full-service restaurants.	Economic Development Advisory Commission, Planning Commission, Chamber of Commerce, Los Banos Downtown Association, Potential PBID	\$\$\$--\$\$\$\$	Medium- to Long-term
	b.	Streamline permitting for opening restaurants and adjust permit categories and procedures to allow for restaurants that serve foods that do not require commercial kitchen features such as ventilation and industrial sinks.	Planning Commission, Economic Development Advisory Commission, Chamber of Commerce, Merced County Department of Public Health	\$--\$\$	Short- to Medium-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	c.	Encourage and allow for food trucks in Downtown Los Banos (including through municipal code revisions) and explore creation of a designated space for a cluster of food trucks. Work to ensure the space includes amenities for patrons, such as restrooms, water fountains, seating, and protection from the elements.	Planning Commission, Economic Development Advisory Commission, Los Banos Downtown Association, Chamber of Commerce	\$ (allow/explore) \$\$-\$\$\$ (implement)	Short- to Long-term
	d.	Work to attract a biergarten or similar outdoor space for family-friendly drinking and eating options; work with owners to provide games and entertainment.	Economic Development Advisory Commission, Planning Commission, Chamber of Commerce, Los Banos Downtown Association, Potential PBID	\$	Medium- to Long-term
	e.	Assist local restaurants so they can expand their footprint or open additional locations in the Downtown.	Economic Development Advisory Commission, Planning Commission, Chamber of Commerce, Los Banos Downtown Association, Potential PBID	\$\$-\$\$\$	Short- to Medium-term
	f.	Contact popular restaurants in nearby communities to explore opportunities for them to establish a presence in Downtown Los Banos.	Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association, Potential PBID	\$	Short-term
	g.	Create multiple weekly farmers markets that serve different neighborhoods on different days. Consider creating a Saturday Downtown Farmers Market to draw additional visitors to the Downtown on weekends.	Chamber of Commerce, Merced County Farmers Market Promotion Program, Farmers Market Alliance, Economic Development Advisory Commission, Los Banos Downtown Association, Potential PBID, United States Department of Agriculture (USDA)	\$\$-\$\$\$	Medium-term

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Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	h.	Work with local farmers market organizers to ensure that low-income residents are able to use EBT (food stamps) to purchase farmers market products.	Chamber of Commerce, Merced County Farmers Market Promotion Program, Farmers Market Alliance, Economic Development Advisory Commission, Los Banos Downtown Association, Potential PBID, United States Department of Agriculture (USDA)	\$	Short-term
	i.	Simplify permitting procedures to allow for sidewalk café seating in appropriate locations.	Planning Commission, Chamber of Commerce, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID	\$	Short-term
	j.	Pursue creation of a market hall in Downtown Los Banos to feature a mixture of fresh, affordable, local, and gourmet foods.	Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association, Potential PBID	\$ (pursue) \$\$\$ (implement)	Medium- to Long-term
	k.	Work with existing local markets/grocers to expand their retail footprint and offerings in the Downtown.	Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association, Potential PBID	\$	Medium- to Long-term
	l.	Work with local restaurants, markets, cultural organizations and food growers to organize an annual food festival that celebrates San Joaquin Valley produce and cuisines from across local cultures.	Economic Development Advisory Commission, Chamber of Commerce, Los Banos Downtown Association, Potential PBID, Merced County Farmers Market Promotion Program, Farmers Market Alliance	\$-\$\$	Medium- to Long-term

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Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	m.	Pursue community gardening and edible schoolyard programs that offer schoolchildren and their families the opportunity to grow their own food and connect with Los Banos’s agricultural heritage.	LBUSD, Edible Schoolyard Project	\$\$	Medium- to Long-term
	n.	Encourage and/or incentivize new developments to incorporate rooftop agriculture as an amenity for residents, an energy efficiency/stormwater prevention measure, and as a showpiece for Los Banos.	Planning Commission, Developers, Property Owners, Chamber of Commerce	\$	Short- to Medium-term
	o.	Partner with existing or new community-based organizations whose goals is to teach culinary and restaurant skills to marginalized populations; work to find space for such organizations in the downtown.	Community Based Organizations, Los Banos Community Center, Parks and Recreation Commission	\$–\$\$	Medium-term
	p.	Work with downtown business groups and restaurants to create pub crawls, wine walks, and other similar food/drink tours of Downtown Los Banos.	Los Banos Downtown Association, Chamber of Commerce, Potential PBID, Economic Development Advisory Commission	\$	Short- to Medium-term
	q.	Pursue a local food scrap collection program to reduce waste, improve Los Banos’s sustainability image, and provide high quality compost for local community gardens and food growers.	Republic Services (Solid Waste and Recycling), CalRecycle, Chamber of Commerce, Planning Commission	\$\$\$–\$\$\$\$	Medium- to Long-term
	r.	Work to build or convert an existing space to host a family-friendly brewpub that offers a full menu and entertainment.	Los Banos Downtown Association, Economic Development Advisory Commission, Chamber of Commerce, Potential PBID	\$\$–\$\$\$	Medium-term

**Los Banos Downtown Strategic Plan**

Category	Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
<b>2.9 Manage Parking</b>				
a.	Develop and install clear, visually appealing parking signage based on the best practices of other cities.	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking Consultant	\$\$	Short- to Medium-term
b.	Conduct a parking supply study for Downtown Los Banos to identify geographical areas, times of day, and days of the week when parking is most abundant or scarce. This study would serve to inform Los Banos’s parking policies by identifying what parking restriction and pricing schemes would be most appropriate for different times and areas.	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking Consultant	\$-\$\$	Short- to Medium-term
c.	Aim for an 85 percent parking occupancy rate at any given time; this usually equates to roughly one vacant space per block, which helps travelers find a space quickly while ensuring parking is not underutilized.	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking Consultant	\$	Short- to Medium-term
d.	Adopt parking time limits for on-street spaces to ensure that street parking is available for visitors and customers. Encourage Downtown employees who need all-day parking to park in centrally-located lots instead.	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking Consultant	\$-\$\$	Medium- to Long-term
e.	Implement paid on street parking subject to the findings of a parking study and/or based on the expertise of staff and local business owners.	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking Consultant	\$-\$\$\$	Medium- to Long-term

Los Banos Downtown Strategic Plan

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	f.	Consider inexpensive or free parking for the first hour or half hour, with increasing rates for longer periods, in order to encourage turnover and attract customers making quick trips.	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking Consultant	\$	Medium- to Long-term
	g.	Pursue lower-cost options for potential implementation of paid parking, such as solar-powered ticket machines instead of individual parking meters.	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking Consultant	\$\$	Medium- to Long-term
	h.	Evaluate the feasibility of building a parking structure in Downtown Los Banos:	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking/Economic s Consultant	\$--\$\$ (evaluate) \$\$\$--\$\$\$\$ (build)	Short- to Medium-term
	1	Determine what conditions would fiscally justify the creation of a parking structure.		\$	Short- to Medium-term
	2	Explore options for building a shared parking structure as part of another project (e.g., a new office).		\$	Short- to Medium-term
	3	Consider how long-term changes in travel patterns or vehicle ownership may affect parking needs.		\$	Short- to Medium-term
	4	Investigate options for creating a parking structure designed for future conversion to non-parking uses.		\$	Short- to Medium-term
	5	Ensure that any new parking structure includes pedestrian-oriented street frontage.		\$	Medium- to Long-term
	6	Set phased goals for the City to remove surface parking lots and/or replace them with structured parking over time to allow for conversion to other uses.		\$	Long-term

Los Banos Downtown Strategic Plan

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	i.	Identify blocks where angled parking could be converted to parallel parking to allow wider sidewalks and/or new parklets; and, if needed, consider what blocks could be converted from parallel to diagonal parking to avoid a net loss of parking spaces.	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking/Economic s Consultant	\$	Short- to Medium-term
	j.	Explore the need for and potential to convert portions of the old Police station site to public parking to accommodate parking needs if studies show additional parking is needed, or to reuse other parking lots for new uses if the additional parking is not needed.	Los Banos Police Department, Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking/Economic s Consultant	\$ (explore) \$\$ (implement)	Short- to Medium-term
	k.	Work with Downtown business organizations to evaluate the feasibility of creating a Downtown “Shopper Shuttle” that would enable residents to reach the Downtown without driving and parking.	Traffic Safety Commission, Los Banos Downtown Association, Chamber of Commerce, Potential PBID	\$ (evaluate) \$\$–\$\$\$ (implement)	Medium- to Long-term
	l.	Consider options for redeveloping the parking lot adjacent to City Hall for the purpose of a new civic use or a shared public-private mixed-use project.	Planning Commission, Traffic Safety Commission, Los Banos Downtown Association, Potential PBID, Chamber of Commerce, Transportation/Parking/Economic s Consultant	\$ (evaluate) \$\$–\$\$\$ (implement)	Medium- to Long-term
	m.	Install additional on-street bicycle parking and require large-scale new developments to incorporate bicycle parking for residents, employees, and customers.	Planning Commission, Traffic Safety Commission, Developers, Property Owners, Los Banos Downtown Association, Potential PBID, Chamber of Commerce	\$\$	Short- to Medium-term

Los Banos Downtown Strategic Plan

Category	Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
<b>2.10 Enhance Public Spaces</b>				
a.	Maintain Catholic Park’s current features and enhance the park with signage, activity, and amenities.	Parks and Recreation Commission, Planning Commission, Los Banos Arts Council	\$–\$\$	Short- to Medium-term
	1. Engage community members to find out what additional amenities may be needed at Catholic Park (e.g., park lighting, a well-designed sign marking the park, fencing around the play area, seating for parents, sidewalks along L Street, a water fountain, and/or new crosswalks).	Parks and Recreation Commission, Planning Commission, Los Banos Arts Council	\$	Short-term
	2. Ensure that Catholic Park is noted on any wayfinding signage installed in Downtown.	Planning Commission, Los Banos Downtown Association, Potential PBID	\$	Short- to Medium-term
	3. Explore the potential for the City to purchase the undeveloped parcel immediately to the south in order to expand Catholic Park and connect it to M Street. As part of this effort, also consider the potential to close this block of L street to car/truck traffic and integrate it into the park as a bicycle/pedestrian pathway.	Planning Commission, Parks and Recreation Commission, Property Owners	\$\$–\$\$\$	Long-term
	4. Seek state, regional, or federal parks and recreation funding to implement improvements.	Planning Commission, Parks and Recreation Commission, HUD, HCD	\$	Short-term
b.	Improve and activate the existing public gathering space at 6th and K Streets through new character-defining features and efforts to ensure the space and its surroundings are safe, welcoming, and engaging:	LBUSD, Parks and Recreation Commission, Planning Commission, Los Banos Downtown Association, Potential	\$–\$\$\$	Medium- to Long-term

Los Banos Downtown Strategic Plan

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	1.	Name the space and install signage to foster a more formalized and memorable sense of identity.	PBID, Chamber of Commerce, Los Banos Arts Council	\$	Short-term
	2.	Improve lighting in and around the space to make it feel more festive and safer at night. (Options could include new and brighter streetlamps or lights strung around and/or between trees.)		\$-\$	Medium-term
	3.	Increase the use of this public gathering space through new initiatives and activities, potentially including: after-school activities; bake sales or other school fundraisers; music and performances; creation of chalk or street art; or programming coordinated with Downtown events such as the Fall and Spring Faires.		\$	Short- to Medium-term
	4.	Coordinate with the Los Banos Unified School District so that if and when the portable classrooms adjoining this space are replaced, the District explores options for enhancing the space with new buildings/entrances.		\$\$	Long-term
	5.	Partner with business and property owners to improve properties on all four corners of this important intersection. Potential efforts include:		\$\$	Long-term
	•	Expanding the mural on the Farmer’s Insurance Building at the northeast corner of the intersection and providing nighttime illumination.		\$	Short- to Medium-term
	•	Adding more attractive landscaping and street trees to the sidewalk surrounding the Chase Bank.		\$\$	Medium- to Long-term
	•	Promoting future redevelopment of the Chase Bank site with a new, mixed-use gateway project.		\$	Medium- to Long-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
		<ul style="list-style-type: none"> <li>Improve landscaping on the corner occupied by the Santa Fe Market and consider adding a new sign board under store sign featuring the messages “Welcome to Downtown Los Banos” and “Bienvenidos al Centro de Los Banos.”</li> </ul>		\$–\$\$	Medium- to Long-term
		<ul style="list-style-type: none"> <li>Exploring long-term reconstruction of the Santa Fe Market to incorporate mixed uses and a pedestrian orientation that moves the market entrance up to the sidewalk and provides a sidewalk café and seating.</li> </ul>		\$	Long-term
		6. Improve the appearance of the 6th and K Street intersection and visually announce the beginning of commercial Downtown Los Banos by creating eye-catching crosswalks and potentially a design or logo in the center of the intersection.	Traffic Safety Commission, Planning Commission, Potential PBID, Los Banos Downtown Association, Los Banos Arts Council	\$\$–\$\$\$	Medium- to Long-term
	c.	Activate Henry Miller Plaza and encourage more visitors through a variety of potential efforts, including:	Planning Commission, Parks and Recreation Commission, Los Banos Downtown Association, Chamber of Commerce, Los Banos Arts Council	\$\$–\$\$\$	Short- to Long-term
	1. Promoting development of new buildings and land uses surrounding Henry Miller Plaza, as envisioned by the Rail Trail Corridor Regulating Code.	\$		Long-term	
	2. Developing temporary, shaded public parking lots on either side of Henry Miller Plaza.	\$\$		Medium-term	

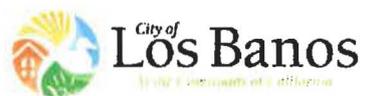
**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	3.	Upgrading recently-added stop signs to a traffic signal at 6th and H street, along with high-visibility crosswalks to calm the speed of traffic, make it safer for pedestrians to cross H street, and make it easier for visitors and employees of the Community Center, as well as the new Courthouse and Police station to walk or bicycle Downtown.		\$\$	Short- to Medium-term
	4.	Ensuring that Henry Miller Plaza is prominently featured in any wayfinding signage program.		\$	Short- to Medium-term
	d.	Partner with Merced County to improve “Pacheco Park” (Merced County, Los Banos Park), enhance its role as a near-Downtown recreational amenity, and include new signage directing park-goers to explore Downtown.	Merced County Parks and Recreation Department, Parks and Recreation Commission, Planning Commission	\$-\$\$\$	Long-term
	e.	Ensure Rail Corridor development or other larger scale development such as office and employment centers near Downtown includes attractive and well-maintained public spaces. Consider incorporating privately owned public open spaces (POPOS) to create new informal public gathering places and integrate new uses with the broader community.	Planning Commission, Parks and Recreation Commission, Property Owners, Developers, Los Banos Downtown Association, Potential PBID	\$	Medium- to Long-term
	f.	Create new public spaces in Downtown, potentially including the following opportunities:	Planning Commission, Parks and Recreation Commission, Property	\$\$\$-\$\$\$\$	Medium- to Long-term

**Los Banos Downtown Strategic Plan**

Category		Policy, Program or Implementation Item	Potential Partners	Estimated Cost Level	Timing
	1.	Consider reusing part of the soon-to-be vacated Police Building complex at 5th and J Street as a small gathering space. Depending whether the old police building is demolished, as has been discussed, the site is large enough to accommodate a public gathering space as well as a new public parking lot.	Owners, Developers, Los Banos Downtown Association, Potential PBID	\$ (evaluate) \$\$\$ (implement)	Long-term
	2.	Consider repurposing one or two parking spaces along 6th Street to create one or more parklets.		\$\$	Medium-term
	3.	Consider long-term opportunities to convert public surface parking into parks or plazas, and explore short-term opportunities pilot such conversions on a temporary basis.		\$--\$\$ (evaluate) \$\$\$--\$\$\$\$ (implement)	Long-term





City of  
**Los Banos**

por un crecimiento responsable

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LOS BANOS ADOPTING THE LOS  
BANOS DOWNTOWN STRATEGIC PLAN**

WHEREAS, The City of Los Banos has prepared a Downtown Strategic Plan to address issues and to enhance Downtown and promote development on opportunity sites, while maintaining its historic, small-town character; and

WHEREAS, the Downtown Strategic Plan will service as a roadmap and implementation guide to achieve the vision of Downtown Los Banos; and

WHEREAS, the Downtown Strategic Plan is based on public outreach to ensure that it appropriately reflects stakeholders' and the community's values and vision for the Downtown on May 28, 2019 and July 8, 2019;

WHEREAS, a joint Planning Commission and City Council meeting was held on September 25, 2019, to discuss the proposed Los Banos Downtown Strategic Plan;

WHEREAS, the proposed Strategic Plan does not propose any changes to City policies or regulations that would result in a direct or indirect physical environmental impact; therefore it has been determined that the proposed ordinance is covered by the general rule that the California Environmental Quality Act applies only to projects which have the potential for causing a significant effect on the environment pursuant to CEQA guidelines Section 15061 (b)(3) and is not subject to environmental review;

WHEREAS, the Downtown Strategic Plan is consistent with the General Plan Update to accomplish goals for the Downtown and the entire community; and

WHEREAS, the City Council of the City of Los Banos has reviewed the proposed Strategic Plan including the strategic goals at their February 5, 2020 regular meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Banos does hereby adopt the Los Banos Downtown Strategic Plan.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Los Banos held on the 5<sup>th</sup> day of February 2020, by Council Member \_\_\_\_\_ who moved its adoption, which motion was duly seconded by Council Member \_\_\_\_\_ and the Resolution adopted by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

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Michael Villalta, Mayor

ATTEST:

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Lucille L. Mallonee, City Clerk



City of  
**Los Banos**  
*At the Crossroads of California*

## **Agenda Staff Report**

**TO:** Mayor Villalta & City Council Members

**FROM:** Alex Terrazas, City Manager

**DATE:** February 5, 2020

**SUBJECT:** Data Security Breach

**TYPE OF REPORT:** Non-Consent Agenda

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### **Recommendation:**

Staff recommends that Council review the potential IT data breach incident summary and adopt a resolution to amend the budget for the 2019/20 Fiscal Year as it pertains to changes in expenditures.

### **Background:**

A laptop owned by the City of Los Banos was recently stolen out of a City employee's locked car. The laptop was password protected, but not encrypted. Upon learning of the incident, the City promptly contacted law enforcement, as well as its cyber insurer, who referred the City to one of the law firms on the insurer's breach response panel. To date, the laptop has not been recovered.

In consultation with legal counsel, the City decided that, even though it had no knowledge of any information on the computer having been accessed or viewed, it would provide notice of the incident to individuals whose information was contained on the laptop. To that end, the City recreated the contents of the laptop and, with the assistance of its cyber insurer and legal counsel, it retained a vendor to both data mine and manually review the recreated files.

At the end of the data review process, on December 14, 2019, the vendor provided the City with a list of individuals whose personal information was likely found in the recreated files. The City has since been working diligently to locate the addresses of these individuals so that it can provide them with notice of the incident. The City has also been working with its cyber insurer and legal counsel to arrange for complimentary credit monitoring and identity theft protection services for individuals whose personal information may have been compromised. Additionally the City has engaged a vendor

to assist with mail and call center services. These services include the printing and mailing of the notification letters. The letters are scheduled to be mailed to approximately 7,000 potentially impacted individuals on or about January 31, 2020.

The City was unable to locate current addresses for some individuals whose personal information was likely included in the recreated files. As such, in addition to directly notifying individuals, the City will also be providing notice of the incident to the media and the public on the City website.

The process the City is required to follow is outlined in State Law. The City is following the required procedures and times lines with the assistance of outside special legal counsel.

**Discussion:**

To lessen the likelihood of a future incident, any mobile devices, such as laptops, will have a technology called Bitlocker. BitLocker is an Active Directory integrated encryption technology used to encrypt data on mobile laptops to protect the City's records.

In addition, the City is currently researching options regarding remotely deleting lost or stolen electronic devices and the use of tracking systems for all electronic devices.

These policies and procedures not only create additional redundancies in the City's infrastructure and disaster recovery plan; they provide protection to the citizens of Los Banos.

**Fiscal Impact:**

The impact to the City is \$50,000, which is the current deductible for the City's Cyber insurance policy. The attached resolution is an increase to the 2019/20 FY budget allocated between the General Fund and Enterprise Funds, based on insurance premium allocations.

After application of the \$50,000 deductible, the insurance company will issue payment for all additional expenses related to the breach including cost for notification, credit monitoring and the call center. The City is insured up to \$1,000,000 for this incident.

Reviewed by:



Alex Terrazas, City Manager

**Attachment**

Resolution

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF LOS BANOS  
ADOPTING A REVISED BUDGET FOR THE  
2019/20 FISCAL YEAR AS IT PERTAINS TO  
EXPENDITURES**

**WHEREAS**, the City Council of the City of Los Banos has been presented an amendment to the 2019/20 Fiscal Year budget; and

**WHEREAS**, the City Council of the City of Los Banos may adjust the overall appropriation levels in each fund at any time during the Fiscal Year by action to amend the budget; and

**WHEREAS**, the proposed budget increase is \$50,000 to expenditures in the General Fund and Enterprise Funds – Professional Services accounts.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Los Banos hereby amends the 2019/20 Fiscal Year Budget to include an increase of \$50,000 in expenditures as follows:

100-410-100-231	\$37,913.38
501-410-100-231	\$ 4,484.93
502-410-100-231	\$ 4,241.73
510-410-100-231	\$ 3,359.96

The foregoing resolution was introduced at a regular meeting of the Los Banos City Council held on the 5<sup>th</sup> day of February 2020, by Council Member \_\_\_\_\_ who moved for its adoption, which motion was duly seconded by Council Member \_\_\_\_\_, and the Resolution was adopted by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
Michael Villalta, Mayor

ATTEST:

\_\_\_\_\_  
Lucille L. Mallonee, City Clerk