



City of
Los Banos
At the Crossroads of California

www.losbanos.org

AGENDA

CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

AUGUST 5, 2020 – 3:00 PM

**Temporary Public Comment Email Established for the City of Los Banos
City Council Meeting of August 5, 2020 – emails must be received by 3:00 PM:**

The City has established a temporary email address citizens can use to email public comments on any agenda item, limited to 250 words or less. Any public comments received by August 5, 2020 prior to 3:00 PM will be read aloud during the appropriate time and agenda item.

The email address is cityclerk@losbanos.org

Public comment during Public Hearings will be taken in real time via email.

Once the Public Hearing is opened, the City Council will pause the meeting in order to receive emails directed at the Public Hearing (up to 250 words) and will read comments into the record after resuming the meeting, as time permits.

Please indicate that comments are for a particular Public Hearing by putting "Public Hearing" in the subject line of the email and the title of the Public Hearing.

The Council Chambers are closed to the public, those interested in viewing the City Council meeting can do so on the City of Los Banos' Website at:

<https://www.youtube.com/watch?v=sc3NQ8A8iuE&feature=youtu.be>

If you require special assistance to attend or participate in this meeting, please call the City Clerk's Office @ (209) 827-7000 at least 48 hours prior to the meeting.

The City of Los Banos complies with the Americans with Disabilities Act (ADA) of 1990.

Si requiere asistencia especial para atender o participar en esta junta por favor llame a la oficina de la Secretaria de la ciudad al (209) 827-7000 a lo menos de 48 horas previas de la junta.

La Ciudad de Los Banos cumple con la Acta de Americanos con Deshabilidad (ADA) de 1990.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 520 J Street, Los Banos, California during normal business hours. In addition, such writings and documents may be posted on the City's website at www.losbanos.org.

Cualquier escritura o los documentos proporcionaron a una mayoría del Ayuntamiento respecto a cualquier artículo en este orden del día será hecho disponible para la inspección pública en la reunión y en la oficina de la Secretaria de la ciudad en City Hall, 520 J Street, Los Banos, California durante horas de oficina normales. Además, tales escrituras y los documentos pueden ser anunciados en el website de la ciudad en www.losbanos.org.

1. **CLOSED SESSION.** **3:00 PM**
 (Members of the public may address the City Council Members on the following closed session items. Speakers may submit their comments by submitting a written statement, limited to 250 words or less, by dropping it off in the Utility Payment Box at City Hall, 520 J Street, by mail or emailing cityclerk@losbanos.org. Comments received will be read into the record during the City Council Meeting.)
 - A. Conference with Labor Negotiators, Pursuant to Government Code Section 54957.6, Agency Designated Representatives: City Manager Terrazas, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Finance Director Williams, Legal Counsel Tuffo; Employee Organizations: Los Banos Police Officers Association (LBPOA), Los Banos Police Sergeants Association (LBPSA), Los Banos Fire Fighters Association (LBFFA), Los Banos Police Dispatchers/Community Services Officers Association (LBPDCSOA), Los Banos Public Employees Union (Public Works) Local 1/AFSCME and Unrepresented Miscellaneous Employees.

2. **CALL TO ORDER.** **4:00 PM**

3. **PLEDGE OF ALLEGIANCE.**

4. **ROLL CALL: (City Council Members)**
 Faria ____, Johnson-Santos ____, Jones ____, Lewis ____, Villalta ____

5. **CONSIDERATION OF APPROVAL OF AGENDA.**

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 may submit their comments by submitting a written statement, limited to 250 words or less, by dropping it off in the Utility Payment Box at City Hall, 520 J Street, by mail or emailing cityclerk@losbanos.org. Comments received will be read into the record during the City Council Meeting.)

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 #222973 – #223245 in the Amount of \$2,257,798.45.
Recommendation: Approve the check register as submitted.

 - B. Fourth Quarter Investment Report for the 2019/2020 Fiscal Year.
Recommendation: Accept the report as submitted.

- C. Minutes for the July 15, 2020 City Council Meeting.

Recommendation: Approve the minutes as submitted.

- D. Minutes for the July 29, 2020 Special City Council Meeting.

Recommendation: Approve the minutes as submitted.

- E. City Council Resolution No. 6243 – Authorizing the City Manager to File a Regional Surface Transportation Program (RSTP) Exchange Program Fund Claim Form for Fiscal Year 2019-2020 in the Amount of \$482,931.

Recommendation: Adopt the resolution as submitted.

- F. City Council Resolution No. 6244 – Approving the Annual Local Transportation Fund (LTF) Claim to be Filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2020-2021.

Recommendation: Adopt the resolution as submitted.

- G. City Council Resolution No. 6245 – Authorizing Award of Construction Contract to Joe's Landscaping and Concrete Inc. in the Amount of \$234,770 with a 5% Contingency in the Amount of \$11,738.50 for the Los Banos Dog Park Project and Adopt a Revised Budget for the Fiscal Year 2020-2021 as it Pertains to the Los Banos Park Fund Account.

Recommendation: Adopt the resolution as submitted.

- H. City Council Resolution No. 6246 – Approving and Adopting Final Tract Map No. 2017-01 Stonecreek at Los Banos the Villages VII Phase 2B Unit 1 and Accompanying Subdivision Improvement Agreement (Anderson Homes).

Recommendation: Adopt the resolution as submitted.

- I. City Council Resolution No. 6247 – Approving and Adopting Final Tract Map No. 2017-01 Stonecreek at Los Banos the Villages VII Phase 2B Unit 2 and Accompanying Subdivision Improvement Agreement (Anderson Homes).

Recommendation: Adopt the resolution as submitted.

- J. City Council Resolution No. 6248 – Amending City Council Resolution No. 6012 Relating to the City's Conflict of Interest Code.

Recommendation: Adopt the resolution as submitted.

- K. City Council Resolution No. 6249 – Ratifying Executive Order 2020-03 and Amendment No. 1 to Executive Order 2020-02 as it Pertains to Temporary Outdoor Operations and Planning Commission Meeting Times.

Recommendation: Adopt the resolution as submitted.

8. 2020 CENSUS UPDATE PRESENTATION.

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

9. BILLY WRIGHT LANDFILL PRESENTATION.

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

10. 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 Repealing Local Amendments Section 8-1.18 A and Section 8-1.18 B of the Los Banos Municipal Code Related to “Water Heater Prohibited Locations and Water Heater Protection from Damage”.

- 1) Ordinance No. 1186 – Repealing Previously Enacted Local Amendments to the California Plumbing Code as it Pertains to Water Heaters.

(Second Reading & Adoption)

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

B. Public Hearing – To Receive Public Comment and Consideration of Levying Properties for Weed Abatement Services Performed During the Fiscal Year 2019-2020 or Prior for Areas of Land Located in the City of Los Banos, Merced County as Follows: Assessor Parcel Numbers 025-033-019, 027-055-017, 027-086-009, 027-096-013, 081-200-004, 081-200-005, 081-200-008, 081-200-009, 081-200-011, 081-200-012, 082-594-001, 083-390-073, 084-243-012, 428-255-016.

- 1) City Council Resolution No. 6250 – Authorizing the Levy and Collection of Assessments for Weed Abatement within the City of Los Banos.

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

C. Public Hearing – To Receive Public Comment and Consideration of a Final Development Plan #2020-01 for Mission Village South Phases 5A and 5B for the Project Site Located East of Mercey Springs Road, South of Mission Drive and North of Willmott Avenue, APN 428-280-012.

- 1) City Council Resolution No. 6251 – Approving Final Development Plan #2020-01 for Mission Village South Phase 5.

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

11. COVID-19 STATUS UPDATE.

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

12. ADVISEMENT OF PUBLIC NOTICES. (Four reports)

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. ADJOURNMENT.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.


Sara Blevins, Deputy City Clerk

Dated this 30th day of July 2020