

**CITY OF LOS BANOS  
CITY COUNCIL MEETING MINUTES  
FEBRUARY 17, 2021**

***ACTION MINUTES** – These minutes are prepared to depict action taken for agenda items presented to the City Council. For detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.*

***SPECIAL NOTE:** This meeting was held by teleconference due to the COVID-19 Pandemic.*

**CALL TO ORDER:** Mayor Faria called the City Council Meeting to order at the hour of 4:07 p.m.

**PLEDGE OF ALLEGIANCE:** Fire Chief Hurley led the pledge of allegiance.

**ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT:** Council Members Brett Jones, Ken Lambert, Deborah Lewis, Refugio LLamas, Mayor Tom Faria; ABSENT: None.

**STAFF MEMBERS PRESENT:** City Manager Terrazas, City Attorney Vaughn, City Clerk/Human Resources Director Mallonee, Finance Director Williams, Community & Economic Development Director Elms, Acting Public Works Director/City Engineer Pezeshk, Police Chief Brizzee, Fire Chief Hurley.

**CONSIDERATION OF APPROVAL OF AGENDA:** Mayor Faria stated that Staff is requesting that item 7C (City Council Resolution No. 6323 – Adopting a Revised Budget for the Fiscal Year 2020-2021 by Increasing the Appropriation Amount in the Community Center Fee Account by \$20,870.00 for the Replacement of the Boiler at the Los Banos Community Center) be removed from the agenda.

Motion by Lewis, seconded by LLamas to approve the City Council Meeting agenda as submitted. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

**PRESENTATION – PROCLAMATION RECOGNIZING BLACK HISTORY MONTH.**

Mayor Faria presented the proclamation to Keith Johnson, representing the NAACP. Mr. Johnson thanked the City for the proclamation and stated how they look forward to continuing to work with the City of Los Banos.

**PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL MEMBERS ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE CITY; INCLUDES AGENDA AND NON-AGENDA ITEMS. NO ACTION WILL BE TAKEN ON NON-AGENDA ITEMS. SPEAKERS ARE LIMITED TO A FIVE (5) MINUTE PRESENTATION. DETAILED GUIDELINES ARE POSTED ON THE COUNCIL CHAMBER INFORMATIONAL TABLE.** Mayor Faria opened the public

forum and asked the City Clerk if she had received any comments by email, for which City Clerk Mallonee stated that she received no comments and the public forum was therefore closed.

**CONSIDERATION OF APPROVAL OF CONSENT AGENDA.** Council Member Lewis requested that item 7E – City Council Resolution No. 6325 – Authorizing the Mayor to Execute the Renewal of Lease Agreement for H.G. Fawcett Canalside Park between the City of Los Banos and Central California Irrigation District (CCID) be removed from the consent agenda for presentation and separate approval. Mayor Faria stated that he would like to hear a presentation on item 7E – City Council Resolution No. 6324 – Approving the Pilot Study Agreement for Hexavalent Chromium Treatment with Aqua Metrology Systems Limited and Authorizing the City Manager to Execute Said Agreement before approval for which Acting Public Works Director/City Engineer Pezeshk presented.

Motion by Lambert, seconded by Lewis to approve the consent agenda as follows: Check Register for #225496 – #225690 in the Amount of \$746,217.26; Minutes for the February 3, 2021 City Council Meeting; City Council Resolution No. 6323 – Adopting a Revised Budget for the Fiscal Year 2020-2021 by Increasing the Appropriation Amount in the Community Center Fee Account by \$20,870.00 for the Replacement of the Boiler at the Los Banos Community Center; City Council Resolution No. 6324 – Approving the Pilot Study Agreement for Hexavalent Chromium Treatment with Aqua Metrology Systems Limited and Authorizing the City Manager to Execute Said Agreement; ~~City Council Resolution No. 6325 – Authorizing the Mayor to Execute the Renewal of Lease Agreement for H.G. Fawcett Canalside Park Between the City of Los Banos and Central California Irrigation District (CCID).~~ The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

**CITY COUNCIL RESOLUTION NO. 6325 – AUTHORIZING THE MAYOR TO EXECUTE THE RENEWAL OF LEASE AGREEMENT FOR H.G. FAWCETT CANALSIDE PARK BETWEEN THE CITY OF LOS BANOS AND CENTRAL CALIFORNIA IRRIGATION DISTRICT (CCID).** Acting Public Works Director/City Engineer Pezeshk presented the staff report.

There was Council Member and staff discussion pertaining to the term of this new lease and how it is only ten years long versus the previous twenty-five year term. City Attorney Vaughn noted that the City requested a twenty-five year term but that CCID's Board did not feel comfortable entering into a lease for that length of time. Council had some concern about investing a large amount of money into this trail moving forward if the lease is for this short of a term.

Motion by Lewis, seconded by Lambert, to adopt City Council Resolution No. 6325 – Authorizing the Mayor to Execute the Renewal of Lease Agreement for H.G. Fawcett Canalside Park between the City of Los Banos and Central California Irrigation District (CCID). The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

Motion by Lewis, seconded by to direct City staff to enter into negotiations on a successor agreement two (2) years prior to expiration date. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

**GENERAL PLAN UPDATE.** Community & Economic Development Director presented the staff report and introduced Joanna Jansen and Cliff Lau from PlaceWorks who spoke in more detail to the status of the General Plan Update, which included a PowerPoint presentation.

There was Council Member and staff discussion regarding various aspects of the General Plan update such as schools; future development; major road plans for Pioneer Road, Cardoza Road and Center Avenue; and plans for the Business Park. Staff spoke to how the next General Plan update will come back to Council in the form of a workshop and that there will also be community outreach workshops to get input on potential changes to the Plan.

Informational item only, no action taken.

**MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) UPDATE.** City Manager Terrazas presented the staff report and introduced Stacie Guzman, MCAG Executive Director who spoke in more detail to the services MCAG provides to Los Banos and Merced County.

There was Council Member and staff discussion regarding Measure V funds and how much of those funds have been utilized in Los Banos. There was also discussion pertaining to the waste organics diversion and how the legislative deadline is being pushed back due to COVID-19. City Manager Terrazas spoke to how the City is in a good place pertaining to the organics diversion because the new garbage/recycling contract begins July 1 of this year and that program/system is included in the services.

Informational item only, no action taken.

**MID YEAR BUDGET REVIEW AND CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6326 – ADOPTING A REVISED BUDGET FOR THE 2020-2021 FISCAL YEAR AS IT PERTAINS TO EXPENDITURES AND REVENUES.** Finance Director Williams presented the staff report, which included PowerPoint presentation.

City Manager Terrazas stated that there will be a workshop held on March 17, 2021 for Council in order for them to identify priorities and goals that should be worked into the budget.

Motion by Lambert, seconded by Lewis to approve City Council Resolution No. 6326 – Adopting a Revised Budget for the 2020-2021 Fiscal Year as it pertains to Expenditures

and Revenues. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

**COVID-19 STATUS UPDATE.** City Manager Terrazas provided an update on COVID-19 referencing and showing the Merced County COVID-19 website and all the information that it provides regarding COVID-19 cases, vaccine availability, and the political push to get Merced County its fair share of vaccine doses.

**ADVISEMENT OF PUBLIC NOTICES (One Report).** Community & Economic Development Director Elms reported that a Public Hearing will be held at the Planning Commission Meeting on February 24, 2021 to consider a recommendation to the Los Banos City Council to amend Title 9, Chapter 3, Article 30 of the Los Banos Municipal Code as it relates to Accessory Dwelling Units.

**CITY MANAGER REPORT.** City Manager Terrazas announced that there are a number of openings on the various City commissions/committees and he encouraged citizens to apply. He congratulated Police Officers DeWitt and Hostetler for recently successfully completing their Field Training Programs; they are officially patrolling on their own. The Annual Spring Clean Up Event will be held on March 6 at the fairgrounds. The Police Department recently announced its new “text 911” function. The City is in the process of transitioning to a new waste hauler, Mid Valley Disposal, and there will be a flier sent out soon in the utility bills with more information. The Fire Department’s new training tower is an exciting new project that is in the works and there is also a new fire engine that is stationed at Fire Station No. 2.

**REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG), PENINSULA CLEAN ENERGY (PCE), AND MEASURE V COMMITTEE.** Mayor Faria stated that PCE is hiring a professional position to represent Los Banos and they held a meeting recently to ensure that all labor is under prevailing wages and that the people hired are taken care of properly.

#### **CITY COUNCIL MEMBER REPORTS.**

**BRETT JONES:** No report

**KEN LAMBERT:** No report

**DEBORAH LEWIS:** Council Member Lewis made a formal request to have Police Chief Brizzee present a report to Council on how the Community Development Block Grant supporting code enforcement issues in targeted areas around the City is progressing.

**REFUGIO LLAMAS:** Council Member LLamas expressed his condolences to the families on the recent passing of former Merced County Supervisor Jerry O’Banion and local Church Pastor Bruce Rivers.

**MAYOR TOM FARIA:** Mayor Faria spoke regarding Mr. O'Banion's and Mr. Rivers' funeral services and read a comment from Merced County Supervisor Scott Silveira. He encouraged all to pay it forward in their memory. An additional statement made by Supervisor Silveira was read regarding how Merced County has not gotten their fair share of COVID-19 vaccines and what options are available make State officials aware of this displeasure.

**ADJOURNMENT.** Motion by Lewis, seconded by LLamas to adjourn the meeting at 7:16 P.M. to 4:00 p.m., Tuesday, February 23, 2021 to hold a Closed Session – Public Employment, Title: City Manager, Pursuant to Government Code Section 54957, which will be held virtually. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

APPROVED:

/s/ Manuel Thomas Faria III  
Manuel Thomas Faria III, Mayor

ATTEST:

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