

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
MARCH 3, 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 4:03 p.m.

PLEDGE OF ALLEGIANCE: Police Chief Brizzee 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: Motion by Lambert, seconded by Lewis 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 MARCH AS “MUSIC IN OUR SCHOOLS MONTH.” Mayor Faria presented the proclamation to Los Banos Unified School District Music Teacher Chris Hebling.

Mr. Hebling thanked the City for the recognition and also to all the principals in the school district for their wonderful support.

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. Motion by Lambert, seconded by Lewis to approve the consent agenda as follows: Check Register for #225691 – #225858 in the Amount of \$745,981.64; Minutes for the February 17, 2021 City Council Meeting; Minutes for the February 23, 2021 Adjourned City Council Meeting; City Council Resolution No. 6327 – Approving the Submittal of Application(s) for Per Capita Grant Funds; City Council Resolution No. 6328 – Accepting a Grant Deed for a 10 Foot x 435 Foot Strip of Land for Right of Way Purposes Together with a 10 Foot x 435 Foot Public Utility Easement at the Frontage of 1518 South Ortigalita Road and Authorizing the City Manager to Execute All Required Documents for this Dedication Acceptance (Ted Crocker); City Council Resolution No. 6329 – Approving and Adopting Final Tract Map No. 2017-03 Sunrise Ranch, Phase 1 and Accompanying Subdivision Improvement Agreement (Stonefield Home, Inc.); City Council Resolution No. 6330 – Approving and Adopting Final Tract Map No. 2017-03 Sunrise Ranch, Phase 2 and Accompanying Subdivision Improvement Agreement (Stonefield Home, Inc.); City Council Resolution No. 6331 – Accepting Public Improvements for Southpointe At Regency Park, Phase 2 (Stonefield Home, Inc.); City Council Resolution No. 6332 – Accepting Public Improvements for Southpointe At Regency Park, Phase 3 (Stonefield Home, Inc.); City Council Resolution No. 6333 – Accepting Public Improvements Which Have Been Substantially Completed for Lots 137-144 within Marciochi Court of East Center Phase 2A (Pioneer Development Company, Inc.). The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

COMMUNITY DEVELOPMENT BLOCK GRANT/CODE ENFORCEMENT SERVICES UPDATE. Police Commander Reyna presented the staff report, which included a PowerPoint presentation.

Informational item only, no action taken.

CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6334 – AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH MARK THOMAS & COMPANY, INC. FOR ENGINEERING SERVICES FOR THE PIONEER ROAD WIDENING PROJECT. Acting Public Works Director/City Engineer Pezeshk presented the staff report, which included a PowerPoint presentation. He introduced Ed Noriega, Division Manager, with Mark Thomas & Company, Inc.

There was Council Member and staff discussion regarding the new route and how there may still be traffic issues on that route. The traffic study to be done will show what the new traffic conditions may look like. Another concern expressed by Council is the fact that commercial businesses on Pacheco Boulevard may miss out if traffic is redirected elsewhere. Mr. Noriega stated that this bypass route is intended to be for local residents who are trying to get from one end of town to another.

Motion by Lewis, seconded by Lambert to approved City Council Resolution No. 6334 – Authorizing the City Manager to Execute the Amendment No. 1 to the Professional

Services Agreement with Mark Thomas & Company, Inc. for Engineering Services for the Pioneer Road Widening Project. The motion carried by the following roll call vote: AYES: Lambert, Lewis, LLamas, Mayor Faria; NOES: Jones; ABSENT: None.

PRESENTATION OF SPLASH PAD SITE ALTERNATIVES. Parks & Recreation Operations Manager Heim presented the staff report, which included a PowerPoint presentation.

There was Council Member and staff discussion regarding the location options for the splash pad and it was determined that Pacheco Park would be the most ideal. Staff clarified that there would be different areas for different age groups at the facility and that parents would be allowed to participate in order to assist with the young children. The life span and maintenance of splash pads was discussed and certain details, such as hard water issues, will be further explored during the design phase of the process.

Motion by Lambert, seconded by Lewis to put the splash pad at the proposed Pacheco Park location. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

CONSIDERATION OF DEFAULT RESIDENTIAL GARBAGE CART SIZE WITH THE NEW WASTE COLLECTION SERVICES CONTRACT, EFFECTIVE JULY 1, 2021.

Acting Public Works Director/City Engineer Pezeshk introduced Joe Heisdorf and Gary Schultz from Mid Valley Disposal and presented the staff report.

Council expressed their approval of the larger 96-gallon can to be the default size of the trash bins especially because bigger homes are being built with more occupants in each. Mid Valley will be the new service provider for the City's waste collection services and Council would like residents to start to be notified of expectations and requirements so there are no surprises during the transition.

APPOINTMENT COMMISSIONERS TO THE FOLLOWING COMMISSIONS: MEASURE H CITIZENS' OVERSIGHT COMMITTEE – THREE (3) VACANCIES, THREE (3) TWO (2) YEAR TERMS – EXPIRING DECEMBER 31, 2022; PARKS & RECREATION COMMISSION – THREE (3) VACANCIES, ONE (1) UNEXPIRED TERM – EXPIRING DECEMBER 31, 2021, TWO (2) TWO (2) YEAR TERMS – EXPIRING DECEMBER 31, 2022; PLANNING COMMISSION – ONE (1) AT-LARGE VACANCY, ONE (1) TWO (2) YEAR TERM – EXPIRING DECEMBER 31, 2022.

Motion by Faria, seconded by Lewis to appoint Michael Amabile to the Measure H Committee, term expiring December 31 2022. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

Motion by Faria, seconded by Lambert to appoint Kimberlee Flores and Shemar Pierce to the Parks & Recreation Commission, terms expiring December 31, 2022. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

Motion by Faria, seconded by Jones to appoint Elias Reyes to the Planning Commission – At-Large Vacancy, term expiring December 31, 2022. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

COUNCIL MEMBER REQUEST REGARDING STREET-NAMING POLICY (MAYOR FARIA). Mayor Faria stated that he received a request from the NAACP to rename G Street to Martin Luther King. He understands there is a cost associated with this change and believes the City should pay for the associated costs if they decide to pursue this change. He further stated that he would like to name a street after President Lincoln and Seventh Street came to mind. It would come together with G Street at the Community Center. He would like Council to decide if the City should consider changing one street to Martin Luther King, changing other street names after other dignitaries, or make no changes at all.

Council expressed their concerns about costs associated with changing street names. It may be more ideal and easier to plan with developers to name streets in future developments instead. Council directed staff to look into a possible street naming committee and explore policies related to street naming and bring the findings back to Council for further consideration.

COVID-19 STATUS UPDATE. City Manager Terrazas provided an update on COVID-19 referencing the Merced County COVID-19 website and all the information that it provides regarding COVID-19 and vaccine availability. He spoke regarding how Congress passed the American Rescue Plan and how funding for counties and cities, including Los Banos, is included in the legislation.

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 March 10, 2021 to consider a Categorical Exemption from the California Environmental Quality Act (CEQA) and a Conditional Use Permit #2021-01 to allow the use of a large collection recycling facility for Molina Recycling located at 1218 G Street, APN 025-53-019.

CITY MANAGER REPORT. City Manager Terrazas spoke regarding the City's monthly newsletter and encouraged the community to subscribe to that. He noted that as we spring forward for the time change, residents should also change batteries in smoke and carbon monoxide detectors. He further reminded all about the City's Annual Clean Up Event on March 6, 2021.

REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG), PENINSULA CLEAN ENERGY (PCE), AND MEASURE V COMMITTEE. Mayor Faria stated that he has asked for a commuter bus through MCAG and that they are studying the possibility. PCE is working very hard to keep the costs of energy down for the Los Banos community.

City Manager Terrazas spoke to how he attended the last PCE board meeting and that they are continuing to recruit for an outreach manager to represent Los Banos. PCE staff provided a presentation to the board regarding revenue shortfalls and he is asking how it will affect Los Banos.

CITY COUNCIL MEMBER REPORTS.

KEN LAMBERT: Council Member Lambert thanked all the presenters today and thinks they did a great job with their items.

DEBORAH LEWIS: Council Member Lewis stated she had nothing to report but agrees that the presenters all did a great job at getting their information across.

REFUGIO LLAMAS: Council Member LLamas stated that he spoke to Ms. Nunez regarding her issues with some of the homeless and that she has been in contact with the Police Department and is happy with their response to her issues. He is glad the trash pickup has been timely recently and spoke to how the College Greens Park building is being painted and looks nice.

BRETT JONES: Council Member Jones had nothing to report.

MAYOR TOM FARIA: Mayor Faria sends his condolences to family and friends on the loss of Colleen Menefee with her recent passing. He spoke to how he presented a City proclamation at her memorial today to honor her. He encouraged all to join a City Commission, as there are vacancies on the Measure H Committee, the Parks & Recreation Commission, and the Tree Commission. The goal is to get as many people involved as possible.

ADJOURNMENT. Motion by Lewis, seconded by LLamas to adjourn the meeting at 7:16 p.m.

APPROVED:

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

ATTEST:

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