

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
NOVEMBER 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 and in accordance with Assembly Bill 361.*

CALL TO ORDER: Mayor Faria called the City Council Meeting to order at the hour of 6:03 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, Kenneth Lambert, Deborah Lewis, Refugio LLamas, Mayor Manuel Thomas Faria III; **ABSENT:** None.

STAFF MEMBERS PRESENT: City Manager Pinheiro, City Attorney Vaughn, Human Resources Director/City Clerk Mallonee, Finance Director Williams, Community & Economic Development Director Elms, Police Chief Brizzee, Fire Chief Hurley, Interim Public Works Director Bowersox.

CONSIDERATION OF APPROVAL OF AGENDA: Motion by Lewis, seconded by Lambert to approve the agenda as submitted. The motion carried by the following roll call vote: **AYES:** Jones, Lambert, Lewis, LLamas, Mayor Faria; **NOES:** None; **ABSENT:** None.

PRESENTATIONS.

CERTIFICATE OF RECOGNITION – CHARLIE PIKAS, CALIFORNIA SAC-JOQUIN SECTIONAL SOFTBALL COACH OF THE YEAR FOR 2021 BY THE NATIONAL FEDERATION OF HIGH SCHOOLS. Mayor Faria presented the certificate to Mr. Pikas who in turn stated that his being honored is really a tribute to the kids he coaches. He thanked the Council for recognizing him.

CERTIFICATE OF RECOGNITION – RYAN SOWERSBY, EAGLE SCOUT DESIGNATION, LOS BANOS TROOP 85. Mayor Faria presented the certificate to Ryan Sowersby who was not in attendance due to a conflicting commitment.

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 those participating in the meeting if they would like to speak and no one came forward to speak; he then asked City Clerk Mallonee if she had received any comments, for which City Clerk Mallonee stated that she received no comments and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Council Member Lambert requested that item 7F – City Council Resolution No. 6416 – Reauthorizing Remote Teleconference Meetings of the Legislative Bodies of the City of Los Banos Pursuant to the Provisions of AB 361 be removed from the consent agenda for discussion only.

City Attorney Vaughn presented the staff report for City Council Resolution No. 6416 – Reauthorizing Remote Teleconference Meetings of the Legislative Bodies of the City of Los Banos Pursuant to the Provisions of AB 361. Council Member Lambert stated that he wanted an update to see if anything had changed for which City Attorney Vaughn explained that he routinely checks the Cal OSHA site for any changes and it appears that there will be no possible changes until January 2022.

Motion by Lambert, seconded by LLamas to approve the consent agenda as follows: Check Register for #229383 – #229557 in the Amount of \$873,591.37; Minutes for the October 20, 2021 City Council Meeting; City Council Resolution No. 6413 – Awarding the Bid for the Purchase of a New 2021-2022 Ride on Sidewalk Concrete Grinder; Authorizes the Public Works Operations Manager to Issue the Purchase Order to MECOM in the Amount of \$89,610.00; City Council Resolution No. 6414 – Awarding the Bid for the Purchase of a New 2021-2022 Model Medium Duty Contractors Truck; Authorizes the Public Works Operations Manager to Issue the Purchase Order to Santos Ford in the Amount of \$56,660.00; City Council Resolution No. 6415 – Awarding the Bid for the Purchase of a New Portable Video Inspection Camera; Authorizes the Public Works Operations Manager to Issue the Purchase Order to WECO Industries, LLC. in the Amount of \$63,346.87; City Council Resolution No. 6416 – Reauthorizing Remote Teleconference Meetings of the Legislative Bodies of the City of Los Banos Pursuant to the Provisions of AB 361. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

ACCEPTANCE OF GRANT DEEDS FROM THE LOS BANOS DESIGNATED LOCAL AUTHORITY (DLA), AS SUCCESSOR AGENCY TO THE FORMER LOS BANOS REDEVELOPMENT AGENCY (RDA) TO THE CITY OF LOS BANOS; CITY COUNCIL RESOLUTION NO. 6417 – ACCEPTING THE GRANT DEED FROM THE LOS BANOS DLA, AS SUCCESSOR AGENCY TO THE FORMER LOS BANOS RDA TO THE CITY OF LOS BANOS, 11.79 ACRE PARCEL LOCATED ON WARD ROAD AND GILBERT GONZALEZ JR. DRIVE, APN 083-100-081, PARTIALLY DEVELOPED WITH A PUBLIC WATER STORAGE TANK FACILITY AND STORM DRAIN SYSTEM; CITY COUNCIL RESOLUTION NO. 6418 – ACCEPTING THE GRANT DEED FROM THE LOS BANOS DLA, AS SUCCESSOR AGENCY TO THE FORMER LOS BANOS RDA TO THE CITY OF LOS BANOS, 8.21 ACRE PARCEL LOCATED ON GILBERT

GONZALEZ JR. DRIVE, APN 083-100-084, UNDEVELOPED LAND; CITY COUNCIL RESOLUTION NO. 6419 – ACCEPTING THE GRANT DEED FROM THE LOS BANOS DLA, AS SUCCESSOR AGENCY TO THE FORMER LOS BANOS RDA TO THE CITY OF LOS BANOS, 0.86 ACRE PARCEL LOCATED ON 10TH STREET (FUTURE) AND G STREET, APN 026-141-001, UNDEVELOPED LAND. City Attorney Vaughn presented the staff report.

Motion by Lewis, seconded by Jones to adopt City Council Resolution No. 6417 – Accepting the Grant Deed from the Los Banos DLA, as Successor Agency to the Former Los Banos RDA to the City of Los Banos, 11.79 Acre Parcel Located on Ward Road and Gilbert Gonzalez Jr. Drive, APN 083-100-081, Partially Developed with a Public Water Storage Tank Facility and Storm Drain System. 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 LLamas to adopt City Council Resolution No. 6418 – Accepting the Grant Deed from the Los Banos DLA, as Successor Agency to the Former Los Banos RDA to the City of Los Banos, 8.21 Acre Parcel Located on Gilbert Gonzalez Jr. Drive, APN 083-100-084, Undeveloped Land. 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 Jones to adopt City Council Resolution No. 6419 – Accepting the Grant Deed from the Los Banos DLA, as Successor Agency to the Former Los Banos RDA to the City of Los Banos, 0.86 Acre Parcel Located on 10th Street (Future) and G Street, APN 026-141-001, Undeveloped Land. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

ACCEPTANCE OF GRANT DEEDS FROM THE LOS BANOS DESIGNATED LOCAL AUTHORITY (DLA), AS SUCCESSOR AGENCY TO THE FORMER LOS BANOS REDEVELOPMENT AGENCY (RDA) TO THE CITY OF LOS BANOS; CITY COUNCIL RESOLUTION NO. 6420 – ACCEPTING THE GRANT DEED FROM THE LOS BANOS DLA, AS SUCCESSOR AGENCY TO THE FORMER LOS BANOS RDA TO THE CITY OF LOS BANOS, 1.1 ACRE PARCEL LOCATED ON G STREET BETWEEN 9TH STREET (FUTURE) AND 10TH STREET (FUTURE), APN 025-114-013, RAIL CORRIDOR/UNDEVELOPED LAND; CITY COUNCIL RESOLUTION NO. 6421 – ACCEPTING THE GRANT DEED FROM THE LOS BANOS DLA, AS SUCCESSOR AGENCY TO THE FORMER LOS BANOS RDA TO THE CITY OF LOS BANOS, 0.92 ACRE PARCEL LOCATED ON 7TH AND G STREET, APN 025-114-011, RAIL CORRIDOR/UNDEVELOPED LAND. Council Member Lambert stated that he has been advised by the City Attorney that because his place of business is within 500 feet of the two properties being discussed he could not participate in this item and left the meeting.

City Attorney Vaughn presented the staff report.

Motion by Lewis, seconded by Jones to adopt City Council Resolution No. 6420 – Accepting the grant Deed from the Los Banos DLA, as Successor Agency to the Former Los Banos RDA to the City of Los Banos, 1.1 Acre Parcel Located on G Street between 9th Street (Future) and 10th Street (Future), APN 025-114-013, Rail Corridor/Undeveloped Land. The motion carried by the following roll call vote: AYES: Jones, Lewis, LLamas, Mayor Faria; NOES: None; ABSTAIN: Lambert; ABSENT: None.

Motion by Lewis, seconded by Jones to adopt City Council Resolution No. 6421 – Accepting the Grant Deed from the Los Banos DLA, as Successor Agency to the Former Los Banos RDA to the City of Los Banos, 0.92 Acre Parcel Located on 7th and G Street, APN 025-114-011, Rail Corridor/Undeveloped Land. The motion carried by the following roll call vote: AYES: Jones, Lewis, LLamas, Mayor Faria; NOES: None; ABSTAIN: Lambert; ABSENT: None.

Council Member Lambert rejoined the meeting.

ADVISEMENT OF PUBLIC NOTICES (NO REPORT).

CITY MANAGER REPORT. No report.

REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG), PENINSULA CLEAN ENERGY (PCE), AND MEASURE V COMMITTEE.

Mayor Faria stated that the Measure V Committee met and asked if the spending plan could be modified for the Pacheco/Pioneer Corridor Plan for which it was modified but was still on track for 2024. The various traffic signal synchronization projects on Pacheco Boulevard are still ongoing. PCE continues to work on expanding power generation capacity through sources such as wind power. There is a new dealership in town that is working with purchasers on grants in order to obtain new electric vehicles.

CITY COUNCIL MEMBER REPORTS.

BRETT JONES: Council Member Jones thanked staff for putting page numbers on the agenda packet as it makes locating items within the packet much easier.

KENNETH LAMBERT: Council Member Lambert echoed the appreciation for the page numbers in the agenda packet.

DEBORAH LEWIS: Council Member Lewis spoke regarding the “Tune In, Tune Up” event that San Joaquin Valley Air Pollution Control District hosted the past weekend at the Los Banos fairgrounds. There were 128 vehicles that came through for an emissions test. Any owners of vehicles that did not pass the test were given a voucher of a certain amount good towards repairs in helping the vehicle pass smog. There were also approximately 70 people who were interested in replacing their vehicles for a cleaner, hybrid vehicle, which was on site for viewing. There are financial programs available to assist with purchases of vehicles of this sort. There were other services that took place

at this event such as COVID-19 vaccinations, testing, tire pressure checks, and food distribution. It was a great event.

REFUGIO LLAMAS: Council Member LLamas stated that he was not able to be present at the badge pinning event held for Fire Engineer Juan Ramirez but he wanted to congratulate him now. He thanked Public Works staff for the recent tree trimming and landscaping improvements that have been taking place around the City. He further thanked City Manager Pinheiro for making these improvements a priority.

MAYOR TOM FARIA: Mayor Faria stated that the numbering on the pages of the agenda packet is nice to have. He thanked Mayor Pro Tem Lewis for attending, on his behalf, the Party in the Park Event that occurred at the dog park on October 23. He echoed the congratulations for Fire Engineer Juan Ramirez.

CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS, PURSUANT TO GOVERNMENT CODE SECTION 54957.6, AGENCY DESIGNATED REPRESENTATIVES: CITY MANAGER PINHEIRO, CITY ATTORNEY VAUGHN, HUMAN RESOURCES DIRECTOR MALLONEE, FINANCE DIRECTOR WILLIAMS, LEGAL COUNSEL TUFFO, LEGAL COUNSEL BOLANOS; EMPLOYEE ORGANIZATIONS: LOS BANOS POLICE OFFICERS ASSOCIATION, UNREPRESENTED MISCELLANEOUS EMPLOYEES. *Mayor Faria stated that this closed session was not being held.*

ADJOURNMENT. Motion by Lambert, seconded by Lewis to adjourn the meeting at 6:42 p.m. 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