

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
OCTOBER 20, 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 6:09 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, Public Works Operations Manager Via.

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.

PROCLAMATION RECOGNIZING THE 100TH ANNIVERSARY OF THE SOROPTIMIST INTERNATIONAL ORGANIZATION. Mayor Faria presented the proclamation to Sherry Pearson and Delia Salazar of the Los Banos Soroptimist Club and to Joelle Leder Rule, District 3 Director. Sherry Pearson thanked the City for their recognition on this special 100th anniversary of the Soroptimist organization and noted that the Los Banos Club will be celebrating their 60th anniversary in 2022.

CERTIFICATE OF RECOGNITION – DARRALL GARGANO ON HIS LOS BANOS VOLUNTEER FIRE DEPARTMENT RETIREMENT. Mayor Faria presented the certificate to Darrall Gargano who in turn stated that he was grateful for the certificate and that it has been an honor to serve the City and the citizens of the community.

CERTIFICATE OF RECOGNITION – BRAD GARGANO ON HIS LOS BANOS VOLUNTEER FIRE DEPARTMENT RETIREMENT. Mayor Faria presented the

certificate to Brad Gargano who in turn thanked the Mayor for the certificate and said serving as a volunteer firefighter has been a privilege.

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 asked those participating in the meeting if they would like to speak and Jessica Moran, Dean of the Merced College – Los Banos Campus, spoke to how the introduction of herself as the new dean is long overdue. She provided a brief background of herself and invited the public to attend the 50th Anniversary of Merced College event which will be held on November 5 from 4:00 p.m. – 6:00 p.m. The event is free and there will be various activities going on for the whole family.

Mayor Faria opened the public forum and asked City Clerk Mallonee if she had received any comments by email, for which City Clerk Mallonee stated that she received one comment by email from MARIA H. VARGAS regarding concerns about masks/vaccine mandates. No other comments were received and the public forum was closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Council Member Lambert requested that item 7D – City Council Resolution No. 6408 – Awarding the Bid for the Purchase of Two (2) New 2021-2022 Model Medium Duty Utility Trucks with Lift Gate; Authorizes the Public Works Operations Manager to Issue the Purchase Order to Merced Chevrolet in the Amount of \$114,654.32 be pulled for discussion. Council Member Lewis requested that item 7E - City Council Resolution No. 6409 – Authorizing the Mayor of Los Banos to Enter into a Memorandum of Understanding between the City of Los Banos and the Los Banos Unified School District for Emergency Medical Services Provided by the City’s Fire Department be pulled from the consent agenda for discussion and separate vote.

Fire Chief Hurley presented the staff report for City Council Resolution No. 6409 – Authorizing the Mayor of Los Banos to Enter into a Memorandum of Understanding between the City of Los Banos and the Los Banos Unified School District for Emergency Medical Services Provided by the City’s Fire Department. Council Member Lewis wanted to make sure that the compensation would be reimbursed and she also requested that if this is going to be extended that staff bring the item back with either a renewal or a whole new Memorandum of Understanding if the current one expires. Motion by Lewis, seconded by Lambert to adopt City Council Resolution No. 6409 – Authorizing the Mayor of Los Banos to Enter into a Memorandum of Understanding between the City of Los Banos and the Los Banos Unified School District for Emergency Medical Services Provided by the City’s Fire Department. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

Public Works Operations Manager Via presented the staff report for City Council Resolution No. 6408 – Awarding the Bid for the Purchase of Two (2) New 2021-2022 Model Medium Duty Utility Trucks with Lift Gate; Authorizes the Public Works Operations Manager to Issue the Purchase Order to Merced Chevrolet in the Amount of \$114,654.32. Council Member Lambert inquired as to what requirement Santos Ford was unable to meet for which Public Works Operations Manager Via stated that they would not be able to meet the 180-day delivery window.

Motion by Lambert, seconded by LLamas to approve the consent agenda as follows: Check Register for #229135 – #229382 in the Amount of \$909,382.72; First Quarter Investment Report for the 2021/2022 Fiscal Year; Minutes for the October 6, 2021 City Council Meeting; ~~City Council Resolution No. 6408 – Awarding the Bid for the Purchase of Two (2) New 2021-2022 Model Medium Duty Utility Trucks with Lift Gate; Authorizes the Public Works Operations Manager to Issue the Purchase Order to Merced Chevrolet in the Amount of \$114,654.32; City Council Resolution No. 6409 – Authorizing the Mayor of Los Banos to Enter into a Memorandum of Understanding between the City of Los Banos and the Los Banos Unified School District for Emergency Medical Services Provided by the City’s Fire Department;~~ City Council Resolution No. 6410 – 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.

CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6411 – TO COMMIT ADDITIONAL FUNDING TO THE POLICE STATION FACILITIES PROJECT.

Finance Director Williams presented the staff report.

There was Council Member and staff discussion regarding how important this project is and how Council is happy to see it moving along. Council thanked Police Department and Finance Staff for their work on getting funding figured out so the project could move forward as quickly as possible.

Motion by Jones, seconded by LLamas to adopt City Council Resolution No. 6411 – to Commit Additional Funding to the Police Station Facilities Project. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6412 – ADOPTING A STREET NAMING POLICY. Community & Economic Development

Director Elms, which included a PowerPoint presentation.

There was discussion relating to the fact that the developers of subdivisions would have the initial input as to what the street names would be within their development but staff, if desired, would have the authority to suggest or dictate the theme of the subdivision’s street names.

Motion by Lewis, seconded by Lambert to adopt City Council Resolution No. 6412 – Adopting a Street Naming Policy. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

CONSIDERATION OF APPROVAL TO SOLICIT APPLICATIONS FOR THE MEASURE V CITIZENS OVERSIGHT COMMITTEE AND APPOINTMENT OF THE MAYOR AND MAYOR PRO TEM TO SIT ON THE COMMITTEE TO REVIEW, INTERVIEW AND RECOMMEND APPOINTMENT TO THE CITY COUNCIL AT THE DECEMBER 1, 2021 CITY COUNCIL MEETING. City Clerk/Human Resources Director Mallonee presented the staff report.

Motion by Lewis, seconded by Lambert to approve solicitation of applications and appoint the Mayor and Mayor Pro Tem to the selection committee. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

NOTICE AND ANNOUNCEMENT OF VACANCIES FOR THE FOLLOWING CITY COMMISSIONS/COMMITTEES: AIRPORT ADVISORY COMMISSION – TWO (2) VACANCIES, TWO (2) TWO (2) YEAR TERMS – EXPIRING DECEMBER 31, 2023; ECONOMIC DEVELOPMENT ADVISORY COMMISSION – THREE (3) VACANCIES, THREE (3) TWO (2) YEAR TERMS – EXPIRING DECEMBER 31, 2023; PARKS & RECREATION COMMISSION – TWO (2) VACANCIES, TWO (2) TWO (2) YEAR TERMS – EXPIRING DECEMBER 31, 2023; TREE COMMISSION – THREE (3) VACANCIES, THREE (3) TWO (2) YEAR TERMS – EXPIRING DECEMBER 31, 2023; MEASURE H CITIZENS' OVERSIGHT COMMITTEE – FOUR (4) VACANCIES, TWO (2) UNEXPIRED TERMS – EXPIRING DECEMBER 31, 2022, TWO (2) TWO (2) YEAR TERMS – EXPIRING DECEMBER 31, 2023; MEASURE P COMMITTEE – TWO (2) VACANCIES, TWO (2) THREE (3) YEAR TERMS – EXPIRING DECEMBER 31, 2024. City Clerk/Human Resources Director Mallonee presented the staff report. Informational item only, no action taken.

ADVISEMENT OF PUBLIC NOTICES (THREE REPORTS). Community & Economic Development Director Elms stated there are three public hearings to consider at the next Planning Commission Meeting which will be held virtually on Wednesday, October 27, 2021 at 6:00 p.m. The first item is in consideration of a Conditional Use Permit #2021-07 and Site Plan Review #2021-07 for the use and operation of a financial institution within the Neighborhood Commercial Zoning District. The second item is in consideration of Mobile Food Vendor Permit #2021-02 for Fidel Castaneda Olivares dba Ranch Tacos to be located at 931 E. Pacheco Boulevard. The third item is in consideration of an Existing Facilities and Cottage Food Operation #2021-02 for Tiffane Martinez at 226 San Bruno Street.

CITY MANAGER REPORT. City Manager Pinheiro thanked Darrall and Brad Gargano and the Soroptimist organization for their service and contributions to the community. He further thanked Gary Brizzee and the rest of the Police Department staff for the work they have put in to get the new police facilities project moving. He also thanked Finance Director Williams for managing and coordinating the financial side of the project.

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

Mayor Faria stated that MCAG had their first city-county dinner after quite a long time. The guest speaker at the dinner was from a company who tests high technology automobiles and is currently performing the testing at Castle Air Force Base. There will be job opportunities created out of this site. PCE has finally filled the Community Outreach Specialist for Los Banos and it is Sandra Benetti. Mayor Pro Tem Lewis attended the recent Measure V Committee meeting last week on his behalf. During that meeting, Mayor Faria was voted to be Vice President on the committee.

CITY COUNCIL MEMBER REPORTS.

REFUGIO LLAMAS: Council Member LLamas congratulated Sandra Benetti on her new position and thanked her for her years of service to Los Banos. He also thanked the retiring volunteer firefighters for their years of service and thanked staff for all of the work done on the new police station funding.

BRETT JONES: No report.

DEBORAH LEWIS: Council Member Lewis thanked Sandra Benetti for her 15 years of service to the City of Los Banos. She is a very good employee and serves more than just her department. She spoke to the Fall Party in the Park event happening this weekend and also about a free smog repair event that will be put on locally by the San Joaquin Valley Air Pollution Control District on Saturday, October 30.

KENNETH LAMBERT: Council Member Lambert thanked everyone for their hard work and understands a lot is asked of staff on a regular basis. He thanked Sandra Benetti for her tenure here at the City of Los Banos . He spoke regarding an MMA fighting event that took place at the fairgrounds last weekend and how it was put on by Strike Force and another promoter. During that event he was given a \$107 donation from Strike Force to be used at the dog park. On October 23, there will be a Fall Party in the Park event held in his district at the dog park.

MAYOR TOM FARIA: Mayor Faria thanked Parks & Recreation staff for all of the events they put on. He spoke to how some of the Council Members are wearing Breast Cancer Awareness T-shirts that were sold by the Police and Fire Departments in order to raise funds for those who have been affected by cancer in our community. He further spoke about the MMA event that was put on and how the Strike Fitness owners have been his neighbors for years and how he was happy to have helped coordinate this event. He wished his granddaughter Addy a happy birthday.

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. No reportable action.

ADJOURNMENT. Motion by Lewis, seconded by Lambert to adjourn the meeting at 8:02 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