

**CITY OF LOS BANOS  
CITY COUNCIL MEETING MINUTES  
MARCH 2, 2022**

***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 6:04 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, City Clerk/Human Resources Director Mallonee, Finance Director Williams, Community & Economic Development Director Elms, Police Chief Brizzee, Fire Chief Hurley, Public Works Director/City Engineer Than.

**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.**

**CERTIFICATES OF RECOGNITION – CENTRAL REGION FFA PUBLIC SPEAKING FINALS: ALEXIS CARLUCCI – LOS BANOS HIGH SCHOOL – 4<sup>TH</sup> PLACE OVERALL; SEBASTIAN PAOLINI – LOS BANOS HIGH SCHOOL – READING OF THE FFA CREED.** Mayor Faria read and presented the certificates of recognition for which Sebastian Paolini was in attendance to accept.

**CERTIFICATES OF RECOGNITION – RECRUITED STUDENT ATHLETES: BRIAN NEVAREZ – PACHECO HIGH SCHOOL – SAN JOSE STATE UNIVERSITY; JIMMY PERKINS – PACHECO HIGH SCHOOL – WESTERN OREGON UNIVERSITY.** Mayor Faria read and presented the certificates of recognition.

**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: KATHY BALLARD, Los Banos, asked that the City Council Meetings be open and in person and how it would be nice to present the proclamations and certificates in person, how she likes coming to the in person meetings, and noted that she will be coming be attending the online meetings requesting so until it happens; SANDRA BENETTI, PCE Representative, spoke briefly as to what PCE will offer and how they will begin serving Los Banos in April 2022, and the upcoming workshops in English and Spanish; SCOTT WAITE, First 5 of Merced County, and spoke regarding the upcoming Week of the Child Event being held on April 2, 2022 at Pacheco Park and invited all to attend. Mayor Faria then asked City Clerk Mallonee if she had received any comments, for which City Clerk Mallonee stated that she received no comments to be read into the record. No one else came forward to speak and the public forum was closed.

**CONSIDERATION OF APPROVAL OF CONSENT AGENDA.** Council Member Lambert requested that item 7E - City Council Resolution No. 6465 – Reauthorizing Remote Teleconference Meetings of the Legislative Bodies of the City of Los Banos Pursuant to the Provisions of AB 361 be removed for discussion.

City Attorney Vaughn presented the staff report for item 7E - City Council Resolution No. 6465 – Reauthorizing Remote Teleconference Meetings of the Legislative Bodies of the City of Los Banos Pursuant to the Provisions of AB 361. There was Council Member and staff discussion regarding when the City Council might be back to in person meetings, what is preventing, and putting procedures back in place for in person meetings.

Motion by Lambert seconded by Lewis to approve the consent agenda as follows: Check Register for #231068 – #231264 in the Amount of \$638,581.77; Minutes for the City Council Meeting of January 19, 2022; Minutes for the City Council Meeting of February 2, 2022; Minutes for the City Council Meeting of February 16, 2022; City Council Resolution No. 6465 – Reauthorizing Remote Teleconference Meetings of the Legislative Bodies of the City of Los Banos Pursuant to the Provisions of AB 361; City Council Resolution No. 6466 – Declaring Real Property Owned by the City Located at 644/646 I Street, Los Banos, (APN: 025-201-010), as Surplus Land Designated for Future Development, Finding That Such Declaration is Exempt From Environmental Review Under the California Environmental Quality Act, and Taking Related Actions Pursuant to Government Code Section 54221; City Council Resolution No. 6467 – Declaring Real Property Owned by the City Located at 1329 Frank Street, Dos Palos, (APN: 012-104-017), as Surplus Land and Not Necessary for the City's Use, Finding That Such Declaration is Exempt From Environmental Review Under the California Environmental Quality Act, and Taking Related Actions Pursuant to Government Code Section 54221. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

**MID-YEAR BUDGET REVIEW AND CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6468 – ADOPTING A REVISED BUDGET FOR THE 2021-2022 FISCAL YEAR AS IT PERTAINS TO EXPENDITURES AND REVENUES.**

Finance Director Williams presented the staff report, which included a PowerPoint presentation.

Motion by Lambert, seconded by LLamas to adopt City Council Resolution No. 6468 – Adopting a Revised Budget for the 2021-2022 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.

**ADVISEMENT OF PUBLIC NOTICES. (Three Reports)** Community & Economic Development Director Elms reported that Public Hearing will be held by the Los Banos Planning Commission on March 9, 2022 to consider Mobile Food Vending Permit #2022-01 and a Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to 15311, Accessory Structures, to allow the operation of a mobile food vending vehicle on private property for Ninive Villagomez dba J J Tacos & Mariscos; located within the Mixed-Use Zoning District at 939 Sixth St., more specifically identified as Assessor's Parcel Number: 025-241-013; Tentative Parcel Map #2021-02 to divide a 12.92 acre parcel into four (4) parcels and a remainder parcel and a Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to Section 15315, Minor Land Divisions, located within the Highway Commercial Zoning District at the north east corner of Ward Rd. and Pacheco Blvd., more specifically identified as Assessor's Parcel Number: 084-020-032; r Conditional Use Permit #2022-02 and a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15301, Existing Facilities, to allow the use of a Type 4 7 Alcohol License for the on-sale of General Alcohol for Eddie's Cafe, located at 401 W. Pacheco Blvd., more specifically identified as Assessor's Parcel Number 026-062-007.

**CITY MANAGER REPORT.** No report.

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

Mayor Faria reminded everyone about the upcoming PCE Workshops and how staff is in the process of finalizing projects for MCAG submittal.

**CITY COUNCIL MEMBER REPORTS.**

**BRETT JONES:** No report.

**KENNETH LAMBERT:** Thanked Finance Director Williams for a very well presented mid-year budget.

**DEBORAH LEWIS:** Spoke regarding how customers can opt out of PCE and how she has concerns regarding what verification they will receive in the future to know that their opt out request has been processed, would like to have the City Manager to look at the

process of having an employee of the month and also have them come to City Council Meetings and be recognized.

**REFUGIO LLAMAS:** Stated that he would like to have a little more progress in the area of in person meetings, would like to see something in place sooner rather than later, would like to see if we can have a Town Hall Meeting regarding the City's Homeless Project, he apologized for not being present at the last meeting, he had the privilege to participate in a pickle ball game, it was a lot of fun, a good workout and would like to see this come to fruition as it will add to the quality of life for our citizens and thanked those who invited him to play.

**MAYOR TOM FARIA:** Spoke regarding the upcoming Hazardous Waste Disposal Day on March 5, 2022 at the Fairgrounds, Arbor Day on March 4, 2022, Central Valley Honor Flight Drive-thru Dinner Fundraiser, WordNet Divisibility Hiring Event in Merced, Los Banos Rotary Club upcoming Crab Feed, Oliveira Park Easter Egg Scramble on April 9, 2022, Los Banos Chamber of Commerce Street Fair on April 23, 2022, how 4 Paws Pet Hotel is doing an Easter egg hunt on April 16, 2022, and the Fundraiser for at Merced College for the Boys and Girls Club.

**ADJOURNMENT.** Motion by Lewis, seconded by LLamas, the meeting was adjourned at 7:12 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