

**CITY OF LOS BANOS
CITY COUNCIL MEETING MINUTES
FEBRUARY 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 4:01 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 Lewis seconded by Lambert 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 FOUR CHAPLAINS SUNDAY.
Mayor Faria read the proclamation.

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 one comment from Claudia Nunes stating that she lives in a mobile home park off of Pacheco Boulevard and that there is homeless people who live nearby who play music at all hours of the night and have fires going, she's called the Police Department and nothing has been done, she spoke to how a lot of the residents in the area are disabled and would be in trouble if the homes caught fire. No additional comments were received and the public forum was therefore closed.

CONSIDERATION OF APPROVAL OF CONSENT AGENDA. Council Member Lewis requested that item 7G – City Council Resolution No. 6316 – Authorizing the City Manager to Execute a Professional Services Agreement Between the City of Los Banos and Plan-It Geo to Prepare an Urban Forest Management Plan and Tree Inventory be removed from the consent agenda for a presentation and approval.

Motion by Lambert, seconded by Lewis to approve the consent agenda, with the removal of item 7G - City Council Resolution No. 6316 – Authorizing the City Manager to Execute a Professional Services Agreement Between the City of Los Banos and Plan-It Geo to Prepare an Urban Forest Management Plan and Tree Inventory for separate presentation and approval, as follows: Check Register for #225351 – #225495 in the Amount of \$725,545.98; Second Quarter Investment Report for the 2020/2021 Fiscal Year; Minutes for the January 6, 2021 City Council Meeting; Minutes for the January 14, 2021 Adjourned City Council Meeting; Minutes for the January 20, 2021 City Council Meeting; City Council Resolution No. 6315 – Amending the 2020-2021 Fiscal Year Budget in the Amount of \$63,000 as it Pertains to Revenues and Expenditures for Senate Bill 2 (SB2) Local Early Action Planning (LEAP) Grant; ~~City Council Resolution No. 6316 – Authorizing the City Manager to Execute a Professional Services Agreement Between the City of Los Banos and Plan-It Geo to Prepare an Urban Forest Management Plan and Tree Inventory;~~ City Council Resolution No. 6317 – Authorizing the City Manager to Execute Amendment No. 6 to the Landscape Maintenance Services Contract Between the City of Los Banos and Ronny's Inc., and Adopting a Revised Budget for the Fiscal Year 2020-2021 as it Pertains to the General Fund for the Maintenance Account; City Council Resolution No. 6318 – Approving and Adopting Final Tract Map No. 2015-04 Racquet Club Estates and Accompanying Subdivision Improvement Agreement; [Applicant: Hassan Ahmadi]; City Council Resolution No. 6319 – Approving and Adopting Final Tract Map No. 2005-05 Southbrook at Los Banos, The Villages IV Phase 2B, Unit 1 and Accompanying Subdivision Improvement Agreement; [Applicant: Anderson Homes]. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

CITY COUNCIL RESOLUTION NO. 6316 – AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LOS BANOS AND PLAN-IT GEO TO PREPARE AN URBAN FOREST MANAGEMENT PLAN AND TREE INVENTORY. Acting Public Works Director/City Engineer presented the staff report and Parks & Recreation Operations Manager Heim spoke in more detail as to what the process and final plan might look like.

There was Council Member and staff discussion regarding the tree list to be created by this plan and how it will evaluate where the City should put trees and what kinds of trees should be planted in certain areas including along the canal trail. Included in the plan will be a maintenance need priority list for the different trees and staff will be following the guidelines.

Motion by Lewis, seconded by Lambert to adopt City Council Resolution No. 6316 – Authorizing the City Manager to Execute a Professional Services Agreement Between the City of Los Banos and Plan-It Geo to Prepare an Urban Forest Management Plan and

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

CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6320 – ACCEPTING THE 2019-2020 FISCAL YEAR AUDIT REPORTS CONSISTING OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT AND THE GOVERNMENT AUDITING STANDARDS REPORT. Finance Director Williams presented the staff report and introduced Josh Giosa, Audit Manager, and Jorge Rodriguez, Senior Auditor with Price Paige & Company who spoke in more detail and provided a PowerPoint presentation.

Motion by Lewis, seconded by LLamas to approve City Council Resolution No. 6320 – Accepting the 2019-2020 Fiscal Year Audit Reports Consisting of the Comprehensive Annual Financial Report and the Government Auditing Standards Report. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6321 – ADOPTING THE LOS BANOS PARKS MASTER PLAN. Acting Public Works Director/City Engineer Pezeshk presented the staff report, and introduced Parks & Recreation Operations Manager Heim who spoke in more detail to the Los Banos Parks Master Plan. Mr. Heim introduced the consultants who prepared the Los Banos Parks Master Plan and they provided a PowerPoint presentation.

There was Council Member and staff discussion regarding certain aspects of the Plan, such as future playground/play structure construction, costs of certain facilities and how much revenue these facilities could generate.

Motion by Lewis, seconded by Jones to approve City Council Resolution No. 6321 – Adopting the Los Banos Parks Master Plan. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

CONSIDERATION OF ADOPTION OF CITY COUNCIL RESOLUTION NO. 6322 – APPROVING AND AUTHORIZING THE CITY ATTORNEY TO EXECUTE AN ENGAGEMENT LETTER WITH NIELSEN MERKSAMER TO PROVIDE LEGAL SERVICES IN CONNECTION WITH THE REDISTRICTING OF ITS CITY COUNCIL ELECTORAL DISTRICTS FOLLOWING THE 2020 CENSUS. City Attorney Vaughn presented the staff report, introducing Chris Skinnell with Nielsen Merksamer who spoke in more detail to the process and services they will provide, and included a PowerPoint presentation.

There was Council Member and staff discussion regarding the timeline between the Census and the redistricting requirements of the City and what types of things determine district lines such as geographically contiguous neighborhoods and communities of interest.

Motion by Lambert, seconded by LLamas to adopt City Council Resolution No. 6322 – Approving and Authorizing the City Attorney to Execute an Engagement Letter with Nielsen Merksamer to Provide Legal Services in Connection with the Redistricting of Its City Council Electoral Districts Following the 2020 Census. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

APPOINT COMMISSIONER TO THE FOLLOWING COMMISSION: TREE COMMISSION – TWO (2) VACANCIES, TWO (2) TWO (2) YEAR TERMS – EXPIRING DECEMBER 31, 2022.

Motion by Faria, seconded by Lambert to appoint Tom Kaljian. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

CONSIDERATION OF APPOINTMENT OF ONE (1) COUNCIL MEMBER TO SERVE ON THE LEAGUE OF CALIFORNIA CITIES CENTRAL VALLEY DIVISION EXECUTIVE COMMITTEE AND ONE (1) COUNCIL MEMBER TO SERVE AS AN ALTERNATE.

Motion by Faria, seconded by Lambert to appoint Mayor Faria to the Executive Committee and Mayor Pro Tem Lewis as the alternate. 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. He spoke regarding COVID-19 testing, available resources and read a press release from Merced County regarding vaccination shortages. It was noted Los Banos Fire personnel have been trained to help administer the vaccine. A letter from the Merced County Mayors was prepared and sent to the Governor of California which highlighted the inadequacy of the vaccine for Merced County.

ADVISEMENT OF PUBLIC NOTICES (No Report).

CITY MANAGER REPORT. City Manager Terrazas spoke to how the City has released the second issue of the electronic monthly newsletter. He encouraged all to subscribe to it as it is a way for the City to enhance communication with the community.

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

Mayor Faria stated that the Pioneer Road Project information can be found on the MCAG website. PCE is currently advertising for an outreach manager to represent Los Banos.

CITY COUNCIL MEMBER REPORTS.

REFUGIO LLAMAS: Thanked Police Chief Brizzee and Fire Chief Hurley for all they did to serve our community during the recent storms.

BRETT JONES: No report

KEN LAMBERT: No report

DEBORAH LEWIS: Council Member Lewis spoke to how she was selected to serve on the San Joaquin Valley Air Pollution Control District and thanked the Cities of Atwater and Livingston for confirming her to the board. The first meeting will be held on Friday and she looks forward to representing Merced County to the best of her abilities. She further spoke to how her birthday was last week and how her son runs the shot clock for the Golden State Warriors. During a game, he handed the phone over to Shawn Livingston, her favorite player who is retired, so he could wish her a happy birthday.

MAYOR TOM FARIA: Mayor Faria congratulated Council Member Lewis on her recent birthday and her appointment to the San Joaquin Valley Air Pollution Control District. He spoke regarding the COVID-19 vaccination website called “Myturn” in Merced County. Recently he had a wonderful conversation with Dr. Yu and other Memorial Hospital-Los Banos staff regarding their adapting to the needs of COVID-19 and how they are able to handle the load. He noted the President Day holidays coming up and how he will be presenting a proclamation at the next meeting recognizing February as Black History Month. He wished all a Happy Valentine’s Day.

ADJOURNMENT. Motion by Lewis, seconded by Jones to adjourn the meeting at 6:04 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