

**CITY OF LOS BANOS  
CITY COUNCIL MEETING MINUTES  
AUGUST 18, 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 6:09 p.m.

**PLEDGE OF ALLEGIANCE:** Acting Police Chief Hedden 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:** Acting City Manager Brizzee, City Attorney Vaughn, Human Resources Director/City Clerk Mallonee, Community & Economic Development Director Elms, Acting Police Chief Hedden, Fire Chief Hurley, Interim Public Works Director Bowersox.

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

**PRESENTATION – CERTIFICATES OF RECOGNITION – 2021 PREMIER GIRLS FASTPITCH NATIONAL CHAMPIONS.** Mayor Faria read the certificates and presented them to those in attendance: Coach Charlie Pikas, players Abi Pikas and Katie Aragona.

**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.

**CONSIDERATION OF APPROVAL OF CONSENT AGENDA.** Motion by LLamas, seconded by Lambert to approve the consent agenda as follows: Check Register for #227916 – #228458 in the Amount of \$1,041,251.63; Fourth Quarter Investment Report

for the 2020/2021 Fiscal Year; Minutes: July 20, 2021 Adjourned City Council Meeting, July 21, 2021 City Council Meeting, July 30, 2021 Adjourned City Council Meeting, August 2, 2021 Adjourned City Council Meeting, August 9, 2021 Adjourned City Council Meeting; City Council Resolution No. 6397 – Approving the Annual Local Transportation Fund (LTF) Claim to be Filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2021/2022; City Council Resolution No. 6398 – Accepting a Grant Deed for a 10' Public Utility Easement Dedication of Approximately 6,378 Square Feet of Land Along the Western Portion of Future Badger Flat Road Just South of Travertine Way and Authorizing the Acting City Manager to Execute the Associated Documents (Anderson Homes, Inc.); City Council Resolution No. 6400 – Approving and Adopting Final Tract Map No. 2005-05 Southbrook at Stonecreek at Los Banos, The Villages IV Phase 2B, Unit 2 and Accompanying Subdivision Improvement Agreement (Anderson Homes, Inc.); City Council Resolution No. 6399 – Authorizing the Acting City Manager to Execute a Service Agreement with Vigilant Solutions for Automated License Plate Reader (ALPR) Cameras and Software. The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

**COVID-19 STATUS UPDATE.** Acting City Manager Brizzee presented the staff report and a PowerPoint presentation providing an update on Los Banos, statewide, and countywide COVID-19 case and vaccination statistics.

Council inquired as to why the County health department is no longer pushing out daily reports regarding COVID-19 statistics for which Acting City Manager Brizzee stated that the County is only reporting statistics on a monthly basis from what he understands. Council would like for our County Supervisor Representative to encourage the County health department to go back to providing more frequent information to the public.

**ADVISEMENT OF PUBLIC NOTICES (ONE REPORT).** Community & Economic Development Director Elms stated there is a public hearing for a conditional use permit regarding design standards for Grocery Outlet, to be located at 1337 E. Pacheco Boulevard, which will be held virtually at the next Planning Commission Meeting on Wednesday, August 25 at 6:00 p.m.

**CITY MANAGER REPORT.** Acting City Manager Brizzee spoke to how there will be a ribbon-cutting event held on Friday, August 20 for the new Fire Department Training Tower. He further spoke to the history of the project, how it was funded, and how it will be beneficial to local first responders for training purposes.

**REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG), PENINSULA CLEAN ENERGY (PCE), AND MEASURE V COMMITTEE.** Mayor Faria stated that there will be some action items on tomorrow's meeting regarding Pioneer Road Widening Project. Details can be found at mcagov.org. PCE hired Jennika Uribe as a liaison for Los Banos in the program and she has stepped down from her position which has created a vacancy. He spoke to what the position entails and the type of person who would be a good fit for the position.

There was Council Member discussion regarding Peninsula Clean Energy and how their services will be available and used by our community, but that there is no educational information being pushed out to the public so they are aware of what those particular services are. A request was made for more information to be provided and available to the public so they are aware of how the program works and what their options are.

**PUBLIC HEARING – TO RECEIVE PUBLIC INPUT AND TESTIMONY REGARDING POSSIBLE REVISIONS TO LOS BANOS’S CITY COUNCIL ELECTORAL DISTRICT PLAN. [7:00 P.M.]** City Attorney Vaughn presented the staff report and introduced Chris Skinnell and Jeff Tilton of National Demographic Corporation who presented a PowerPoint presentation.

There was Council Member and staff discussion regarding the City’s redistricting website, [www.redistrictlosbanos.org](http://www.redistrictlosbanos.org), and how there is a large amount of information regarding this process on that site for the public to view. There will be a mapping site available soon for members of the public to create and submit maps for consideration, however it is not yet up and running.

Mayor Faria opened the public hearing and asked the City Clerk if she had received any comments by email, for City Clerk Mallonee stated that she received no comments; therefore the public hearing was closed.

No action taken, opportunity for public comment only.

**UPDATE ON THE DESIGNATED LOCAL AUTHORITY (DLA) PROPERTY TRANSFERS.** City Attorney Vaughn presented the staff report which included a presented a PowerPoint presentation.

There was Council Member and staff discussion regarding the transfer properties/parcels and how there are different increments allotted for different local agencies as set by the Redevelopment Agency Laws. Merced County and the Los Banos Unified School District currently have the larger shares of these properties under those set laws. The increments are largely determined by property taxes.

Informational item only, no action taken.

**CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6401 – ACCEPTING THE GRANT DEED FROM THE LOS BANOS DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY TO THE FORMER LOS BANOS REDEVELOPMENT AGENCY TO THE CITY OF LOS BANOS, 1.15 ACRE PARCEL LOCATED ON 2<sup>ND</sup> AND G STREET, PUBLIC WALKING TRAIL AND NEIGHBORHOOD PARK (APN 025-054-007).** City Attorney Vaughn presented the staff report.

Motion by Lewis, seconded by LLamas to approve City Council Resolution No. 6401 – Accepting the Grand Deed from the Los Banos Designated Local Authority, as Successor

Agency to the Former Los Banos Redevelopment Agency to the City of Los Banos, 1.15 Acre Parcel Located on 2<sup>nd</sup> and G Streets, Public Walking Trail and Neighborhood Park (PAN 025-054-007). 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. 6402 – ACCEPTING THE GRANT DEED FROM THE LOS BANOS DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY TO THE FORMER LOS BANOS REDEVELOPMENT AGENCY TO THE CITY OF LOS BANOS, 7.85 ACRE PARCEL LOCATED ON H STREET BETWEEN 4<sup>TH</sup> AND 7<sup>TH</sup> STREET, PUBLIC WALKING TRAIL AND THE HENRY MILLER PLAZA (APN 025-072-036).** City Attorney Vaughn presented the staff report.

Motion by Lambert, seconded by Lewis to approve City Council Resolution No. 6402 – Accepting the Grand Deed from the Los Banos Designated Local Authority, as Successor Agency to the Former Los Banos Redevelopment Agency to the City of Los Banos, 7.85 Acre Parcel Located on H Street between 4<sup>th</sup> and 7<sup>th</sup> Streets, Public Walking Trail and the Henry Miller Plaza (APN 025-072-036). The motion carried by the following roll call vote: AYES: Jones, Lambert, Lewis, LLamas, Mayor Faria; NOES: None; ABSENT: None.

City Attorney Vaughn noted that there was a downtown parcel that was accidentally skipped over in the presentation. He briefly described that piece of property and there was no further discussion.

### **CITY COUNCIL MEMBER REPORTS.**

**DEBORAH LEWIS:** Council Member Lewis spoke to the event that took place regarding a portion of Highway 152 near the City that was dedicated to Joe Cox, a member of our community who contributed so much of his time to assisting others.

**REFUGIO LLAMAS:** Council Member LLamas spoke to how the Parks and Recreation Division put on a fantastic Movie in the Park event which included park improvements. He spoke to the catastrophic events currently ongoing in Afghanistan and hopes that all United States citizens remain united and hopes that there is a plan in place to help those people.

**BRETT JONES:** No report.

**KENNETH LAMBERT:** No report.

**MAYOR TOM FARIA** Mayor Faria spoke to all of the fires currently burning in the State and how one of our local engines and fire personnel have been deployed to assist with those fires. He wished them all to stay safe and well. The National Night Out event was a great event and he thanked the Police Department and other City departments for putting it on and for allowing him to sing the national anthem.

**CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION; INITIATION OF LITIGATION PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF GOVERNMENT CODE SECTION 54956.9: ONE POTENTIAL CASE.** No reportable action.

**PUBLIC EMPLOYMENT – CITY MANAGER (RECRUITMENT), PURSUANT TO GOVERNMENT CODE SECTION 54957.** No reportable action.

**ADJOURNMENT.** Motion by Lewis, seconded by LLamas to adjourn the meeting at 10:54 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