

## **MINUTES**

### **CITY OF DELANO CITY COUNCIL – REGULAR MEETING August 20, 2012**

#### **CALL TO ORDER**

Mayor Vallejo called the meeting to order at 5:32 p.m. in the City Hall Council Chambers, 1015 – Avenue.

#### **INVOCATION**

Mayor Vallejo asked all those present to observe a moment of silence.

#### **FLAG SALUTE**

Councilman Chavez led the flag salute.

#### **ROLL CALL**

Council members present: Aguirre, Chavez, Morris, Ramirez, Vallejo  
Council members absent: none

#### **OFFICIALS PRESENT**

City Manager Reyna, City Attorney Alan Peake, City Clerk Kraft, Finance Director Rios, Police Chief DeRosia, Community Development Director Cariño, City Engineer Dowling, Human Resources Director Zamudio

#### **PRESENTATIONS AND AWARDS**

Presentation by Cal Rossi, Southern California Edison – SCE Update

#### **ITEMS FROM THE PUBLIC**

Lena Mae Jones, 1116 Lexington Street, stated she is still waiting for a street to be named for the Jones family. She thanked the council for the senior citizen water bills.

Roberto Ibarra, 1815 – Avenue, apologized for the last council meeting. He thanked Councilman Ramirez for bringing to the attention of Southern California Edison that some citizens pay large bills.

#### **CONSENT AGENDA**

- 1) Authorization to waive the reading of any ordinance or resolution in its entirety and consenting to the reading of such ordinances or resolutions by title only
- 2) Warrant Register in the amount of \$2,265,101.15
- 3) Minutes of regular City Council meeting of August 6, 2012
- 4) Minutes of Planning Commission meeting of July 11, 2012
- 5) Minutes of Pension Committee meetings of May 7, 2012; June 7, 2012; June 28, 2012

- 6) Minutes of Community Law Enforcement Liaison Board meetings of March 29, 2012; May 17, 2012
- 7) Second reading and final adoption of Ordinance No. 2012-1246 of the City Council of the City of Delano amending Title 20 of the Delano Municipal Code by revising Table 5.A within Chapter 20.5.30 thereof to delete the requirement for approval of a conditional use permit to allow alcohol sales for on-site consumption within restaurants, except for distilled spirits or hard liquor, and amending Chapter 20.11.50(2)(b) thereof to add language retaining the conditional use permit requirement for restaurants that serve distilled spirits or hard liquor for on-site consumption
- 8) Approval for Airport Manager (Public Works Director / City Engineer) to travel to the 2012 Association of California Airports Annual Conference September 12 – 14, 2012, in South Lake Tahoe, CA.
- 9) Acceptance of the improvements for the 2012 CDBG Water Main Replacement Project and authorizing the filing of the Notice of Completion

Moved by Councilman Chavez, seconded by Councilman Ramirez, and unanimously carried to approve the Consent Agenda.

### **PUBLIC HEARINGS**

No items

### **REGULAR AGENDA**

- 10) Approval of continued support to the Delano Chamber of Commerce for fiscal year 2012-2013 in the amount of \$50,000

Councilman Aguirre left the room and did not participate in the discussion or vote on this item due to a conflict of interest. He is a board member of the Chamber of Commerce.

Ms. Reyna presented the staff report.

Moved by Councilman Ramirez, seconded by Councilman Chavez and carried by the following vote to approve support in the amount of \$42,500 to the Chamber of Commerce. AYES: Chavez, Ramirez, Vallejo NOES: Morris ABSTAIN: Aguirre

Councilman Aguirre returned to the meeting.

- 11) Approval of continued support to the Delano Historical Society for fiscal year 2012-2013 in the amount of \$20,000

Jim Sevier, 300 S. Lexington, spoke on behalf of the Delano Historical Society. He asked that the city's support be kept the same as last year at \$20,000.

Irma Barba, Val Verde Lane, asked that the support be kept at \$20,000. She noted the Historical Park needs to be kept open for children and school visits.

Roberto Ibarra suggested the council approve \$30,000 for the Chamber of Commerce and give the rest to the Historical Society. Councilman Aguirre explained some of the work the Chamber does.

Abraham Jimenez, 127 Dover Street, asked if the money can be allocated and paid through-out the year.

Moved by Councilman Ramirez, seconded by Councilman Chavez and carried by the following vote to approve support in the amount of \$15,000 to the Delano Historical Society. AYES: Chavez, Ramirez, Vallejo NOES: Aguirre, Morris

- 12) Discussion regarding ice-cream trucks and the use of amplified sound devices (request of Councilman Ramirez)

Steve Yue, 1313 Thomas Way; Lean Mae Jones; Ethel Pickering, 102 Dover Place; Raj Brar stated ice cream vehicles should be allowed to have music. Robert Ibarra stated he has seen police take carts the vendor push to sell ice cream.

Richard Markham, 315 Dover Drive, spoke against ice cream vehicles with music.

Abraham Jimenez, 127 Dover Street, noted that DRMC donated \$25,000 to the senior nutrition program and asked that council not take any of those funds.

There was discussion regarding the history of the ordinances regarding ice cream trucks and the reasons for the changes through the years.

Mayor Vallejo stated the consensus of the council is that staff bring this item back with changes to allow music on ice cream trucks.

### **DEPARTMENTAL REPORTS**

- 13) Report on Carl's Jr. project (request of Mayor Vallejo)

Ms. Cariño reported that the project is moving forward. The developers of the project and the owner of the property are in negotiations. Mayor Vallejo reported that the developer of the El Pollo Loco hopes to complete the project by mid-September.

Ms. Cariño stated that staff would like to schedule a joint City Council – Planning Commission meeting regarding the Edison funded Strategic Energy Plan project

### **COUNCIL STATEMENTS AND REPORTS**

Councilman Aguirre no items

Councilman Chavez no items

Councilwoman Morris no items

Councilman Ramirez no items

Mayor Vallejo noted that the contractor is still working on Venito Park and it is not yet open.

### **CLOSED SESSION**

Moved by Councilman Chavez, seconded by Councilman Ramirez, and unanimously carried that the City Council adjourn to Closed Session at 7:13 p.m. The City Clerk was excused. Mayor Vallejo was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 14) Conference with labor negotiators Maribel Reyna, Alan Peake, Rosa Rios, and Human Resources Director Noemi Zamudio regarding negotiations with the Central California Association of Public Employees / SEIU Local 521 (miscellaneous employees unit, correctional officers and custodial officers / jailers employee unit); govt. code section 54957.6

- 15) Conference with labor negotiators Maribel Reyna, Alan Peake, Rosa Rios, and Human Resources Director Noemi Zamudio regarding negotiations with MEG employee group; govt. code section 54957.6
- 16) Conference with labor negotiators Maribel Reyna, Alan Peake, Rosa Rios, and Human Resources Director Noemi Zamudio regarding negotiations with the Delano Police Officers Association; govt. code section 54957.6
- 17) Conference with legal counsel: Zamora vs. City of Delano pursuant to govt. code section 54956.9(a)
- 18) Conference with legal counsel: Crystal Barbey vs. City of Delano pursuant to govt. code section 54956.9(a)

### **RETURN TO GENERAL SESSION**

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to reconvened in Open Session at 8:45 p.m. Mr. Peake provided a report on closed session as follows:

14) Information was provided and by unanimous consent, direction was given.

Mayor Vallejo excused herself from discussion of item #15 and left the meeting during the discussion of item #15. Her husband is a city employee and a member of the MEG employee group.

15) Information was provided and by unanimous consent of those present, direction was given.

16) Information was provided and by unanimous consent direction was given.

17) Information was provided; no action taken.

18) Information was provided and by unanimous consent direction was given.

### **ADJOURNMENT**

Moved by Councilman Ramirez, seconded by Councilman Chavez, and unanimously carried to adjourn the meeting at 8:46 p.m.

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Phyllis A. Kraft, City Clerk