

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING October 1, 2012

CALL TO ORDER

Mayor Vallejo called the meeting to order at 5:54 p.m. in the City Hall Council Chambers, 1015 – Avenue.

FLAG SALUTE

Councilman Aguirre 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, Assistant Finance Director Bermudez, Police Chief DeRosia, Community Development Director Cariño, City Engineer Dowling, Human Resources Director Zamudio

PRESENTATIONS AND AWARDS

Proclamation Declaring October 6 AKC Responsible Dog Ownership Day

Mayor Vallejo read a letter from Law Enforcement Liaison Board Member Mike Gutierrez regarding his resignation from Board.

ITEMS FROM THE PUBLIC

Roberto Ibarra, 1915 – Avenue, stated the city needs bike paths.

Lupe Paragon, 200 S. Albany Street, stated it is difficult for cars to enter Garces Highway from Ellington Street, and it is also difficult for pedestrians. There is a problem with dead animals in the streets.

Richard Markham, 315 Dover Drive, stated the intersection at High Street and Garces near the tire shop is confusing. Street lights are needed at that intersection. The city needs bike lanes. Too many homes are bringing loud bands and DJ's to the neighborhoods when they have parties.

Michael Tinkle, 1714 Jefferson Street, asked if it is possible to provide assistance to have animals spayed and neutered.

Lena Mae Jones, 1116 Lexington Street, introduced her granddaughter and stated she will get the application for naming streets. Ms. Reyna provided the application to her.

Abraham Jimenez, 127 Dover Street, stated that portable toilets are being transported in his neighborhood and spilling chemicals. He asked if we will have a rabies clinic here soon and noted the need to educate people regarding treatment of animals.

Glenda Miller, 1822 Main Street, stated the city would need to have a vet present at a rabies clinic. She noted that the city does not have money for more animal control and government should not have to pay for peoples' animals.

Steve Yue stated he received his sample ballot today. He stated vehicles are parked in the yards in 1100 block of Princeton Street and at Rounds Street and Cecil Avenue.

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 \$2,140,184.73
- 3) Minutes of regular City Council meeting of September 17, 2012
- 4) Minutes of special City Council meeting of September 10, 2012
- 5) Minutes of special joint City Council & Planning Commission meeting of September 12, 2012
- 6) Minutes of special City Council meeting of September 14, 2012
- 7) Minutes of special City Council meeting of September 24, 2012
- 8) Minutes of Community Law Enforcement Liaison Board meeting of July 19, 2012
- 9) Acceptance and approval of the City of Delano Quarterly Report for the quarter ended June 30, 2012
- 10) Resolution No. 2012-67 of the City Council of the City of Delano adopting the class specification of Utilities Service Worker
- 11) Resolution No. 2012-68 of the City Council of the City of Delano adopting the class specification of Police Services Technician
- 12) Resolution No. 2012-69 of the City Council of the City of Delano adopting the class specification of Recreation Manager
- 13) Resolution No. 2012-70 of the City Council of the City of Delano adopting the new Miscellaneous Unit Salary Schedule for fiscal year 2012 / 2013
- 14) Resolution No. 2012-71 of the City Council of the City of Delano adopting the new Management Employee Group (MEG) Salary Schedule for fiscal year 2012 / 2013
- 15) Resolution No. 2012-72 of the City Council of the City of Delano approving a rental agreement between Mr. Kurt D. Kruger and the City to rent commercial hangar #H-14 at the Delano Municipal Airport Agreement No. 2012-103
- 16) Release funds from developer escrow account to Delano Retail Center (Delano Market Place) per the developer escrow agreement for the required offsite improvements in the amount of \$389,569.54
- 17) Approve City Clerk's attendance at the League of California Cities 2012 City Clerk's New Law & Elections Seminar

Councilman Ramirez asked that item #16 be pulled for discussion.

Moved by Councilman Chavez, seconded by Councilman Ramirez, and unanimously carried to approve the Consent Agenda with item #16 pulled for discussion.

Item #16) Councilman Ramirez asked staff to elaborate on what this item is for. Mr. Dowling explained the developer deposited funds in an escrow account in lieu of a bond. The funds are released as the work is completed. Off-site improvements are 35% completed and the work on the bridge is 35% completed with a completion date of March 2013. The south bound lanes will be paved by the end of this week and the north bound lanes will be closed. Garzoli Avenue is being paved by the developer. There will be an informational flyer in the paper this week and a meeting will be held with the property owners next week.

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to approve agenda item #16.

PUBLIC HEARINGS

- 18) Public hearing #2012-20
 - a) Adoption of a Mitigated Negative Declaration (E-12-01) pursuant to the California Environmental Quality Act pertaining to City of Delano Annexation No. 54, a proposal for annexation of 36.8 acres into the City of Delano and Rezoning Amendment No. 2012-03
 - b) Annexation No. 54, a proposal to annex 36.8 acres into the City of Delano, located south of Pond Road, east of Garzoli Avenue, west of the State Route 99 freeway, and extending approximately one quarter mile to the south of Pond Road
 - c) Rezoning Amendment No. 2012-03 changing the zoning of the same 36.8 acre annexation site from County of Kern "A" (Exclusive Agriculture) to City of Delano "CRC" (Community Retail Commercial)

Mrs. Reyna stated that staff is requesting this item be tabled indefinitely. The applicant has requested that the items be deferred. No council action is required.

REGULAR AGENDA

- 19) Appointments to the Pension Plan Committee and Personnel Board

Ms. Reyna presented the staff report.

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to re-appoint Gary Langston to the Pension Committee.

Moved by Councilman Ramirez, seconded by Councilman Aguirre and unanimously carried to re-appoint John Sinkovitz to the Personnel Board and recruit for remaining 2 vacant positions.

DEPARTMENTAL REPORTS

No items

COUNCIL STATEMENTS AND REPORTS

Councilwoman Morris no items

Councilman Chavez asked if our police officers take their patrol vehicles to lunch. He noted he has seen McFarland police officers in their patrol cars eating at Sonic in Delano. Chief DeRosia replied that our officers cannot leave the city to eat.

Councilman Aguirre no items

Councilman Ramirez no items

Mayor Vallejo reported that the street fair was very nice and a lot of fun for the children. She stated she is disappointed that some campaign signs have been stolen.

CLOSED SESSION

Moved by Councilman Ramirez, seconded by Councilman Chavez, and unanimously carried that the City Council adjourn to Closed Session at 6:37 p.m. The City Clerk was excused. Mayor Vallejo was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 20) Conference with legal counsel: Workers Comp Claim of Jonathan Musto vs. City of Delano pursuant to govt. code section 54956.9(a)

The City Attorney left the meeting after discussion of item #20.

- 21) Conference with labor negotiator Maribel Reyna 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
- 22) Conference with labor negotiator Maribel Reyna regarding negotiations with the Delano Police Officers Association; govt. code section 54957.6

Mayor Vallejo excused herself from discussion of item #23 and left the meeting. Her husband is a city employee and a member of the MEG employee group.

- 23) Conference with labor negotiator Maribel Reyna regarding negotiations with MEG employee group; govt. code section 54957.6

RETURN TO GENERAL SESSION

Moved by Councilman Aguirre, seconded by Councilman Chavez and unanimously carried to reconven in Open Session at 7:54 p.m. Ms. Reyna provided a report on closed session as follows:

- 20) Information was provided and by unanimous consent direction was given.
- 21) Information was provided and by unanimous consent direction was given.
- 22) Information was provided and by unanimous consent direction was given.
- 23) Information was provided and by unanimous consent of those present direction was given.

ADJOURNMENT

Mayor Pro Tem Ramirez adjourned the meeting at 7:54 p.m.

Phyllis A. Kraft, City Clerk