

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING August 5, 2013

CALL TO ORDER

Mayor Aguirre called the meeting to order at 5:36 p.m. in the City Hall Council Chambers, 1015 – Avenue.

INVOCATION

Pastor Vivas offered the invocation.

FLAG SALUTE

Councilman Chavez led the flag salute.

ROLL CALL

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

OFFICIALS PRESENT

City Manager Reyna, Interim City Attorney Garcia, City Clerk Kraft, Finance Director Rios, Police Chief DeRosia, Community Development Director Cariño, City Engineer Dowling

PRESENTATIONS AND AWARDS

Presentation of Certificate to Sgt. Nicholson for Life Saving
Sgt. Nicholson was not available. The presentation will be made at a future meeting.

Gabby Castaneda, Congressman Valadao's office presented two flags that had been flown over the U.S. Capitol; one for the senior citizens and one for the city.

ITEMS FROM THE PUBLIC

Roberto Ibarra, 1815 – Avenue, stated that Bakersfield has a new freeway and asked why Delano is not getting any development.

Arnold Morrison, 1808 Terrace Drive, stated that the Philippine Weekend event was wonderful. He has heard rumors that the city will take out the stage at Cecil park, but hopes that is not true as it is used a lot.

Sunshine Carter, 2022 County Line Road, stated that the downtown area needs to be cleaned up. Trees need to be trimmed and signs repaired. She stated that abandoned houses need to be torn down. Ms. Carter stated there are dead bushes on city property that need to be removed. She noted that she has seen a lot of improvement in the nine years she has lived in Delano.

Lena Mae Jones, 1116 Lexington Street, stated she is still recuperating from her accident at the senior center. She stated that the new spray park should be named for the Jones family, and she hopes the city is working on a new senior center.

Richard Markham, 315 Dover Drive, stated he is trying to get Foods Co to come here and will have a petition for council members to sign. He asked if the mayor had taken care of the joke made during his last presentation.

Valerie Gorospe, 2206 – Avenue, stated that her daughter had spoken at a council meeting about a year ago regarding the importance of trees. She asked that the trees on Main Street not be removed but just trimmed.

Gloria Herrera, 51 – Avenue, asked when the city will start changing the water pipes. She stated her water is red and has a bad smell.

Cornel Markham asked what it takes to get item on the agenda. He stated he has tried to resolve his problem at local level and now is going to the state level and will do a class action suit.

Alma Diaz, Lupine Street, asked why she is not eligible for the senior discount on the water bill. She stated that her daughter owns the house but she pays the bill.

No name given, asked if there is an agency that regulates the water purchased from the water wind mills.

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 \$3,264,727.94
- 3) Minutes of regular City Council meeting of July 15, 2013
- 4) Minutes of regular Community Law Enforcement Liaison Board meeting of May 16, 2013
- 5) Accept annual city council travel report for fiscal year 2012-2013
- 6) Approve Councilwoman Vallejo's travel to attend the ACCAPS Realignment Summit August 13, 2013, in Sacramento
- 7) Approve council travel to League of California Cities Annual Conference September 18 – 20, 2013, in Sacramento
- 8) Approval of open purchase orders for \$35,000 or more for the period July 1, 2013 to December 31, 2013
- 9) Amendment of Agreement No. 2012-123 between the City of Delano and the Delano Police Officers Association and authorize Human Resource Director and Chief of Police to execute the amendment Agreement No. 2013-54

- 10) Resolution No. 2013-37 of the City Council of the City of Delano authorizing designated persons to execute any actions necessary for obtaining financial assistance provided by the Governor's Office of Homeland Security
- 11) Accept improvements for the arsenic mitigation project, equipping of wells 35 and 38 and authorize the filing of the Notice of Completion
- 12) Accept improvements for the 2012 municipal airport pavement reconstruction project and authorize the filing of the Notice of Completion
- 13) Approval of Task Order No. 08-2013 to Agreement No. 2013-32 with Quad Knopf to provide engineering design and construction assistance for additional work on Well 21 as part of the arsenic remediation project Agreement No. 2013-55

Councilwoman Vallejo asked that item #3 be pulled from the agenda.

Moved by Councilwoman Vallejo, seconded by Councilman Chavez, and unanimously carried to approve the Consent Agenda with item #3 pulled.

Item #3) Councilwoman Vallejo noted an error in the minutes under item #13. The ad hoc committee member should be listed as Councilwoman Morris, not Councilman Pascual.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried to approve item #3 with corrections as noted.

PUBLIC HEARINGS

- 14) Public hearing #2013-27: Introduction and first reading of an ordinance of the City Council of the City of Delano amending Title 20 of the Delano Municipal Code by adding Chapter 20.2.165 thereto, setting forth the requirements and procedures for substantial conformance review applications for previously approved development permits (Zone Amendment No. 2013-06)

Ms. Cariño presented the staff report.

Mayor Aguirre asked for public comments. There were no public comments.

Mayor Aguirre closed the public hearing.

Moved by Councilman Chavez, seconded by Councilman Pascual and unanimously carried to approve the introduction and first reading of Ordinance No. 2013-1265.

REGULAR AGENDA

- 15) Amendment No. 1 to Agreement No. 2012-78 with Raimi & Associates for completion of the City of Delano Health and Sustainability Elements of the Delano General Plan

Ms. Cariño presented the staff report.

Moved by Councilwoman Morris, seconded by Councilwoman Vallejo and unanimously carried to approve Amendment No. 1 to Agreement No. 2012-78 with Raimi & Associates. Agr No. 2013-56

- 16) Authorize the purchase of furniture, fixtures, and equipment for the new police station facility from CORE Business Interiors for the not to exceed amount of \$275,000 from previously authorized funding and authorize the City Manager to sign the purchasing agreement

Mr. Dowling presented the staff report.

Moved by Councilman Chavez, seconded by Councilman Pascual and unanimously carried to authorize the purchase of furniture, fixtures, and equipment for the new police station facility from CORE Business Interiors. Agreement No. 2013-57

- 17) Designation of voting delegate and alternate for League of California Cities Annual Conference September 18 – 20, 2013, in Sacramento

Ms. Reyna presented the staff report.

Moved by Mayor Aguirre, seconded by Councilman Chavez and unanimously carried to appoint Councilwoman Vallejo to serve as delegate, Councilman Pascual to serve as first alternate, and Mayor Aguirre to serve as second alternate for the League of California Cities 2013 Annual Conference.

DEPARTMENTAL REPORTS

Ms. Reyna announced the National Night Out will be Tuesday, August 6, from 5:00 p.m. to 9:00 p.m. at Cesar Chavez Park.

COUNCIL STATEMENTS AND REPORTS

Councilman Pascual stated he will be happy to meet with Roberto Ibarra and Ms. Reyna regarding Mr. Ibarra's concerns. Mr. Ibarra stated that the meeting should be with the president of the Delano Guardians, not him.

Councilwoman Vallejo stated there should be more tables at the spray parks and that we need to re-use whatever items were taken from the park when the pool was taken out. She noted that several people have asked why there are still barricades on Woollomes at Wal-Mart. She informed them that work is still being done on the lines and traffic lights.

Councilwoman Morris announced that Wal-Mart will open on the . She stated we will see good things come to the community.

Councilman Chavez stated it is great to see Wal-Mart come. He thanked the Philippine Weekend Committee for a great event. He encourage people to look at the new recreation brochure and encouraged people to offer suggestions for other recreation opportunities. Mr. Chavez asked for a report on recreation at the next meeting.

Mayor Aguirre no items

CLOSED SESSION

Moved by Councilman Chavez, seconded by Councilman Pascual, and unanimously carried that the City Council adjourn to Closed Session at 6:29 p.m. The City Clerk was excused. Mayor Aguirre was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 18) Public employee discipline / dismissal-release pursuant to govt. code section 54957
- 19) Conference with legal counsel: claim of AP Bookkeeping pursuant to govt. code section 54961
- 20) Conference with legal counsel: existing litigation, City v. Dow Chemical pursuant to govt. code section 54956.9
- 21) Conference with legal counsel: anticipated litigation, one case, pursuant to govt. code section 54956.9(b)
- 22) Conference with legal counsel: anticipated litigation, one case, pursuant to govt. code section 54956.9(c)

RETURN TO GENERAL SESSION

Reconvened in Open Session at 7:30 p.m. Mr. Garcia provided a report on closed session as follows:

- 18) Information was provided; no action taken.
- 19) Information was provided and by unanimous consent direction was given.
- 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; no action taken.

ADJOURNMENT

Mayor Aguirre adjourned the meeting at 7:32 p.m.

Phyllis A. Kraft, City Clerk