

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING September 16, 2013

CALL TO ORDER

Mayor Aguirre called the meeting to order at 6:00 p.m. in the City Hall Council Chambers, 1015 – Avenue.

INVOCATION

Pastor David 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, City Attorney Garcia, City Clerk Kraft, Finance Director Rios, Police Chief DeRosia, Community Development Director Cariño, City Engineer Dowling, Human Resources Director Zamudio, Economic Development Specialist Castro

PRESENTATIONS AND AWARDS

Proclamation - Wal-Mart Grand Opening presented to Chris Fulmer, Store Manager
Presentation from Al Adler, Aviator Casino to City of Delano

DEPARTMENTAL REPORTS

Mayor Aguirre asked that the departmental report on transit be presented at this time so that those audience members who might need to leave early will be able to hear the presentation.

Ms. Zamudio presented the report. She reviewed changes that have been made including fares, route match, routes, staff positions, security cameras, staff safety training, ADA client registration, and tripper busses. Projects in progress include the installation of cameras, obtaining grantee status for FTA Section 5307 funding, installation of benches and shelters at all stops, implementation of a Bakersfield College run, issuance of ADA eligibility cards, advertising on busses and shelters, and the possibility of a fifth route.

Ethel Pickering asked why the stop at Avenue and Dover was taken away. Roberto Ibarra stated there is a need to have a stop at Avenue and Randolph Street that goes right to Paramount School.

ITEMS FROM THE PUBLIC

Nathan Ford, 1314 Belmont Street, stated that if anyone in the audience thinks they can do better job than council, they should do it and that threats against council have to stop. He stated that this and previous councils have accomplished a lot. If council member panders to individual or small group, that is wrong.

Roberto Ibarra asked if police are allowed to take a person's car if they do not have a driver's license, and if they do if that violate the amendment.

Barbara Mejia announced that Delano Rotary will have a tournament on Saturday to raise funds for the animal shelter. She stated that the Chamber of Commerce welcomes Wal-Mart, and noted that their members volunteer at many community events.

Ethel Pickering asked when the city will have a grand opening for Martin Luther King Jr. Park.

Abraham Jimenez stated that everyone has forgotten about the seniors. He stated he was told he only comes to council meetings to complain. He stated that a volunteer at the senior center is hostile, rude, and harasses people.

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 \$1,921,173.34
- 3) Minutes of regular City Council meeting of September 3, 2013
- 4) Minutes of regular Planning Commission meeting of July 10, 2013, and August 14, 2013
- 5)
 - a) Resolution of the City Council of the City of Delano adopting the class specification for the Recreation Associate
 - b) Resolution of the City Council of the City of Delano adopting the revised miscellaneous unit salary schedule for fiscal year 2013/2014 and rescinding Resolution No. 2012-88A
 - c) Resolution of the City Council of the City of Delano adopting the revised miscellaneous unit salary schedule for fiscal year 2014-2015 and rescinding Resolution No. 2012-89
- 6) Approval of an amendment to Agreement No. 2012-122; Article 19 Section "B" of the miscellaneous employee bargaining unit MOU regarding uniforms provided Agreement No. 2013-68
- 7) Approve amendment to Agreement No. 2012-107 with Moore & Associates Inc. Consultants for obtaining grantee status under the Federal Transit Administration (FTA) Section 5307, to extend the contract for an additional six months through December 31, 2013 Agreement No. 2013-69
- 8) Authorize the mayor to sign Certificate of Acceptance for street right of way for Woollomes Avenue; Delano Market Place
- 9) Resolution No. 2013-47 of the City Council of the City of Delano, California, approving Certificate of Acceptance for irrevocable offer of dedication for highway purposes and directing recordation thereof
- 10) Reject all bids for the 2013 CDBG Tennis Court Rehabilitation Project and direct the City Engineer to re-advertise

- 11) Resolution No. 2013-48 of the City Council of the City of Delano amending Resolution No. 2013-29 to authorize the City Manager or a designee to undertake certain additional actions in connection with a Section 108 Loan from HUD
- 12) Approval of service agreements with Self-Help Enterprises for Grant Writing, Administration, and Implementation for Community Housing Programs and Loan Portfolio Management Services Agreement No. 2013-70 Agreement No. 2013-71

Mayor Aguirre announced that staff has requested item #5 be pulled from the agenda. Councilwoman Vallejo asked that items #2 and #6 be pulled for discussion.

Moved by Councilwoman Morris, seconded by Councilwoman Vallejo, and unanimously carried to approve the Consent Agenda with item #5 pulled from the agenda and items #2 and #6 pulled for discussion.

Item #2) Councilwoman Vallejo stated for the record that entries on page 9 and page 20 are for her attendance at the League of California Cities Annual Conference, however she will not be attending.

Item #6) Councilwoman Vallejo asked if this will affect the budget. Ms. Zamudio answered that there should not be much of an increase in cost and staff is not requesting an increase in the budget.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried to approve agenda items #2 and #6.

PUBLIC HEARINGS

- 13) Public hearing #2013-28: Resolution of the City Council of the City of Delano approving the 2012 / 2013 CDBG Consolidated Annual Performance and Evaluation Report, and authorizing the city manager to execute all documents required by the U.S. Department of Housing and Urban Development

Ms. Castro 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 Councilwoman Morris and unanimously carried to adopt Resolution No. 2013-49 approving the 2012 / 2013 CDBG Consolidated Annual Performance and Evaluation Report (CAPER) and authorizing the city manager to execute all required documents.

REGULAR AGENDA

- 14) Approve agreement with Kern County Department of Human Services for unpaid work experience through their CalWORKS Employment Preparation Program (EPP) and authorize the Human Resources Director to execute the Agreement

Ms. Zamudio presented the staff report.

Moved by Councilman Chavez, seconded by Councilman Pascual and unanimously carried to approve an agreement with the Kern County Department of Human Services for unpaid work experience through their CalWORKS Employment Preparation Program (EPP) and authorize the Human Resources Director to execute the agreement. Agreement No. 2013-72

- 15) Introduction and first reading of an ordinance of the City of Delano amending Chapter 13 of the Delano Municipal Code by amending Sections 13.04.020, 13.16.190, and 13.48.200 related to utility rates for water, sewer, and refuse

Ms. Rios presented the staff report.

There was brief discussion regarding allowing those seniors who rent to be eligible for the senior discount.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried to approve the introduction and first reading of Ordinance No. 2013-1266 amending Chapter 13 related to utility rates for water, sewer, and refuse.

DEPARTMENTAL REPORTS

The report was presented earlier in the meeting.

COUNCIL STATEMENTS AND REPORTS

Councilman Chavez no items

Councilwoman Morris no items

Councilman Pascual no items

Councilwoman Vallejo commended the police and school staff regarding their handling of the recent incident at Princeton School.

Mayor Aguirre commended the Chamber of Commerce for assisting Harvest Holiday with a fund raiser.

CLOSED SESSION

Moved by Councilman Chavez, seconded by Councilwoman Vallejo, and unanimously carried that the City Council adjourn to Closed Session at 7:12 p.m. The City Clerk was excused. Mayor Aguirre was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 16) Conference with legal counsel: existing litigation Delano Guardians Committee v. City of Delano; pursuant to govt. code 54956.9
- 17) Conference with real property negotiators Maribel Reyna and Bonny Garcia regarding possible sale and/or lease of property located at the 1022 – Avenue (Delano Police Department) with respect to price, terms and condition of sale and/or lease pursuant to govt. code section 54956.8

RETURN TO GENERAL SESSION

Moved by Councilman Chavez, seconded by Councilwoman Vallejo and unanimously carried to reconvene in Open Session at 7:54 p.m. Mr. Garcia provided a report on closed session as follows:

- 16) Information was provided; no action taken.
- 17) Information was provided; no action taken.

ADJOURNMENT

Moved by Councilwoman Vallejo, seconded by Councilman Pascual, and unanimously carried to adjourn the meeting at 7:55 p.m.

Phyllis A. Kraft, City Clerk