

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING May 5, 2014

CALL TO ORDER

Mayor Vallejo called the meeting to order at 5:30 p.m. in the City Hall Council Chambers, 1015 – 11th Avenue.

INVOCATION

Mayor Vallejo called for a moment of silence.

FLAG SALUTE

Councilman Aguirre 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, Police Chief DeRosia, City Engineer Dowling, Human Resources Director Zamudio, Economic Development Specialist Castro, Recreation Manager Batth

PRESENTATIONS AND AWARDS

No items

ITEMS FROM THE PUBLIC

Abre Conner noted some objections to the manner and content of the presentation given by Mr. Garcia at the April 7, meeting regarding the Brown Act. She also presented a letter to Mayor Vallejo from the Center on Race, Poverty & the Environment regarding the same.

Cornel Markham stated it has been three years and he wants to meet with the mayor. He asked what steps are being taken to put this matter behind us.

Isabel Miranda thanked the council and engineering staff for fixing High Street and County Line Road.

Richard Markham thanked Ms. Reyna and council that the vacant house on Austin Street has been taken down. He stated there is a brown house on Albany Street that needs to be taken down.

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 \$1,905,878.08

- 3) Minutes of regular City Council meeting of April 21, 2014
- 4) Cancellation of regular City Council meeting scheduled for May 19, 2014
- 5) Approve Mayor Vallejo and Councilman Aguirre attendance at the International Council of Shopping Centers (ICSC) Global Retail Real Estate Convention (RECon) May 18 – 20, 2014 in Las Vegas
- 6) Acceptance and approval of the City of Delano Quarterly Investment Report dated May 5, 2014, for the quarter ended March 31, 2014
- 7) Resolution No. 2014-33 of the City Council of the City of Delano authorizing designated positions to execute any actions necessary for obtaining financial assistance provided by the Governor's Office of Homeland Security
- 8) Approval of a Memorandum of Understanding (MOU) between the City of Delano and the Delano Joint Union High School District for the purpose of providing a summer recreational swim program located on the Delano High School campus to the residents of Delano Agreement No. 2014-36
- 9) Approval of a Memorandum of Understanding (MOU) between the City of Delano and the Delano Joint Union High School District for the purpose of collaborating on the 2014 Advanced Summer Academy Agreement No. 2014-37
- 10) Renewal of city health plans for the period July 1, 2014 through June 30, 2015: Health Net and Kaiser for the city's medical plans; Premier Access for the city's dental plan; Superior Vision for the city's vision plan; Lincoln Financial Group for the city life and accidental plan; PACE TPA (formerly Davies Administration) for the city's flexible spending account. Agreement No. 2014-38, Kaiser; Agreement No. 2014-39, Premier Access; Agreement No. 2014-40, Superior Vision
- 11) Acceptance of the improvements for the new police department headquarters project and authorizing the filing of the Notice of Completion for Golden State Steel, Inc.
- 12) Resolution No. 2014-34 awarding a contract to Mar-Co Equipment Company (with financing by Leasing 2, Inc.) for the lease purchase of one (1) street sweeper truck, authorizing the expenditure of \$266,589.78 over a term of six (6) years, with annual payments of \$44,431.63, and authorizing the city manager to execute all required documents, and rescinding Resolution No. 2014-13 Agreement No. 2014-41
- 13) Authorize the purchase of SC3000 asphalt paving material in the amount of \$200,000 from Deer Creek Asphalt
- 14) Resolution No. 2014-35 of the City Council of the City of Delano authorizing the sale of 611 Glenwood Street to Bacilio Juan Rangel and Maria Enriqueta Z. Rangel in the amount of \$7,507.74 Agreement No. 2014-42
- 15) Resolution No. 2014-36 authorizing staff to enter into a government obligation contract with Kansas State Bank of Manhattan for the desire to finance the purchase of twenty (20) 2015 Ford Utility police interceptors Agreement No. 2014-43
- 16) Appropriate \$73,437.89 from AB-109 funds and transfer to 01-5700-200 for the purchase of police hand-held radios, related equipment, programming, and labor

- 17) Resolution No. 2014-37 of the City Council of the City of Delano consenting to the assignment of the lease agreement for the management of the municipal golf course between the City of Delano and Monterey Golf Management Group to B&F Golf LLC
- 18) Approval of an agreement with Kiwanis Club of Delano for City reserved fireworks permit Agreement No. 2014-44
- 19) Approval of request of Kiwanis Club of Delano for City sponsorship of the annual community fireworks show in the amount of \$3,000 and appropriate the necessary funds
- 20) Resolution No. 2014-38 of the City of Delano approving to enter into an agreement for services with the Ramsay Group for an amount not to exceed \$22,800 for assistance in the preparation of the Analysis of Impediments to Fair Housing Choice for the Department of Housing and Urban Development, Consolidated Plan 2011-2016 Agreement No. 2014-45

Councilman Pascual asked that item #17 be pulled for discussion.

Moved by Councilman Chavez, seconded by Councilwoman Morris, and unanimously carried to approve the Consent Agenda with item #17 pulled for discussion.

Item #17) Councilman Pascual asked the representatives of B&F Golf to introduce themselves to council and the audience.

Casey Butler and Lance Funderburk of B&F Golf introduced themselves and gave a brief background.

Gary Cursio of Monterey Golf stated it has been a pleasure to work with city staff and the citizens of Delano.

Moved by Councilman Chavez, seconded by Councilwoman Morris and unanimously carried to adopt Resolution No. 2014-37 consenting to the assignment of the lease agreement for the management of the municipal golf course between the city and Monterey Golf Management Group to B&F Golf LLC.

PUBLIC HEARINGS

- 21) Public Hearing #2014-05: Resolution of the City Council of the City of Delano approving the 2014-2015 Action Plan, and authorizing the city manager to execute all documents required by the U.S. Department of Housing and Urban Development to receive Community Development Block Grant funding

Ms. Castro presented the staff report.

Mayor Vallejo asked for public comments.

Richard Markham, 315 Dover Drive, asked if HUD is providing the financing for the gym and re-model of the community center. He was informed that it is.

Mayor Vallejo closed the public hearing.

Moved by Councilman Chavez, seconded by Councilman Aguirre and unanimously carried to adopt Resolution No. 2014-39 of the City Council of the City of Delano approving the 2014-2015 Action Plan, and authorizing the city manager to execute all documents required by the U.S. Department of Housing and Urban Development to receive Community Development Block Grant funding

REGULAR AGENDA

- 22) Appointment of representative to the Delano Mosquito Abatement District to complete the term of Joe Aguirre; term to expire January 2, 2015

Moved by Councilman Aguirre, seconded by Councilman Chavez and unanimously carried to appoint Councilman Pascual to complete the term of Joe Aguirre as representative to the Delano Mosquito Abatement District, term to expire January 2, 2015.

- 23) Approval of easement agreement with Home Depot

Mr. Garcia announced this item will be discussed in closed session and is listed here to allow for any public comments. Council will take action on this item when they return to open session.

Abre Conner, CRPE, asked if council will talk about what the easement will be used for and if there will be any restrictions regarding what it can be used for.

Mr. Garcia explained the purpose of the easement is for public safety to allow access to the property next to the Home Depot.

Richard Markham asked how much it will cost the city. He was informed that has not yet been discussed.

Nathan Ford stated that Chevron Barn has been negotiating for over two years regarding property next to Home Depot.

- 24) Easement on property located at 22100 Woollomes Avenue (APN 521-020-14-00-5) to Chevron Barn LLC.

Mr. Garcia announced this item will be discussed in closed session and is listed here to allow for any public comments. Council will take action on this item when they return to open session.

DEPARTMENTAL REPORTS

Ms. Zamudio reported on the request of a transit bus stop at Ellington Street and Garces Highway. She stated it is too congested with traffic for a stop to be placed at that intersection. There is a bus stop at Dover Street and 8th Avenue.

COUNCIL STATEMENTS AND REPORTS

Councilwoman Morris congratulated Arnold Morrison on being chosen as Grand Marshall for the Cinco de Mayo celebration, and thanked him for being a good example for students.

Councilman Chavez no items

Councilman Pascual no items

Councilman Aguirre no items

Mayor Vallejo thanked everyone who supported the Cinco de Mayo parade and noted community events cannot continue without public support.

CLOSED SESSION

Moved by Councilman Chavez, seconded by Councilwoman Morris, and unanimously carried that the City Council adjourn to Closed Session at 6:10 p.m. The City Clerk was excused. Mayor Vallejo was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 25) Conference with labor negotiators Maribel Reyna, Bonny Garcia, and Human Resources Director Noemi Zamudio regarding negotiations with the Delano City Employees Association (miscellaneous employees unit); govt. code section 54957.6
- 26) Conference with labor negotiators Maribel Reyna, Bonny Garcia, and Human Resources Director Noemi Zamudio regarding negotiations with the Delano Police Officers Association; govt. code section 54957.6
- 27) Conference with labor negotiators Maribel Reyna, Bonny Garcia, and Human Resources Director Noemi Zamudio regarding negotiations with MEG employee group; govt. code section 54957.6
- 28) Conference with labor negotiators Maribel Reyna and Bonny Garcia regarding negotiations with Finance Director, Chief of Police, Public Works Director/City Engineer, Human Resource Director, and Community Development Director; govt. code section 54957.6
- 29) Conference with property negotiators Maribel Reyna and Bonny Garcia regarding easement on property located at 22100 Woollomes Avenue (APN 521-020-14-00-5) to Chevron Barn LLC. pursuant to govt. code section 54956.8

RETURN TO GENERAL SESSION

Moved by Councilman Chavez, seconded by Councilwoman Morris and unanimously carried to reconvene in Open Session at 8:02 p.m. Mr. Garcia provided a report on closed session as follows:

- 25) Information was provided; no action taken.
- 26) Information was provided; no action taken.
- 27) Information was provided; no action taken.
- 28) Information was provided; no action taken.
- 29) Information was provided. Moved by Councilman Chavez, seconded by Councilman Aguirre and unanimously carried to approve the easement agreement.

Item #23) Moved by Councilman Chavez, seconded by Councilman Aguirre and unanimously carried to approve an easement agreement with Home Depot in the amount of \$119,650 for the easement and \$5,000 statutory reimbursement to Home Depot for appraisal of easement for a total amount of \$124,650. Agreement No. 2014-46

ADJOURNMENT

Moved by Councilman Chavez, seconded by Councilman Aguirre, and unanimously carried to adjourn the meeting at 8:09 p.m.

Phyllis A. Kraft, City Clerk