

MINUTES

**CITY OF DELANO
CITY COUNCIL – REGULAR MEETING
September 2, 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 asked 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, Finance Director Rios, Police Chief DeRosia, City Engineer Dowling, MCCF Chief of Corrections Venables, Human Resources Director Zamudio, Economic Specialist Castro

PRESENTATIONS AND AWARDS

Introduction and Recognition of Cesar E. Chavez High School Football Team

ITEMS FROM THE PUBLIC

Roberto Ibarra reported a water leak on High Street at 21st Avenue under the bridge.

Terry Monrian spoke on behalf of the Centennial Committee to request Council amend the ordinance regulating signs to allow for a mural to be painted on the breezeway on Main Street.

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 \$3,318,932.55
- 3) Minutes of regular City Council meeting of August 18, 2014; special meeting of August 27, 2014
- 4) Second reading and final adoption of Ordinance No. 2014-1271 amending Title 6 of the Delano Municipal Code by adding Chapter 6.62 relating to reusable bags at retail establishments

- 5) Approval of proposed amendment to Agreement No. 2013-97 between California Department of Corrections and Rehabilitation (CDCR) for operation of a Modified Community Correctional Facility (MCCF) Agreement No. 2014-72
- 6) Resolution No. 2014-69 of the City Council of the City of Delano adopting the Revised Delano Transportation Department Title VI (Limited English Proficiency LEP) Program and rescinding Resolution No. 2014-60
- 7) Resolution No. 2014-70 of the City Council of the City of Delano declaring various equipment and vehicles as surplus and authorizing staff to dispose of same at public auction
- 8) Approve appropriation of roofing budget for the school building at Heritage Park in the amount of \$15,000
- 9) Approve appropriations from the Water Fund for a water line replacement project in the amount of \$250,000 and a water metering project in the amount of \$250,000 within the current fiscal year (2014-15)
- 10) Approve appropriation from the Storm Drain Impact Fee Fund (Fund 43) for the 22nd / Girard Lift Station Project in the amount of \$220,000 within the current fiscal year 2014-15
- 11) Resolution No. 2014-71 of the City Council of the City of Delano approving Amendment No. 1 to Lease Agreement No. 2012-105 with Paramount Citrus Packing Co. for temporary lease of 28.6 acres of land at the municipal airport Agreement No. 2014-73
- 12) Approve second amendment to Agreement No. 2007-84 with New Cingular Wireless PCS, LLC Agreement No. 2014-74
- 13) Award of contract for the 2014 Various Streets Rejuvenating Seal Project to Talley Oil, Inc. in the amount of \$95,331.45 Agreement No. 2014-75
- 14) Award of contract for the 2014 CDBG Delano Community Center HVAC Upgrade Project to ACCO Engineered Systems in the amount of \$66,448 Agr No. 2014-76
- 15) Resolution No. 2014-72 of the City Council of the City of Delano approving a rental agreement between Mr. Collin C. Smith and the city to rent Port-A-Port Hangar #P-4 at the Delano Municipal Airport for \$138.63 per month plus CPI adjustments Agreement No. 2014-77

Members of the public asked that items #9, 10, 11, and 12 be pulled for discussion.

Moved by Councilman Chavez, seconded by Councilman Aguirre, and unanimously carried to approve the Consent Agenda with items #9, 10, 11, and 12 pulled for discussion.

Items #9 & 10) Roberto Ibarra asked where the water line will be replaced and what the purpose of item #10 is. Mr. Dowling explained the water line in the alley between Main Street and Jefferson Street from 9th Avenue to 14th Avenue will be replaced. The lift station will alleviate flooding during heavy rains.

Moved by Councilman Aguirre, seconded by Councilman Chavez and unanimously carried to approve items #9 and #10.

Item #11) John Munoz asked for more information regarding the theme park referred to in the agreement, if the project has FAA approval, and if the land includes the corporate hangar. He was informed that the project is in the conceptual stage, FAA approval is pending, and the hangar is included.

Moved by Councilman Aguirre, seconded by Councilwoman Morris and unanimously carried to approve item #11.

Item #12) John Munoz asked if Cingular carried liability insurance and noted that if they sublease, the city will only receive 10% of the fee. He was informed they have insurance and the fee is standard.

Moved by Councilman Aguirre, seconded by Councilman Chavez and unanimously carried to approve item #12.

PUBLIC HEARINGS

- 16) Public hearing #2014-10: Resolution of the City Council of the City of Delano approving the 2013/2014 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 Vallejo asked for public comments. There were no public comments.

Mayor Vallejo closed the public hearing.

Moved by Councilwoman Morris, seconded by Councilman Chavez and unanimously carried to adopt Resolution No. 2014-73 approving the 2013/2014 CDBG Consolidated Annual Performance and Evaluation Report.

REGULAR AGENDA

- 17) Direction to city voting delegate and alternates for vote on resolutions to be considered at the League of California Cities 2014 Annual Conference

Ms. Reyna presented the staff report.

Moved by Councilwoman Morris, seconded by Councilman Chavez and unanimously carried to direct the voting delegate to vote "Yes" on the proposed resolution to be considered at the League of California Cities 2014 Annual Conference.

- 18) Request of Mayor to serve on and appoint one other member of city council to serve on the design committee for the new community center

Mayor Vallejo appointed Councilman Pascual to serve on the design committee for the new community center.

- 19) Approval of contract assignment from Sunset Waste to Mid-Valley Disposal

Ms. Reyna announced that staff is requesting this item be tabled.

DEPARTMENTAL REPORTS

- 20) Report on water

Mr. Dowling presented the report.

COUNCIL STATEMENTS AND REPORTS

Councilman Chavez offered his condolences to Ginda Adkins on her recent loss.

Councilwoman Morris no items

Councilman Pascual no items

Councilman Aguirre stated the Paramount Citrus is working on infusing \$40 million into the city and creating 2,000 jobs and that what they are doing is unprecedented. He noted that several years ago the City approved a development north of the county line to which it provides water but only receives less than 50% of the taxes.

Mayor Vallejo stated she hopes to hear from other schools and organizations as to what they can do for our city. She stated the Chamber of Commerce street fairs are a lot of hard work. She stated that we need to show that Delano has a lot of citizens who help those in need. Mayor Vallejo stated our citizens have to help police our ordinances and we have to educate the citizens about the ordinances.

CLOSED SESSION

Moved by Councilman Chavez, seconded by Councilman Pascual, and unanimously carried that the City Council adjourn to Closed Session at 6:34 p.m. The City Clerk was excused. Mayor Vallejo was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 21) Conference with legal counsel: anticipated litigation, one case, pursuant to govt. code section 54956.9
- 22) 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
- 23) 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

RETURN TO GENERAL SESSION

Moved by Councilman Chavez, seconded by Councilman Pascual and unanimously carried to reconvene in Open Session at 7:02 p.m. Mr. Garcia provided a report on closed session as follows:

- 21) Information was provided and by unanimous consent direction was given.
- 22) Information was provided; no action taken.
- 23) Information was provided; no action taken.

ADJOURNMENT

Moved by Councilman Chavez, seconded by Councilwoman Morris, and unanimously carried to adjourn the meeting at 7:03 p.m.

Phyllis A. Kraft, City Clerk