

## **MINUTES**

### **CITY OF DELANO CITY COUNCIL – REGULAR MEETING October 19, 2015**

#### **CALL TO ORDER**

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

#### **INVOCATION**

Pastor David Vivas offered the invocation.

#### **FLAG SALUTE**

Councilwoman Morris led the flag salute.

#### **ROLL CALL**

Council members present: Ricardo Chavez, Ruben Hill, Liz Morris, Rueben Pascual  
Council members absent: Grace Vallejo

#### **OFFICIALS PRESENT**

City Manager Reyna, City Clerk Kraft, Finance Director Rios, Police Chief DeRosia, City Engineer Dowling, Chief of Corrections Marshall

#### **PRESENTATIONS AND AWARDS**

No items

#### **ITEMS FROM THE PUBLIC**

Suzanne Villaruz announced that October is Filipino History Month and Sunday is Larry Itliong Day. There are state-wide celebrations being held throughout the month.

Pastor David Vivas invited everyone to the 15<sup>th</sup> anniversary celebration of World International Harvest Church this Sunday.

Richard Markham stated there should be a way to let people know when there is no council meeting. He stated that drug dispensaries are popping up all over town, and we need to limit how many we have.

Valerie Gorospe stated the city should not do road work during school hours, and suggested the city needs to make part of any agreement with contractors that no work be done during the time students are going to and from school.

Cornel Markham asked if it is legal to have a meeting without the city attorney present. He stated he has unfinished business with the attorney. He stated the election only a few weeks away.

#### **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 \$2,449,081.75
- 3) Minutes of regular City Council meeting of October 5, 2015
- 4) Approval for Mayor Pascual to attend the 2015 League of California Cities Municipal Finance Institute, December 2-3, 2015 in San Diego
- 5) Approve agreement with Mission Community Services Corporation to provide business counseling in Delano Agreement No. 2015-82
- 6) Approval of purchase of ShorTel Enterprise IP Telephone System for the Modified Community Correctional Facility (MCCF) in the amount of 49,771.16
- 7) Resolution No. 2015-74 of the City Council of the City of Delano declaring its intention for vacating 18<sup>th</sup> Avenue between Glenwood Street and Union Pacific right of way and Glenwood Street just north of 18<sup>th</sup> Avenue reserving public service easements and intent to convey vacated portion to adjoining properties and setting a public hearing
- 8) Award of contract for the 2015 Delano Modified Community Correctional Facility (MCCF) high performance cooler replacement project to ACCO Engineered Systems in the amount of \$767,996 and authorize the city manager to execute any change orders needed to keep the project within budget Agreement No. 2015-83
- 9) Acceptance of the improvements for the rebid 2015 CDBG Delano Community Center Rehabilitation Project – building upgrades (work performed by Vortex Construction) and authorize the filing of the Notice of Completion
- 10) Resolution No. 2015-75 approving Amendment No. 1 to Agreement No. 2010-84, WWTP Municipal Farm Lease City of Delano with Billy Morris and Donnie Morris, dba B&D Morris Farms Agreement No. 2015-84
- 11) Award Long Range Transit Study to Cordoba Corporation in the amount of \$49,574.93 Agreement No. 2015-85
- 12) Acceptance of the arsenic mitigation project – Equipping of Well No. 34, and authorizing the filing of the notice of completion
- 13) Acceptance of the arsenic mitigation project – Well 21 Site Improvements, and authorizing the filing of the notice of completion
- 14) Award of contract for the 2015 demolition project various locations to Gilliam and Sons, Inc. in the amount of \$217,180 and authorize the city manager to execute any change orders needed to keep the project within budget Agreement No. 2015-86

A member of the audience asked that items #7, 11, and 14 be pulled for discussion.

Moved by Councilman Chavez, seconded by Councilwoman Morris, and unanimously carried by all those present to approve the Consent Agenda with items #7, 11, and 14 pulled for discussion.

Item #7) Roberto Ibarra asked for clarification on what the city is going to do. Mr. Dowling explained that a public hearing will be notices in accordance with the law. This is an abandoned road that was previously a railroad crossing and is now in disrepair. The property owners on either side have requested this vacation and have plans for development. The city will maintain easements.

Moved by Councilman Chavez, seconded by Councilwoman Morris and unanimously carried by all those present to approve item #7.

Item #11) Roberto Ibarra stated he would like to see a metro-link established and that it is a waste of money to have bus service from Delano to Bakersfield. Mr. Dowling explained that is not part of this study. There will be a public hearing to receive public input and out-reach will be done.

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

Item #14) Roberto Ibarra stated he would like to see more roads and the roads should be four lanes throughout the city to take care of traffic congestion. Mr. Dowling explained that this item is regarding demolition of commercial and residential properties and no road work is involved.

Moved by Councilman Chavez, seconded by Councilwoman Morris and unanimously carried by all those present to approve item #14.

### **PUBLIC HEARINGS**

No items

### **REGULAR AGENDA**

No items

### **DEPARTMENTAL REPORTS**

#### 15) Report on Browning Road

Ms. Reyna reported that staff will be doing a study along Browning Road. Several residents of that area have asked to speak to council.

Aloha Francisco, Julio Segura, Juan Carlos Cruz, Marisol Cruz, Aurora Lopez, and Ms. Mendez addressed the council. Their comments included: students are afraid of crossing Browning Road; there is no stop sign at Summer and Browning; how long will it take to complete the study; not having 20<sup>th</sup> open all the way will be chaotic; people don't follow speed limits; 20<sup>th</sup> is the only way in and out; parents will try to make short-cuts through the neighborhood; the study should be done from 7:30 – 8:00 am and 3:00 – 5:00 pm; residents in area will be affected by the traffic flow; requesting traffic lights at Browning & County Line, Browning & Summer, Browning & Cecil; trucks parking on Browning Road obstruct the view on Browning; staff should also consider farm workers during traffic study.

#### 16) Update on utilities masterplans

Mr. Dowling presented the staff report. He explained the master plan is needed for planning future development. The plan was started a year ago and should be completed by the end of this year. Data has been collected and provided to the consultant.

### **COUNCIL STATEMENTS AND REPORTS**

Councilman Chavez thanked staff for their work last week during the rain and street flooding.

Councilwoman Morris thanked the students for attending this meeting. She explained what wastewater is and the wastewater system.

Councilwoman Vallejo absent

Councilman Hill no items

Mayor Pascual stated he had asked staff to check the drains before we had the rain. He noted that we need the master plans for the growth of the city.

### **CLOSED SESSION**

Moved by Councilman Chavez, seconded by Councilwoman Morris, and unanimously carried that the City Council adjourn to Closed Session at 6:24 p.m. The City Clerk was excused. Mayor Pascual was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 17) Conference with legal counsel: settlement authority for claim of Livia Salas and Jose Beltran, Claim No. 2015-28; pursuant to govt. code section 54961

### **RETURN TO GENERAL SESSION**

Reconvened in Open Session at 6:30 p.m. Mr. Garcia provided a report on closed session as follows:

- 17) Information was provided and by unanimous consent of all those present, direction was given.

### **ADJOURNMENT**

Mayor Pascual adjourned the meeting at 6:31 p.m.

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Phyllis A. Kraft, City Clerk