

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING October 17, 2016

CALL TO ORDER

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

INVOCATION

Mr. Dowling offered the invocation.

FLAG SALUTE

Juan Torres, Delano Record, led the flag salute.

ROLL CALL

Council members present: Ricardo Chavez, Ruben Hill, Liz Morris, Rueben Pascual, Grace 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, Human Resources Director Zamudio, Chief of Corrections Marshall

PRESENTATIONS AND AWARDS

Introduction of Rajveer Rakkar, League of California Cities South San Joaquin Valley Regional Public Affairs Manager

ITEMS FROM THE PUBLIC

Nathan Ford asked if anyone picks up animals anymore. He has seen a lot of animals on the streets but has not seen the animal control truck.

Danny Espitia, Community Resource Manager at North Kern State Prison, thanked the Council for the letter of support for their application for a grant for a new fire truck. He requested support for the Thanksgiving baskets that the Community Connection distributes. He asked council members to help judge baskets prepared by NKSP staff for distribution.

Roberto Ibarra stated he received a flyer. He stated he hopes good things come to Delano.

Brenda Hawkins stated she is an employee at the Delano Skilled Nursing Facility. She asked for council support in their negotiations for a new contract and asked for a letter of support.

Shirley stated she is the union representative for SEIU at the nursing facility. She stated she would like to meet with the mayor regarding negotiations for a contract for nursing staff at the Skilled Nursing Facility.

Ginda Adkins, Delano Chamber of Commerce, announced there will be a candidates' forum this Thursday at Guadalupe Church.

Richard Markham stated the city needs to change the ordinance regarding calls to the police department regarding disturbances. He stated the police set him up and falsified records, and the police are in collusion with the Housing Authority.

Johnny Munoz asked if the city is on schedule for the senior center. He asked what is happening with well 34. He stated that he received a letter advising citizens not to use city water. He stated he is proud to be a Mexican living in Delano.

Celeste asked for a following up on the status of sub-committee on marijuana dispensaries.

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 \$4,026,705.03 (two check runs; two payroll runs)
- 3) Minutes of regular City Council meeting of September 19, 2016; October 3, 2016; special meeting of October 10, 2016
- 4) Minutes of regular Pension Committee meeting of May 9, 2016; special meeting of June 24, 2016
- 5) Accept annual City Council travel report for fiscal year 2015-2016
- 6) Approval of continued support to the Delano Historical Society for fiscal year 2016-2017 in the amount of \$30,000
- 7)
 - a) Resolution No. 2016-65 of the City Council of the City of Delano adopting the class specification of Mailroom Clerk
 - b) Resolution No. 2016-66 of the City Council of the City of Delano adopting the class specification of Warehouse / Laundry Clerk
 - c) Resolution No. 2016-67 of the City Council of the City of Delano adopting the class specification of Canteen Clerk
 - d) Resolution No. 2016-68 of the City Council of the City of Delano adopting the revised class specification of Wastewater Treatment Supervisor
 - e) Resolution No. 2016-69 of the City Council of the City of Delano adopting the revised class specification of Water Distribution Supervisor
 - f) Resolution No. 2016-70 of the City Council of the City of Delano adopting the revised class specification of Vocational Instructor
 - g) Resolution No. 2016-71 of the City Council of the City of Delano adopting the Miscellaneous Unit Salary Schedule for Fiscal Year 2016 / 2017 effective October 17, 2016
- 8) Resolution No. 2016-72. Approval to amend the resolution to the State of California Department of Housing and Community Development Department for its Housing-

Related Parks (HRP) Program for an allocation of funds (not to exceed) from \$284,350 to \$330,550 for the Delano Centennial Community Center project

- 9) Co-sponsorship of Delano Chevy Buick GMC Thanksgiving Dinner in the total amount of \$900 for usage of the Armory building on November 24, 2016
- 10) Co-sponsorship of the Delano Chamber of Commerce Toys for Tots toy distribution in the total amount of \$900 for usage of the Armory building on December 19, 2016
- 11) Co-sponsorship of the Delano Chamber of Commerce Annual Crab Feed in the total amount of \$900 for usage of the Armory building on January 28, 2017
- 12) Approve \$600,000 budget appropriation request for Wells 32, 33, and 34 from Measure I funding
- 13) Award contract for the 2016 Delano Animal Shelter Parking Lot Improvement Project to JT2 dba Todd Companies in the amount of \$223,455, with a contingency amount of \$25,000 and authorize the city manager to sign the construction contract and any change orders within the budgeted amount as needed Agreement No. 2016-79
- 14) Approve Contract Change Order #2 for the 2015 Delano MCCF High Performance Cooler Replacement Project with ACCO Engineered Systems in the additional amount of \$18,363.88 and authorize the city manager to execute the same Agreement No. 2016-80
- 15) Award of contract for the Re-bid 2016 Delano MCCF Security Camera System Project to Kertel Communications Inc. dba Sebastian Corporation in the amount of \$496,367.68, with a contingency amount of \$50,000, authorize the mayor to sign the construction contract, and authorize the city manager to execute change orders within the budgeted contingency amount as needed Agreement No. 2016-81
- 16) Acceptance of the improvements for the construction of Glenwood Extension Project and authorize the filing of the Notice of Completion
- 17) Acceptance of the improvements for the 2016 Dover Parkway Extension Project and authorize the filing of the Notice of Completion
- 18) Resolution No. 2016-73 authorizing the city manager to sign and submit the application for Public Benefit Grant Program / New Alternative Fuel Vehicle Purchase with the San Joaquin Valley Air Pollution Control District (SJVAPCD) and execute any subsequent grant agreement for implementation of the new vehicle project if awarded
- 19) Resolution No. 2016-74 awarding a contract to Mobile Ag & Industrial Supply, Inc. for the purchase of a new Telehandler (forklift), authorizing the expenditure of funds in the amount of \$116,333.60 and authorizing the city manager to execute all required documents Agreement No. 2016-82
- 20) Approve request from Sunset Waste Systems, Inc. to assign Agreement No. 2001-19 for residential green waste and recycling collection services to South Tulare Richgrove Refuse, Inc. Agreement No. 2016-83
- 21) Approval of Memorandum of Understanding with YK America Regional Center, LLC for the offsite improvements related to Delano Market Place II Agreement No. 2016-84

Mayor Chavez announced that item #5 is removed from the agenda so that corrections can be made. Staff asked that items #12 and #18 be pulled for discussion.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris, and unanimously carried to approve the Consent Agenda with item #5 removed and items #12 and #18 pulled for discussion.

Item #12) Mr. Dowling reported that the wells referenced have some contaminants such as Chromium 6, TCP, and nitrates. The State required the city to notify the public regarding the Chromium 6 present in well 34, however the public was not advised that they should not use the water.

Johnny Munoz asked if Measure I still exists and if there is money there for the wells.

There was discussion regarding Measure I.

Moved by Councilman Pascual, seconded by Councilwoman Vallejo and unanimously carried to approve agenda item #12.

Item #18) Mr. Dowling reported that staff had requested authorization to submit a grant for funding for four vehicles. Council members have expressed interest in requesting funding for five vehicles. The total cost for five vehicles would be \$160,998.55 with the city's share being \$60,998.55.

Moved by Councilwoman Vallejo, seconded by Councilman Pascual and unanimously carried to adopt Resolution No. 2016-73 with changes to state the city is requesting funding for five vehicles for \$160,998.55 with the city share of cost at \$60,998.55 and SJVAPCS share of cost at \$100,000.

PUBLIC HEARINGS

No items

REGULAR AGENDA

- 22) Discussion concerning direction to staff regarding Chapter 6.25 of the Delano Municipal Code entitled "Food Vending Vehicles"

Chief DeRosia presented the staff report and stated that staff is asking for direction from council. He noted that the Planning Commission has a committee that is reviewing the zoning ordinance and suggested it could review this item and include it in any recommendations made to council.

Mayor Chavez asked that this item be tabled until Planning Commission sub-committee reviews and makes recommendation.

- 23) Potential purchase of property owned by the County of Kern, APN 037-130-15 (adjacent to Jefferson Park)

Ms. Reyna announced this item will be discussed during closed session and is listed under regular agenda to allow for any public comments. She stated the property appears as if it is part of Jefferson Park, but actually belongs to the county. The city received a letter from Kern County inquiring if the city is interested in buying it.

Roberto Ibarra stated that at the last meeting there was an item that the hospital wanted to buy this property. Ms. Reyna informed him that is a different parcel of land.

Richard Markham asked what the price for the property would be. Ms. Reyna stated the letter received from the county lists a price of \$100,000.

DEPARTMENTAL REPORTS

- 24) At request of Mayor, report on possibility of train station location in the City of Delano

Mayor Chavez gave his reasons for the request: students would be able to attend classes in Bakersfield or Fresno, local residents would be able to commute to other cities for work, workers such as doctors and teachers would be able to live in other cities and work here, there has been talk of an amusement park in Delano and this would increase accessibility, trains would cut down on pollution, we want to expand the airport, Delano could become a point of contact, Delano deserves better.

Ms. Reyna reported she had contacted the project director of station planning and real estate in Washington D.C. who explained the process takes 8 to 10 years. The city's desire would be to follow the Union Pacific line that runs along Highway 99. Our request would need to be in the State Rail Plan 2018. Meetings on the plan have been held since 2015. The plan should be completed in June 2017, with a six month comment period to follow. Staff would need to attend the state meetings. Currently meetings are being held with the state, rail, Amtrak, and vendors. The city would also need to meet with KernCOG. The cost for an unmanned station would be \$3 to \$4 million and would be paid by the community in which the station is located. It is not known how much staff time would be needed now, but more time would be required as the process moves forward. If Council desires and has the commitment to pursue a station located in Delano, staff would need direction for that.

Mayor Chavez requested this item be listed as a regular agenda item for a future meeting.

COUNCIL STATEMENTS AND REPORTS

Councilwoman Morris stated the up-grade to the audio / visual equipment in the chambers is much needed and beautiful.

Councilman Hill no items

Councilwoman Vallejo reported that three council members attended the League of California Cities annual conference in Long Beach this month and received good information. Some of the sessions regarded parks becoming a requirement for cities and grand funding. She noted the Trunk or Treat event and the recreation department carnival will be held again this year.

Councilman Pascual stated that the city will receive over \$1 million for Safe Routes to Schools this year. He attended the League conference and attended sessions regarding finance, pension plans, and the marijuana issues. He noted there are a lot of measures on the November ballot.

Mayor Chavez noted there were college students in the audience. He stated there are some important measures on ballot and every vote is important.

CLOSED SESSION

Moved by Councilwoman Vallejo, seconded by Councilman Hill, and unanimously carried that the City Council adjourn to Closed Session at 7:05 p.m. The City Clerk was excused. Mayor Chavez was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 25) Conference with legal counsel: pending litigation Delano Guardians Committee v. City of Delano; pursuant to govt. code 54956.9

- 26) Conference with real property negotiators Maribel Reyna and Bonny Garcia regarding possible purchase of property owned by the County of Kern, APN 037-130-15 (adjacent to Jefferson Park)

RETURN TO GENERAL SESSION

Reconvene in Open Session at 7:44 p.m. Mr. Garcia provided a report on closed session as follows:

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

ADJOURNMENT

Moved, seconded and unanimously carried to adjourn the meeting at 7:45 p.m.

Phyllis A. Kraft, City Clerk