

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING August 16, 2010

CALL TO ORDER

Mayor Morris called the meeting to order at 6:30 p.m. in the City Hall Council Chambers, 1015 – 11th Avenue.

INVOCATION

Mayor Morris asked for a moment of silence.

FLAG SALUTE

Chief DeRosia led the flag salute.

ROLL CALL

Council members present: Chavez, Hill, Morris, Ramirez
Council members absent: Vallejo

OFFICIALS PRESENT

City Manager Salem, City Attorney Alan Peake, City Clerk Kraft, Finance Director Flynn, Police Chief DeRosia, Transportation and General Services Director Newhouse, City Engineer Dowling, Chief of Corrections Galaza, Economic Development & Redevelopment Director Reyna, Community Services Director Tracey, Engineer Consultant Wankum

PRESENTATIONS AND AWARDS

No items

ITEMS FROM THE PUBLIC

Lena Mae Jones, 1116 Lexington Street, thanked the Council for her appointment to the Personnel Board. She stated we need to look into the prejudice situation. Mrs. Jones reported an incident at the Jefferson Senior Center regarding her granddaughter.

Abraham Jimenez, 127 Dover Street, stated he has been going to the senior center for 5 years and has experienced verbal harassment for the past 2 years. He stated that some of the seniors are mistreating others at the centers.

CONSENT AGENDA

- 1) Warrant Register in the amount of \$2,782,444.26
- 2) 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
- 3) Minutes of regular City Council meeting of August 2, 2010

- 4) Minutes of regular Planning Commission meeting of June 9, 2010
- 5) Approval for Council Members Hill, Ramirez, Vallejo and Mayor Morris to attend the 2010 Annual League of California Cities Conference September 15 – 17, 2010, in San Diego
- 6) Second reading and final adoption of Ordinance No. 2010-1217 of the City of Delano amending Chapter 6.08 in its entirety and replacing it with a new Chapter 6.08 regarding gaming establishments
- 7) Accept annual City Council travel report for fiscal year 2009-2010
- 8) Approval of open purchase orders for \$35,000 or more for the period July 1, 2010 to December 31, 2010
- 9) Approval of Contract Change Order 15 with C W Roen Construction regarding deletion of clarifier 4 at the wastewater treatment plant expansion Agreement No. 2010-62
- 10) Resolution No. 2010-62 of the City Council of the City of Delano approving an extension of time for completion of public improvements for the subdivision agreement for Parcel Map No. 11708, located at Browning Road and County Line Road
- 11) Resolution No. 2010-63 of the City Council of the City of Delano awarding the base bid and alternate bid for the arsenic mitigation project phase 2A for well drilling to Bakersfield Well and Pump and authorizing the City Manager to execute the construction contract Agreement No. 2010-63
- 12) Resolution No. 2010-64 of the City Council of the City of Delano approving a Memorandum of Understanding between the City of Delano and the Service Employees International Union, SCTW-CLC/SEIU Local 521 (Correctional Officers and Custodial Officers / Jailers Unit) for the period July 1, 2009 – February 21, 2011 Agreement No. 2010-64
- 13) Memorandum of Termination and Release and Mutual Release Agreement regarding the Site and Facility Lease dated February 1, 2002, CCF Lease Agreement dated February 1, 2002, and Assignment Agreement dated February 1, 2002, regarding the Community Correctional Facility Agreement No. 2010-65
- 14) Contract for deposits of monies and waiver agreement with Citizens Business Bank to maintain banking accounts for the Community Correctional Facility Inmate Trust Fund and Inmate Welfare Fund and authorize the Finance Director to sign and execute the documents Agreement No. 2010-66, Agreement No. 2010-67

Moved by Councilman Ramirez, seconded by Councilman Chavez, and unanimously carried by all those present to approve the Consent Agenda.

PUBLIC HEARINGS

- 15) Public hearing #2010-20: Resolution of the City Council of the City of Delano declaring there are no unmet transit needs that can be reasonably met within the City of Delano

Mr. Newhouse presented the staff report. He reported that no comments have been received via mail or phone.

Mayor Morris asked for public comments. There were no public comments.

Mayor Morris closed the public hearing.

Moved by Councilman Hill, seconded by Councilman Ramirez and unanimously carried to adopt Resolution No. 2010-65 of the City Council of the City of Delano declaring there are no unmet transit needs that can be reasonably met within the City of Delano.

REGULAR AGENDA

- 16) Designation of voting delegate for 2010 League of California Cities Annual Conference

Mr. Salem presented the staff report.

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to appoint Mayor Morris to serve as the voting delegate and Councilwoman Vallejo and Councilman Hill to serve as the voting alternates at the 2010 League of California Cities Annual Conference.

- 17) Approval of task order number 4 with HydroScience Engineers in the amount of \$28,370 for study preparation for the possibility of disinfecting the City's treated wastewater as part of the City's wastewater treatment plant expansion project

Mr. Wankum presented the staff report. The city was approached by Ducks Unlimited and a consortium of duck-hunting clubs regarding use of the city's treated wastewater for habitat restoration for water fowl. Mr. Wankum explained the city's needs regarding wastewater disposal and various options.

There was discussion regarding future needs, the collection system, benefits of the project, and funding.

Moved by Councilman Hill to approve task order number 4 with HydroScience Engineers for study preparation for the possibility of disinfecting the City's treated wastewater. No second to the motion. Task order number 4 with HydroScience Engineers not approved.

INFORMATION

No items.

DEPARTMENTAL REPORTS

- 18) Oral report – Contract / bid update

Chief Galaza reported that we should get a draft of the new agreement in August. CDCR has put out for bid for a second woman's facility. CCF staff and engineering staff are reviewing the facility regarding any necessary modifications. Chief Galaza also reported on meetings with Judge Tafoya regarding a juvenile diversion program.

council action: no action required

COUNCIL STATEMENTS AND REPORTS

Councilman Hill: no items

Councilman Chavez: no items

Councilwoman Vallejo: absent

Councilman Ramirez: Councilman Ramirez announced the World's Largest Family Fund Day to be held August 29, 2010, from 12:00 to 5:00 p.m. at Cecil park, and the street fair August 23, on Main Street.

Mayor Morris: no items

CLOSED SESSION

Moved by Councilman Ramirez, seconded by Councilman Chavez, and unanimously carried that the City Council adjourn to Closed Session at 7:22 p.m. The City Clerk was excused. Mayor Morris was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 19) Conference with legal counsel: claim against the City, one case - Horace Mann Insurance; govt. code section 54953.9(b)(1)
- 20) Conference with legal counsel: claim against the City, one case - Daniela Caraveo; govt. code section 54953.9(b)(1)
- 21) Conference with legal counsel: claim against the City, one case - AMCO Insurance, subrogee for Robins Revocable trust; govt code section 54953.9(b)(1)

RETURN TO GENERAL SESSION

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to reconvene in Open Session at 7:32 p.m. Mr. Peake provided a report on closed session as follows:

- 19) Information was provided and by unanimous consent, direction was given.
- 20) Information was provided and by unanimous consent, direction was given.
- 21) Information was provided and by unanimous consent, direction was given.

ADJOURNMENT

Moved by Councilman Ramirez, seconded by Councilman Chavez, and unanimously carried to adjourn the meeting at 7:32 p.m.

Phyllis A. Kraft, City Clerk