

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING March 21, 2016

CALL TO ORDER

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

INVOCATION

City Manager Reyna offered the invocation.

FLAG SALUTE

City Clerk Kraft led the flag salute.

ROLL CALL

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

OFFICIALS PRESENT

City Manager Reyna, City Attorney Garcia, City Clerk Kraft, Police Chief DeRosia, Human Resources Director Zamudio, Chief of Corrections Marshall

PRESENTATIONS AND AWARDS

Blaise & Associates reported on the work they have been doing with the city regarding grants. Neil Blaise reported that since December 2014, they have secured \$722,000 in grants, and the city has paid them less than \$50,000. In January a needs assessment was done with staff. There was brief discussion with council who informed Mr. Blaise that they would like to receive more information regarding the grants on a regular basis.

ITEMS FROM THE PUBLIC

Roberto Ibarra thanked Mr. Blaise for the information on grants. He asked when the refuse agreement will be on the agenda. At the last meeting there was discussion regarding the mayor's position. He stated that the mayor should be accountable and should have projects.

Lupe Martinez thanked Mr. Blaise for the presentation on grants. He stated that the city has to have transparency and be accountable. He stated that all people should have a say and the council should make decisions only after consulting the public.

Javier Cruz reported that the engineer did call him and they spoke for a little while. He stated the city needs a stop light at 20th Avenue and Albany Street. He stated that the city spends money foolishly, and children are more important than money. He hopes to have a response soon.

Gloria Herrera stated she is glad to hear we have grants waiting.

Nathan Ford stated that at the last meeting he brought a list of projects that are stopped including the recreation center, the Woollomes Avenue bridge re-design and re-construction, Cecil Avenue to County

Line Road, the Browning Road circle, and Stradley Road to Woollomes Avenue. He stated the city has a \$25 million loan from the state for wells that it needs to pay back. He hopes the city gets grants to pay for up-coming projects.

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 \$2,010,034.66
- 3) Minutes of regular City Council meeting of March 7, 2016
- 4) Minutes of regular Planning Commission meetings of January 13, 2016; February 10, 2016
- 5) Response to Grand Jury report entitled “City of Delano – Celebrating a Century, Planning for the Future”
- 6) Second reading and final adoption of Ordinance No. 2016-1283 amending the Delano Municipal Code by adding Chapter 13.05, “Water Violation Appeals”
- 7)
 - a) Authorize the Finance Director to reallocate funds in the amount of \$8,000 from FY 16-17 budget account 03-203-820c into FY 15-16 budget account 03-203-820C
 - b) Authorize the Chief of Police to execute any and all documentation associated with the emergency notification system implementation between the City of Delano and Nixel 360 A Solution of Everbridge, Inc. Agreement No. 2016-19
- 8) Authorize the City Manager and Chief of Police to enter into an agreement between the City of Delano and the Delano Union School District for School Resource Officer Services for a period of three (3) years in the total amount of \$414,766 (\$395,000 paid by DUSD; \$19,433 paid by City of Delano) Agreement No. 2016-20
- 9) Resolution No. 2016-11 of the City Council of the City of Delano declaring unmet transit needs were presented but were determined by the City Council they are not reasonable to meet

Members of the public asked that items #5, #7, #8, and #9 be pulled for discussion.

Moved by Councilwoman Vallejo, seconded by Councilman Pascual, and unanimously carried by all those present to approve the Consent Agenda items 1-4, and 6.

Item #5) Lupe Martinez asked why we have to give a response, what is wrong, and who is responsible.

Mr. Garcia explained that, by law, the city is required to respond to any grand jury report. The Grand Jury is an oversight body, not criminal or disciplinary. This report was very positive with only one item from six years ago mentioned. Staff states in the response that we have changed the process.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried by all those present to approve agenda item #5.

Item #7) Roberto Ibarra asked what this is. Chief DeRosia explained this is an emergency notification system. Previously the city had a different system. This system has three notification tiers, allows neighborhood watch groups to share information, and is less expensive.

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

Item #8) Lupe Martinez asked why there is a need for an officer, what the duties would be, if the officer could make an arrest, and stated that teachers should be able to handle students. Roberto Ibarra stated he has seen on Facebook that officer rough up students and asked why schools do not use private security guards.

Chief DeRosia replied that the schools have had officers since before 2006. The school approached the city and requested a second officer. He cannot speak for the school's reasoning. Chief DeRosia noted the officers do mentoring and work with the students. The city is constantly working with the schools. He noted that the incidents on Facebook did not happen here.

Moved by Councilwoman Morris, seconded by Councilwoman Vallejo and unanimously carried by all those present to approve agenda item #8.

Item #9) Roberto Ibarra stated he is insistent on a metro-link and a bike line and bridge over the railroad tracks. Ms. Zamudio explained that the metro is not part of the city's transit system service we provide, nor is a bridge.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried by all those present to approve agenda item #9.

PUBLIC HEARINGS

- 10) Public Hearing No. 2016-04: Second reading and final adoption of Ordinance No. 2016-1281 updating the municipal code sections adopting the current versions of the Kern County Health and Safety Code, Food Safety Education

Chief DeRosia presented the staff report.

Mayor Pro Tem Hill asked for public comments. There were no public comments.

Mayor Pro Tem Hill closed the public hearing.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried to approve the second reading and final adoption of Ordinance No. 2016-1282 amending the City of Delano Municipal Code Chapter 7.36 by adding Section 7.36.090 adopting the current versions of the Kern County Health and Safety Code Chapter 8.59.

- 11) Public Hearing No. 2016-04: Second reading and final adoption of Ordinance No. 2016-1282 psychoactive bath salts

Chief DeRosia presented the staff report.

Mayor Pro Tem Hill asked for public comments. There were no public comments.

Mayor Pro Tem Hill closed the public hearing.

Moved by Councilwoman Morris, seconded by Councilman Pascual and unanimously carried to approve the second reading and final adoption of Ordinance No. 2016-1282 amending the City of Delano Municipal Code Chapter 7 by adding Chapter 7.50, Psychoactive Bath Salts, Psychoactive Herbal Incense (Specie), and other synthetic drugs, adopting the current versions of the Kern County Public Peace, Morals and Welfare Code, Chapter 9.44.

- 12) Public Hearing No. 2016-05: Introduction and first reading of an ordinance amending City of Delano Municipal Code Title 6 Section 6.64 Tobacco Retailer's Permit

Mayor Pro Tem Hill announced that this item is continued to April 4, 2016.

REGULAR AGENDA

No items

DEPARTMENTAL REPORTS

No items

COUNCIL STATEMENTS AND REPORTS

Councilman Pascual thanked Blaise & Associates for the report on grants, and Chief DeRosia for the active shooter report.

Councilwoman Vallejo thanked Blaise & Associates for the report and noted that council likes to be hands-on with grants. She stated that council has to have answers for the public. She asked who did the active shooter notification. Chief DeRosia informed her the school sent out the notification.

Councilwoman Morris thanked Blaise & Associates for the presentation. She reported that the Music in Our Schools concert was well received.

Councilman Hill no items

Mayor Chavez absent

CLOSED SESSION

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris, and unanimously carried that the City Council adjourn to Closed Session at 6:43 p.m. The City Clerk was excused. Mayor Pro Tem Hill was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

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

RETURN TO GENERAL SESSION

Moved by Councilwoman Vallejo, seconded by Councilman Pascual and unanimously carried to reconvene in Open Session at 7:17 p.m. Mr. Garcia provided a report on closed session as follows:

- 13) Information was provided. No action taken.

ADJOURNMENT

Moved by Councilman Pascual, seconded by Councilwoman Vallejo, and unanimously carried to adjourn the meeting at 7:17 p.m.

Phyllis A. Kraft, City Clerk