

## **MINUTES**

### **CITY OF DELANO CITY COUNCIL – REGULAR MEETING June 6, 2016**

#### **CALL TO ORDER**

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

#### **INVOCATION**

Mr. Dowling offered the invocation.

#### **FLAG SALUTE**

Delano Joint Union High School Board Member Morrison 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 Clerk Kraft, Assistant Finance Director Bermudez, Police Chief DeRosia, City Engineer Dowling, Human Resources Director Zamudio, Chief of Corrections Marshall

#### **PRESENTATIONS AND AWARDS**

Certificate of Appreciation to Anthony Gonzales for His Years of Service on the Planning Commission

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

Javier Cruz thanked Ms. Reyna for her assistance regarding the senior citizens. He stated he would like a speed bump installed in front of Albany School.

Richard Markham stated the city needs to change the ordinance regarding loud noise.

Rodrigo Avalos stated his medical marijuana business has been on hold for more than a year. He is waiting for guidelines and requested a meeting with the city.

Celia Moreno stated she received a cease and desist notice for her medical marijuana dispensary. She is waiting for a city license and asked what the guidelines are.

#### **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 \$2,772,984.56
- 3) Minutes of regular City Council meeting of May 16, 2016
- 4) Minutes of Planning Commission meetings of March 9, 2016; April 13, 2016
- 5) Cancel regular City Council meeting scheduled for July 18, 2016
- 6) Resolution No. 2016-27 of the City Council of the City of Delano delegating to the City Manager or his/her designee authority to administer and manage claims and actions against the City of Delano or its officers or employees and claims and actions of the City of Delano
- 7) Approval of an agreement with Kiwanis Club of Delano for City reserved fireworks permit to provide a fireworks show on July 3, 2016 Agreement No. 2016-42
- 8) Authorize the City Manager to enter into and execute a service agreement with Barton Associates to provide a relief physician for the Delano Modified Community Correctional Facility for the period June 27, 2016 to July 8, 2016 Agr No. 2016-43
- 9) Reject all bids for the construction of the proposed Delano Jefferson Center and direct the city engineer to re-advertise
- 10) Award the contract for the 2016 Downtown Water and Sewer Mains Replacement Project to JT2 dba Todd Companies per the base bid amount and selecting alternates No. 1 and No. 2 in the total amount of \$1,415,654.04 and authorize the city manager to sign the construction contract and any change orders Agreement No. 2016-44
- 11) Resolution No. 2016-28 authorizing the City Manager to submit application(s) for all CalRecycle grants for which the city is eligible and Resolution No. 2016-29 authorizing submittal of application for payment programs
- 12) Resolution No. 2016-30 awarding a contract to Valley Truck Center (with financing by KS State Bank) for the lease purchase of a new side loading refuse truck, authorizing the expenditure of funds in the amount of \$303,079.08 over a term of six (6) years, with annual payments of \$50,513.18 and authorizing the city manager to execute all required documents Agreement No. 2016-45
- 13) Resolution No. 2016-31 awarding a contract to Valley Truck Center (with financing by KS State Band) for the lease purchase of a new front loading refuse truck, authorizing the expenditure of funds in the amount of \$269,776.60 over a term of six (6) years, with annual payments of \$44,796.10 and authorizing the city manager to execute all required documents Agreement No. 2016-46
- 14) Resolution No. 2016-32 awarding a contract to Turf Star, Inc. for the purchase of a new lawn, authorizing the expenditure of funds in the amount of \$99,594.06 and authorizing the city manager to execute all required documents; and appropriate \$10,000 from Parks Fund, General Supplies account 5700 FY 16/17, and \$17,594 from the General Fund to cover the difference of the original budgeted amount of \$72,000

- 15) Reject all bids for the Delano Modified Community Correctional Facility (MCCF) security camera project and direct the city engineer to re-advertise
- 16) Approve ratification of urgent well 30 pump replacement work by Bakersfield Well & Pump Co. in the amount of \$63,165; appropriate \$63,165 from the Water Fund to new budget line "2016 Well 30 Pump Replacement;" authorize the city manager to execute any documents needed to carry out the project
- 17) **(Item tabled)** Approve a purchase and sale agreement with Precious Earth, Inc. in the amount of \$29,000 and joint escrow instructions for property purchase and agreement for grant of easement; and appropriate \$29,000 from circulation impact fee program under fund 54 to new budget line "2016 Greg Davis Glenwood ROW Purchase"
- 18) Award contract for the 2016 Well Profiling Services for Wells 32, 33, and 34, with Besst Inc. for \$64,800 and appropriate funds through Water Fund to new budget line "2016 Well Profiling Services for Wells 32, 33, and 34" Agreement No. 2016-47
- 19) Award of contract for street improvements to Glenwood Street north of 20<sup>th</sup> Avenue to Pierce Construction in the amount of \$200,016.90; appropriate \$20,000 contingency in Fund 54, Circulation Impact Fee Fund; authorize the City Manager to execute change orders within the contingency amount of \$20,000 Agreement No. 2016-48
- 20) Authorization for Kern County to submit to CalRecycle a regional application for the Used Oil Payment Program (OPP) fiscal year 2016-2017
- 21) Award of contract for the 2015 Cecil Avenue at Albany Street traffic signal and lighting system modification and improvements to AC Electric Company in the amount of \$181,075; authorize the mayor to sign the contract; and authorize the city manager to execute change orders up to the contingency amount of \$20,000 Agr No. 2016-49

Mayor Chavez stated that staff is requesting item #11 be pulled for a correction and item #17 be tabled.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris, and unanimously carried to approve the Consent Agenda with item #11 pulled for a correction and item #17 tabled.

Item #11) Ms. Reyna stated some wording has been added to the resolution at the request of CalRecycle. Council has been provided with the corrected resolution.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried to approve agenda item #11.

## **PUBLIC HEARINGS**

No items

## **REGULAR AGENDA**

- 22) Appointments to Personnel Board and Citizen Review Committee (Sales Tax)

Ms. Reyna presented the staff report.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried to appoint Diane Solorio Ford and Chuck Oliver to the Personnel Board.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried to appoint Ginda Adkins, Gloria Herrera, Victor Lopez, Chuck Oliver, Heather Pantogo to the Citizen Review Committee.

- 23) Confirm staff's recommendation that Sandeep Grewal be removed as a member of the Planning Commission

Moved by Councilman Hill, seconded by Councilwoman Vallejo and unanimously carried to remove Sandeep Grewal from the Planning Commission.

- 24) Appointment to Planning Commission / Consideration of reducing the number of Planning Commissioners from seven (7) to five (5)

Ms. Reyna presented the staff report.

There was discussion regarding the number of members on the Planning Commission. It was suggested that staff advertise for interested persons to submit applications for the Planning Commission.

Moved by Councilwoman Vallejo, seconded by Mayor Chavez and failed to pass by the following vote to reduce the number of members of the Planning Commission from seven to five. AYES: Chavez, Vallejo  
NOES: Hill, Morris, Pascual

Moved by Councilwoman Vallejo, seconded by Councilman Pascual and unanimously carried to appoint Ralph Markham to serve on the Planning Commission for a four year term beginning June 2016.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried to reappoint Terrence Monrian to serve on the Planning Commission for a four year term beginning June 2016.

### **DEPARTMENTAL REPORTS**

No items

### **COUNCIL STATEMENTS AND REPORTS**

Councilwoman Morris: no items

Councilman Hill asked if the pool, spray parks, and cooling centers will be open this summer. Ms. Reyna informed him that staff is negotiating with the high school for use of the pool and will look into opening the spray parks. She said that no funding has been received to open the cooling centers and noted that last year no one used them.

Councilwoman Vallejo noted that a bill had been introduced in the state legislature regarding inmate prison terms and this may put the MCCF in jeopardy. She asked for a report on the airport project be presented at the next meeting.

Councilman Pascual: no items

Mayor Chavez stated he sent an e-mail regarding food trucks to Chief DeRosia and Mr. Keene. He would like an item on the next agenda regarding a passenger train stop in Delano. He reported that the city had a great Memorial Day event last Monday.

### **CLOSED SESSION**

Moved by Councilwoman Vallejo, seconded by Councilman Pascual, and unanimously carried that the City Council adjourn to Closed Session at 6:18 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: settlement authority for claim of City of Delano against Interinsurance Exchange of the Automobile Club for AAA Insurance on behalf of Tessie De La Cruz Telan; pursuant to govt. code section 54956.95
- 26) Conference with legal counsel: settlement authority for claim of Jorge Magana, Claim No. 2016-11; pursuant to govt. code section 54961
- 27) Conference with labor negotiators Maribel Reyna, Bonny Garcia, and Human Resources Director Noemi Zamudio regarding negotiations with the Delano City Employee Association (miscellaneous unit); govt. code section 54957.6
- 28) Conference with labor negotiators Maribel Reyna, Bonny Garcia, and Human Resources Director Noemi Zamudio regarding negotiations with the Delano Police Officers Association; govt. code section 54957.6

### **RETURN TO GENERAL SESSION**

Moved by Councilwoman Vallejo, seconded by Councilman Pascual and unanimously carried to reconvene in Open Session at 6:51 p.m. Mr. Garcia provided a report on closed session as follows:

- 25) Information was provided and by unanimous consent direction was given.
- 26) Information was provided and by unanimous consent direction was given.
- 27) Information was provided and by unanimous consent direction was given.
- 28) Information was provided and by unanimous consent direction was given.

### **ADJOURNMENT**

Moved by Councilwoman Vallejo, seconded by Councilman Chavez, and unanimously carried to adjourn the meeting at 6:52 p.m.

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Phyllis A. Kraft, City Clerk