

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING April 16, 2018

CALL TO ORDER

Mayor Vallejo called the meeting to order at 5:31 p.m. in the City Hall Council Chambers, 1015 – 11th Avenue.

INVOCATION

City Engineer Dowling offered the invocation.

FLAG SALUTE

Council Member Hill led the flag salute.

ROLL CALL

Council members present: Grace Vallejo, Ruben Hill, Joe Aguirre, Liz Morris

Council members absent: One (1) Vacancy

OFFICIALS PRESENT

City Manager Reyna, City Clerk Chavez, City Attorney Richman, City Engineer Dowling, Finance Director Rios, Human Resource Director Zamudio, Chief of Corrections Marshall, Interim Chief of Police Alvizo, and Recreation Manager Bath

PRESENTATIONS AND AWARDS

Proclamation for DMV/Donate Life California Month for April 2018 presented to Pam Harris
Recognition of Public Service to the City Council of the City of Delano for Rueben Pascual (Not Present)
2018 City of Delano Softball Tournament Champions presented to “Bad News Bears”

ITEMS FROM THE PUBLIC

1. Cathy Clark, Alternatives to Violence Project (AVP) California, introduced herself and provided an explanation of the benefits to what her organization offers as they come to Delano.
2. Pennie Sanders shared her concerns over the safety of the children at Cesar Chavez Park regarding adults that are drinking and not so good role models.

3. Richard Markham disagreed that a business should not be responsible for putting sidewalks in front of their business. Instead, that should be the City's responsibility.
4. Roberto Ibarra urged the City Council to have indoor soccer park in Delano so people don't have to go to Lindsay or Bakersfield. Also should have more facilities for the people.

CONSENT AGENDA

- 1) Authorization to waive the reading of any ordinance in its entirety and consenting to the reading of such ordinances by title only
- 2) Warrant Register in the amount of \$977,902.45 (March 9, 2018 Payroll) and \$2,853,442.35 (March 23, 2018 & April 6, 2018 Payroll)
- 3) Minutes of regular City Council meeting of March 19, 2018
- 4) Minutes of regular City Council meeting of April 3, 2018
- 5) Minutes of regular Planning Commission meeting of February 14, 2018.
- 6) Resolution authorizing staff to apply for TDA Funds for Public Transit for FY 2017-2018 (**Resolution No. 2018-24**)
- 7) Approval of the co-sponsorship of Zumba classes offered by the Central Valley Farmworker Foundation (CVFF) in the amount of \$340
- 8) Second Reading of City Council Ordinance No. 2018-1299 rezoning of 79.67 acres to allow the annexation and subsequent residential and commercial development of the site. (Combined Development Permit No. 2017-001 Delano West Pavilion) (**Ordinance No. 2018-1299**)
- 9) Acceptance by the City Council of the audit of the following:
 - City's Annual Financial Report (CAFR) for the year ended June 30, 2017
 - City's Pension Plan Financial Report for the year ended June 30, 2017
 - City's Single Audit Report for the year ended June 30, 2017
- 10) Authorize City Manager to execute agreements for City Health Plans for the period of July 1, 2018 through June 30, 2019 (**Agreement No. 2018-34**)
- 11) Approve MOU agreement with Kern County Behavioral Health and Recovery Services (BHRS) (**Agreement No. 2018-35**)
- 12) Resolution of the City Council of City of Delano accepting Grant Deed and directing its recordation (**Resolution No. 2018-25**)

- 13) Award the contract for the “2019 Demolition Project-Variou Locations” to MP Environmental Service, Inc. in the amount of \$136,185.00 and authorize the City Manager to sign the construction contract (**Agreement No. 2018-36**)
- 14) Award the contract for the “Eastside Fire Station 34 parking lot rehabilitation project” to Nagle Earthworks in the amount of \$104,189.00 and authorize the City Manager to sign the construction contract (**Agreement No. 2018-37**)
- 15) Resolution allowing the City Engineer to sign Administering Agency-Federal Master Agreement No. 06-5227F15 and Program Supplement Agreement No. F-028 with the State to allow for reimbursements on the CML-5227(058) Project (2018 Shoulder Improvements on Cecil Avenue) (**Resolution No. 2018-26**) (**Agreement No. 2018-38**)
- 16) Award the Contract for the “Planning & Building Work Stations Project” to Sierra School Equipment Company for \$62,786.08 and authorize the City Manager to sign any documents needed to carry out this project (**Agreement No. 2018-39**)
- 17) Council direction on golf course management after current lease expires on June 17, 2018, and authorization to hire four part time workers for maintenance of grounds
- 18) Authorize the City Manager to enter into and execute the Third Amendment to the Operating Agreement Number 2018 between the City of Delano and Trinity Food Services for the Delano Modified Community Correctional Facility (**Agreement No. 2018-40**)

Item No. 17 was pulled by Mayor Vallejo for discussion.

Motion was made by Council Member Hill to approve agenda items 1-16, 18 on consent agenda;
2nd by: Morris

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

Item No. 17, Pulled by Mayor Vallejo

Reason for being pulled: Matter to be discussed and provide direction to staff.

Staff report provided by City Engineer Dowling.

City Manager Reyna clarified that there are two decisions that are to be taken. The first is to go out for a RFP for the club house and the second is to make a decision on the four part-time workers.

Council Member Aguirre shared that the place is a mess and many people are complaining. He understands that it is not a money maker, but it helps with the quality of life. Stated that we should take care of it and get the staff to maintain the course.

Council Member Morris concurs with Council Member Aguirre. She wants to keep the golf course, even though the City loses money she believes that the City should maintain it. She suggests to put it out there for an RFP. She felt that there has been so much work put out at the golf course there must be a way to break even. Maybe the City can seek input from Mr. Casey who had ran the golf course before.

Mayor Pro Tem Hill has always felt that the City should take over the golf course and the building. The City has contracted the golf course out and was only ran well when Mr. Casey ran it and praises his efforts. We need to take care of the golf course and maintain it.

Mayor Vallejo reiterated that the golf course was ran well when Mr. Casey ran the golf course. She suggested that whoever runs it must be creative and have events, as well as bring in the high schools. She believes that the cleaning and renovation will be needed and the golf course will be shut down to maintain the golf course as needed and is in favor of the part time workers. In regards to the golf course, she felt that they need to have a skin in the game and have an investment in order to ensure that the game is not given away. Council should look at the loss and put in the budget. Therefore it needs to be budgeted. Therefore we need to put out an RFP for the clubhouse and hire the four part-time workers.

Motion was made to go out for an RFP for the clubhouse and hire the four part-time workers to maintain the golf course by: Aguirre 2nd by: Vallejo

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

Steve Kinsey doesn't disagree with the action, but suggests that the RFP should be done where it would take care of the whole thing.

Mayor Vallejo said that it has been done before, but didn't work.

Council Member Aguirre said that the contract was awarded and they disappearing.

City Manager Reyna also found that the grounds are overwhelming for people to take care of, so that was why they decided to separate it so that the club house can be ran on its own.

Susan Villaruz inquired if the City owned the clubhouse and if everything is ready inside.

Mayor Vallejo said that is all up for discussion as part of the process.

City Manager Reyna shared that the clubhouse had fully functioning kitchen, but it did not have a grill.

Thom Casey commended the Council for the direction. Also stated that he ran the golf course for 9 years and shared his experience in partnership with the City of Delano. Shared that it's a shame that the golf course is in the conditions that it is in now. His son even said that he shouldn't go out there because he would be disappointed. Mr. Casey urges that the golf course needs a professional hand, even more it's a community effort and it should be treated as a business. Lastly, Mr. Casey offered his help in any way, but understands that it is a drain on the City's budget.

Richard Markham shared his experience of the golf course while playing little league baseball.

PUBLIC HEARINGS

No Items

REGULAR AGENDA

- 19) Continued Item from March 19: Discussion and Direction from City Council regarding calling a Special Election or making an Appointment for City Council Vacancy as the Result of Councilmember Pascual's resignation

Mayor Vallejo provided an explanation of said item with staff report from City Attorney Richman.

Richard Markham, Steve Kinsey, Thom Casey, Susanne Villaruz shared their support of making an appointment to the City Council.

Council Member Aguirre focused on how smooth this current council meeting went without any 2-2 votes. He reiterated as he did at the last meeting that believes that the council can continue to function smoothly without an issue until the November election.

Mayor Pro Tem Hill felt that he made his position very clear at the last Council Meeting. He believes that it gets too political to try and appoint someone. He reaffirmed that he will not change his mind.

Council Member Morris stated that there are disagreements on council and critical issues that are coming up within the next eight months. Therefore we need a fifth person to help with the majority.

Mayor Vallejo shared that she agreed that this meeting had gone smoothly, but there weren't any matters place on the public hearing section where disagreements occur. The City of Delano needs to function and that is why they need the fifth person. Regarding the political pressure, she urges that her response would be submit their résumés. Ultimately, she cannot individually appoint someone, it would have to take three out of the four to agree on a person. She feels that they should at the very least entertain the process. If they can't come to a consensus, then they will go to an election regardless. To clarify, she reminded her colleagues that this is simply opening the process and possibly finding one person that they can agree on to sit on the diocese.

Council Member Aguirre asked City Attorney Richman for clarification on the time to be able to open the process.

City Attorney Richman informed the Council that they would have two weeks to for the process so a special meeting would have to be called and an appointment be made at the next regularly scheduled meeting.

Council Member Aguirre stated that he's willing to go out to the public if there is someone able to help them to until the November election.

Motion was made open the process for appointments to fill vacancy on the City Council and establish the process: Aguirre 2nd by: Morris

Vote: 3-1

Ayes: Vallejo/Aguirre/Morris

Nays: Hill

Absent: None

Abstentions: None

The process established by the City Council was to open process of accepting résumés from the public by no later than Wednesday, April 25, 2018, 5:00pm. A special council meeting will be held on Monday, April 30, 2018, 5:30pm to review résumés and allow an opportunity for each potential appointee to speak and answer questions from the City Council. Lastly, if a majority decision is met, the appointment will be approved at the next regularly scheduled City Council Meeting set for Monday, May 7, 2018, 5:30pm. If an appointment is approved, the swearing in of the newly appointed Council Member will be done after the conclusion of the said regularly scheduled meeting.

Motion was made to establish the process as described above: Morris 2nd by: Hill

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

DEPARTMENTAL REPORTS

Departmental Report was given regarding the Airport and the Amory.

Council Member Morris made a request to bring back the item of the Armory for reconsideration at the next regularly scheduled meeting on May 7, 2018 under the public hearing section.

Motion was made to place the item of the Closure of the Armory back on the next regularly scheduled meeting: Morris 2nd by: Hill

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

COUNCIL STATEMENTS AND REPORTS

Council Member Aguirre: Suggested that the City of Delano look at a third fire station in Delano as the City of Delano continues to grow such as the Market Place Development. He has some concern to the response time and believes an evaluation should be conducted to whether there should be a third fire state. There also isn't a ladder company in town in order to deal with the type of structures out there. There he asked that staff look into this and speak to Kern County Fire about its feasibility and place it on the next Council Meeting for discussion.

Council Member Morris: Congratulated Relay for life, even though there wasn't as many people out there. Thanked them for what they've done.

Mayor Pro Tem Hill: None

Mayor Vallejo: Agreed with Council Member Aguirre to place it on the next agenda to for discussion to see if there is a need for a third fire station and maybe Kern County Fire

Department would bring a ladder truck. She congratulated Relay for Life. She stated that she attended and was disappointed that there weren't as many teams out there, but the important thing is the fundraising. She shared that her husband was diagnosed four years ago and how devastating it can be. Therefore, she takes this matter personal. Finally, she also encouraged everyone to participate. Also shared that she attended her first KernCOG meeting in which she needs to meet with the City Manager on an internal matter. It's a great place to share ideas where other cities are doing that might work for Delano or not. She provided an example like Mr. Ibarra with his passion of the bike lanes. Lastly, she thanked everyone for attending and providing their input.

Moved for Closed Session by: Morris 2nd by: Hill

Time: 7:17PM

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

The City Clerk was excused. City Manager was appointed as Acting City Clerk. City Attorney Rachel Richman and City Manager Reyna were present.

CLOSED SESSION

- 20) Public Employee Performance Evaluation Pursuant to Government code § 54957
Title: City Manager

Action: Information was given. No reportable action. Direction was given.

Moved for Open Session by: Vallejo/Hill/Aguirre/Morris 2nd by: Vallejo/Hill/Aguirre/Morris

Time: 7:42PM

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

RETURN TO GENERAL SESSION

ADJOURNMENT

Moved by Council Member Hill, seconded by Council Member Hill, and unanimously carried 4-0 to adjourn the meeting at 7:42p.m.

Ricardo G. Chavez, City Clerk