

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING July 1, 2019

CALL TO ORDER

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

INVOCATION

Pastor David Vivas offered the invocation.

FLAG SALUTE

Mayor Aguirre led the flag salute.

ROLL CALL

Council members present: Joe Aguirre, Liz Morris, Joe Alindajao (Arrived at 5:53pm), Bryan Osorio

Council members absent: Grace Vallejo

OFFICIALS PRESENT

City Manager Reyna, City Clerk Chavez, City Attorney Richman, Chief of Police Nevarez, Chief of Corrections Marshall, Finance Director Rios Lara, Human Resource Director Zamudio, Interim Community Development Director Mynk, Senior Planner Card, and Transit Manager Zamora

PRESENTATIONS AND AWARDS

City of Delano Recovery Station presentation by Cameron Coltharp and Scott Madover from Telecare Corporation and Ana Olivera from Kern County.

Richard Markham asked who's this funded by and who's making a profit?

Ms. Olivera responded that it's funded by Mental Health Services Act.

Council Member Osorio asked what the timeline is to open the recovery station.

Mr. Coltharp shared that it would be opened by the end of the year.

ITEMS FROM THE PUBLIC

1. Salvador Solorio shared that he saw the last meeting's notes and wanted to correct his statement that "Jesus Christ" should not be used and reiterated that he's Catholic, but believes that it excludes people rather than being inclusive with other religions. He also

suggested that the Mayor should try alternatives such as asking what people are grateful for, ask other pastors to preach, or ask for a moment of silence. Therefore he recommends we have a separation of church and state.

2. Richard Markham agrees with the young man and shared that he's a believer of Jesus Christ. He thinks that other people should be given a chance beside Pastor David Vivas like maybe his pastor from his church.
3. Pastor David Vivas stated that this July 4th we will be celebrating 243 years of America's existence. He also stated that the Thomas Jefferson who drafted the Declaration of Independence, who happened to be one of the least religious members. The 56 signers, unanimously agreed without debate whether God should be included or not. He quoted the Declaration of Independence and provided his interpretation of said document.
4. Stephanie Padilla, Staff Attorney from ACLU Southern California shared that it's her understanding that Chief Nevarez will not be pursuing the license plate readers and supports said decision.

Council Member Alindajao arrived at 5:53pm.

5. Laura Lepkin shared that it's her understanding that the grand opening for the animal shelter was for dogs and cats.

City Manager Reyna shared that it is only for dogs, but the cats are caught and released.

Ms. Lepkin shared that she has 20 cats that she's been taking care of and it's expensive to care for and get fixed, so she suggests that the city reconsider.

City Manager Reyna shared that the City does take in other animals as well, such as horses and goats.

6. Arthur Rodriguez shared that the spray park a Ellington was on all night and the gate was open. Also he shared that the guy that does graffiti, he asked him to take care of a neighbors alley, but he responded that he does not do alleys, yet Mr. Rodriguez claims to see him at the park with scratchers and doesn't do his job.

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 \$4,967,990.26 (Two Check Runs for May 31, 2019 Payroll and June 14, 2019 Payroll)
- 3) Minutes of regular City Council meeting of June 3, 2019

- 4) Minutes of special City Council meeting of June 5, 2019
- 5) Minutes of special City Council meeting of June 11, 2019
- 6) Resolution authorizing the city manager to enter into an agreement with Pitney Bowes for a 60-month lease for postage equipment through government contract pricing (**Resolution No. 2019-31**) (**Agreement No. 2019-26**)
- 7) Resolution of the City Council of the City of Delano for authorization to destroy surplus, obsolete and unused Delano Police Department firearms (**Resolution No. 2019-32**)
- 8) Authorize the city manager to sign the asset transfer/disposal forms to surplus the two trolleys that have reached their useful life for the City of Delano transportation department
- 9) Authorize the city manager to sign the Low Carbon Fuel Standard (LCFS) reporting and credit bank & transfer system account registration form for the City of Delano transportation to receive CNG credit from California Environmental Protection Agency Air Resources Board Low Carbon Fuel Standard
- 10) Second and Final Reading of Ordinance No. 2019-1306, an amendment to the Official Zoning Map from Single Family Residential (R-1) zoning district to General Commercial (GC) zoning district for Assessor's Parcel 411-200-074 (**Ordinance No. 2019-1306**)
- 11) Second and Final Reading of Ordinance No. 2019-1307, an ordinance amending the Official Zoning Map of the City of Delano from Industrial (I) Zoning District to Community Retail Commercial (CRC) District for Assessor's Parcels APN 521-060-269, 251, 244 and 236 (**Ordinance No. 2019-1307**)

Motion was made by Council Member Morris to approve items 1 – 6 and 8 – 11 on consent agenda; 2nd by: Alindajao

Vote: 4-0

Ayes: Aguirre/Morris/Alindajao/Osorio

Nays: None

Absent: Vallejo

Abstentions: None

Item No. 7 pulled by: Richard Markham

Reason for being pulled: Can these guns be sold to make money for the City?

Staff report was provided by Chief of Police Nevarez.

Mr. Markham asked how many guns.

City Attorney Richman responded 44 guns.

Motion made by: Morris; 2nd by: Alindajao

Vote: 4-0

Ayes: Aguirre/Morris/Alindajao/Osorio

Nays: None

Absent: Vallejo

Abstentions: None

PUBLIC HEARINGS

No Items

REGULAR AGENDA

- 12) Designation of Voting Delegate and Alternate for 2019 League of California Cities Annual Conference

Motion made to appoint Aguirre as the voting delegate for the 2019 League of California Cities Annual Conference by: Morris; 2nd by: Alindajao

Vote: 4-0

Ayes: Aguirre/Morris/Alindajao/Osorio

Nays: None

Absent: Vallejo

Abstentions: None

Motion made to appoint Osorio as the voting alternate for the 2019 League of California Cities Annual Conference by: Aguirre; 2nd by: Alindajao

Vote: 4-0

Ayes: Aguirre/Morris/Alindajao/Osorio

Nays: None

Absent: Vallejo

Abstentions: None

- 13) Mayor Aguirre's request for donation to Global Sikaran Federation

Grand Master Hari Osias C. Banang introduced himself and presented the representative students for the City of Delano.

No action taken.

DEPARTMENTAL REPORTS

Chief of Police Nevarez reported that he will not be pursuing to be contracting Vigilant Solutions at this time for the license plate readers.

Marco Rodriguez, Richard Markham, Angelica Rodriguez, Salvador Solorio, and Lupe Martinez all supported Chief of Police Nevarez's decision.

Council Member Alindajao asked if the license plate readers would address crimes of violence or auto thefts.

Chief of Police Nevarez responded in addition to property crimes.

Council Member Alindajao asked that the issue wasn't the technology itself, but how the data was processed.

Chief of Police Nevarez responded in the affirmative.

Council Member Alindajao asked if Vigilant Solutions is the only company that processes this data.

Chief of Police Nevarez responded that all agencies utilize Vigilant Solutions.

Council Member Osorio asked what happens to the grant funding now.

Chief of Police Nevarez responded that it will be brought back to council for a different use.

Veronica Vasquez recommended to give information packets to the community if the Chief of Police decides to bring it back.

COUNCIL STATEMENTS AND REPORTS

Council Member Vallejo: Absent.

Council Member Alindajao: None

Council Member Osorio: Attended a town hall meeting with Congressman TJ Cox that Mayor Aguirre and Council Member Vallejo were present and there was a fact stated in which there hadn't been a town hall meeting since Robert F. Kennedy back in 60's. There was an LGBTQ day of action last week and mentions this because moving forward he would like to have a pride month in Delano. He also acknowledges Mr. Martinez's passing. Also last Friday, he attended the 2020 Census with Mr. Lupe Martinez and Mayor Aguirre on how to address the issue of counting people excluded in the Census. Lastly, he met with Senator Hurtado and talked about getting resources for Delano and the water infrastructure issues in Delano. He would like to implement water utility rate subsidy.

City Manager Reyna stated that those request are traditionally done through the Mayor in which staff explores and researches in order to report back.

Council Member Osorio also drafted a resolution for sanctuary city with a colleague and would like that on the next council meeting as well. He also requested that he would also like to address rent control.

City Attorney Richman shared that her office can look into that and see what the laws are and any restrictions.

Mayor Pro Tem Morris: Shared that Mr. Tony Martinez passed away and was council member. The services will be tomorrow.

Mayor Aguirre: None

CLOSED SESSION

No Items

RETURN TO GENERAL SESSION

ADJOURNMENT

Moved by Council Member Morris, seconded by Council Member Alindajao, and unanimously carried 4-0 to adjourn the meeting at 6:28p.m.

Ricardo G. Chavez, City Clerk