

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING March 1, 2021

CALL TO ORDER

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

INVOCATION

Mayor Osorio offered a moment of silence.

FLAG SALUTE

Council Member Solorio-Ruiz led the flag salute.

ROLL CALL

Council members present: Bryan Osorio (via teleconference), Veronica Vasquez (via teleconference), Joe Alindajao (arrived at 6:00pm) (via teleconference), Liz Morris (via teleconference), Salvador Solorio-Ruiz (via teleconference)

Council members absent: None

OFFICIALS PRESENT

City Manager Reyna (via teleconference), City Clerk Chavez (via teleconference), City Attorney Richman (via teleconference), City Engineer Dowling (via teleconference), Finance Director Lara Rios (via teleconference), Human Resources Director Zamudio (via teleconference), Transit Manager Zamora (via teleconference) and Interim Community Development Director Mynk (via teleconference)

PRESENTATIONS AND AWARDS

Mayor Osorio presented the proclamation for 30th Annual Latina History Day 2021 (March 12, 2021).

ITEMS FROM THE PUBLIC

1. Anthony Cortez shared his concern over his statement about accountability back in December, he is now voicing his disappointment regarding his questions at the last meeting about SROs in which he did get an answer from the City Manager, but he did not get an answer from Mayor Osorio or Council Member Solorio-Ruiz which really bothered him. He also inquired about the last meeting in which the Mayor Pro Tem pulled the item of a resolution approving sergeant classification and asked why it was pulled and why isn't it

back on the agenda. He shared he is seeing a pattern and requests transparent. He stated the Chief has been apart of law enforcement for over 30 years and believes in him to pick the right person for the job. His questions about SROs did get an answer

2. Yolanda Chacon-Serna inquired about the 1% sales tax which was for improving our community and utilized for building the high schools. She knows the council is new and is not looking for blame and she wants to work together with the City. In respect to transparency, how much money is being brought in, what is it being used for, what is it earmarked for, where is it, is there an oversight committee, who's on the oversight committee, and how can one become apart of that oversight committee. She would like a presentation on this. She further stated there are a lot of questions that have been asked for years and believes it is time to get answers, so the community can know to be engaged and be involved.
3. Pastor David Vivas commented on the shooting that took place at the Delano Cemetery and three hours later the shooting of Cristina Armendariz took place. He is now helping to coordinate a vigil for many families as the families feel forgotten. He shared he's an advocate for the victims to get justice by working with their families. Vigil on March the 13th in front of the Delano Police Department. He stated the reason it will be at the Delano Police Department is due to the fact two years ago in which he coordinated a march from City Hall to the Delano Police Department. He further iterated they will be supporting the Delano Police Department and extended an invitation for this endeavor.
4. Gloria Herrera requested to take a look at the corner of Austin and 9th Ave. there are a lot of accidents that happen all the time. She is a requesting for the City to take a survey and maybe place stop sign to slow down the traffic.
5. Lupe Martinez echoed about the 1% sales tax and shared they've been asking for many many years and has not been responded to. He stated he read a grand jury report about the oversight committee being formed, but never functioned. He believes it's important so people know how much is coming in and he understands it all goes to the general fund. He further stated when it was reported by the Chief that we were becoming a safer community, later on that night it was sad someone was killed. He praised the Mayor and Council for what they're doing and really appreciates it. He also shared that sometimes don't get the answers directly from them, but if they get answers from someone else who were directed by them, that's good enough for him.
6. Jordan Davis shared he submitted his application for the Police Liaison Board and showed his interest. He stated the City is partnering up with someone which great. He further stated he has been volunteering and is glad people getting vaccinated.
7. Suzanne Villaruz reiterated about the speaker commenting about the 1% sales tax as a point of information the sales tax did not pay for the construction of schools or anything like that. She also inquired about the oversight committee and where the money has gone. She did share she had an issue with it and never got an answer to it.

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 \$2,395,223.46
- 3) Minutes of regular City Council meeting of February 16, 2021
- 4) Minutes of special joint City Council and Planning Commission meeting of February 18, 2021
- 5) Minutes of regular Planning Commission meeting of August 12, 2020
- 6) Minutes of regular Planning Commission meeting of September 9, 2020
- 7) Minutes of regular Planning Commission meeting of October 14, 2020
- 8) Minutes of regular Planning Commission meeting of November 18, 2020
- 9) Minutes of regular Planning Commission meeting of December 9, 2020
- 10) Minutes of regular Planning Commission meeting of January 10, 2021
- 11) Second and Final Reading by title only Ordinance Prezoning, a 72.24-acre site as a prerequisite of annexation located west of Bennet Avenue, east side of the WWTP secondary treated waste water disposal area (Assessor's Parcel Numbers APN 520-170-234, 520-170-242) (**Ordinance No. 2021-1326**)
- 12) Authorize City Manager to sign letter of Opposition to Federal Office of Management and Budget (OMB) Proposed Change to Metropolitan Statistical Area (MSA) Threshold

Motion was made by: Morris to approved items 1 – 12 on consent;

2nd by: Solorio-Ruiz

Vote: 4-0

Ayes: Osorio/Vasquez/Morris/Solorio-Ruiz

Nays: None

Absent: Alindajao

Abstentions: None

PUBLIC HEARINGS

- 13) Public Hearing to receive comments related to unmet transit needs that may exist and can be reasonably met

Council Member Alindajao entered meeting at 6:00pm.
Staff report provided by Transit Manager Zamora.
Mayor Osorio opened public comment.
No public comment.
Mayor Osorio closed public comment.
Mayor Osorio glad to have free transportation.

No Council action.

REGULAR AGENDA

- 14) Mayor Appointments to General Fund Budget Committee and Enterprise Funds Budgets Committee

Staff report provided by Finance Director Rios.
Mayor Osorio opened public comment.
No public comment.
Mayor Osorio closed public comment.

Motion made appoint Mayor Osorio and Council Member Morris to the General Budget Committee by: Osorio

2nd by: Morris

Vote: 5-0

Ayes: Osorio/Vasquez/ Alindajao/Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

Motion made appoint Mayor Pro Tem Vasquez and Council Member Solorio-Ruiz to the Enterprise Budget Fund Committee by: Morris

2nd by: Vasquez

Vote: 5-0

Ayes: Osorio/Vasquez/ Alindajao/Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

- 15) Discussion regarding a resolution of the City Council of the City of Delano, California, to formally request the Department of Toxic Substances Control's support in establishing a community advisory group for the Delano plume investigation site (Mayor Osorio)

Staff report provided by Mayor Osorio.
Ingrid Brostrom from Center on Race Poverty and the Environment (CRPE) gave a presentation.
Mayor Osorio opened public comment.

Lupe Martinez sent his condolences to Council Member Alindajao and is sorry for his loss. He praised the Council for taking this on, as he brought it up years ago and believes we would have been in a different place today. He also stated he's concerned that the water is not being looked at, so urged the Council to support this resolution.

Gloria Herrera shared her support for this resolution in order to work with the State to clean up the chemicals.

Jordan Davis stated this is a big issue and it's concerning. He shared he's big on representation and believes this is going in the right direction. He further thanked Mr. Martinez and others in the community. He also stated he's in favor of this.

Yolanda Chacon-Serna urged the Council to adopt this to have a committee for accountability and transparency. She also shared about her concern and focus on the water.

Suzanne Villaruz shared her support for this item, as well as there not being a budgetary strain. She also shared her interest in serving on this committee as she is a school board member.

Ms. Brostrom shared the DTSC shared that they've figured out how to do this.

Mayor Osorio closed public comment.

Council Member Solorio-Ruiz thanked and applauded CRPE and Mayor Osorio for bringing this up. Council Member Morris shared her support for this resolution.

Council Alindajao thanked Lupe Martinez for offering his condolences for his mother. He shared he owns property nearby and has been in contact with DTSC for over a decade. He believes it is a great idea to address the issue and they are not affected in a negative way. He also stated that he would have to recuse himself.

City Attorney Richman reaffirmed Council Member Alindajao's analysis and thanked him.

Mayor Osorio shared his support for this resolution.

Motion made by: Solorio-Ruiz

2nd by: Morris

Vote: 4-0

Ayes: Osorio/Vasquez/Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: Alindajao

- 16) Discussion and direction on potential amendment to Section 2.64.040 of the Municipal Code regarding the meeting schedule for the Community Law Enforcement Liaison Board (Mayor Osorio and Council Member Solorio-Ruiz)

Staff report provided by City Manager Reyna.

Mayor Osorio opened public comment.

Suzanne Villaruz shared her support for this item and clarified the board's purpose which she feels it is mixed up with some of the member's intention based on the ordinance.

Arnold Morrison shared his support for this item and he further clarified they are there to listen to the community, so they are not a cheerleader of the police department, but instead a filter.

Pastor David Vivas asked should every member need to take an ethics course as the board voted on this to be required for its members, so he shared his concern regarding the members taking ethics courses.

Mayor Osorio clarified this item is only for the limited purpose of the frequency of the meetings.

Pastor Vivas reiterated the prerequisite of taking an ethics course should be taken before entering the number of frequency of meetings.

Jordan Davis shared his support of this item.

Yolanda Vega shared her support for increasing community involvement.

Mayor Osorio closed public comment.

Council Member Solorio-Ruiz shared he believes this would be helpful for transparency and accessibility.

Council Member Morris shared her support as long as it is used for what it is intended for.

Mayor Pro Tem Vasquez shared her support.

Council Member Alindajao stated if moving the meetings monthly would increase participation from the community would be a good thing. He shared about the police board liaison board where members are using those meetings for different platform agendas which is not the purpose of the liaison board. He emphasized the purpose is for building a bridge between the police department and the community, so he hopes they follow the spirit of what the board was attended for.

Mayor Osorio believes this purpose is to encourage public participation and removes an obstacle where they can meet monthly, so we'll see. He also added the board be used for its intended purpose.

Motion to bring back ordinance for approval of monthly meetings on 3rd Thursday at 5:30pm of every month made by: Solorio-Ruiz

2nd by: Morris

Vote: 5-0

Ayes: Osorio/Vasquez/ Alindajao/Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

DEPARTMENTAL REPORTS

None.

COUNCIL STATEMENTS AND REPORTS

Council Member Alindajao: He shared about a grueling experience of six weeks in which he lost his mother to COVID-19. He shared his experience where his mother was alone with knowing little English and he believes she was up to the task with the Lord beside her every step of the way. He shared about his mother's history and the life lessons she enlisted in him and his family. He thanked Mayor Osorio, Council Member Solorio-Ruiz, Council Member Morris for the text messages and calls during that six-week period for caring for his mother. He further thanked the staff for doing the same such as City Manager Reyna, City Attorney Richman, City Clerk Chavez and all those he didn't mention by name. He felt uplifted as it was those sentiments which helped him get through this. He also thanked friends, family and other members in the community for the support. He stated though this isn't the place to tell his mother's story he looks forward to share about his mother which is a story of success, strength and overcoming the

odds which is inspirational. Lastly, he was able to give his thank you(sic) and goodbyes to his mother.

Council Member Morris: None.

Council Member Solorio-Ruiz: He responded to Mr. Cortez's comments about he and Mayor Osorio inquiring about a meeting with the school board and Superintendent Rivera, they found out the contract was withdrawn. He also informed Mr. Cortez and members of the public that his contact info is public information. He attended the National League of Cities update on COVID. He also hosted a town hall with Mayor Osorio regarding the COVID-19 Vaccine with Dr. Reynoso from Adventist.

Mayor Pro Tem Vasquez: She informed the community that she's updated her website vasquezfordelano.com for the reason of adding the City's Boards, services and community advocacies. She's also wanted a place where she can answer questions or refer that to the proper department. She shared she will be sponsoring six college Latinas to the virtual HOPE conference. She requested for an item to be placed on the next agenda for discussion and direction regarding the City providing group therapy for families affected by gang violence and loss of loved ones.

Mayor Osorio: He would like on the next agenda for food distribution as to a cost and how that project would look like. He also requested SB61 and SB40 from Senator Hurtado's office to be on a following meeting for discussion. He also requested a presentation on the Delano Navigation Center from Supervisor Couch's staff to be placed on the next agenda for the public to receive that presentation. He's also had conversation with a 3rd party for a future vaccination site and stated Maya Cinema has reached out to for support on a vaccination distribution site. He also reiterated the town hall meeting with Dr. Reynoso. He addressed Mr. Cortez's questions in which Ms. Reyna responded, in which the Superintendent communicated with the City Manager and therefore he wanted to avoid hearsay. He requested staff to look into the traffic issue at Austin and 9th Avenue. He asked about the 1% sales tax at a future meeting.

City Manager responded if that can be deferred until the budget meeting committees, as that can be incorporated.

Mayor Osorio agreed.

Moved for Closed Session by: Morris

2nd by: Solorio-Ruiz

Time: 7:12PM

Vote: 5-0

Ayes: Osorio/Vasquez/Alindajao/ Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

The City Clerk was excused. City Manager was appointed as Acting City Clerk. City Manager, Human Resources Director and City Attorney were present in closed session. Human Resources Director was not present in during item No. 21.

CLOSED SESSION

- 17) CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6
Agency negotiator: City Manager, Attorney Che Johnson (Liebert Cassidy Whitmore), Finance Director and Human Resources Director
Negotiating parties: Delano City Employee Association (miscellaneous unit)

Action: No Reportable Action.

- 18) CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6
Agency negotiator: City Manager, Attorney Che Johnson (Liebert Cassidy Whitmore), Finance Director and Human Resources Director
Negotiating parties: MEG employee group

Action: No Reportable Action.

- 19) CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6
Agency negotiator: City Manager, Attorney Che Johnson (Liebert Cassidy Whitmore), Finance Director and Human Resources Director
Negotiating parties: Delano Police Officers Association

Action: No Reportable Action.

- 20) CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION pursuant to Government Code Section 54956.9(d)(1): Silva v. City of Delano et al, Case No. BCV-21-100198

Action: No Reportable Action.

- 21) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Govt. Code Section 54957: City Manager

Action: Direction was given. No Reportable Action.

Moved for Open Session by: Alindajao

2nd by: Solorio-Ruiz

Time: 8:57pm

Vote: 5-0

Ayes: Osorio/Vasquez/Alindajao/ Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

RETURN TO GENERAL SESSION

ADJOURNMENT

Moved by Council Member Alindajao, seconded by Solorio-Ruiz, and unanimously carried 5-0 to adjourn the meeting at 8:57p.m.

Ricardo G. Chavez, City Clerk