

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING October 5, 2020

CALL TO ORDER

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

INVOCATION

Mayor Morris offered a moment of silence.

FLAG SALUTE

Recreation Manager Batth-Chavez led the flag salute.

ROLL CALL

Council members present: Liz Morris, Joe Alindajao (via teleconference), Joe Aguirre, Bryan Osorio (via teleconference), Grace Vallejo
Council members absent: None

OFFICIALS PRESENT

City Manager Reyna, City Clerk Chavez, City Attorney Richman (via teleconference), Finance Director Lara Rios, Human Resources Director Zamudio, Recreation Manager Batth-Chavez, Transit Manager Zamora, Interim Community Development Director Mynk, Associate Engineer Nunez, and Senior Planner Card

PRESENTATIONS AND AWARDS

No Items.

ITEMS FROM THE PUBLIC

No Items

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 \$3,724,539.00 (September 4, 2020 Payroll)

- 3) Warrant Register in the amount of \$1,622,971.60 (September 18, 2020 Payroll)
- 4) Minutes of regular City Council meeting of September 8, 2020
- 5) Minutes of regular City Council meeting of September 21, 2020
- 6) Ratification of purchase for the City Council of the City of Delano authorizing City Manager, or designee to execute appropriate contracts for the purchase and installation of 42 Panasonic tough book laptops model FZ-55 in an amount not to exceed \$179,000 (**Agreement No. 2020-46a**)
- 7) Resolution of the City Council of the City of Delano declaring items surplus and authorizing staff to dispose of same (**Item Tabled**)
- 8) Confirmation of actions taken by City Manager as Director of Emergency Services Pursuant to City Council Local Emergency Proclamation of March 16, 2020 and Delano Municipal Code 2.44.060 in response to COVID-19 pandemic
- 9) Ratification for the purchase of a new 2020 Hyundai Sonata Hybrid replacement vehicle from Lithia Hyundai, in the amount of \$31,074.24 and authorize the City Manager or designee to execute any necessary documents
- 10) Award of contract for the “2020 Bus Stop Cameras at Various Park Locations Project” to Security Lines US in the amount of \$271,266.11 and authorize the city manager, or her designee, to sign any documents needed to carry out the project (**Agreement No. 2020-47**)
- 11) Award of contract for the “2020 Electrical for Bus Stop Cameras at Various Park Locations Project” to Kertel Communications in the amount of \$115,648.21 and authorize the City Manager, or her designee, to sign any documents needed to carry out the project (**Agreement No. 2020-48**)
- 12) Award of contract for the “2020 Cecil Avenue Micro-Surfacing Project” to VSS International, Inc., in the amount of \$389,000.00 and authorize the City Manager to sign any documents needed to complete this project (**Agreement No. 2020-49**)
- 13) Ratification of urgent “2020 WWTP Reservoir No. 6 repair project” being performed by JM Pipeline (General Engineering Contractor from Bakersfield, CA), with a not to exceed budget of \$97,500.00 and authorization for the City Manager (or her designee) to sign any other documents needed to carry this project to completion (**Agreement No. 2020-50**)
- 14) Approval of resolution adopting the 2019 Integrated Regional Water Management (IRWM) Plan Update and authorization for the City Manager (or her designee) to sign any documents needed to carry this out (**Resolution No. 2020-51**)

- 15) Ratification of “2020 Urgent Sewer Repair at Fremont-Glenwood Alley Project” being performed by JM Pipeline (General Engineering Contractor from Bakersfield CA), on a time and materials basis with a not to exceed budget of \$250,000.00 on the 1100 block of the Fremont and Glenwood alley and authorization for the City Manager, or her designee, to sign the contract and any other documents needed to carry this project to completion (**Agreement No. 2020-51**)

- 16) Second reading and adoption of an ordinance of the City Council of the City of Delano, California, amending and restating chapter 7.32 (property maintenance) of the Delano Municipal Code, adding sections 1.08.075 (general declaration of nuisance) and 2.20.060 (chief of police powers) to the Delano Municipal Code, and amending section 1.08.230 (fines) (**Ordinance No. 2020-1319**)

Motion was made by: Aguirre **to approved items 1 – 5, 8, 10 – 16 on consent;**

2nd by: Vallejo

Vote: 5-0

Ayes: Morris/Alindajao/Aguirre/Osorio/Vallejo

Nays: None

Absent: None

Abstentions: None

Item No. 6 pulled by: Yolanda Vega

Reason for being pulled: Requested more information and clarification on the purchase.

Staff Report provided by Chief Nevarez.

City Manager Reyna also added that this allows for the officers to stay out in the field and not come in the department in order to combat COVID.

Motion made by: Vallejo

2nd by: Aguirre

Vote: 5-0

Ayes: Morris/Alindajao/Aguirre/Osorio/Vallejo

Nays: None

Absent: None

Abstentions: None

Item No. 7 pulled by: City Staff

Reason for being pulled: To look in to if another agency can have any use of said equipment.

No Motion taken.

Item No. 9 pulled by: Yolanda Vega

Reason for being pulled: Inquired if this was for City use or for a specific employee. Would like to know what the purpose is for.

Staff Report provided by Chief Nevarez.

Council Member Vallejo clarified that only \$2k will be coming from the general fund and further stated that the original purchase of these vehicles was from a grant.

Chief Nevarez responded in the affirmative.

Motion made by: Vallejo

2nd by: Aguirre

Vote: 5-0

Ayes: Morris/Alindajao/Aguirre/Osorio/Vallejo

Nays: None

Absent: None

Abstentions: None

PUBLIC HEARINGS

- 17) Introduction and first reading of an Ordinance repealing and amending Title 20 Zoning, Chapter 20.11.200 Accessory Dwelling Units in its entirety and replacing Chapter 20.11.200 with Accessory Dwelling Units, Junior Accessory Dwelling Units and Garage Conversions, in addition to associated regulations for Chapter 20.4 Residential Districts and Chapter 20.13.20 Parking Regulations

Staff report provided by Interim Community Development Director Mynk.

Council Member Vallejo asked if the 4 foot is applicable also for new homes.

Interim Community Development Director Mynk responded in the negative and stated that it is not required.

Council Member Vallejo asked if there would be a need for off-street parking.

Interim Community Development Director Mynk responded that it is not required to have proof of parking.

Council Member Aguirre stated that this is a big deal.

Council Member Vallejo asked if they don't have a driveway, then they would utilize street parking.

City Attorney read the title of the ordinance.

Mayor Morris opened the public comment.

No public comment.

Mayor Morris closed public comment.

Council Member Osorio glad they're updating the ordinance and increasing housing density.

Council Member Vallejo stated there isn't much choice as it's being dictated by the State.

Mayor Morris asked that it makes it easier for multiple dwellings on residence due to housing shortage.

Interim Community Development Director Mynk responded in the affirmative.

Motion made by: Vallejo

2nd by: Aguirre

Vote: 5-0

Ayes: Morris/Alindajao/Aguirre/Osorio/Vallejo

Nays: None

Absent: None

Abstentions: None

REGULAR AGENDA

18) Appointment of Carolina Leyva Barajas to the Planning Commission

Staff report provided by City Manager Reyna.

Council Member Aguirre stated he was impressed with her resume and she supports this as she's homegrown.

Council Member Vallejo shared that she's also impressed with the resume.

Council Member Osorio shared that he's impressed that a local teacher is being involved in the community.

Motion to appoint to the Planning Commission made by: Vallejo

2nd by: Alindajao

Vote: 5-0

Ayes: Morris/Alindajao/Aguirre/Osorio/Vallejo

Nays: None

Absent: None

Abstentions: None

19) Update on Political Campaign Signs (Noncommercial Temporary Signs)

Staff report provided by Interim Community Development Director Mynk.

Mayor Morris left the dais at 6:11pm.

Mayor Morris returned to the dais at 6:14pm.

Council Member Aguirre stated that Interim Community Development Director Mynk and City Clerk Chavez had him sign the statement of responsibility, but how are the school board members supposed to know about this.

Interim Community Development Director Mynk responded that we took the same process with each candidate and they all signed the same form.

Council Member Aguirre asked if they come to City Hall for that.

Interim Community Development Director Mynk responded in the affirmative.

Council Member Vallejo shared that the City if this is done with State and Federal candidates.

Interim Community Development Director Mynk responded in the negative.

Council Member Vallejo suggested that maybe the City should reach out to them in the future.

Council Member Aguirre asked what is the County of Kern's standard.

Council Member Vallejo shared the City of Wasco was 88 days from the election.

Interim Community Development Director Mynk proposed to bring it back to the City with a matrix of what is out there.

Council Member Vallejo shared that she doesn't believe it is the amount of days, but instead the date.

Interim Community Development Director Mynk shared that the City of Bakersfield and County of Kern are much larger jurisdictions with fewer code enforcement officers.

City Manager Reyna proposed that instead of the time to allow signs being at midnight, the City can have it at noon where staff would be working and it's in the middle of the day.

Council Member Vallejo responded it's a really good suggestion. She also shared that as a resident she wouldn't want to see those signs for so long. She also stated that the booths of 4th of July first wanted more days of sale, but instead wanted less.

Mayor Morris opened public comment.

No public comment.

Mayor Morris closed public comment.

Council Member Osorio supports City Manager Reyna's suggestion.

Mayor Morris stated that the City of Delano should send code enforcement officers a few hours before if it were at midnight. She said then again, if they go by the City Manager's suggestion it would work out at noon.

Informational only. No action taken.

- 20) Approval of amendment to lease agreement by and between the Delano Golf Management, LLC and the City of Delano for the management of the Delano Municipal Golf Course (**Agreement No. 2020-52**)

Staff Report provided by City Manager Reyna.

Mayor Morris opened public comment.

Napoleon Madrid and Merlin Sorbito shared about the numerous actions that they have taken at the golf course and their appreciation.

Mayor Morris closed public comment.

Council Member Vallejo stated that she done her due diligence before and asked that she thought that the City handled the maintenance.

City Manager Reyna clarified that it was due to sprinklers that had been covered up over the years and not been discovered by staff.

Council Member Vallejo stated that the large amount of 18/19 was due to bring it up to standard, but saw that it dropped down the following year and expects it to continue dropping.

City Manager Reyna added that it would only be an extension and all other conditions would remain the same.

Council Member Vallejo stated that though they City expends money for the Golf Course, similar to the soccer field, these are the amenities for the families of Delano and would continue the partnership.

Council Member Aguirre shared that though he's not a golfer, he does frequent the restaurant and spoke about Maria and a synopsis of how she came to have her restaurant at the Golf Course. He further stated how he runs into people from Bakersfield coming to the Delano Golf Course which says a lot for Delano and its quality of life.

Council Member Osorio shared that he first had concerns about annual investment, but does recognize the due diligence of the City of Delano in going out of RFPs twice.

Mayor Pro Tem Alindajao congratulated Mr. Sorbito and shared that he had played much before he got a real job. He further stated that he's never seen the Delano Golf Course in such a better condition with the aesthetics and small touch which is very inviting.

Mayor Morris also stated that she's not a golfer, but she likes to eat. She also is thrilled about the improvements they have made out there and it provides another place for the community.

Motion made by: Vallejo

2nd by: Aguirre

Vote: 5-0

Ayes: Morris/Alindajao/Aguirre/Osorio/Vallejo

Nays: None

Absent: None

Abstentions: None

DEPARTMENTAL REPORTS

Recreation Manager Bath-Chavez presented an update on a grant opportunity via Prop 68 Grant Fund Application for an adaptive and inclusive playground.

COUNCIL STATEMENTS AND REPORTS

Council Member Aguirre: None.

Council Member Osorio: He stated some updates and a recommendation. He participated in two UFWF food box distributions. They are biweekly; the next one is the following Friday, October 16th. He met with two individuals who had concerns about his participation in a protest against McCarthy. He appreciated them for having constructive conversations with him. He partook in a short video promoting voter registration and he reminded everyone that the voter registration deadline is October 19th. He also thanked staff for clarifying questions about today's council agenda. He had concerns about funding for the park cameras, but was reassured that money would come from the transit fund. He thanked staff for being accessible and answering questions when possible. He also recommended that he would like staff to explore the potential effectiveness and benefits from two taxes: increasing the transit occupancy tax (TOT) and implementing a sugary tax. These would be attempts to increase revenue for the city.

Council Member Vallejo: She asked if there something about Juvenile Diversion Program in her packet. She requested a report from Animal Control. She requested to bring back for discussion and action to reduce the number of planning commissioners from seven to five. She stated that she had two different people that have come to her in which there was not a quorum. She stated that the air has been really horrible especially for her and the City Manager who have asthma. She stated that she attended a mask and sanitizer giveaway last week hosted by the UFW. She also gave a report that the City of Delano with the Police co-sponsored with Delano Adventist Health Hospital and Tejon Tribe gave out at least 400 bags of masks and sanitizers. She also thanked staff for putting up with everything and providing all the information to the City Council.

Mayor Pro Tem Alindajao: He stated that he attended a parade last week in behalf of Diana Vera. He shared about Diana's recovery from COVID-19 and happy to report she's doing well.

Mayor Morris: She urged everyone to continue to pray for a cure, recovery and continue wearing a mask.

Moved for Closed Session by: Vallejo

2nd by: Aguirre

Time: 7:03PM

Vote: 5-0

Ayes: Morris/Alindajao/Aguirre/Osorio/Vallejo

Nays: None

Absent: None

Abstentions: None

The City Clerk was excused. City Manager was appointed as Acting City Clerk. Human Resources Director Zamudio and City Manager Reyna were present for items 21 & 22. Human Resources Director Zamudio were not present for item no. 23.

CLOSED SESSION

- 21) CONFERENCE WITH LEGAL COUNSEL – Existing Litigation Pursuant to Government Code Section 54956.9(a):
Claimant: Christopher Adkins; Workers' Compensation Claim No. FR180208

Action: No reportable Action.

- 22) CONFERENCE WITH LEGAL COUNSEL – Existing Litigation Pursuant to Government Code Section 54956.9(a):
Claimant: Reuben Guerra; Workers' Compensation Claim No. FR160269, FR180282, and FR210198

Action: No reportable Action.

- 23) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Govt. Code Section 54957: City Manager (**Agreement No. 2020-53**)

Action: Satisfactory performance.

Motion made by: Vallejo

2nd by: Alindajao

Vote: 5-0

Ayes: Aguirre/Morris/Alindajao/Osorio/Vallejo

Nays: None

Absent: None

Abstentions: None

Moved for Open Session by: Vallejo

2nd by: Alindajao

Time: 7:40pm

Vote: 5-0

Ayes: Morris/Alindajao/Aguirre/Osorio/Vallejo

Nays: None

Absent: None

Abstentions: None

RETURN TO GENERAL SESSION

ADJOURNMENT

Moved by Council Member Aguirre, seconded by Council Member Vallejo, and unanimously carried 5-0 to adjourn the meeting at 7:41p.m.

Ricardo G. Chavez, City Clerk