

MINUTES
City Council, Successor Agency to the
Former Redevelopment Agency, and
Wasco Public Finance Authority
Tuesday, April 5, 2016 – 6:00p.m.
City Council Chambers
746 8th Street, Wasco, California 93280

- 1) **CALL TO ORDER:** Mayor Wegman called the meeting to order at 6:00p.m.
- 2) **FLAG SALUTE:** Mayor Wegman led the flag salute.
- 3) **INVOCATION:** Pastor from Free Will Baptist Church gave the Invocation.
- 4) **ROLL CALL:**

Present: Mayor Wegman, Members; Cortez, Espitia, Hively, Reyna

Also Present: City Attorney Schroeter, City Clerk Rodriguez, City Manager Paris, Finance Director Sanchez, Planning Director Mobley, Public Works Director Wren, Sgt. Chandler, and Fire Captain Steers.

5) **PRESENTATIONS AND AWARDS:**

- a) City of Wasco Proclamation presented to Wasco/Shafter Relay For Life Committee for Wasco/Shafter 12th Annual Relay For Life sponsored by the American Cancer Society to be held April 30th and May 1st, 2016 at Wasco High School.
Rhonda Jones with the Relay For Life Committee was present and accepted the proclamation presented by Mayor Wegman.
- b) Commendation presented to Carolina Montoya for her accomplishments and recognition in the Toyota Dream Car Art Contest.
Carolina Montoya was present and accepted the Commendation presented by Mayor Wegman.
- c) Presentation by CASA of Kern County Community Outreach Coordinator Nancy Garcia.
No one from CASA was present.

6) **COMMUNICATIONS FROM THE AUDIENCE:**

John Pallares, resident, reported that there was a pothole on Hwy. 46 if staff could contact CalTrans. He also reported that he had received a ballot from SWID and wanted information from the City.

John Kim, resident, informed Council that the Downtown Business Association has scheduled a Taco Festival for May 7th. They would like to have a portion of 7th Street closed. They are also planning on having sidewalk sales May 7th – May 12th.

City Manager Paris reported that staff could have an agenda item at a future meeting regarding the ballot from SWID.

WASCO PUBLIC FINANCE AUTHORITY BUSINESS:

- 7) Receive and file department payments totaling \$49,005.97
Member Espitia made a motion to approve the department payments totaling \$49,005.97, 2nd by Member Hively.
All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.
AYES: Wegman, Cortez, Espitia, Hively, Reyna
NOES: None
ABSTAIN: None
ABSENT: None

SUCCESSOR AGENCY BUSINESS:

- 8) Receive and file department payments totaling \$22,000.00
Member Cortez made a motion to approve the department payments totaling \$22,000.00, 2nd by Member Espitia.
All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.
AYES: Wegman, Cortez, Espitia, Hively, Reyna
NOES: None
ABSTAIN: None
ABSENT: None

CITY COUNCIL BUSINESS:

- 9) **CONSENT CALENDAR:** The Consent Calendar consists of items that in staff's opinion are routine and non-controversial. These items are approved in one motion unless a Councilmember or member of the public removes a particular item.
 - a) Approval of the March 15, 2016 Special Joint Meeting and the Regular City Council and Successor Agency to the Former Redevelopment Agency Meeting Minutes.
 - b) Receive and file department payments totaling \$701,171.20

- c) Report and Possible Approval, RE: Authorizing the City Manager to enter into an agreement with Frost Company to perform maintenance on Clarifier #2 for a not to exceed amount of \$32,520.
- d) Report and Possible Approval, RE: Awarding of the Hwy. 43 Pedestrian Lighting Project.
- e) Report and Possible Approval, RE: Awarding of the Pedestrian and Bike Improvements near Karl Clemens and Thomas Jefferson Schools Project.
- f) Report and Possible Approval, RE: An Agreement between the City of Wasco and Aqua Operations for 16 hours of weekend operation of the City Waste Water Treatment Plant, subject to City Manager and City Attorney approval of the final negotiated contract.
- g) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM.
- h) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO TO AUTHORIZE THE SALE OF SURPLUS SUPPLIES, MATERIALS, AND EQUIPMENT NO LONGER IN USE BY THE CITY OF WASCO, INCLUDING UTILIZING SPECIFIED AUCTION COMPANIES FOR ITEMS WITH SALVAGE VALUE AND DISPOSAL OF PROPERTY WITH LITTLE TO NO SALVAGE VALUE.
- i) Report and Possible Approval, RE: Travel Expenses Exceeding \$500.00 per trip (2016 MUNIS Conference).
- j) Report and Possible Approval, RE: Travel Expenses Exceeding \$500.00 per trip (SHRM).
- k) Report and Possible Approval, RE: Authorizing TESCO to provide and install new RACO Guard-It Auto-Dialers at the Bay Meadow & Golf Course sewer lift stations in the City of Wasco for \$10,699.
- l) Acknowledge Receipt of Correspondence.
- m) Approve the Reading of All Ordinances by Title Only and Approve Publication of All Ordinances.

Member Reyna asked staff a question on item 9e. He asked if the bike lanes would be connected to the bike corridor. Director Wren reported that they are part of a safe route plan and eventually would be connected.

Member Reyna made a motion to approve the consent calendar, 2nd by Member Hively. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None

ABSTAIN: None

ABSENT: None

- 10) Report and Possible Approval, RE: The Audited Financial Statements for the period ending June 30, 2015 for the City of Wasco. (Sanchez)
 Director Sanchez introduced Auditor Mark Albert.
 Mark Albert addressed Council and went over highlights of the financial statements.
 Member Reyna asked if the pension liability will increase. Mark Albert replied that it will vary depending on the stock market.
 Director Sanchez discussed the pension liability and the one finding that was found. He is expecting to make improvements and have no findings in the following year's report. He went over a PowerPoint regarding financial results.
 Joe Martinez, resident, asked if restricted and unrestricted funds were audited. Director Sanchez reported that they have been audited by the auditor.
 Member Reyna made a motion to approve the Audited Financial Statements, 2nd by Member Espitia. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.
 AYES: Wegman, Cortez, Espitia, Hively, Reyna
 NOES: None
 ABSTAIN: None
 ABSENT: None

- 11) Report, Public Hearing and Possible Adoption of an Ordinance, RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO ADDING CHAPTER 8.48 TO THE WASCO MUNICIPAL CODE CONCERNING FOOD SAFETY EDUCATION. (Paris)
 Mayor Wegman opened the public hearing at 6:56p.m.
 City Manager Paris gave report.
 Matt Constantine, Director of Kern County Public Health (KCPH), was present and addressed Council. He reported that the ordinance is to add additional requirements that are not present in the current code.
 Mayor Wegman asked regarding stores that BBQ in their parking lots and sell the food inside the store. Mr. Constantine replied that they have to have a permit and an inspection from KCPH.

Member Espitia asked if this applies to non-profit organizations. Mr. Constantine replied that the ordinance applies to them as well.

Mr. Constantine informed those present that they have an app that shows the grades for restaurants. The app is "Safe Diner".

Fredrick Green, resident, addressed Council regarding the road conditions on Griffith Avenue. Mayor Wegman informed him that Council couldn't comment on this because it is not an agenda item but directed staff to add this to the next agenda. Director Wren informed Mr. Green that this project is coming soon and they are waiting for PG&E to move their lines.

Joe Martinez, resident, asked what would happen if schools are not in compliance and how many languages the trainings are offered in, what will close a facility and how soon will they be able to reopen. Mr. Constantine replied that schools are issued permits and the permit would be suspended if in violation and trainings are available in multiple languages. Facilities are closed when there's an imminent threat to the public and they train them immediately so that they can reopen.

John Kim, resident, asked how it will be different for small and large businesses and if the City has any financial liability. Mr. Constantine replied that all businesses would be trained equally and no financial liability to the City. Mayor Wegman closed the public hearing at 7:24p.m.

Member Hively made a motion to adopt the Ordinance, 2nd by Member Reyna. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None

ABSTAIN: None

ABSENT: None

- 12) Report, Public Hearing and Possible Adoption of an Ordinance, RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO REPEALING CHAPTER 5.60 OF THE WASCO MUNICIPAL CODE IN ITS ENTIRETY AND ADDING CHAPTER 8.52 RELATING TO TOBACCO RETAILERS PERMIT. (Paris)

Mayor Wegman opened the public hearing at 7:25p.m.

City Manager Paris gave report.

Matt Constantine, Director of Kern County Public Health (KCPH), was present and addressed Council. Send resources to facilities selling to minors.

John Kim, resident, asked if sales of meth pipes can be added to the ordinance. City Manager Paris reported that this ordinance is for tobacco permits only.

Mayor Wegman closed the public hearing at 7:33p.m.

Member Reyna made a motion to adopt the Ordinance, 2nd by Member Espitia. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None

ABSTAIN: None

ABSENT: None

- 13) Report, Public Hearing and Possible Adoption of an Ordinance, RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO ADDING CHAPTER 9.40 TO THE WASCO MUNICIPAL CODE PROHIBITING THE SALE OF PSYCHOACTIVE BATH SALTS, PSYCHOACTIVE HERBAL INCENSE (SPICE) AND OTHER SYNTHETIC DRUGS. (Paris)

Mayor Wegman opened the public hearing at 7:34p.m.

City Manager Paris gave report.

Matt Constantine, Director of Kern County Public Health (KCPH), was present and addressed Council. This Ordinance bans the sale of spice and allows the County to suspend the tobacco permit and revoke license.

Fredrick Green, resident, asked if this included medical marijuana. Mr. Constantine informed him that this ordinance does not. City Manager Paris reported that marijuana is already addressed in another ordinance.

Member Reyna asked who will do enforcement. Mr. Constantine informed him that the County will do the enforcement.

Mayor Wegman closed the public hearing at 7:42p.m.

Member Espitia made a motion to adopt the Ordinance, 2nd by Member Reyna. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None

ABSTAIN: None

ABSENT: None

- 14) Report, Public Hearing and Possible Adoption of an Ordinance, RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO AMENDING AND MODIFYING CITY OF WASCO MUNICIPAL CODE CHAPTER 13.08, SAID AMENDMENTS RELATING TO WATER RATES. (Paris)

Mayor Wegman opened the public hearing at 7:43p.m.

City Manager Paris reported that there was not a majority protest from residents regarding Prop 218, and that the ordinance is designed to clean up the language in the Chapter.

Mayor Wegman closed the public hearing at 7:44p.m.

Member Hively made a motion to adopt the Ordinance, 2nd by Member Reyna. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None

ABSTAIN: None

ABSENT: None

15) Report, Public Hearing and Introduction of an Ordinance, RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO AMENDING TITLE 17 OF THE CITY OF WASCO MUNICIPAL CODE, AMENDING CHAPTER 17.19, CHAPTER 17.55 AND TABLES 17-1, 17-2 AND 17-4, AS REFLECTED IN EXHIBITS A, B AND C (Mobley)

Mayor Wegman opened the public hearing at 7:45p.m.

Director Mobley gave report.

There were no comments or questions.

Mayor Wegman closed the public hearing at 7:50p.m.

Member Cortez made a motion to introduce the Ordinance, 2nd by Member Espitia. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None

ABSTAIN: None

ABSENT: None

City Manager Paris asked for a five minute break.

Mayor Wegman adjourned to a five minute break at 7:51pm

Mayor Wegman reconvened the meeting at 7:56pm

16) Report and Possible Introduction of an Ordinance, RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO ADDING CHAPTER 9.44 TO THE WASCO MUNICIPAL CODE RELATING TO ABATEMENT OF PUBLIC NUISANCES. (Paris)

City Manager Paris gave report.

City Manager Schroeter reported that this Ordinance is the same as the County, the only changes were changing County to City and Board to City Council.

Member Reyna asked if noise is addressed in this Ordinance. Attorney Schroeter reported that this Ordinance does not define every nuisance.

Member Reyna made a motion to introduce the Ordinance, 2nd by Member Espitia. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None

ABSTAIN: None

ABSENT: None

17) Report and Possible Introduction of an Ordinance, RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO MAKING FINDINGS INCLUDING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADDING CHAPTER 8.56 TO THE WASCO MUNICIPAL CODE PROHIBITING HOOKAH BARS AND LIMITING THE NUMBER OF TOBACCO SHOPS. (Paris)

City Manager Paris reported that this Ordinance will not allow hookah bars and will limit the number of tobacco shops.

There was some discussion on current businesses that will be affected by this Ordinance. City Manager Paris will do an assessment and bring a list of business to the next meeting.

Member Cortez made a motion to introduce the Ordinance, 2nd by Member Reyna. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None

ABSTAIN: None

ABSENT: None

18) Report and Possible Approval, RE:

a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO AMENDING RESOLUTION NO. 2015-3030 TO REVISE THE PRINCIPAL PAYMENT DATES FOR ITS LIMITED OBLIGATION IMPROVEMENT BOND, SERIES 2015; AND

b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO DETERMINING TO APPLY SURPLUS MONEYS IN THE IMPROVEMENT FUND FOR THE WASCO ASSESSMENT DISTRICT NO. 2015-01 TO REDEEM A PORTION OF ITS LIMITED OBLIGATION IMPROVEMENT BOND, SERIES 2015. (Paris)

City Manager Paris reported that the City needs to call the original bond, reissue a new bond, and place the assessment on tax rolls, due to a savings in overall costs on the project.

Joe Martinez, resident, asked if the interest rate would stay the same. City Manager Paris reported that the City generated the bond and there is no interest rate attached to the bond. This does not affect the credit rating.

Member Cortez made a motion to approve item 18a, 2nd by Member Hively. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None

ABSTAIN: None

ABSENT: None

Member Cortez made a motion to approve item 18b, 2nd by Member Hively. All in favor motion carried 5-0-0-0. City Clerk Rodriguez announced the vote.

AYES: Wegman, Cortez, Espitia, Hively, Reyna

NOES: None
ABSTAIN: None
ABSENT: None

19) REPORTS FROM CITY STAFF:

Sgt. Chandler reported that two deputies are at a traffic enforcement conference, the K9 unit will be doing a demo at John L. Prueitt School and he will be sending an email to his deputies to patrol the parks.

20) REPORTS FROM CITY MANAGER:

City Manager Paris reported that he might be attending a High Speed Rail meeting next week and staff met with the Housing Authority residents regarding the move.

21) REPORTS FROM CITY COUNCIL

Member Reyna asked if staff could look into making Griffith and Poplar Avenue a one-way street due to the streets being narrow. Council directed staff to add this to the next agenda for discussion.

Member Hively asked if the tenants from the Housing Authority were in favor of the move. City Manager Paris reported that the majority is in favor.

Mayor Wegman reported there was graffiti on the roof at Subway, too many dogs running around town and if the Kern County Public Health contact information can be added to the City website.

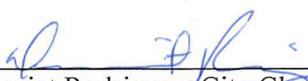
Mayor Wegman adjourned to a closed session at 8:33pm

Mayor Wegman reconvened the meeting at 8:52pm

22) CLOSED SESSION:

- a) Approval of Closed Session minutes held on March 15, 2016.
Attorney Schroeter reported that Member Espitia made a motion to approve the March 15th closed session minutes, 2nd by Member Hively. All in favor motion carried 5-0-0-0.
- b) Conference with real property negotiator (City Manager) regarding price and terms of payment for real property described as 072-240-04-7.
Attorney Schroeter reported no reportable action.

23) ADJOURNMENT: Mayor Wegman adjourned the meeting at 8:52p.m.



Duviet Rodriguez, City Clerk



Cheryl Wegman, Mayor