

**MINUTES**  
**City Council and Successor Agency to the**  
**Former Redevelopment Agency**  
**Tuesday, June 3, 2014 – 6:00p.m.**  
**City Council Chambers**  
**746 8th Street, Wasco, California 93280**

- 1) **CALL TO ORDER:** Mayor Cortez called the meeting to order at 6:00p.m.
- 2) **FLAG SALUTE:** Mayor Cortez led the flag salute.
- 3) **INVOCATION:** Resident Bob Reeves offered the invocation.
- 4) **ROLL CALL:**

Present: Mayor Cortez, Member: Espitia, Wegman, West

Absent: Member Martin

Also Present: City Attorney Schroeter, City Manager Allen, City Clerk Rodriguez, Deputy Clerk Juan, Finance Director Foltz, Planning Director Mobley, Public Works Paris, and Sgt. Chandler.

- 5) **PRESENTATIONS AND AWARDS:** None
- 6) **COMMUNICATIONS FROM THE AUDIENCE:**

Bob Reeves, resident informed council that some residents of Wasco that have palm trees do not take care of them and its going to cause a rat problem. He also asked if council had heard if National Market and Save Mart were going to close and if Wal-Mart is still interested in opening in Wasco.

John Pallares, resident asked council if they would generate a resolution for Father John Fluetsch of St. John's Catholic Church, he will be leaving soon.

Member Espitia made a motion to move to closed session, 2<sup>nd</sup> by Member Wegman. All in favor motion carried 4-0-0-1 (Member Martin absent)

Mayor Cortez adjourned to close session at 6:06p.m.

Mayor Cortez reconvened the meeting at 6:46p.m.

**18) CLOSED SESSION:**

- a) Approval of Closed Session minutes held on May 13, 2014  
Mayor Cortez reported that Member West made a motion to approve the closed session minutes, 2<sup>nd</sup> by Member Wegman. All in favor motion carried 4-0-0-1 (Member Martin absent)
- b) Conference with legal counsel re potential litigation per Government Code Section 54956.9(d)(2),(e)(5)  
Mayor Cortez reported that there was no reportable action.
- c) Public Employment (Position of City Manager) per Government Code Section 54957  
Mayor Cortez reported that Member Espitia made a motion to appoint Public Works Director Paul Paris as the Interim City Manager and it will be effective immediately at \$130,000 per year with \$300 car allowance and City Attorney to draft the agreement and no need to bring back to council for approval, 2<sup>nd</sup> by Member Wegman. All in favor motion carried 4-0-0-1 (Member Martin absent)

**CITY COUNCIL BUSINESS:**

- 7) **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 following meeting minutes:
    - May 6, 2014 City Council and Successor Agency Joint Budget Workshop/Study Sessions.
    - May 6, 2014 City Council and Successor Agency Regular Meeting.
    - May 13, 2014 City Council and Successor Agency Special Meeting.
  - b) Approval of Bill Paying List total amount of \$447,086.44
  - c) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO, CALIFORNIA, APPROVING AND ADOPTING THE ANNUAL APPROPRIATION LIMIT FOR FISCAL YEAR ENDING JUNE 30, 2015.
  - d) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO CONFIRMING THE ASSESSMENT FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SPECIAL TAX AREA ZONE 2005-1 WITHIN THE WASCO SPECIAL POLICE TAX AREA SUBDIVISION FOR FISCAL YEAR 2014/15.
  - e) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO CONFIRMING THE ASSESSMENT FOR THE LEVY AND COLLECTION OF

ASSESSMENTS WITHIN SPECIAL TAX AREA ZONE 2006-1 WITHIN THE WASCO SPECIAL POLICE TAX AREA SUBDIVISION FOR FISCAL YEAR 2014/15.

- f) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO CONFIRMING THE ASSESSMENT FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SPECIAL TAX AREA ZONE 2006-2 WITHIN THE WASCO SPECIAL POLICE TAX AREA SUBDIVISION FOR FISCAL YEAR 2014/15.
- g) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO CONFIRMING THE ASSESSMENT FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SPECIAL TAX AREA ZONE 2006-3 WITHIN THE WASCO SPECIAL POLICE TAX AREA SUBDIVISION FOR FISCAL YEAR 2014/15.
- h) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO CONFIRMING THE ASSESSMENT FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SEWER LIFT STATION DISTRICT 2008-01 FOR FISCAL YEAR 2014/15.
- i) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2014, WITH THE STATE WIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE.
- j) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.
- k) Report and Possible Approval, RE: Purchase of a Trailer Mounted Sewer Trash Pump, subject to City Manager and City Attorney's approval.
- l) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO ESTABLISHING READER ENFORCEABLE SPEED LIMITS ON SCOFIELD ROAD FROM THE SOUTHERN CITY LIMITS (FILBURN STREET EXTENSION) TO THE NORTHERN CITY LIMITS (MCCOMBS ROAD).
- m) Report and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO APPROVING AN ENGAGEMENT LETTER FOR SERVICES BETWEEN THE CITY OF WASCO AND ALBERT & ASSOCIATES, LLP TO CONDUCT THE ANNUAL CITY AUDIT AND RELATED SERVICES FOR THE FISCAL YEAR ENDED JUNE 30, 2014; AND ANY RELATED DOCUMENTS NECESSARY TO COMPLETE THE ENGAGEMENT.
- n) Report and Possible Approval, RE:
  - A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO APPROVING ASSOCIATE MEMBERSHIP BY THE CITY OF WASCO IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY AND AUTHORIZING AND DIRECTING THE EXECUTION OF AN ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO ASSOCIATE MEMBERSHIP OF THE CITY IN THE AUTHORITY.
  - B) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO, STATE OF CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE INCORPORATED AREA OF THE CITY IN THE KERN COUNTY PROPERTY ASSESSED CLEAN ENERGY PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS, APPROVING THE REPORT SETTING FORTH THE PARAMETERS OF THE REFERENCED PROGRAM AND CERTAIN MATTERS IN CONNECTION THEREWITH.
- o) Report and Possible Approval, RE: An Employment Agreement for Finance Director, Bruce Foltz, for a 3-year term.
- p) Acknowledge Receipt of Correspondence.
- q) Approve the Reading of All Ordinances by Title Only and Approve Publication of All Ordinances

Member Espitia asked to pull item 7k, 7l, and 7o for further discussion.

Member West made a motion to approve remainder of consent calendar, 2<sup>nd</sup> by Member Wegman. All in favor motion carried 4-0-0-1 (Member Martin absent).

Member Espitia asked about item 7k, can the pump the city has now be used instead of buying the trailer mounted sewer trash pump. City Manager Allen informed council that the current transfer pump is inoperable and cannot

be repaired, the suction machine that the water department has is specific to excavation and minor jobs involving evacuation of water, it is not a transfer pump.

Member Espitia asked about item 7l, did the county do the study and was there a charge for the study? City Manager Allen informed council that the county did the study, made their recommendations and there was no charge.

Member Espitia asked if item 7o could be tabled and brought back at the next council meeting for closed session discussion. He would like to discuss the term of the agreement.

Member Espitia made a motion to approve item 7k and 7l and table and bring back for closed session item 7o, 2<sup>nd</sup> by Member Wegman. All in favor motion carried 4-0-0-1 (Member Martin absent).

- 8) Report, Public Hearing and Introduction of an Ordinance, RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO AMENDING TABLE 17-3 OF TITLE 17 ENTITLED "PERMITTED AND CONDITIONAL USES OF RESIDENTIAL ZONES" AND EXHIBIT "A" OF ORDINANCE NO. 600. (Allen)  
Mayor Cortez opened the public hearing, no one in the audience made a comment. Member Wegman made a motion to pull this item until further notice, 2<sup>nd</sup> by Member Espitia. All in favor motion carried 4-0-0-1 (Member Martin absent).

Member Wegman mentioned that in the meantime she will be gathering information regarding a community garden.

- 9) Report and Possible Approval, Re: Agreements between the City of Wasco and Sentosa LLC, for the development and installation of Off- Site improvements to Phase I of the Wasco Center Development Project. (Allen)  
City Manager Allen gave report. City Attorney Schroeter informed council that he sent a revised agreement to Sentosa a few hours before the meeting and the agreement in their packet is not the final agreement. After some discussion on sales tax/tax sharing agreement Member Espitia made a motion to approve the agreement subject to review by the committee of Mayor Cortez and Member West, 2<sup>nd</sup> by Member Wegman. Member Espitia amended his motion to include review by the City Manager and Interim City Manager as well.
- 10) Report, Public Hearing and Possible Approval, RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASCO ADOPTING THE ANNUAL OPERATING AND CAPITAL BUDGETS FOR THE FISCAL YEAR 2014/15. (Foltz)  
Mayor Cortez opened the public hearing at 7:13pm  
Director Foltz gave report and discussed power point.  
City Manager Allen recommended that council add \$10,000 for City Manager recruitment.  
There was some discussion on Member Martin's stipend.  
Member Espitia made a motion to approve the resolution and amend it by adding \$10,000 for the City Manager recruitment, 2<sup>nd</sup> by Member Wegman. Clerk Rodriguez announced the vote:  
AYES: Cortez, Espitia, Wegman  
NOES: West  
ABSTAIN: None  
ABSENT: Martin

**Member West left the meeting at 7:30p.m.**

- 11) Report and Introduction of an Ordinance, RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO AMENDING THE CITY OF WASCO MUNICIPAL CODE CHAPTER 5.04, ADDING SECTIONS 5.04.245, 5.04.246, AND 5.04.247, SAID AMENDMENTS ESTABLISHING TERMS AND CONDITIONS FOR BUSINESS LICENSES. (Mobley)  
Director Mobley gave report. Without any discussion, Member Espitia made a motion to accept ordinance, 2<sup>nd</sup> by Member Wegman. All in favor motion carried 3-0-0-2. Mayor Cortez announced that vote was unanimous:  
AYES: Cortez, Espitia, Wegman  
NOES: None  
ABSTAIN: None  
ABSENT: Martin, West
- 12) Report and Possible Introduction of an Ordinance, RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WASCO REPEALING IN ITS ENTIRETY ORDINANCE NO. 552 AND WASCO MUNICIPAL CODE CHAPTER 8.50 RELATING TO RESIDENCY RESTRICTIONS FOR REGISTERED SEX OFFENDERS. (Allen)  
City Manager Allen gave report. Without any discussion, Member Espitia made a motion to accept ordinance, 2<sup>nd</sup> by Member Wegman. All in favor motion carried 3-0-0-2. Mayor Cortez announced that vote was unanimous:  
AYES: Cortez, Espitia, Wegman  
NOES: None  
ABSTAIN: None  
ABSENT: Martin, West
- 13) Discussion and Possible Minute Action, RE: Update on Current Water Conservation Measures and Possible Improvement/Changes to Said Measures. (Paris)

Director Paris gave report and asked council if they'd like to change the current schedule to specific days instead of dates. Odd addresses water on specific days (Monday, Wednesday, and Friday) whereas even addresses water on the remaining days (Tuesday, Thursday, and Saturday). Sunday would be a no-water day.

Member Espitia mentioned that most residents wash cars and water on Sundays.

Council directed staff to change schedule to even and odd days as proposed but allow all residents, odd and even addresses, to water on Sunday.

**14) Designation of a Voting Delegate and Alternates for the League of California Cities Annual Conference on September 3<sup>rd</sup> -5<sup>th</sup> in Los Angeles. (Clerk Rodriguez)**

Clerk Rodriguez gave report. Member Espitia made a motion to appoint Member West as the voting delegate and Member Martin as the alternate, 2<sup>nd</sup> by Member Wegman. All in favor motion carried 3-0-0-2.

AYES: Cortez, Espitia, Wegman

NOES: None

ABSTAIN: None

ABSENT: Martin, West

**15) REPORTS FROM CITY STAFF**

Clerk Rodriguez informed council of the business luncheon on June 5<sup>th</sup> and the town hall meeting hosted by the union on June 16<sup>th</sup>.

Sgt. Chandler gave activity report.

Director Mobley reported that he will be starting the recruitment for another Code Enforcement Officer. There is some interest on the clubhouse at the golf course property.

**16) REPORTS FROM CITY MANAGER**

City Manager Allen informed council that the Public Works Department will be putting out a bid for a new street sweeper. He also thanked council for everything and he will be available, if needed, after he leaves on July 1<sup>st</sup>.

City Attorney informed council that he will not be present at the June 17<sup>th</sup> City Council Meeting.

**17) REPORTS FROM CITY COUNCIL**

Member Wegman apologized for her outburst earlier.

Member Espitia mentioned that he makes decisions that are for the best of the community.

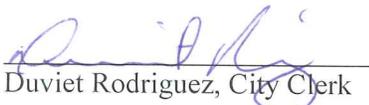
Mayor Cortez asked staff for their help while the city goes through the transition with the City Manager leaving.

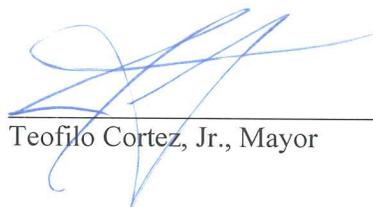
**18) CLOSED SESSION:**

**Closed session was moved to beginning of meeting, after communications from the audience.**

- a) Approval of Closed Session minutes held on May 13, 2014
- b) Conference with legal counsel re potential litigation per Government Code Section 54956.9(d)(2),(e)(5)
- c) Public Employment (Position of City Manager) per Government Code Section 54957.

**19) ADJOURNMENT** Mayor Cortez adjourned the meeting at 7:48p.m.

  
Duviet Rodriguez, City Clerk

  
Teofilo Cortez, Jr., Mayor