



**CITY OF AVENAL
JOINT MEETING OF THE AVENAL CITY COUNCIL/SUCCESSOR AGENCY
THURSDAY, FEBRUARY 8, 2018; 6:00 P.M.
AVENAL THEATER, 233 E. KINGS ST.; AVENAL, CA 93204**

MINUTES

Mayor Preciado called the meeting to order at 6:05 p.m.

Council Members Absent: Councilman Gravelle & Councilmember Moreno joined meeting at 6:12 p.m.

Staff Present: Stivers, Ortiz, Perkins, Davis, Santillan, Brumley, Lopez, Verdugo, Starne.

Legal Counsel: Joseph Beery

PLEDGE OF ALLEGIANCE: Led by Mayor Preciado.

ROLL CALL: Councilmember Woolley, Mayor Pro Tem Ovalle, Mayor Preciado.

CITY CLERK: Government Code Section 54952.3: The members of the City Council, Successor Agency and Housing Authority are entitled to receive a total of \$300.00 per month as a result of being elected to the City Council. They receive no other compensation for sitting as a member of Successor Agency and Housing Authority.

CONSENT CALENDAR:

All items listed under the consent calendar are considered to be routine and enacted by one motion: (Action)

- A. City of Avenal/Successor Agency – Approval of Minutes for January 25, 2018 and February 1, 2018;
- B. City Warrants and Financial Statements for January.

A motion to approve the Consent Calendar was made by Mayor Pro Tem/Successor Agency Member Ovalle, seconded by Councilmember Woolley and carried.

Roll Call Vote:

AYES: Ovalle, Woolley, Preciado.
NOES: None.
ABSENT: Gravelle, Moreno.
ABSTAIN: None.

**MAYOR & COUNCIL MEMBER/ SUCCESSOR AGENCY/HOUSING AUTHORITY MEMBER
REPORTS/ITEMS FOR CONSIDERATION:**

- A. None.

PUBLIC COMMENT/ANNOUNCEMENTS & UNSCHEDULED APPEARANCES:

No comments were offered from the public.

ACTIVITY REPORTS/SPECIAL PRESENTATIONS AND COMMITTEE REPORTS:

Activity Reports:

- 1) Public Works/Building/Code Enforcement/Animal Control Departments Activity Report:
Scott Davis, (A) Public Works Director;

Scott Davis, (A) Public Works Director reported the following: 1) Building Department; 2) Code Enforcement; 3) Park & Landscaping; 4) Animal Control; 5) Streets; 6) Water Distribution; 7) Waste Water Collection; and, 8) Vehicle, Equipment & Building Maintenance.

Mayor Pro Team Ovalle had a concern about public safety regarding the grass and holes at the Sports Complex.

Mr. Davis replied that the patches of grass have been that way for a couple of years. They did work on a section of the field where Pee Wee football was going to be held and the grass has been reestablished. They have been working on the grass for six (6) years and recently had the gentleman who worked on the High School football field help at the Sports Complex. Staff killed the Bermuda grass by over watering. It has been a struggle to get it reestablished. The soil looks good and it is not compacted, but two (2) years ago they aerated, seeded and it did not take. Staff had also tried straw on top of the seeded areas and within three (3) days the straw was gone as squirrels had used it to make nests. Last year they worked on one field and used compost from Kochergen Farms as a barrier to keep the moisture on the seeding and that did work. They still have compost to use and are extending that process to get the grass to reestablish. He mentioned that there is a squirrel colony and working on a solution.

Mayor Preciado asked if the Sports Complex would be available for soccer tournaments? Mr. Davis stated that they will do their best to be ready. This is the first time he had heard of the Sports Complex being used for soccer tournaments.

Councilmember Woolley expressed concern about the six-tenths of a mile of road in front of the entrance to the Landfill which needed to be fixed. Mr. Davis stated that there is a new contact for CalTrans as Danny was promoted. Ms. Whitten did speak with Arturo Mora, Public Works Supervisor, regarding two (2) areas in town that need work and will follow up with Mr. Davis.

Councilmember Moreno had a resident come to Chat with Council and voice their concern about a sewer plug that the City was fixing. The resident had to evacuate their home for couple of hours due to the smell. Mr. Davis remarked that often does happen with sewer plugs. He continued that sewer plugs in the city lines can actually backup into the house. This is caused by a home's sewer lateral that is tied into city sewer line which is not dropped in at an angle. The high pressured jet rodder can cause the line to spray and bubble up into the toilet or tub.

B. Special Presentations/Requests:

- 1) Responsible Athletes Program (RAP) Activity Report: Enrique Jimenez.

Javier Hernandez represented Responsible Athletes Program (RAP) on behalf of Enrique Jiménez who could not attend and reported the following: 1) January 20th was opening day registration for youth or adults to sign-up for all sports and they had hamburgers, hotdogs and music; 2) football clinic; 3) Community gym services and Fit to Succeed will no longer be with RAP; 4) soccer had 206 participants, the biggest and most successful program; 5) February 16th flag football; 6) basketball league; 7) adult recreational league; 8) spirit squad received a grant from the Wonderful to teach cheer and dance to ages 4 -14. There will be two performances, at Old Timers Day and at Grizzly stadium; and, 9) future all year community gym services, April – June baseball league, basketball season, soccer, adult basketball and adult soccer.

Mayor Preciado asked if the basketball games will be played at the High School? Mr. Hernandez stated, yes.

PUBLIC HEARING(s):

- A. None.

OLD BUSINESS:

- A. None.

NEW BUSINESS:

- A. Consider Approval to Declare Patrol Cars Surplus Property:

Chief Stivers reported that recently, the Avenal Police Department eliminated two patrol cars (units 10 and 11) from the fleet as part of the vehicle replacement plan. These patrol cars were two of the original patrol cars

purchased in 2010. The vehicles were identified as high mileage and/or having regular maintenance issues. Staff has been in contact with wardens from the Pleasant Valley and Avenal State Prisons who expressed an interest in accepting the vehicles once they were declared surplus by the City of Avenal. Both prisons will be using the vehicles in similar capacities around the prison grounds. The Department of General Services, the state entity which manages the State's vehicle fleet, will still need to conduct an inspection on the vehicles to make sure they are free of any obvious safety issues.

Staff recommends that patrol units 10 and 11 be declared as surplus property and be transferred to the Avenal State Prison and the Pleasant Valley State Prison.

A motion made by Councilmember Moreno to declare the patrol units as surplus and offered to Pleasant Valley and Avenal State Prisons, seconded by Councilmember Woolley and carried.

Roll Call Vote:

AYES: Moreno, Woolley, Ovale, Preciado.
NOES: None.
ABSENT: Gravelle.
ABSTAIN: None.

- B. Consider Authorizing the City Manager to Enter into an Agreement with County of Kings for Information Technology Support & Network Storage:

Dawn Perkins, CPA, Administrative Analyst, reported that in June 2016, Staff met with Kings County Information Technology Department regarding a possible memorandum of understanding for IT support services. Over the past year and a half, the City has been affected by several issues related to technology infrastructure. As the City does not have an IT specialist on staff, we have had to use outside consultants on a case by case basis. The County IT Department came to do an assessment of the state of City's technology needs in order to join their network and have use of off-site file storage.

She continued that currently, City Staff has no offsite storage nor the capability to save and share files with other Staff. If there were to be a computer that crashed and the hard drive was not able to be copied, all files would be lost. Now that City Hall has been upgraded with new wiring and other infrastructure, we are ready to join the County network. There are some one-time costs associated with joining the County's network for licensing and enterprise software. If we had to purchase all new licensing and software to replace what is currently being used, it is estimated to cost \$17,170 but some of the current licenses may be able to be transferred so that would reduce the amount.

The monthly costs would include network connections, help desk support, email system usage, server file storage, both shared and personal and storage of archivable documents which would be scanned to an off-site server. This estimate is currently \$2,521 per month. The actual amount would be based on the amount of usage.

Staff recommends by Resolution, to authorize the City Manager to enter into an agreement with County of Kings Information Technology Department for Information Technology Support and storage, and ratify her signature on the agreement. The one-time cost should not exceed \$17,170.00 to be transferred from Fund 75, account 45183 in the amount of \$6,250 from the Accounting System Upgrade and the remainder from City Hall Repairs CIP to the General Fund, Fund 10, account 45184. The Fiscal Year City Budget will reflect the same. The monthly Information Technology support of approximately \$2,521.00 has been budgeted for in Fiscal Year 2017-2018

After a brief discussion the following action was taken:

RESOLUTION 2018-04: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AVENAL TO ENTER INTO AN AGREEMENT AND RATIFY THE SIGNATURE OF THE CITY MANAGER WITH COUNTY OF KINGS FOR NETWORK AND STORAGE SUPPORT. A motion was made by Councilmember Moreno, seconded by Mayor Pro Tem Ovale and carried.

Roll Call Vote:

AYES: Moreno, Ovale, Woolley, Preciado.
NOES: None.
ABSENT: Gravelle.
ABSTAIN: None.

C. Consider Investment of City Funds with Municipal Asset Management:

At the September 28, 2017 City Council meeting study session, Rod Bettini, Managing Partner of Municipal Asset Management Group, presented Council with options for investing City Funds in Certificates of Deposit (CD) with little to no risk of failure. The City has only invested with the California State Local Agency Investment Fund, which is currently earning approximately 1.2%, and FAST Credit Union, earning 0.5%. As of January 17, 2018, two-year Certificates of Deposit were earning over 2.0% and four-year CD's earning over 2.5%.

Staff needs direction from Council as to the amount of City Funds to invest in Certificates of Deposit in compliance with the City of Avenal's Investment Policy. Adoption of Resolution authorizing the City Manager to enter into an agreement with Municipal Asset Management Group for the investment of such funds. Agreement shall be subject to review and acceptance by City Attorney prior to signing/execution.

After a lengthy, discussion the following action was taken.

RESOLUTION 2018-05: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AVENAL CONSIDER INVESTMENT OF CITY FUNDS WITH MUNICIPAL ASSET MANAGEMENT GROUP AND AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MUNICIPAL ASSET MANAGEMENT GROUP FOR INVESTMENT SERVICES. A motion made by Mayor Pro Tem Ovalle, seconded by Councilmember Woolley and carried.

Roll Call Vote:

AYES: Ovalle, Woolley, Moreno, Preciado.
NOES: None.
ABSENT: Gravelle.
ABSTAIN: None.

CORRESPONDENCE/ANNOUNCEMENTS/CLOSING COMMENTS:

Councilmember Moreno commented on the following: 1) she was approached by a resident regarding the number of yard sales allowed per year and if this could be changed. Ms. Whitten stated that after three (3) yard sales held in a year, it is considered a retail store. They would then need to apply for business license and for a Sales Tax Seller's Permit. The City is staying within the guidelines by restricting the number of yard sales.

Melissa Whitten, City Manager, commented on the following: 1) the new bill format is not ready and Staff will have one more month printing bills on postcards and new bills would be ready for the February bills sent in March; 2) Presidents Day, Monday, February 19, 2018, City Hall & departments will be closed but on call will be available; 3) She met with Alfonso Manrique yesterday, the City was granted \$500,000 for improvements to the Waste Water Treatment Plant and Collection System The agreement is reviewing the last items that need to be discussed as far as the scope goes. It will be brought before the City Council to approve the agreement with Mr. Manrique for this project at the next meeting. The City Attorney Michael Farley is also going over agreement. The Solar Project looks promising according to Mr. Manrique but no agreement has been received yet. There have been discussions between Mr. Manrique and the State regarding the Solar Project. She did not understand why the State is contacting her and Ronald, instead of Mr. Manrique. The State would rather the grant be used to help the City correct problems first, rather than spending capital on installing a solar project. We have provided all of the information needed and hope to have an agreement in a couple months. The Solar Project is \$4.8 million and the City is eligible for up to \$8 million for improvements to the Waste Water Plant and Collection System and Solar Project at the WWTP. The City of Avenal can only apply for \$8 million now and may reapply in six (6) years.

Mr. Davis stated that the Solar Project will be designed to cover 100% of the power bill.

Mayor Preciado commented that Enrique Manrique is the acting engineer for the City of Huron and has helped the City of Coalinga with a Waste Water Treatment Plant project. He invited Mr. Manrique to the City of Avenal to help with grants after he met with Coalinga's City Manager & Council. There was an upfront cost of \$7,000 for cultural studies. Mr. Manrique has experience working with disadvantaged and rural communities.

Mayor Pro Tem Ovalle commented on the following: 1) he took his grandchildren to the movies last Friday. It was nice to go back to the movies as it was very enjoyable and there was a good crowd. He will go to the next movies set for February 16, 2018.

Ms. Whitten commented that three individuals from the City of Avenal attended the Comic Con in Hanford held at the Fairgrounds. She did not know what to expect but was very impressed. The gentleman who took the tickets is Ziggy, who had the video shop. The event was well organized and well attended.

Mayor Preciado commented on the following: 1) January 30th Oversight Committee meeting; 2) attended San Joaquin Valley Air Quality Control Board. A special City Committee meeting was needed to appoint the Mayor as a City representative to the San Joaquin Air Quality Control Board. They need to have a large city over 100,000 residents in population besides Fresno; the only other city that qualified was Clovis with over 122,000 in population and the Mayor Pro Tem from the City of Clovis was appointed to the Board; 2) He attended the Citizens Advisory Committee (CAC) as an alternate because the primary member is no longer on the Committee. Kings County would have to appoint Mayor Preciado for that position, but other legal matters need to be addressed first. If appointed, Mayor Preciado would represent the small rural communities on the Westside at a monthly meeting. He also mentioned that the Air Quality Control will be monitoring the air monitors to see who is polluting the air.

Mayor Preciado re-opened Public Time at 7:05 p.m.

Margarita Ramirez had spoken to Mayor Preciado previously regarding not being able to access her property as there is no road. She would like the City's help with access.

Mayor Preciado stated that this item is not on the Agenda so the City Council cannot discuss or make any decisions upon the request.

Ms. Whitten stated that City would need to have her concerns or problems submitted in writing.

The City Council went into Closed Session at 7:26 p.m.

CLOSED SESSION: (City/Successor Agency/Housing Authority):

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR(S) (Government Code § 54956.8).

It is the intent of this governing body to meet in Closed Session to confer with its real property negotiator(s) concerning the purchase, sale, exchange or lease of real property by or for this local agency as follows:

Property Description: APN: APN: 040-165-007
Negotiator(s): City Manager/City Attorney/CrisCom.
Party with whom negotiating: State of California, Judicial Council.
Instructions to negotiator concerning: Terms

Property Description: APN: APN: 040-254-010
Negotiator(s): City Manager and City Attorney.
Party with whom negotiating: City/Wynne.
Instructions to negotiator concerning: Terms

Property Description: APN: APN: 040-311-001
Negotiator(s): City Manager and City Attorney.
Party with whom negotiating: Avenal Hospital District.
Instructions to negotiator concerning: Terms

ADJOURNMENT:

The meeting reopened at 7:47 p.m. with the following action:

RESOLUTION 2018-06: IN THE MATTER OF: Objection to the Sale of the Tax-Defaulted Property and Application to Enter Into A Purchase Agreement With the County of Kings For the Real Property With APN No. 040-254-010-000. A motion made by Councilmember Woolley, seconded by Mayor Pro Tem Ovalle and carried.

Roll Call Vote:

AYES: Woolley, Ovalle, Moreno, Preciado.
NOES: None.
ABSENT: Gravelle.
ABSTAIN: None.

RESOLUTION 2018-07: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AVENAL APPROVING A JOINT POWERS AGREEMENT (JPA) BY AND BETWEEN THE AVENAL HOSPITAL DISTRICT (DISTRICT) AND THE CITY OF AVENAL (CITY) FOR ADMINISTRATION OF THE BUILDING AND ADJACENT PROPERTY LOCATED AT 317 ALPINE STREET, AVENAL, CA 93204; AND, AUTHORIZE THE CITY MANAGER TO SIGN AND EXECUTE AGREEMENT ON BEHALF OF THE CITY. A motion made by Mayor Pro Tem Ovalle, seconded by Councilmember Woolley and carried.

Roll Call Vote:

AYES: Ovalle, Woolley, Moreno, Preciado.
NOES: None.
ABSENT: Gravelle.
ABSTAIN: None.

There being no further business, the City Council meeting was adjourned at 7:47 p.m.

Respectfully Submitted,

Maria Ortiz, City Clerk