



**CITY OF AVENAL
JOINT MEETING OF THE AVENAL CITY COUNCIL/SUCCESSOR AGENCY
THURSDAY, FEBRUARY 14, 2019; 5:15 P.M.
AVENAL THEATER; 233 E. KINGS STREET, AVENAL, CA 93204**

MINUTES

Mayor Ovalle called the meeting to order at 5:15 p.m.

Council Members Absent: None.

Staff Present: Whitten, Ortiz, Perkins, Davis, Stivers, Starne, Santillan,

Legal Counsel: Ken Jorgensen.

PLEDGE OF ALLEGIANCE: Led by Mayor Ovalle.

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

CITY CLERK: Government Code Section 54952.3: The members of the City Council and Successor Agency 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 the Successor Agency.

The Council went into Closed Session at 5:16 p.m.

CLOSED SESSION: (City/Successor Agency):

It is the intent of this governing body to meet in closed session to review its position and to instruct its designated representatives:

A. THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code § 54957{a}).

It is the intent of this governing body to meet in closed-session of review its position and to instruct its designated representatives:

The City Council meeting reopened at 5:38 p.m. with action as follows:

RESOLUTION NO. 2019-05: A RESOLUTION OF THE CITY COUNCIL OF AVENAL ADDING SPECIFICATIONS; QUALIFICATIONS, AND SALARY RANGE FOR POSITION OF “PART TIME INVESTIGATIVE CONSULTANT” TO THE LIST OF ACTIVE POSITION FOR THE CITY. A motion was made by Mayor Pro Tem Woolley, seconded Councilman Harvick and carried.

AYES: Woolley, Harvick, Hernandez, Preciado, Ovalle.

NOES: None.

ABSENT: None.

ABSTAIN: None.

CONSENT CALENDAR:

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

A. Consider City of Avenal/Successor Agency's Approval of Minutes for January 24, 2019:

A motion to approve, minutes as written was made by Councilman/Successor Agency Member Harvick, seconded by Councilman/Successor Agency Preciado and carried.

Roll Call Vote:

AYES: Harvick, Preciado, Woolley, Hernandez, Ovalle.

NOES: None.
ABSENT: None.
ABSTAIN: None.

B. City Warrants and Financial Statements for January:

A motion to approve City Warrants and Financial Statements for January was made by Councilman/Successor Agency Member Harvick, seconded by Councilman/Successor Agency Hernandez and carried.

Roll Call Vote:

AYES: Harvick, Hernandez, Preciado, Woolley, Ovalle.
NOES: None.
ABSENT: None.
ABSTAIN: None.

Councilman Preciado abstained 45622 and the money will be refunded to the City of Avenal. Councilman Harvick had a concern regarding Avenal Lumber account. Ms. Whitten stated it could be two months of invoices or more materials were being used. Councilman Preciado had asked about to warrant 45638 Harbison International, Inc. Mr. Santillan stated it engineering grading & drainage plan for the community center.

MAYOR & COUNCIL MEMBER/ SUCCESSOR AGENCY/ITEMS FOR CONSIDERATION:

A. Consider Appointment to the Avenal Planning Commission:

Mr. Santillan reported that due to Councilman Hernández election to the City Council, a vacancy has opened on the Avenal Planning Commission. As requested by Councilman Harvick, staff re-published the PC Vacancy. Also, received two new applications from Bertha Barriga and Lourdes Carrizales and previous applicants Sergio Ramirez and Jenny Torres.

Councilman Harvick, would like to appoint Martin Ramos and apologies for not bringing the letter to staff.

Mr. Santillan will be reaching out to Martin Ramos regarding Planning Commission Appointment.

B. Consider Appointing Two (2) City Councilmembers to Meet with City Staff to Review/Discuss Avenal Theater and Event Center Potential Fees/Use and Fees/Use of Other City Facilities:

Melissa Whitten, City Manager, reported that at the December 13, 2018 City Council Study Session, there was a discussion regarding use of the Avenal Theater and Event Center, fees charged, review of revenues/expenses, etc. There was also a discussion relating to fees/use of other City facilities. Due to limited time that evening, Council requested that these items be brought back and discussed at a future Study Session.

She continues that prior to scheduling the next Study Session, Staff is requesting that the City Council consider appointing two (2) Councilmembers to meet with Louisa Starne, Sheila Verdugo, Anna Nieto and the City Manager to discuss these items in further detail so all might have a better understanding of the processes in place and options available to address concerns/issues

Appointing Two (2) City Councilmembers to meet with City Staff to Review/Discuss Avenal Theater and Event Center Potential Fees/Use and Fees/Use of Other City Facilities. New Appointed Council Members are as follows: 1) Councilman Preciado; and, 2) Councilman Hernandez.

COMMENT/ANNOUNCEMENTS & UNSCHEDULED APPEARANCES:

Raquel White, Central Reginal Compliance Manager for construction (CIFAC). She serves the Central Valley. She would like to offer her services as California expert for Public Works Construction & Public Contracts Code Compliance.

ACTIVITY REPORTS/SPECIAL PRESENTATIONS AND COMMITTEE REPORTS:

A. Activity Reports:

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

Scott Davis, Acting Public Works Director reported on the following: 1) Building Department; 2) Code Enforcement; 3) Park & Landscaping; 4) Street; 5) Water Distribution; 6) Waste Water Collection; and, 7) Vehicle, Equipment, & Building Maintenance.

- 2) Avenal Theater & Event Center Activity Report: Louisa Stame, Avenal Theater & Event Center Coordinator.

Louisa Stame, Avenal Theater & Event Center Coordinator reported the following: 1) Movie Nights: Teen Titans Go the Movies screen 1 43/screen 2 24, Mission Impossible Fallout-20, The House with the clocks in its walls-22, Wall-E/Grease TBA; 2) January 12th rental, 3) January 25-27 attended NAMM conference in Anaheim; 4) February 8 Dinner & Movie Fundraiser; 5) Audio equipment installed in meeting rooms; 6) Upcoming events: February 15th AES Movie Day, rental, movie night, Theater & Arts Festival by RSMS Drama Club & will be promoting event on movie night; 7) installed curtains to Pegues Room.

B. Special Presentations/Requests:

A. None.

PUBLIC HEARING(s):

A. None

OLD BUSINESS:

A. None.

NEW BUSINESS:

- A. Consider Approval of Out-of-State Water Conferences:

Ronald Brumley, Utilities Supervisor reported that two (2) employees from Public Works and two (2) from Utilities would like to attend two (2) out-of-state Water/Wastewater Conferences (operators will rotate annually, if approved). They are as follows: California Rural Water Association Expo, held in Lake Tahoe, Nevada April 22-25, 2019; and, the 35th Annual Tri-State Seminar which will be held in Las Vegas, Nevada August 6-8, 2019. These conferences will enable us to attend a variety of sessions that are directly applicable to our work and will allow us to network with a variety of experts and colleagues from the tri-state area. Many of the presentations are tailored to the water and wastewater profession which will allow us to gain knowledge and understanding about how we can improve our processes. We will also earn valuable contact hours to keep our certifications current.

The following is a break-down of Out-of-State Water Conference cost:

California Rural Water Association EXPO:

Registration-	\$425 for members per person
Hotel-	\$99 per night for 4 nights
per person (estimate) Per Diem-	\$218 for 5 days
Travel-	\$100/fuel for all; 1 car
Total-	\$1,100 (estimate), per person

Funds are budgeted in 15.15100-661, current balance is \$2,790; Public Works 14.14100/661, current balance \$3,000.00.

Tri-State Seminar:

Registration-	\$95
Hotel-	\$400 for 4 nights (estimate)
Per Diem-	\$218 for 5 days
Travel-	\$100/fuel for all; 1 car
Total-	\$800 (Estimate) per person

Staff anticipated budget for 2019/20 in 14.14000-661 to be \$3,000.00. Public Works anticipated budget for 19/20 is \$6,000.

After brief discussion, A motion was made by Councilman Preciado, seconded by Councilman Hernandez and carried.

Roll Call Vote:

AYES: Preciado, Hernandez, Harvick, Woolley, Ovalle.
NOES: None.
ABSENT: None.
ABSTAIN: None.

B. Consider Approving Tank 6 Water Mixer:

Mr. Brumley reported that we have a PAX mixer in Tank #6 that has failed and needs to be replaced. It was installed in 2011/12 as part of the chlorination project and is out of warranty. The mixer is used to keep the water in the tank from nitrifying. Tank 6 has a common inlet/outlet, so mixing is very helpful for the reduction of DBP (Disinfection byproducts) also known as TTHM. The PAX quote is to update the existing V1 to the new V3 version. The price to purchase a new PAX mixer Version 3 system is \$23,925.00. We would be exchanging our Version 1 so this would be the discounted price. Also note the PAX mixer would require a diver for installation and any future repairs.

Another option Staff found is made by Solar Bee. It is designed to be dropped in from the top of the tank with no divers needed. Price for a new mixer is \$11,280.00.

PAX mixer replacement and install:	\$23,925.00 plus tax
Medora Solar Bee (purchase; Staff will install):	\$11,280.00 plus tax

Staff recommends by motion, approve/authorize the following: 1) purchase of Tank 6 Water Mixer from Medora Solar Bee (which Staff will install) in the amount of \$11,280.00 plus tax; 2) drawdown \$11,280.00 plus tax from CIP (75) Account 14.14000/726; 3) and, let the 2018/19 budget reflect the changes.

Councilman Preciado mentioned that this product is very bene.

After a brief discussion the following motion was taken.

A motion was made by Mayor Pro Tem Woolley, as follows: 1) purchase of Tank 6 Water Mixer from Medora Solar Bee (which Staff will install) in the amount of \$11,280.00 plus tax; 2) drawdown \$11,280.00 plus tax from CIP (75) Account 14.14000/726; 3) and, let the 2018/19 budget reflect the changes. And seconded by, Councilman Harvick and carried.

Roll Call Vote:

AYES: Woolley, Harvick, Preciado, Hernandez, Ovalle.
NOES: None.
ABSENT: None.
ABSTAIN: None.

C. Consider Quote to Replace VFD for Sports Complex Well:

Mr. Davis reported that on January 3, 2019, the city was notified by Musco Lighting Co. to inform us of a problem with the stadium lighting at the sport complex. Staff went to the complex to investigate and discovered there was a problem with incoming power. PG&E was contacted and came out to check the problem. PG&E discovered a bird had flown

between two of the lines next to the transformer and blew out two of the fuses. This caused a phase loss on two legs of the power. After the power was restored to normal, staff checked all the equipment and found that the VFD (variable frequency drive) for the well pump had been destroyed. This being an act of nature, PG&E assumes no responsibility. Staff contacted Medallion Supply in Hanford and got a quote for a direct replacement Danfoss VFD, fuses and a surge/phase protection device. This device has a ten (10) year warranty for the protection of the VFD.

- Medallion Supply \$8,891.99

Staff recommends the following: 1) By motion authorize the purchase of the VFD and related equipment from Medallion Supply at a cost of \$8,891.99; 2) authorize the drawdown of General Fund Reserves in the amount of \$8,891.99 and transfer said fund into Parks and Landscaping, 10.08100.625; and, 3) let the FY Budget reflect the changes.

After a brief discussion, a motion was made by Councilman Preciado as follows: 1) by motion authorize the purchase of the VFD and related equipment from Medallion Supply at a cost of \$8,891.99; 2) authorize the drawdown of General Fund Reserves in the amount of \$8,891.99 and transfer said fund into Parks and Landscaping, 10.08100.625; and, 3) let the FY Budget reflect the changes. And, seconded by Mayor Pro Tem Woolley and carried.

Roll Call Vote:

AYES: Preciado, Woolley, Harvick, Hernandez, Ovalle.
NOES: None.
ABSENT: None.
ABSTAIN: None.

D. Consider Increase in Match Grant for Wonderful Community Grant Program & Consider Approval to Purchase Fitness Court from National Fitness Campaign:

Fernando Santillan, Community Development Director, reported that in August of 2018, the City Council approved a grant match of \$30,000 that would help us obtain a \$50,000 grant from the Wonderful Company for a new Fitness Court adjacent to the Boxing Club. That after internal discussions, it was agreed that it would be most beneficial to the community to develop the entire parcel at once, rather than to install the Fitness Court in the middle of the parcel and leave the rest of the parcel undeveloped until future phases could be funded. Thus, a conceptual plan of the site was developed (attached), and a revised estimated budget of \$147,175 was determined to be adequate to complete the project. The revised estimate also includes an increase in the cost of the Fitness Court, which increased to \$90,000 plus tax and freight after Council's previous approval.

He continues that at this time, staff is requesting Council's approval to increase the City's grant match amount by **\$20,000** to a new total of \$50,000, which will be supplemented by our existing Housing Related Parks Program grant in the amount of \$47,175, bringing the total funding to \$147,175 (including the \$50k Wonderful grant). Additionally, staff requests approval to purchase the Fitness Court equipment in the amount of \$99,525 from the National Fitness Campaign. The quote is attached, as well as renderings of the court itself. The fitness court equipment, sport tiles (included in cost), benches, and lighting will be installed by our Public Works Department after installation of the concrete pad by a contractor.

Costs:		Funding Source:	
Fitness Court Equipment:	\$99,525	Wonderful Grant	\$50,000.00
Concrete Pad:	\$10,000	City of Avenal	\$50,000.00
Solar LED Lights and Benches:	\$5,500	HRPP Grant	\$47,175.00
Wrought-Iron Fence:	\$28,000		
Signage and Graphics:	\$1,650		
Landscaping:	\$1,000		
<u>Water Bottle Filling Station:</u>	<u>\$1,500</u>		
Total:	\$147,175		

Staff recommend adopting the attached resolution which increases by \$20,000 to a total of \$50,000 a grant match from the City of Avenal benefitting the Avenal Fitness Court project and authorizes the purchase of the Fitness Court equipment in an amount not to exceed \$99,525.00, including tax and freight.

After a brief dissuasion, following action was taken.

RESOLUTION 2019-06: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AVENAL COMMITTING A TOTAL OF \$50,000 IN FUNDING FOR THE AVENAL FITNESS COURT IN PARTNERSHIP WITH THE WONDERFUL COMMUNITY GRANTS PROGRAM. A motion was made by Councilman Preciado, seconded by Councilman Hernandez and carried.

Roll Call Vote:

AYES: Preciado, Hernandez, Woolley, Harvick, Ovalle.
NOES: None.
ABSENT: None.
ABSTAIN: None.

E. Consideration for Approval to Declare Patrol Cars Surplus Property:

Chief Stivers reported that recently, the Avenal Police Department eliminated one patrol car (unit 5) from our fleet as Staff continue with vehicle replacement plan. This patrol car was the last of the original patrol cars purchased in 2010. Staff has been in contact with the College of the Sequoias Tulare-Kings Police Academy who expressed an interest to accept the vehicle; once they were declared surplus by the City of Avenal. Academy staff plans to utilize this vehicle by having academy cadets drive the vehicle during non-high-speed scenarios such as pedestrian contacts, crimes in progress and traffic stops.

Staff recommends that patrol unit 5 be declared as surplus property and be transferred to the College of the Sequoias Tulare-Kings Police Academy. Chief Stivers did mention that he is the Chairman King-Tulare Police Academy Advisory Board.

Ken Jorgensen, City Attorney did not see any conflict.

A motion was made by Mayor Pro Tem Woolley that patrol unit 5 be declared as surplus property and be transferred to the College of the Sequoias Tulare-Kings Police Academy, seconded by Councilman Preciado and carried.

Roll Call Vote:

AYES: Woolley, Preciado, Hernandez, Harvick, Ovalle.
NOES: None.
ABSENT: None.
ABSTAIN: None.

F. Consider Approving New Patrol Car Outfitting:

Chief Stivers reported that the Avenal Police Department is requesting City Council approval for outfitting of the 2019 Ford Explorer Police Interceptor approved for purchase by the City Council on January 24, 2019. Because we are able to re-use some existing equipment that was removed from our K9 unit when it was recently outfitted, we expected the cost of outfitting the 2019 Ford Explorer Police Interceptor to be below that which required City Council approval. However, there were a few unexpected additional pieces that were not surpluses during the K9 unit outfitting. These include steel door panels for the rear seating area, a weapon lock, and other small pieces. Because of these pieces, the amount reaches that required for City Council approval.

He continues that since June of 2016, with City Council approval, Cooks Communication has been our sole source vendor for all vehicle outfitting. The attached quote of \$5,739.04 will complete the vehicle build (See Attachment A). It should be noted that this is approximately \$5,000 less than a normal build, partially due to the repurposed equipment.

Staff recommends the following: 1) Cooks Communication labor to outfit 2019 Explorer Police in an amount not to exceed \$5,739.04, will be expended from 10.12500; 2) account number 655.17 (Supplemental Law Enforcement Services account-FY 16/17 fund); and, 3) have no impact to the general fund. (To comply with the Government Code, these funds need to be expended by June 30, 2019).

A motion was made by Councilman Preciado to: 1) Cooks Communication labor to outfit 2019 Explorer Police in an amount not to exceed \$5,739.04, will be expended from 10.12500; 2) account number 655.17 (Supplemental Law Enforcement Services account-FY 16/17 fund); and, 3) have no impact to the general fund. (To comply with the Government Code, these funds need to be expended by June 30, 2019), seconded by Councilman Harvick and carried.

Roll Call Vote:

AYES: Preciado, Harvick, Hernandez, Woolley, Ovalle.
NOES: None.
ABSENT: None.
ABSTAIN: None.

G. Consider Rejecting Bids for Bid No. AVN 19-1 -Avenal Community Center Pre- Engineering Steel Building:

Mr. Santillan reported that Community Development staff published an Invitation to Bid on January 15, 2019 requesting bids for a 230' x 110' metal building to house the Avenal Community Center. Staff received 6 qualified bids and 1 bid that was disqualified due to being received after the deadline. Bid amounts varied widely, as did the specifications which were quoted. Part of the reason the amounts and specifications varied widely was that not all bidders received the full information about the City's requirements for the building, as some companies who received the original bid package forwarded it to others without attachments or the subsequent Addendums #1 and #2. Thus, some bidders made assumptions about the requirements of the building that did not align with the true requirements as stated. The other reason for the wide variation in bids is that, as was mentioned previously, some manufacturers determined the appropriate specs based on the information we provided but were more conservative than others in their determinations.

He continued that in-order to ensure a fair and accurate bidding process that would facilitate the evaluation of bids and reduce the possibility of future change orders, staff is requesting that the City Council reject all bids as submitted so that staff may re-bid the metal building. Prior to the re-bid, we will provide more concrete specifications that will eliminate variability in the product which is being quoted, as well as take steps to make.

RESOLUTION 2019-07: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AVENAL REJECTING ALL BIDS FOR BID NO. AVN 19-1 FOR THE AVENAL COMMUNITY CENTER PRE- ENGINEERED STEEL BUILDING. A motion was made by Councilman Preciado, seconded by Councilman Harvick and carried.

Roll Call Vote:

AYES: Preciado, Harvick, Hernandez, Woolley, Ovalle.
NOES: None.
ABSENT: None.
ABSTAIN: None.

CORRESPONDENCE/ANNOUNCEMENTS/CLOSING COMMENTS:

Councilman Preciado reported the following: 1) JPA meeting; 2) attended funeral for Douglas, field representative for Assemblyman Salas; 3) Wells conference; and, 4) he would like to invite the community to the Avenal High School Drama program they need our support. Also, many community members travel to act.

Melissa Whitten, City Manager reported the following: 1) she attended 2020 Census kick-off meeting at Kings County Government Center and there will be out reach and sending out RFP's; 2) City Hall will be closed Monday, Presidents Day; 3) several meeting this week; 4) Louisa, Anna & Shelia did a terrific job last Friday and everything was so organized; 4) She thanked them all; 5) she wished, Ivan a happy birthday.

Councilman Preciado mentioned that about 10-years ago there was an out-side agency that had funding. They wanted to out-reach the community and provided t-shirts, training, but nothing happened. We as community members need to volunteer and due out-reach for census so everyone in Avenal is counted.

Mayor Ovalle reported the following: 1) he wished Ivan a happy birthday.

ADJOURNMENT.

There being no further business, the City Council meeting was adjourned at 7:10 p.m.

Respectfully Submitted,

Maria Ortiz, City Clerk