

CITY COUNCIL MEETING MINUTES

TUESDAY, JUNE 10, 2014

1. CALL TO ORDER – Called to order by Mayor Dhaliwal at 6:01 P.M.

ROLL CALL AND DECLARATION OF QUORUM -

Amarpreet Dhaliwal	Present
Julia Hernandez	Absent
Abel Lua	Present
Mary Reynaga	Present
Betty Vallejo	Absent

Staff present was: Cruz W Ramos, City Manager: Hilda Cantu Montoy, City Attorney and Diana Brooks, City Clerk.

Guests present were: See Attached List

2. APPROVAL OF AGENDA –

Motion: Councilmember Lua moved to approve the agenda as presented. The motion was seconded by Councilmember Reynaga and approved by the following vote: 3 Ayes, 0 Noes, 2 Absent (Mayor Pro Tem Hernandez, Councilmember Vallejo)

3. Public Comments -

Ms. Isella Bautista, San Joaquin Post Mistress introduced herself to the city council and informed them that the post office business is doing very well, no more problems and if they have any further questions or comments, they can contact her at the office.

Mayor Pro Tem Hernandez arrived at 6:05 P.M.

4. SHERIFF REPORT – Sheriff report was presented by Deputy Adrian Villegas - Informational Only

5. CONSENT CALENDAR -

A. Approval of Minutes: Meeting Minutes of May 13, 2014 and the Special Meeting Minutes of May 21, 1014 –

Motion: Councilmember Lua moved to approve the Meeting Minutes of May 13, 2014 and the Special Meeting Minutes of May 21, 1014 as presented. The motion was seconded by Councilmember Reynaga and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

B. Approval - Warrant #'s 44967-45060 continued from 5/13/14 City Council meeting and warrants #'s 45063-45159

Mayor Dhaliwal announced that he has ownership interest in Harralson's Machine Works and Mayor Dhaliwal left the room at 6:08 pm and returned at 6:10 p.m. after the matter was discussed and voted on.

Motion: Councilmember Lua moved to pull/remove Harralson Machine Works check #s 44981 and 45079 from the warrant list and table them to a later date. Approve remaining checks 44967-44980, 44982-45022, 45027-45060, 45063-45078, 45080-45119. The motion was seconded by Councilmember Reynaga and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

6. PUBLIC HEARING – To discuss and adopt a revised CDBG Program Income Reuse Plan, commit program income funds to an eligible CDBG waiver project and to solicit citizen input –

Report and Recommendation – Conduct Public Hearing to discuss and adopt a revised CDBG Program Income Reuse Plan, commit program income funds to an eligible CDBG waiver project and to solicit citizen input. Consider and approve:

- a. **Resolution No. 14-23** a resolution approving the commitment of CDBG program income and other funds to a Program Income Waiver Project –

Mayor opened the public hearing at 6:13 pm and closed the public hearing at 6:14 pm. There were no public comments.

Motion: Mayor Pro Tem Hernandez moved to adopt Resolution No. 14-23 a resolution approving the commitment of CDBG program income and other funds to a Program Income Waiver Project. The motion was seconded by Councilmember Lua and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

- b. **Resolution No. 14-24** Adopting an Updated Community Development Block Grant Program Income Reuse Plan –

Motion: Mayor Pro Tem Hernandez moved to Resolution No. 14-24 Adopting an Updated Community Development Block Grant Program Income Reuse Plan. The motion was seconded by Councilmember Lua and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

7. Report and Recommendation – Consideration and approval of 2014-2015 Budget and adoption of **Resolution No. 14-29** Adopting a Budget for the City of San Joaquin for Fiscal Year 2014-2015 –

Motion: Councilmember Reynaga moved to adopt Resolution No. 14-29 Adopting a Budget for the City of San Joaquin for Fiscal Year 2014-2015. The motion was seconded by Mayor Pro Tem Hernandez and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

8. Report and Recommendation – Consider and approve Apostolic Church to sell fireworks at corner of Ninth & Colorado Avenue starting June 30th to July 4th 2014 –

Motion: Councilmember Reynaga moved to approve Apostolic Church to sell fireworks at corner of Ninth & Colorado Avenue starting June 30th to July 4th 2014. The motion was seconded by Councilmember Lua and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

9. Report and Recommendation –Consideration and adoption of **Resolution No. 14-25** Authorizing Signatures on all Documents Necessary for the Implementation and Execution of Safe Drinking Water State Revolving Fund (SDWSRF) Program –

Motion: Mayor Pro Tem Hernandez moved to adopt Resolution No. 14-25 Authorizing Signatures on all Documents Necessary for the Implementation and Execution of Safe Drinking Water State Revolving Fund (SDWSRF) Program. The motion was seconded by Councilmember Lua and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

10. Report and Recommendation –Consideration and adoption of **Resolution No. 14-26** Authorizing and Preparation of a Multi-Jurisdictional Fifth-Cycle Housing Element with Eleven of the Fresno County Incorporated Cities and the Unincorporated Fresno County and Authorizing the Execution of a Memorandum of Understanding with and Between Those Cities and the Fresno Council of Governments –

Motion: Councilmember Lua moved to adoption of Resolution No. 14-26 Authorizing and Preparation of a Multi-Jurisdictional Fifth-Cycle Housing Element with Eleven of the Fresno County Incorporated Cities and the Unincorporated Fresno County and Authorizing the Execution of a Memorandum of Understanding with and Between Those Cities and the Fresno Council of Governments. The motion was seconded by Mayor Dhaliwal and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

11. Report and Recommendation –Consideration and adoption of **Resolution No. 14-27** Intention to Levy and Collect the Annual Assessment for Assessment District No. 92-3 of the City of San Joaquin and Setting Public Hearing –

Motion: Councilmember Lua moved to Resolution No. 14-27 Intention to Levy and Collect the Annual Assessment for Assessment District No. 92-3 of the City of San Joaquin and Setting Public Hearing. The motion was seconded by Councilmember Reynaga and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

12. Report and Recommendation –Consideration and adoption of **Resolution No. 14-28** Amending Rule 7.2 of the City of San Joaquin Personnel Rules and Regulations Relating to Vacation Time –

Motion: Mayor Pro Tem Hernandez moved to adopt Resolution No. 14-28 Amending Rule 7.2 of the City of San Joaquin Personnel Rules and Regulations Relating to

Vacation Time. The motion was seconded by Councilmember Lua and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

13. Report and Recommendation – Consideration and adoption of **Ordinance No. 14-100** Amending Section 34.21 © of Chapter 34 of the San Joaquin Municipal Code Relating to the Rate of Sales Tax –

Motion: Mayor Pro Tem Hernandez moved to waive the first reading of Ordinance No. 14-100 Amending Section 34.21 © of Chapter 34 of the San Joaquin Municipal Code Relating to the Rate of Sales Tax and bring back for adoption at the next council meeting. The motion was seconded by Councilmember Lua and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

14. Report and Recommendation – Consideration and adoption of **Ordinance No. 14-101** An Ordinance of the City of San Joaquin Repealing Chapter 92 of Title IX of the San Joaquin Municipal Code and Adding Chapter 92 to Title IX of the San Joaquin Municipal Code Relating to Animal Regulations –

Motion: Councilmember Lua moved to Ordinance No. 14-101 An Ordinance of the City of San Joaquin Repealing Chapter 92 of Title IX of the San Joaquin Municipal Code and Adding Chapter 92 to Title IX of the San Joaquin Municipal Code Relating to Animal Regulations. The motion was seconded by Mayor Dhaliwal and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

15. Report and Recommendation – Consider and take action regarding Designation of Voting Delegate and Alternates for League of California Cities Annual Conference –September 3-5, Los Angeles –

Motion: Mayor Pro Tem Hernandez moved to Designation of Voting Delegate and Alternates for League of California Cities Annual Conference –September 3-5, Los Angeles. Mayor Dhaliwal will be the voting delegate and Mayor Pro Tem Hernandez will be the alternate. The motion was seconded by Councilmember Lua and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

16. ADJOURN TO PLANNING COMMISSION MEETING – 6:40 PM

17. PUBLIC HEARING –

- a) Report and Recommendation – Consideration and Approval San Joaquin General Plan Update and Sphere of Influence (SOI) Expansion and Program Environmental Impact Report (EIR) -

Commissioner Dhaliwal opened the public hearing at 6:43 pm and closed the public hearing at 6:43 pm. There were no public comments.

Motion: Commissioner Lua moved to approve San Joaquin General Plan Update and Sphere of Influence (SOI) Expansion and Program Environmental Impact Report (EIR). The motion was seconded by Commissioner Reynaga and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

- b) **Resolution No. PC 14-04** Recommending That the City Council Certify the Final Program Environmental Impact Report for the City of San Joaquin General Plan Update and Sphere of Influence Expansion and Adopt the City of San Joaquin General Plan Update –

Motion: Commissioner Lua moved to approve Resolution No. PC 14-04 Recommending That the City Council Certify the Final Program Environmental Impact Report for the City of San Joaquin General Plan Update and Sphere of Influence Expansion and Adopt the City of San Joaquin General Plan Update. The motion was seconded by Commissioner Reynaga and approved by the following vote: 4 Ayes, 0 Noes, 1 Absent (Councilmember Vallejo)

18. ADJOURN FROM PLANNING COMMISSION MEETING – 6:48 PM
19. RECONVENE TO CITY COUNCIL MEETING – 6:48 PM
20. CLOSED SESSION –

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 8720 Main Street; APN 033-101-27

City Negotiator: Cruz Ramos

Negotiating Parties: City of San Joaquin and Keith Freitas

Under Negotiation: Price, terms of payment

City Attorney announced the closed session items to be discussed are item 20. Went into closed session at 7:20 P.M. Came out of closed session at 7:23 P.M. City Attorney announced no reportable action.

21. Department/City Manager Reports – Informational Only
22. City Attorney Items –
- a) Consider and Provide Direction Regarding City Attorney Memorandum Relating to Conflict of Interest Concerning Harralson’s –

Mayor Dhaliwal announced that he has ownership interest in Harralson’s Machine Works and Mayor Dhaliwal left the room at 7:32 pm.

City Attorney Montoy went over a legal memorandum she had prepared and explained to Council the Conflict of Interest concerns regarding Harralson Machine Works. City Manager Ramos explained the City’s history and relationship with Harralson’s. -

Motion: Councilmember Lua moved to direct staff to 1) Stop purchases from Harralson’s until the city receives an opinion from FPPC 2) Ms Ramos will place a telephone call to FPPC regarding this matter before submitting a written request for an opinion. . The motion was seconded by Councilmember Reynaga and approved by the following vote: 3 Ayes (Hernandez, Lua, Reynaga), 0 Noes, 1 Absent (Councilmember Vallejo) and Mayor Dhaliwal absent due to conflict of interest

23. Council Reports and Requests for Information –

- Councilmember Lua – Asked if the bench downtown across the street from the laundry could be moved to another location? Benches were placed on Main Street by the Promatores.
- Mayor Pro Tem Hernandez – Mentioned a resident with a semi-truck places barricades on the corner of 9th and Punjab which might be a safety issue because cars have to go around.
- Councilmember Reynaga – Measure G passed

24. Adjourn Meeting –

Motion: Councilmember Reynaga moved to adjourn the meeting at 8:02 pm. The motion was seconded by Mayor Pro Tem Hernandez and approved by the following vote: 3 Ayes, 0 Noes, 2 Absent (Councilmember Vallejo & Mayor Dhaliwal)