

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING January 22, 2013

CALL TO ORDER

Mayor Aguirre called the meeting to order at 5:35 p.m. in the City Hall Council Chambers, 1015 – Avenue.

INVOCATION

Roman Dowling offered the invocation

FLAG SALUTE

Councilwoman Vallejo led the flag salute.

ROLL CALL

Council members present: Aguirre, Chavez, Morris, Pascual, Vallejo

Council members absent: none

OFFICIALS PRESENT

City Manager Reyna, City Attorney Alan Peake, City Clerk Kraft, Finance Director Rios, Police Chief DeRosia, Community Development Director Cariño, City Engineer Dowling, Human Resources Director Zamudio

PRESENTATIONS AND AWARDS

No items

ITEMS FROM THE PUBLIC

Nathan Ford, 1314 Belmont Street, stated that a memorial at the corner of and has been there for years. It is not being kept up and there is broken glass on the sidewalk and wilted flowers. He asked council to consider a time limit be put on memorials.

Ethel Pickering, 102 Dover Place, asked how many times the water bill will go up and when will it stop.

Gloria Herrera, 51 – Avenue, suggested the city stop asking speakers to give their address. The alley behind Chase Bank has a lot of holes. Her water has a bad smell and she asked if there will be a way to change the pipes.

Roberto Ibarra, 1815 – Avenue, stated the city should move the airport to west of the prison and use the land for a better purpose. There are packs of dogs in the alleys. He asked if we are still paying rent on trash cans.

Lena Mae Jones, 1116 Lexington Street, stated she is still waiting for a street to be named for the Jones family. When the water rates went up, her rent went up.

Abraham Jimenez, 102 Dover Street, asked what happened to the transit grant for Saturday service. Water rates went up and raises were given, but 6 staff were laid off. Bicycle lanes were promised. The water treatment plant, water, and police building have a deficit of \$100 million. The seniors received \$25,000 from the hospital. Council shouldn't always vote 5-0.

Richard Markham, 315 Dover Drive, stated that animals are out of control. The money spent on the school dance should be spent on animal control. There is a leash law in California. The new technology center should be named for Martin Luther King or Leman King or Ruby Hill.

Cornel Markham stated that this is his last proposal to settle for pennies on the dollar. He stated he was held at gun-point and searched 5 years ago and asked where the report is and why he was searched. The new police facility should be named in honor of Martin Luther King.

Lupe Martinez, 1215 Lexington Street, stated that he is hearing concerns in the community. The city is running on deficit in enterprise facilities and has no money to work on certain things. He asked why there are increases in water rates when the public was told there wouldn't be until it was voted on. The City borrowed to improve the water, wastewater treatment, police, and Woollomes Avenue, and it is now being paid on the backs of citizens. Increases need to be taken in steps. He asked what we have heard from California Consulting, and added that he hasn't heard anything about water accounts that were lost. People are being laid-off, we might have to deal with TCP levels in water, and Council gave the engineer a huge increase.

Bill Hylton, 1515 – Avenue, stated that kids on skateboards and bikes go through intersections and against the lights. We can identify the problem but don't know the solution.

Abraham Jimenez stated that animal control is doing an excellent job

Juan Flores, 317 Balboa Drive, stated that the community doesn't trust the council. They feel betrayed and never get explanation. The community did their part, now is the time for council to answer. Council needs to look at options.

Bill Hylton stated he is in favor of what council is doing. The water department operated at a deficit for years. Our water is cheapest in the state. Is not cheap to treat arsenic.

Sunshine Carter, 2022 County Line Road, asked if we have lost police officers because she don't see as many in town. She also asked why the yard sale ordinance was so quick and easy to change.

CONSENT AGENDA

- 1) Authorization to waive the reading of any ordinance or resolution in its entirety and consenting to the reading of such ordinances or resolutions by title only
- 2) Warrant Register for January 7, 2013, in the amount of \$6,252,946.92
- 3) Warrant Register for January 22, 2013, in the amount of \$3,245,882.21
- 4) Minutes of regular City Council meeting of December 17, 2012; special City Council meeting of December 19, 2012; regular City Council meeting of January 7, 2013; special City Council meeting of January 9, 2013
- 5) Corrected minutes of regular City Council meeting of November 5, 2012
- 6) Minutes of regular Planning Commission meeting of November 14, 2012
- 7) Approve Councilman Pascual attendance at ACCAPS conference January 15, 2013, in Sacramento and appropriate funds for said travel
- 8) Accept training scholarship and approve Finance Director travel to attend a three day training of the California Society of Municipal Finance Officers (CSMFO) Annual Conference February 20 – 22, 2013, in Oakland, California

- 9) Acceptance of the improvements for the 2012 Slurry Seal Project and authorizing the filing of the Notice of Completion
- 10) Acceptance of the improvements for the 2012 Rejuvenating Seal Project at Various Streets and authorizing the filing of the Notice of Completion
- 11) Certificate of Acceptance for dedication of right of way on Dover Parkway south of Diaz Avenue as required by Parcel Map 11964
- 12) Resolution No. 2013-01 of the City Council of the City of Delano authorizing staff to file a claim to Kern Council of Governments for street and roads for fiscal year 2012-2013
- 13) Release funds from Developer Escrow Account to Delano Retail Center (Delano Market Place) per the Developer Escrow Agreement for the required offsite improvements in the amount of \$281,225.42. Payment application No. 7

Moved by Councilman Chavez, seconded by Councilwoman Vallejo, and unanimously carried to approve the Consent Agenda.

Councilman Chavez left the meeting.

PUBLIC HEARINGS

- 14) Public hearing #2013-01: Second reading and final adoption of Ordinance No. 2012-1251 of the City of Delano amending Chapter 6.25 of the Delano Municipal Code (Food Vending Vehicles) by amending Sections 6.25.010, .030, .100, .110, .120, .140, .150, .190, and adding Sections 6.25.250 and 6.25.260

Chief DeRosia presented the staff report.

Mayor Aguirre asked for public comments. There were none.

Mayor Aguirre closed the public hearing.

Moved by Councilwoman Morris, seconded by Councilman Pascual and unanimously carried by all those present to approve the second reading and final adoption of Ordinance No. 2012-1251.

- 15) Public hearing #2013-01: Second reading and final adoption of Ordinance No. 2012-1253 of the City of Delano deleting Section 10.20.020 of the Delano Municipal Code and adding a new Section 10.20.020 establishing traffic speed zones in accordance with the California Vehicle Code

Mr. Dowling presented the staff report.

Mayor Aguirre asked for public comments.

Roberto Ibarra asked what the limits are. He was given a copy of the ordinance.

Lupe Martinez stated concern that drivers can set the speed limits. Mr. Dowling explained the criteria and state laws regarding setting speed limits.

Mayor Aguirre closed the public hearing.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried by all those present to approve the second reading and final adoption of Ordinance No. 2012-1253.

REGULAR AGENDA

- 16) Approval to contract with Naffa / Interwest Consulting Group Inc. for professional services for review of building plans and building inspections

Ms. Cariño presented the staff report.

Moved by Councilwoman Morris, seconded by Councilwoman Vallejo and unanimously carried by all those present to approve a contract with Naffa / Interwest Consulting Group Inc. for professional services for review of building plans and building inspections. Agreement No. 2013-03

- 17) Approval of contract with BSK Associates to complete a Project Environmental Impact Report (EIR) for the proposed Grapevine Commercial Development and approval of agreement with Soluri Meserve law firm for legal services to be provided in connection with the review of the Grapevine Commercial Project

Ms. Cariño presented the staff report and distributed an amendment to the fee schedule. Mr. Peake noted that the developer will pay for the services provided.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried by all those present to approve a contract and amendment with BSK Associates to complete a Project Environmental Impact Report for the proposed Grapevine Commercial Development and approve an agreement with Soluri Meserve for legal services in connection with the review of the Grapevine Commercial Project. Agreement No. 2013-04 – BSK Associates; Agreement No. 2013-05 – Soluri Meserve

- 18) Submission of Annual Housing Element Progress Reports for 2009, 2010, and 2011

Ms. Cariño presented the staff report.

Moved by Councilwoman Vallejo, seconded by Councilman Pascual and unanimously carried by all those present to receive and file the Annual Housing Element Progress Reports for 2009, 2010, and 2011.

- 19) Discussion and approval to have RJA Management Services, Inc. conduct a one day goal setting workshop

Mayor Aguirre announced that this item will be tabled.

- 20) Confirm appointment of Mayor Aguirre or appoint a new representative and alternate to represent the City of Delano at the Kern Council of Governments

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried by all those present to re-appoint Mayor Aguirre to serve as the representative and Councilman Pascual to serve as the alternate to the Kern Council of Governments for a one year term.

- 21) Appointments to the Personnel Board, Board of Appeals, and Citizen Review Committee (Measure I Sales Tax)

Ms. Reyna presented the staff report. She noted that staff has received no applications from qualified persons for the Board of Appeals, and no applications for the other boards. Mr. Peake noted that the Board of Appeals would be dealing with very technical issues. Ms. Cariño stated that the county has a Board of Appeals and staff can contact them.

Following brief discussion, council members stated they would contact any individuals they may know to be interested in serving on any boards or committees. The item will be brought back at a later date.

DEPARTMENTAL REPORTS

No items

COUNCIL STATEMENTS AND REPORTS

Councilman Chavez absent

Councilwoman Morris stated council has received a lot of comments regarding animal control. She asked if something could be put in the newspaper.

Councilman Pascual stated he would like a report from California Consulting regarding grants and would like to know how much of the work is done by staff. He would like to ease the pain of all payments city has to make. Councilman Pascual reported that he spent four days in Sacramento at the ACCAPS conference and League of California Cities training. He noted it was very informative, and he met with Assemblyman Salas and Senator Rubio.

Councilwoman Vallejo stated that, regarding animal control there is only so much the city can do. She would like to weigh the cost of what was paid during the past 12 to California Consulting against amount of grants we have received. We also need to look at who does the leg work.

Mayor Aguirre stated he wants a report from California Consulting and would like to know if it is cost effective. He stated we need to look at fireworks booth ordinance. He noted that the Historical Society needs assistance, and that they take care of city property.

Mayor Aguirre called a recess at 7:52 p.m.

Moved by Councilwoman Vallejo, seconded by Mayor Aguirre and carried to reconvene at 7:54 p.m.

CLOSED SESSION

Mr. Peake asked that the closed session item be continued to the next meeting since only three council members would be present to discuss the item. Councilman Chavez was absent and Councilwoman Vallejo does not participate in discussions regarding MEG due to her husband being a member of the MEG employee group.

- 22) Conference with labor negotiators Maribel Reyna, Alan Peake, and Human Resources Director Noemi Zamudio regarding negotiations with MEG employee group; govt. code section 54957.6

ADJOURNMENT

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris, and unanimously carried to adjourn the meeting at 7:54 p.m.

Phyllis A. Kraft, City Clerk