

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING February 4, 2013

CALL TO ORDER

Mayor Aguirre called the meeting to order at 5:30 p.m. in the City Hall Council Chambers, 1015 – Avenue.

INVOCATION

Pastor David Vivas offered the invocation

FLAG SALUTE

Councilwoman Morris led the flag salute.

ROLL CALL

Council members present: Aguirre, Chavez, Morris, Pascual

Council members absent: Vallejo (called in sick)

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

Presentation and Report from California Consulting

Juan Garza and Daniela Sentella of California Consulting reported on the grants applied for, received, pending, and denied for 2011 and 2012.

ITEMS FROM THE PUBLIC

Nathan Ford, 1314 Belmont Street, asked that item #6 be pulled for discussion.

Pastor David Vivas, 925 Jefferson Street, thanked Chief DeRosia and the police department for the prompt and professional response to burglary that occurred this morning. He invited all to a banquet at his church Feb 10 featuring a vocalist from the Platters.

Roberto Ibarra stated that the staff from California Consulting did not report on how they will help the low-income people they were hired to help.

Matthew Juarez, 705 Oxford Street, asked what he can do to insure something is done regarding the intersection at Browning Road and Summer Street.

Janice Anderson stated that the City had previously presented a proclamation for Responsible Dog Ownership Day. She reported it was a successful event.

Maggie Kalar, Kern County Animal Control, announced that the county will have a low-cost rabies vaccination and licensing clinic in McFarland March 6 and more are planned for the future in the area.

Cornel Markham asked when the tax payers will be heard and if the city is in the red or black.

Arnold Morrison, 1808 Terrace Drive, thanked council for the opportunity to serve on the Community Law Enforcement Liaison Board and hopes that the new appointee will appreciate serving on the board.

Steve Yue, stated he is glad the chambers now has a speaker light. He thanked council for the ordinance regarding food vending vehicles. He asked if there is something in the municipal code regarding parking cars on lawns and stated that tickets should be issued to cars at Cecil Avenue and Rounds Street.

Bill Hylton, 1515 – Avenue asked if any of the grants received require matching funds. A temporary road on Woollomes Avenue west of the freeway should be been installed during construction.

Jay Beno, Home Depot, stated the store is losing business due to the condition of the road and the City now has shut off water. The store is not receiving notices of what is being done or for how long. The southbound ramp will be shut Wednesday and he asked if bridge can be opened before ramp is closed.

Lena Mae Jones, 1116 Lexington Street, stated that February is Black History Month and Lorene Hill will be honored at the event to be held Thursday night.

Valarie Gorospe stated that the audience would appreciate seeing the numbers presented by California Consulting. People will be impacted by water rates going up. Council had given direction to do targeted research for grants for water rates and asked how many proposals were done regarding water rates.

Richard Markham asked how long business on Main Street can have a going out of business sale and if it is fraud to have 50% off signs when they charge more. He asked if there any new businesses coming to town. Everyone should be treated equally and we need to have a shelter for men.

Trey Elliott, 2328 Oleander Street, stated that Fresh & Easy is going out of business and Smart & Final is in bad location and should move.

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 in the amount of \$3,269,738.86
- 3) Minutes of regular City Council meeting of January 22, 2013
- 4) Minutes of special City Council meeting of January 24, 2013
- 5) Minutes of regular Community Law Enforcement Liaison Board of November 15, 2012
- 6) Resolution No. 2013-02 of the City Council of the City of Delano, California to establish an all way stop control at the intersection of Browning Road and Avenue

- 7) Authorize the City Manager or her designee to sign an agreement with Family Dollar to waive possessory rights for a fence located on their property subject to verification by the City Engineer Agreement No. 2013-06
- 8) Approve contingency budget for Mendoza & Associates to continue providing construction management and resident engineer (CM/RE) services for the Woollomes Interchange project
- 9) Resolution No. 2013-03 of the City Council of the City of Delano adopting a General Plan Amendment Cycle for 2013

Mayor Aguirre stated that item #6 will be pulled for discussion.

Moved by Councilman Chavez, seconded by Councilwoman Morris, and unanimously carried by all those present to approve the Consent Agenda with item #6 pulled for discussion.

Item #6) Mr. Dowling reported the City is mandated to perform a study to determine if an all-way stop is warranted and can be installed. Traffic engineers at Quad Knopf performed the study. The study is based on State guidelines. Staff met with the Caltrans engineer who agreed with the report. The study was conducted at the intersections of Browning Road and Avenue and at Browning Road and Summer Drive. A speed survey was also done in that area. Mr. Dowling noted that the accident that occurred in November at Browning and Summer could not be corrected by a 4-way stop. Mr. Dowling stated the study looked at collisions in the past two years and the number of bicycles and pedestrians each hour during the study.

The study shows the intersection of Browning Road and Avenue meets the warrants for a multi-way stop. The recommendation for Browning Road and Summer Drive is to continue monitoring the intersection. A multi-way stop is not recommended due to the recently installed number of traffic control devices including high visibility crosswalks, "PED XING" markings, pedestrian activated flashing beacons, and in-street pedestrian signs to increase visibility of pedestrians

There was discussion.

Moved by Councilman Chavez, seconded by Councilman Pascual and unanimously carried by all those present to adopt Resolution No. 2013-02 to establish an all way stop control at the intersection of Browning Road and Avenue.

PUBLIC HEARINGS

No items

REGULAR AGENDA

- 10) Amendment No. 2 to a Memorandum of Agreement between the City of Delano and the Kern Council of Governments extending the Agreement through February 2014, providing for technical assistance funding for the development of a Climate Action Plan as a component of the Sustainable Delano Element of the Delano General Plan

Ms. Cariño presented the staff report. She noted there are no changes to the budget or work plan.

Moved by Councilman Chavez, seconded by Councilman Pascual and unanimously carried by all those present to approve Amendment No. 2 to a Memorandum of Agreement (Agreement No. 2012-10) between the City of Delano and the Kern Council of Governments extending the Agreement through February 2014. Agreement No. 2013-07

- 11) Possible lease of property owned by the City of Delano, located south of Cecil Avenue and east of Wasco Pond Road; APN 520-120-05

Ms. Reyna announced that this item is on the regular agenda to allow for any public comments. It will be discussed during closed session. There were no public comments.

DEPARTMENTAL REPORTS

Chief DeRosia presented a report on animal control. They take in 95-110 dogs and 45-60 cats every month along with various other animals. There is new construction going on at the shelter with volunteers from Delano Farms. The City is mandated to run the shelter 7 days per week. We have 3 animal control officers. Articles will be in the Shopper, the Delano Record and Delano Now. We have a video about the care of animals that is given to everyone who adopts an animal. Staff is looking for grants and working on a general plan for the animal shelter.

Ms. Cariño reported that staff is working on a fireworks ordinance and will have report for the February 19 meeting.

COUNCIL STATEMENTS AND REPORTS

Councilwoman Morris announced the Black History Month event to be held February 7, 6:00 p.m. at Cecil Avenue School and the Chamber of Commerce sponsored Crab Fest February 9.

Councilman Chavez congratulated Chief DeRosia on receiving his doctorate.

Councilman Pascual stated that he voted with the report regarding Summer Street and Browning Road.

Councilwoman Vallejo absent

Mayor Aguirre thanked the police department for the incredible job they did last Friday regarding an incident involving the Tulare County sheriff. He stated he is proud of our heroes – police, fire, and emergency responders.

CLOSED SESSION

Mr. Peake announced that for item #13, the party staff will be negotiating with is EDF Renewable Development Inc.

Moved by Councilman Chavez, seconded by Councilwoman Morris, and unanimously carried that the City Council adjourn to Closed Session at 6:53 p.m. The City Clerk was excused. Mayor Aguirre was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 12) Conference with legal counsel: Sutton vs. City of Delano pursuant to govt. code section 54956.9(a)

- 13) Conference with real property negotiators Maribel Reyna and Alan Peake regarding possible lease of property owned by the City of Delano, located south of Cecil Avenue and east of Wasco Pond Road; APN 520-120-05 with respect to price, terms and condition of lease pursuant to govt. code section 54956.8
- 14) 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

RETURN TO GENERAL SESSION

Moved by Councilman Chavez, seconded by Councilwoman Morris and unanimously carried to reconvene in Open Session at 7:44 p.m. Mr. Peake provided a report on closed session as follows:

- #12) Information was provided and by unanimous consent direction was given.
- #13) Information was provided and by unanimous consent direction was given.
- #14) Information was provided and by unanimous consent direction was given.

ADJOURNMENT

Moved by Councilman Chavez, seconded by Councilwoman Morris, and unanimously carried to adjourn the meeting at 7:45 p.m.

Phyllis A. Kraft, City Clerk