

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING July 15, 2013

CALL TO ORDER

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

FLAG SALUTE

Councilman Pascual led the flag salute.

ROLL CALL

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

OFFICIALS PRESENT

City Manager Reyna, Interim City Attorney Garcia, City Clerk Kraft, Finance Director Rios, Police Chief DeRosia, Community Development Director Cariño, Human Resources Director Zamudio, Economic Development Specialist Castro

PRESENTATIONS AND AWARDS

No items

ITEMS FROM THE PUBLIC

Mayra Martinez introduced herself as the field representative of Assemblyman Rudy Salas and noted his office hours in Delano are the Thursday of the month at the library.

Roberto Ibarra, 1815 – Avenue, spoke about renovations done to a city in Mexico he had recently visited.

Ethel Pickering, 102 Dover Place, asked that item #7 be pulled for discussion.

Isabel Miranda stated she had requested to meet with the mayor. She asked Councilman Chavez and Councilman Pascual to meet with the Delano Guardians.

Richard Markham, 315 Dover Drive, asked that a bench be placed at Garces Highway and Ellington Street. He stated that he is trying to get restaurants in Delano.

David Marino, Delano Guardians, stated that some irregularities took place during the public hearing April 15. He stated the number of protests needed kept changing and there were not enough headphones. He stated that the poor can't afford increases.

Javier Cruz, Delano Guardians, stated that the public hearing held April 15 showed that council does not care for the public. He stated the city should have public hearings in a good place. Mr. Cruz stated that he observed some workers cleaning streets while others just stood.

Gloria Herrera, 51 – Avenue, Delano Guardians, stated there were inadequate accommodations for the public hearing held April 15, it was unfair that comments were cut to 2 minutes, Mr. Dowling did not give justifiable reasons to raise rates, the translator was insufficient, there were not enough headsets, and there should also be translation to English.

Abraham Jimenez, 127 Dover Street, stated that the restrooms at the park burned down. He stated there is over-crowded at the senior center, and people wonder what is being done. He stated that the 5 people in wheelchairs can't move around. Today there were 48 people in the gym. Mr. Jimenez stated he spoke with John Henry Medina about renting the Legion Hall. They will rent it for \$100 per month. It has a capacity of 225 people and has ramps and ADA compliant restrooms.

Cornel Markham stated he is asking for \$1.5 million and representing himself. It has been 2 years. He wants to meet with Councilwoman Vallejo.

Lena Mae Jones, 1116 Lexington Street, stated she is still waiting after 30 years for something to be named for the Jones family. She stated the senior center is crowded and only Spanish is spoken.

Jordan Davis stated he was e-mailed a letter stating that some group is trying to have the "In God We Trust" sign taken down. He is praying that we will keep it.

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 \$2,244,009.07
- 3) Minutes of regular City Council meeting of July 1, 2013
- 4) Minutes of special City Council meeting of June 27, 2013
- 5) Minutes of special City Council meeting of June 28, 2013
- 6) Minutes of regular Planning Commission meeting of June 12, 2013
- 7) Authorize the purchase of three (3) 2013 Ford F550 Glaval diesel busses in the amount of \$360,463.35 from A-Z Bus Sales
- 8) Approval for the Chief of Police to enter into a service agreement with Property Room.com for servicing of excess police property Agreement No. 2013-49
- 9) Resolution No. 2013-35 of the City Council of the City of Delano approving a rental agreement between Mr. Glen H. Arnold and the City to rent cloverleaf hangar #H-8 at the Delano Municipal Airport Agreement No. 2013-50
- 10) Award of contract for the equipping of Well No. 34 (a component of the City's arsenic mitigation project) to Travioli Construction, Inc. in the amount of \$1,092,114.27 pending

State (CDPH) approval and authorize the mayor to sign the construction contract Agreement No. 2013-51

- 11) Release of 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 \$93,342.60. Payment application No. 13

Moved by Councilwoman Vallejo, seconded by Councilman Pascual, and unanimously carried by all those present to approve the Consent Agenda with item #7 pulled for discussion.

Item #7) Ms. Zamudio presented the staff report. Ms. Pickering asked if the new busses included one for picking up the handicapped at the senior center. Ms. Zamudio informed her that everyone is being picked up.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried by all those present to approve agenda item #7.

PUBLIC HEARINGS

- 12) Public hearing #2013-25: Resolution of the City Council of the City of Delano approving the adoption of a substantial amendment to the Consolidated Plan 2013-2014 Action Plan, and authorizing the City Manager to execute all documents required by the U.S. Department of Housing and Urban Development

Ms. Castro presented the staff report.

Mayor Pro Tem Chavez asked for public comments. There were no public comments.

Mayor Pro Tem Chavez closed the public hearing.

Moved by Councilwoman Vallejo, seconded by Councilman Pascual and unanimously carried to adopt Resolution No. 2013-36 approving the adoption of a substantial amendment to the Consolidated Plan 2013-2014 Action Plan, and authorizing the City Manager to execute all documents required by the U.S. Department of Housing and Urban Development.

- 13) Public hearing #2013-26: Resolution of the City Council of the City of Delano establishing and amending certain planning review fees and charges related to applications, permits, and services provided

Ms. Cariño presented the staff report. She stated this is to update some existing fees and add some fees not currently charged. The fees are to recoup the cost of providing services and are allowed by government code. A CPI automatic increase for every year is included.

Mayor Pro Tem Chavez asked for public comments.

Lupe Martinez, 415 Lexington Street, stated he has a problem with the process of public hearings. There is no sense of what the item is about until the staff report is presented. He asked how the proposed fees will impact commercial and residential fees. Ms. Cariño explained the fees.

Ethel Pickering asked if she would have to pay if she wanted to move her sidewalk. Ms. Cariño explained there would be engineering charges for an encroachment permit.

Mayor Pro Tem Chavez closed the public hearing.

There was discussion regarding the proposed fees and whether they would hinder events. Councilwoman Vallejo stated she would like to table this item. Councilman Pascual stated he needs more time to study the proposed fees. Mayor Pro Tem Chavez suggested the item be tabled.

Moved by Councilwoman Vallejo, seconded by Councilman Pascual and unanimously carried to appoint Council Members Vallejo and Morris to serve on an ad hoc committee to study the proposed fees.

Valerie Gorospe asked if there is a conflict of interest for Council Members Vallejo and Morris because they have an interest in the block parties discussed during this item. Mr. Garcia stated there is no conflict.

REGULAR AGENDA

- 14) Amendment No. 1 to subcontractor agreement for professional services between California State University, Fresno Foundation and City of Delano for Smart Valley Places Grant Program

Ms. Cariño provided the staff report.

Moved by Councilman Pascual, seconded by Councilwoman Vallejo, and unanimously carried to approve amendment number 1 to subcontractor agreement for professional services between California State University, Fresno Foundation and the city for Smart Valley Places Grant Program. Agr #2013-52

- 15) Consideration of cancellation of regular City Council meeting scheduled for August 19, 2013

Ms. Reyna presented the staff report.

Moved by Councilwoman Morris, seconded by Councilman Pascual, and unanimously carried to cancel the regular City Council meeting scheduled for August 19, 2013.

DEPARTMENTAL REPORTS

- 16) Results of Proposition 218 Election for increases in water, sewer, refuse, and street sweeping rates

Ms. Reyna presented the staff report.

No council action required.

COUNCIL STATEMENTS AND REPORTS

Councilwoman Morris no items

Councilwoman Vallejo stated she is glad the public stayed for council statements. She stated there have been fires at the Ellington senior center and park restrooms and is angry someone is trying to destroy it. She stated hope that no one will try to vandalize or destroy the new spray park there.

Councilman Pascual stated it is a shame we have people who would try to burn down the senior center. He stated the seniors do not have enough restrooms and we have to take a look at it. He told Jordan Davis that we do believe in God.

Councilman Chavez stated he had a tour of the new Wal-Mart. The opening is scheduled for August 14. He attended the recreation department's Tahitian dance show on Saturday and noted they did an incredible job.

Mayor Aguirre absent

CLOSED SESSION

Moved by Councilman Pascual, seconded by Councilwoman Vallejo, and unanimously carried that the City Council adjourn to Closed Session at 6:56 p.m. The City Clerk was excused. Mayor Pro Tem Chavez was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 17) Conference with real property negotiators Maribel Reyna and Bonny Garcia regarding possible sale and/or lease of property located at the 1022 – Avenue (Delano Police Department) with respect to price, terms and condition of sale and/or lease pursuant to govt. code section 54956.8
- 18) Conference with legal counsel: public employee discipline / dismissal-release pursuant to govt. code section 54954.5
- 19) Conference with legal counsel: Zamora vs. City of Delano pursuant to govt. code section 54956.9(a)

RETURN TO GENERAL SESSION

Reconvened in Open Session at 7:27 p.m. Mr. Garcia provided a report on closed session as follows:

- 17) Information was provided and by unanimous consent direction was given.
- 18) Information was provided and by unanimous consent direction was given.
- 19) Information was provided. No action taken.

ADJOURNMENT

Mayor Pro Tem Chavez adjourned the meeting at 7:28 p.m.

Phyllis A. Kraft, City Clerk