

MINUTES

**CITY OF DELANO
CITY COUNCIL – REGULAR MEETING
February 7, 2011**

CALL TO ORDER

Mayor Chavez called the meeting to order at 6:36 p.m. in the City Hall Council Chambers, 1015 – 11th Avenue.

INVOCATION

Councilman Aguirre offered the invocation

FLAG SALUTE

Councilman Ramirez led the flag salute.

ROLL CALL

Council members present: Aguirre, Chavez, Morris, Ramirez, Vallejo
Council members absent: none

OFFICIALS PRESENT

City Manager Salem, City Attorney Alan Peake, City Clerk Kraft, Assistant City Manager Kivley, Finance Director DeDios, Police Chief DeRosia, Transportation and General Services Director Newhouse, Community Development Director Woodcock, City Engineer Dowling, Chief of Corrections Galaza, Economic Development & Redevelopment Director Reyna, Human Resources Director Kirkwood, Community Services Director Tracey

PRESENTATIONS AND AWARDS

Proclamation Declaring February as Black History Month in the City of Delano

ITEMS FROM THE PUBLIC

Angel Diaz, 501 High Street, spoke regarding the city's deficit, water rates, the one cent sales tax, and the hard decisions council will have to make. He stated he is getting public information regarding what department heads and assistants make and will publish it in the newspaper.

Lena Mae Jones, 1116 Lexington Street, thanked the Council for the proclamation for Black History Month and stated that Ethel Pickering is the Lady of the Year for Black History Month. Mrs. Jones asked what is being done regarding renaming Valle Vista Park to Martin Luther King Park. She stated something should be named for Ruben Hill.

Ruby Hill, 1018 Albany Street, stated he is aware of the process for naming parks and the group making the request will follow it.

Pearl Rivera, 1709 Belmont Street, expressed concern that the water bill is going up. She stated water users received a notice saying residents can't drink the water.

Mr. Dowling explained the reasons for increased water and sewer rates and how the increases are being implemented over four years.

Richard Markham, 315 Dover Drive, stated there are problems on several streets and people are not able to ride bikes. There is also a problem with dogs not being on leashes.

Ethel Pickering, 102 Dover Street, asked what is happening with Wal-Mart. Councilwoman Vallejo explained it is now up to the developer as to how quickly the projects moves forward.

CONSENT AGENDA

- 1) Warrant Register in the amount of \$1,857,453.74
- 2) 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
- 3) Minutes of special City Council meeting of January 24, 2011
- 4) Minutes of special Community Law Enforcement Liaison Board meeting November 16, 2010
- 5) Second reading and final adoption of Ordinance #2011-1221 amending Chapter 2.52 of the Delano Municipal Code in its entirety which is related to the City's Employee Pension Plan
- 6) Resolution No. 2011-07 of the City Council of the City of Delano authorizing the expenditure of tax increment funds for the development of public infrastructure improvements, making associated findings, and approving the execution and delivery of a reimbursement agreement Agreement No. 2011-02
- 7) Approve open purchase orders of \$35,000 or more for the period January 1, 2011, to June 30, 2011
- 8) Resolution No. 2011-08 of the City Council of the City of Delano authorizing the appropriation of \$200,000 from the sewer fund for costs associated with the replacement of approximately 750 feet of 8 inch failing sewer line on Garces Highway from the Main Street /Jefferson Street alley to Lexington Street
- 9) Resolution No. 2011-09 of the City Council of the City of Delano in support of the Enterprise Zone Program
- 10) Award of contract to Arrington Watkins Architects, LLC for the condition assessment at the Delano Community Correctional Facility and authorize the mayor to execute the agreement for services Agreement No. 2011-03

Mr. Peake asked that item #6 be pulled for discussion.

Moved by Councilwoman Vallejo, seconded by Councilman Aguirre, and unanimously carried to approve the Consent Agenda with item #6 pulled for discussion.

Item #6) Mr. Peake stated a minor change has been made to the resolution to include "...subject to its Tax Increment Limit,..." in the section 3 and a minor change has been made to the agreement to include "...subject to the Agency's Tax Increment Limit..." in section 1.02.

Moved by Councilman Ramirez, seconded by Councilwoman Vallejo and unanimously carried to approve consent item #6 with changes as stated.

Moved by Councilman Ramirez, seconded by Councilwoman Vallejo and unanimously carried to hear agenda item #16 at this time.

#16) Discussion and direction regarding soccer park user fees and golf course hours of operation.

Mr. Traces presented the staff report.

Several members of the public spoke regarding the soccer fields. There was lengthy discussion regarding public access to the fields, restrooms, previous damage to the fields and fence, the cost for use of fields for tournaments, the benefits to the city when tournaments are held, and the children's league.

Moved by Mayor Chavez, seconded by Councilman Ramirez and unanimously carried to appoint Mayor Chavez and Councilwoman Vallejo to meet with Mr. Tracey, Chief DeRosia, and representatives from the men's soccer league.

Mayor Chavez called a recess at 7:46 p.m. The meeting reconvened at 7:54 p.m.

Moved by Councilman Ramirez, seconded by Councilman Aguirre and unanimously carried to continue the second portion of agenda item #16 to the next meeting.

PUBLIC HEARINGS

- 11) Public hearing #2011-01: (continued from January 24, 2011)
 - a) Resolution of the City Council of the City of Delano adopting a mitigated negative declaration for Tentative Tract Map 6570 generally located north of Cecil Avenue, west of Hiett Avenue, south of County Line Road, and east of Mettler Avenue

Resolution of the City Council of the City of Delano approving Tentative Tract Map 6570 proposing the division of 320 acres into 1,228 single family lots, 4 park sites, a school site, temporary stormwater retention basin, and 3 drill islands on property within the "R-1" single family residential zone district; APN's 520-010-03, 520-010-16 & 520-010-18

- b) Introduction and first reading of an ordinance adopting a development agreement between the City of Delano and County Line Farms, L.P.

Mr. Woodcock presented the staff report.

Mayor Chavez asked for public comments.

Ruby Hill, 1018 Albany Street, stated this is a great project and he is glad to see it on the west side of town. He added that it is an opportunity to name streets after Black pioneer families and Martin Luther King. Mr. Peake noted that the developer has already agreed to name streets after Black families. Councilwoman Vallejo added that the developer has a list of names.

Bill Hylton, 1515 – 9th Avenue, expressed concern that some lot sizes will be only 5,000 square feet.

Mayor Chavez closed the public hearing.

There was discussion regarding set back limits. There was also discussion regarding traffic signals at Cecil Avenue and Hiatt Avenue and at Cecil Avenue and Melcher Avenue.

Moved by Councilwoman Vallejo, seconded by Councilman Ramirez and unanimously carried to adopt Resolution No. 2011-10 adopting a mitigated negative declaration for Tentative Tract Map 6570.

Moved by Councilman Ramirez, seconded by Councilwoman Morris and unanimously carried to adopt Resolution No. 2011-11 approving Tentative Tract Map 6570.

Moved by Councilman Ramirez, seconded by Councilwoman Vallejo and unanimously carried to approve the introduction and first reading of Ordinance No. 2011-1222 adopting a development agreement between the City of Delano and County Line Farms, L.P. Agreement No. 2011-04

REGULAR AGENDA

- 12) Presentation by Local Government Commission of revitalization of southwest Delano (Caltrans Environmental Justice Grant)

Keith Woodcock introduced Paul Zikowski of the Local Government Commission, who gave a power point presentation regarding the project. The area covered in this project is west of the railroad and south of Cecil Avenue. The project has been in progress for 8 to 9 months. Meetings have been held with staff, businesses, students, and local residents. The purpose is to develop a vision for the neighborhood and save money as roads are constructed and changed to make them safer for traffic and pedestrians.

Mr. Woodcock added that we need to put the recommendations into the general plan and development standards. Mr. Dowling noted that when High Street was re-stripped, this was taken into consideration and the width was changed to allow for future bike lanes.

No council action required.

- 13) Resolution of the City Council of the City of Delano authorizing the mayor of the City of Delano to execute the Standard Agreement Amendment with the State of California, Department of Corrections and Rehabilitation (CDCR) for Amendment No. 7 to extend Contract No. R89.1591.101 through August 21, 2011, and revised budgets (agreement to be provided at the council meeting)

This item was addressed at a special City Council meeting held this day at 10:00 a.m.

- 14) Resolution of the City Council of the City of Delano entering into an exclusive right to negotiate lease of real property agreement with Southern California Edison for leasing between seventy and one hundred acres of land at the municipal airport for a solar facility

Mr. Newhouse presented the staff report.

Moved by Councilwoman Vallejo, seconded by Councilwoman Morris and unanimously carried to adopt Resolution No. 2011-12. Agreement No. 2011-05

- 15) Resolution of the City Council of the City of Delano encouraging community participation by donating to the Kern County Memorial Foundation for the Phase II – Wall of Valor

Mr. Salem presented the staff report.

Moved by Councilman Ramirez, seconded by Councilwoman Vallejo and unanimously carried to adopt Resolution No. 2011-13.

- 16) Discussion and direction regarding soccer park user fees and golf course hours of operation

This item heard earlier in the meeting.

INFORMATION

No items

DEPARTMENTAL REPORTS

No items

COUNCIL STATEMENTS AND REPORTS

Councilwoman Vallejo: Councilwoman Vallejo stated the golf course chipping area is very nice. She noted the trees were cut back too far and there will be no shade.

Councilman Aguirre: no items

Councilman Ramirez: Councilman Ramirez stated the trees planted by the city are too small and we should plant larger ones. He asked about the police department surplus vehicle decoy program and noted that he has not seen any cars placed around town. Chief DeRosia reported that the program has been implemented. There was a press release and information regarding the program is on the city's web page. Residents have requested cars be placed at various locations and this has been done.

Councilwoman Morris: Councilwoman Morris asked for an update on the Main Street project. Mr. Dowling reported it is about 50% completed. Some areas have been re-graded and all areas will be cleaned and sealed.

Mayor Chavez: Mayor Chavez asked about the detour on 6th Avenue. Mr. Dowling reported it is in regards to the work being done on the nursing facility. Mayor Chavez stated he had seen a young man wearing a jacket with the police department logo. Chief DeRosia stated it would be against the law if the man is not employed with the police department. He added that the explorers have department jackets, but would only wear them when with their advisor. He asked that anyone who sees someone wearing a police department jacket call the department. Mayor Chavez asked for a status report on the Blue Ribbon Committee. Chief DeRosia reported he and Mr. Woodcock co-chair the committee which tries to meet quarterly. The work involves code enforcement, planning, and economic development.

CLOSED SESSION

Moved by Councilman Ramirez, seconded by Councilwoman Vallejo, and unanimously carried that the City Council adjourn to Closed Session at 9:28 p.m. The City Clerk was excused. Mayor Chavez was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 17) Conference with legal counsel: Claim of Valerie Sanchez, a minor, through her guardian, Raul Sanchez, vs. City of Delano pursuant to govt. code section 54956.9(b)(1).

Mr. Peake left the meeting.

- 18) Performance evaluation: city manager, pursuant to govt. code section 54957

RETURN TO GENERAL SESSION

Moved by Councilman Ramirez, seconded by Councilwoman Vallejo and unanimously carried to reconvened in Open Session at 11:36 p.m. Mayor Chavez provided a report on closed session as follows:

- 17) Information was provided; no action taken
- 18) Discussion was held and by unanimous consent, direction was given

ADJOURNMENT

Moved by Councilman Ramirez, seconded by Councilwoman Vallejo, and unanimously carried to adjourn the meeting at 11:36 p.m.

Phyllis A. Kraft, City Clerk