

**MINUTES**

**CITY OF DELANO  
CITY COUNCIL – REGULAR MEETING  
March 21, 2011**

**CALL TO ORDER**

Mayor Chavez called the meeting to order at 6:43 p.m. in the City Hall Council Chambers, 1015 – 11<sup>th</sup> Avenue.

**INVOCATION**

Pastor Vivas offered the invocation

**FLAG SALUTE**

City Clerk Kraft led the flag salute.

**ROLL CALL**

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

**OFFICIALS PRESENT**

City Manager Salem, City Attorney Alan Peake, City Clerk Kraft, 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, Engineer Consultant Wankum

**PRESENTATIONS AND AWARDS**

No items

**ITEMS FROM THE PUBLIC**

Richard Markham, 315 Dover Drive, asked how things are coming with Wal-Mart. He stated that we need something positive on the west side and hoped they don't move Wal-Mart from the west side.

Cornel Markham, 2110 Patton Street, stated he has been checking the progress on Wal-Mart and has not seen any, only squirrels. He stated it would be nice to hear about any progress.

**CONSENT AGENDA**

- 1) Warrant Register in the amount of \$2,709,930.01
- 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 regular City Council meeting of March 7, 2011

- 4) Minutes of special joint Redevelopment Agency – City Council meeting of March 9, 2011
- 5) Approve hangar rental agreement with Gary Langston for Port-a-Port #2 at the Delano Municipal Airport Agreement No. 2011-15
- 6) Approval of Certificate of Acceptance for offer of dedication of sewer easement in 10<sup>th</sup> Avenue west of High Street
- 7) Approval of task order 11 with Cannon Associates for additional engineering services for design changes to water well 31 in the amount of \$27,089 Agreement No. 2011-16

Councilwoman Vallejo asked that item #6 be pulled for discussion.

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

Item #6) Councilwoman Vallejo expressed concern that the certificate of acceptance was not presented to Council in 2008 when it was given to the City. She asked if there is a process in place to be sure items are not missed in the future. Mr. Dowling explained that staff has now established a protocol for such items.

Moved by Councilwoman Vallejo, seconded by Councilman Ramirez and unanimously carried to approve item #6.

#### **PUBLIC HEARINGS**

No items

#### **REGULAR AGENDA**

- 8)
  - a) Purchase replacement vehicle for Senior Nutrition home delivery program and accept funding offer of up to \$13,000 from Kern County Adult and Aging Program toward purchase of the vehicle
  - b) Purchase replacement vehicle for the Transportation and General Services Director

Mr. Newhouse presented the staff report.

Moved by Councilwoman Vallejo, seconded by Councilman Aguirre and carried by the following vote to approve the purchase of a replacement vehicle for the Senior Nutrition home delivery program and accept funding offer from Kern County Adult and Aging Program toward the purchase. AYES: Aguirre, Chavez, Vallejo NOES: Ramirez ABSENT: Morris

Moved by Councilman Ramirez, seconded by Councilman Aguirre and unanimously carried to approve the purchase of a replacement vehicle, a Toyota Prius, for the Transportation and General Services Director and appropriate the necessary additional funds.

- 9) Approval of contract change order 21 with CW Roen Construction regarding additional paving at the wastewater treatment plant and related matters in the net amount of \$43,027

Mr. Wankum presented the staff report. He noted that staff is planning an end of construction celebration for April 27.

Moved by Councilwoman Vallejo, seconded by Councilman Ramirez and unanimously carried to approve contract change order 21 with CW Roen Construction for the wastewater treatment plant project. Agreement No. 2011-17

- 10) a) Adoption of an urgency Ordinance No. 2011-1223 of the City of Delano adopting the City of Delano Employee Pension Plan Trust Agreement as restated effective July 1, 2010
- b) Introduction and first reading of an Ordinance No. 2011-1224 of the City of Delano adopting the City of Delano Employee Pension Plan Trust Agreement as restated effective July 1, 2010

Mr. Peake presented the staff report. He stated this is a clean-up items to make the agreement in compliance with California law and the Pension Plan which was recently adopted.

Moved by Councilman Ramirez, seconded by Councilwoman Vallejo and unanimously carried to adopt urgency Ordinance No. 2011-1223 adopting the City of Delano Employee Pension Plan Trust Agreement.

Moved by Councilman Ramirez, seconded by Councilwoman Vallejo and unanimously carried to approve the introduction and first reading of Ordinance No. 2011-1224 adopting the City of Delano Employee Pension Plan Trust Agreement.

- 11) Appointment to pension committee

Mr. Salem presented the staff report.

Moved by Councilman Ramirez, seconded by Councilman Aguirre and unanimously carried to re-appoint Ed Warren to serve on the committee and direct the city clerk to advertise for applications from interested persons.

- 12) Report on impact fees

Mr. Dowling presented the staff report. He explained that at the February 22, council meeting staff was directed or provide information regarding the program adopted in the City of Sanger. Mr. Dowling gave a summary of the program adopted in Sanger. He explained the differences in the cities of Sanger and Delano and why we should not suspend impact fees.

No council action required

- 13) Report from the Community Center Committee

Ms. Reyna presented the staff report. She explained the criteria used to choose the three locations staff will present to council for consideration. The preferred site is city owned property at 11<sup>th</sup> Avenue and Albany Street. The city would have to purchase the building now on the site. It would require minimal rehabilitation and would be eligible for CDBG funding. There is currently a dispute with the state regarding the building. The second site is five acres near Valle Vista Park. It would be CDBG eligible. Ownership of the land would complete city ownership of the entire parcel. There is no building on the site. The third site is hospital owned property on Garces Highway and Randolph Street, however this

land was recently taken off the market. Staff should have the appraisals for both properties and more information regarding the issues with the state for the next council meeting.

No council action required

- 14) Report regarding soccer park user fees

Mr. Tracey presented the staff report. He reported that staff met with representatives of the men's soccer league regarding use of the fields and fees. The league would like exclusive use of three fields and to pay less than the established fees. The city attorney has informed staff that council would have to revise Resolution No. 2010-35 setting fees. A public hearing regarding fees has been set for the next council meeting. The league has also been asked to provide certain documents to allow staff to negotiate an agreement regarding use of the fields.

No council action required.

- 15) Set date for mid-year budget review

Mr. Salem presented the staff report.

Mayor Chavez called a special city council meeting for March 28, 2011, at 5:15 p.m.

### **INFORMATION**

No items

### **DEPARTMENTAL REPORTS**

- 16) Status update regarding proposed contract with California Department of Corrections and Rehabilitation and physical assessment of the building

Chief Galaza presented the staff report. He reviewed the status of negotiations with CDCR and noted that, due to the state's budget issues, we are at an impasse. The governor has proposed transfer of custody of level I and II inmates to counties. Chief Galaza has been meeting with county sheriffs regarding the city contracting to house those inmates. More meetings are scheduled. Staff has worked on numbers for per diem with the counties and determined that we can provide services at a lower rate than many counties. Chief Galaza asked council to provide any assistance they could to the county Boards of Supervisors. He would like to work with Mr. Salem on a draft proposal to the sheriffs spoken to, and to the MTC corporation concerning the city of Delano's interest in continuing a dialogue regarding the possible contracting of services by the DCCF. Chief Galaza and the City Manager have also met with a private company(MTC) and will continue to dialogue with them.

Chief Galaza stated that Arrington Watkins Architects has done a detailed condition assessment of the facility. Mr. Dowling reported that the biggest issue is the high humidity. Repair work needs to be done to the roofs and the bathroom facilities. The HVAC system is not functioning correctly. The draft report proposes a possible five year plan for the repairs. Repairs to the roofs may cost \$200,000 per building and to the bathrooms up to \$60,000 each for the 14 bathrooms.

No action required

- 17) Report on Incident Command Post (power point presentation)

Council requested this item be presented at the special City Council meeting on March 28,2011.

## **COUNCIL STATEMENTS AND REPORTS**

Councilwoman Morris: absent

Councilwoman Vallejo: Councilwoman Vallejo expressed concern regarding flooding at 18<sup>th</sup> Avenue and Princeton Street and staff response time. She commended Police Officer D. Garcia for his professionalism regarding the investigation of a vehicle theft. She publically thanked Mr. Salem for what he has done for Delano.

Councilman Aguirre: Councilman Aguirre expressed concern regarding the staffing ratio in the police department. He stated 60 cases per officer is unacceptable. Chief DeRosia replied that the average is about 30 and that after checking with other police chiefs, noted we are right on with our numbers.

Councilman Ramirez: Councilman Ramirez thanked Mr. Salem for his work in Delano. He noted that a lot of things are going on and he is happy to see movement taking place.

Mayor Chavez: Mayor Chavez thanked Mr. Salem for his time in Delano and the work he has done. He asked about the flooding on Albany Street north of Cecil Avenue. Mr. Dowling explained that the sump fills and has to be pumped across the street.

### **CLOSED SESSION**

No items

### **ADJOURNMENT**

Moved by Councilman Ramirez, seconded by Councilwoman Vallejo, and unanimously carried to adjourn the meeting at 8:37 p.m.

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Phyllis A. Kraft, City Clerk