

## **MINUTES**

### **CITY OF DELANO CITY COUNCIL – REGULAR MEETING September 19, 2011**

#### **CALL TO ORDER**

Mayor Chavez called the meeting to order at 5:33 p.m. in the City Hall Council Chambers, 1015 – 11<sup>th</sup> Avenue.

#### **FLAG SALUTE**

Councilman Ramirez led the flag salute.

#### **ROLL CALL**

Council members present: Aguirre (arrived 5:44 p.m.), Chavez, Morris, Ramirez  
Council members absent: Vallejo

#### **OFFICIALS PRESENT**

City Manager Reyna, City Attorney Alan Peake, City Clerk Kraft, Assistant Finance Director Bermudez, Police Chief DeRosia, Transportation and General Services Director Newhouse, Interim Community Development Director Carino, City Engineer Dowling, Human Resources Analyst Zamudio, Economic Development Specialist Batth

#### **PRESENTATIONS AND AWARDS**

Presentation by San Joaquin Valley Air Pollution Control District

#### **ITEMS FROM THE PUBLIC**

Angel Diaz, 501 High Street, commended the council for conducting an open audit. He stated the city has collected \$11 million in sales tax. He is thinking about working to rescind the tax. Mr. Diaz stated that the sales tax was suppose to go to youth, senior citizens and police. He noted that the K-Mart and Chinatown properties are empty but bills are coming in. The boom is not coming. He stated that houses have lost 35%. Things are worse now than in the Great Depression. Council needs to work as a team. He added that Councilwoman Vallejo should not have voted for her husband.

Margie Luque-Felix stated she would like to see projects come to fruition. She noted that we lost the Wal-Mart distribution center to Porterville and the outlet mall to Tulare. We've spent millions on Block H and there is nothing there. She stated that she was an advocate for the one cent sales tax. Seniors deserve a program. She added that we don't have any venues for youth or shopping. We lost the swap meet to Earlimart. Ms. Luque-Felix asked how she can help. She stated she is pleased with Habitat for Humanity and asked how people can apply for help from that organization. Councilman Ramirez asked that a report on Measure I be placed on the next agenda.

Richard Markham, 315 Dover Drive, stated that the Lemoore Air Force Base was suppose to come here and we lost it. He asked what is going to be done with Voice of America and the land at the old K-Mart that the court was going to use. He asked when Wal-Mart is coming here and stated we need a Carl's Jr.

## CONSENT AGENDA

- 1) Warrant Register in the amount of \$1,301,613.89
- 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 September 6, 2011
- 4) Minutes of regular Planning Commission meeting of August 10, 2011
- 5) Second reading and final adoption of Ordinance No. 2011-1236 of the City Council of the City of Delano approving pre-zoning Amendment No. 2011-03 for Annexation No. 52, a proposal to annex 172 acres into the City of Delano, located west of Garzoli Avenue and State Route 99, south of Millennium Drive (a proposed City street), north of Schuster Road, and one-half mile east of Stradley Road on the west
- 6) Second reading and final adoption of Ordinance No. 2011-1238 of the City Council of the City of Delano, California, determining it will comply with the Voluntary Alternative Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Community Redevelopment Agency of the City of Delano
- 7) Acceptance and approval of City of Delano quarterly investment report for the quarter ended June 30, 2011
- 8) Consideration of proposed response to Kern County Grand Jury Report entitled Joint Powers Agreements and Memorandums of Understanding
- 9) Resolution No. 2011-92 of the City Council of the City of Delano approving and authorizing an addendum to the service agreement by and between Video Memories and the city to produce a marketing video Agreement No. 2011-70
- 10) Approve service agreement amendment to extend Service Agreement with AmeriNational Community Services, Inc. (Agreement #2010-75) through March 20, 2012 Agreement No. 2011-71
- 11) Approve contract modification with Mayer Hoffman McCann for additional auditing services to include an expanded audit of non-major funds, the CCF Fund and a general review of the financial condition of the City in the amount of \$57,600 Agreement No. 2011-72

Item #10 was pulled for discussion.

Moved by Councilman Ramirez, seconded by Councilwoman Morris, and unanimously carried to approve the Consent Agenda with item #10 pulled for discussion.

Item #10) Ms. Bath stated there are some minor revisions, mostly grammatical, requested by the city attorney. Staff asks the item be approved with changes.

Moved by Councilman Ramirez, seconded by Councilwoman Morris and carried by all those present to approve agenda item #10 with changes to the agreement as proposed by the city attorney.

### **PUBLIC HEARINGS**

- 12) Public hearing #2011-38: Adoption of an urgency ordinance of the City Council of the City of Delano amending Section 10.16.210 of the Delano Municipal Code by deleting Section (K) and re-lettering Section "L" to be the new Section "K" related to parking zones established on 14<sup>th</sup> Avenue from High Street to Jefferson Street

Mr. Dowling presented the staff report. He noted that when staff was directed to begin enforcing the two hour parking limit, it created a hardship on homes located in this area because there is no off-street parking available.

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

Mayor Chavez closed the public hearing.

Moved by Councilman Aguirre, seconded by Councilman Ramirez and unanimously carried to adopt urgency Ordinance No. 2011-1239 amending Section 10.16.210 of the Delano Municipal Code.

- 13) Public hearing #2011-39: Resolution of the City Council of the City of Delano creating Underground Utility District No. 2011-01 along Glenwood Street from 8<sup>th</sup> Avenue to 11<sup>th</sup> Avenue and 9<sup>th</sup> Avenue from Glenwood Street to alley west of Glenwood Street in the City of Delano

Mr. Dowling presented the staff report.

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

Mayor Chavez closed the public hearing.

Moved by Councilman Ramirez, seconded by Councilwoman Morris and unanimously carried to adopt Resolution No. 2011-85 creating Underground Utility District No. 2011-01.

### **REGULAR AGENDA**

- 14) a) Resolution of the City Council of the City of Delano adopting the class specification of Equipment Repair Supervisor

Ms. Zamudio presented the staff report.

Moved by Councilman Aguirre, seconded by Councilman Ramirez and unanimously carried to adopt Resolution No. 2011-86 of the City Council adopting the class specifications of Equipment Repair Supervisor.

- b) Resolution of the City Council of the City of Delano adopting the class specification of Streets Maintenance Worker II

Ms. Zamudio presented the staff report.

Moved by Councilman Aguirre, seconded by Councilman Ramirez and unanimously carried to adopt Resolution No. 2011-87 of the City Council adopting the class specifications of Streets Maintenance Worker II.

- c) Resolution of the City Council of the City of Delano adopting the class specification of Assistant Solid Waste / Street Sweeping Supervisor and change to miscellaneous unit salary schedule

Ms. Zamudio presented the staff report.

Moved by Councilman Aguirre, seconded by Councilman Ramirez and unanimously carried to adopt Resolution No. 2011-88 of the City Council adopting the class specifications of Assistant Solid Waste / Street Sweeping Supervisor and change to miscellaneous unit salary schedule.

- d) Resolution of the City Council of the City of Delano adopting the class specification of the Wastewater Collection Systems Operator I / II / III, title changes, and changes to miscellaneous unit salary schedule for classifications in the WWTP / Sewer Division of the Public Works Department

Ms. Zamudio presented the staff report.

Moved by Councilman Aguirre, seconded by Councilman Ramirez and unanimously carried to adopt Resolution No. 2011-89 of the City Council adopting the class specifications of Wastewater Collection Systems Operator I/ II/ III, title changes, and changes to miscellaneous unit salary schedule for classifications in the WWTP / Sewer Division of the Public Works Department.

- e) Resolution of the City Council of the City of Delano adopting the class specification of the Water Distribution Operator I/ II/ III, title changes, and changes to miscellaneous unit salary schedule for classifications in the Water Division of the Public Works Department

Ms. Zamudio presented the staff report.

Moved by Councilman Aguirre, seconded by Councilman Ramirez and unanimously carried to adopt Resolution No. 2011-90 of the City Council adopting the class specifications of Water Distribution Operator I/ II/ III, title changes, and changes to miscellaneous unit salary schedule for classifications in the Water Division of the Public Works Department.

- 15) Resolution of the City Council of the City of Delano approving the application to the State of California Department of Housing and Community Development for emergency housing and assistance program capital development funds and authorizing the City Manager to execute all required documents

Ms. Bath presented the staff report.

Moved by Councilman Ramirez, seconded by Councilwoman Morris and unanimously carried to adopt Resolution No. 2011-91 approving the application to the State of California Department of Housing and Community Development for emergency housing and assistance program capital development funds.

- 16) Approve agreement with Mission Community Services Corporation to provide counseling services to small businesses in Delano, in the amount of \$6,000

Ms. Bath presented the staff report.

There was brief discussion regarding a follow-up report on those who have received training through this service and the benefits provided by the enterprise zone designation.

Moved by Councilman Ramirez, seconded by Councilwoman Morris and unanimously carried to approve an agreement with Mission Community Service Corporation. Agreement No. 2011-73

### **DEPARTMENTAL REPORTS**

No items

### **COUNCIL STATEMENTS AND REPORTS**

Councilwoman Morris: Councilwoman Morris thanked the college students in the audience for attending the meeting. She told Ms. Luque-Felix that council wants the same things the public does and is working hard to make those things happen.

Councilman Aguirre: Councilman Aguirre stated that department heads work tirelessly and he has seen their dedication and hard work. He asked the city manager to improve communication with the public. Mr. Aguirre informed the public that the city has provided assistance to developers and it is up to them to build their projects. He noted that Paramount did what they stated they would regarding the expansion of their facility. Their project will create more jobs than Wal-Mart will.

Councilwoman Vallejo: absent

Councilman Ramirez: Councilman Ramirez welcomed the students in the audience. He stated some of the comments from the public come from a lack of information and misunderstanding. He asked staff to provide a report to the public like the ones given to council members.

Mayor Chavez: Mayor Chavez thanked the students for being present. He noted that Mr. Markham attends the meetings and addresses the council because he is concerned with the city. Mr. Chavez stated people have the power to vote or get into public service to make changes. He asked Ms. Luque-Felix to call him and talk about what is going on in Delano

### **CLOSED SESSION**

No items

### **ADJOURNMENT**

Moved by Councilman Ramirez, seconded by Councilwoman Morris, and unanimously carried to adjourn the meeting at 6:39 p.m.

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Phyllis A. Kraft, City Clerk