

## **MINUTES**

### **CITY OF DELANO CITY COUNCIL – REGULAR MEETING January 17, 2012**

#### **CALL TO ORDER**

Mayor Vallejo called the meeting to order at 5:40 p.m. in the City Hall Council Chambers, 1015 – Avenue.

#### **FLAG SALUTE**

Councilman Aguirre led the flag salute.

#### **ROLL CALL**

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

#### **OFFICIALS PRESENT**

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

#### **PRESENTATIONS AND AWARDS**

No items

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

Lon Chaney, 1642 – Place, announced a fund raiser will be held at the American Legion Hall on January 20, for Jeremy Staat and Wesley Barrientos who will make a “Wall to Wall” bicycle ride from Bakersfield to Washington DC to raise awareness of and support for our nation’s veterans, veteran suicide awareness and to promote childhood physical fitness.

Heather Harrow, 1005 Mammoth Drive, Bakersfield, of the Jeremy Staat Foundation, provided information about the foundation, Mr. Staat and Mr. Barrientos, and the work they do.

Richard Markham, 315 Dover Drive, asked for follow-up regarding his previous statements about loud parties with bands and DJ’s in his neighborhood. He stated the police have been helpful.

Cornell Markham, 2110 Patton Street, stated he is concerned that the Law Enforcement Liaison Board told him there was nothing they can do regarding his being searched at gun point without being told why. He asked this incident be placed on a future agenda.

Debbie Campbell spoke regarding the Precious Earth project and the city’s request for a full project review. She stated they have officially requested a meeting with staff to discuss the site plan review. She also stated they will request they be given permits. Ms. Campbell noted they want to be a fully participating member of the community.

## CONSENT AGENDA

- 1) Warrant Register dated January 3, 2012 in the amount of \$1,628,889.35
- 2) Warrant Register dated January 17, 2012 in the amount of \$2,965,014.72
- 3) 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
- 4) Minutes of regular City Council meeting of December 19, 2011
- 5) Minutes of regular City Council meeting of January 3, 2012
- 6) Approve Finance Director to attend one day of CSMFO (California Society of Municipal Finance Officers) Annual Conference February 29, 2012, in Anaheim, California
- 7) Approval of plans and specifications for the 2012 Street Rehabilitation Project (RSTPL-5227(041)) and authorizing the City Clerk to advertise for bids pending State approval of the request for authorization for construction
- 8) Approval of Certificate of Acceptance for grant deed for easement on Fremont Street from 99 Cents Only Stores, Inc. Resolution No. 2012-04
- 9) Grant an access and utility easement to New Cingular Wireless PCS, LLC for a 4.65 acre parcel on City property west of Mettler Lane for a wireless telephone tower site, and authorize the City Manager to sign the easement Resolution No. 2012-05
- 10) Resolution No. 2012-01 of the City Council of the City of Delano authorizing staff to file a claim to Kern Council of Governments for Transportation Development Act (TDA) funds for streets and roads for fiscal year 2011-2012
- 11) Approve plans and specifications for the wellhead treatment for arsenic wells 22 and 26 and authorize the City Clerk to advertise for bids, pending State approval
- 12) Approval of open purchase orders for \$35,000 or more for the period January 1, 2012 to June 30, 2012
- 13) Enter into a hangar rental agreement with Mr. Michael Hutchinson for aircraft storage at the Delano Municipal Airport Agreement No. 2012-01
- 14) Accept donation of two golf bags and three golf clubs from Mr. Tony Zuniga and authorize staff to off the items for sale
- 15) Approval of Councilman Ramirez travel to Sacramento January 4 – 5, 2012, to represent the City of Delano at an Appeal Committee meeting for the Emergency Housing and Assistance Program

Mayor Vallejo announced that items #7, #8, #9, and #15 have been pulled for discussion.

Moved by Councilman Aguirre, seconded by Councilman Chavez, and unanimously carried by all those present to approve the Consent Agenda with items #7, #8, #9, and #15 pulled for discussion.

Item #7) Mayor Vallejo noted that one street on the list is Randolph Street from Avenue to County Line Road. She noted that every day there is water running down the street from Rotary Village and expressed concern it will cause continued damage. Mr. Dowling stated that staff will take precautions and he has been having conversations with Rotary Village.

Moved by Mayor Vallejo, seconded by Councilman Chavez and unanimously carried by all those present to approve agenda item #7.

Items #8 and #9) Mr. Peake stated that staff is requesting resolutions be adopted for both these items, but they were not included in the staff reports. The recorder's office sometimes requires resolution when property is involved and the resolutions are also used for tracking purposes.

Moved by Councilman Aguirre, seconded by Councilman Chavez and unanimously carried by all those present to approve items #8 and #9 with resolutions presented at the meeting.

Item #15) Mayor Vallejo stated this approval is after-the-fact and she wanted to publically thank Councilman Ramirez for attending the meeting and staff for their work getting information ready for him on short notice. Mrs. Reyna explained that the original application for the grant was denied because there was insufficient funding. After an additional \$3 million in funding became available, the State requested we make a presentation in support of our application. Our efforts were successful.

Moved by Councilman Chavez, seconded by Councilwoman Morris and unanimously carried by all those present to approve item #15.

## **PUBLIC HEARINGS**

- 16) Public hearing #2012-01 (**continued from December 5, 2011**) Introduction and first reading of an ordinance of the City Council of the City of Delano amending Title 20 of the Delano Municipal Code by adding Section 20.2.85 thereto and amending Section 20.10.80 thereof, relating to the review and approval of residential density bonus requests and development incentives in conformance with Section 65915 of the California Government Code (Zone Amendment No. 2011-09)

Ms. Carino presented the staff report.

Mayor Chavez asked for public comments.

Bill Hylton, 1515 – Avenue, noted that the lot size requirements for single family residential keeps getting smaller and the city is making a mistake by continuing to allow for smaller lots.

Mayor Chavez closed the public hearing.

There was brief discussion regarding State mandate regarding low income housing and how our standards affect the city's ability to apply for grants and funding from the state.

Moved by Councilman Aguirre, seconded by Councilwoman Morris and unanimously carried by all those present to approve the introduction and first reading of Ordinance No. 2012-1243 amending Title 20 of the Delano Municipal Code relating to the review and approval of residential density bonus requests and development incentives.

- 17) Public hearing #2012-02: Second reading and final adoption of Ordinance #2011-1242 of the City Council of the City of Delano amending Article 4 of the City of Delano Employee Pension Plan by adding a new Section 4.15

Mr. Peake presented the staff report.

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

Mayor Chavez closed the public hearing.

Moved by Councilwoman Morris, seconded by Councilman Aguirre and unanimously carried by all those present to approve the second reading and final adoption of Ordinance #2011-1242 amending Article 4 of the Employee Pension Play by adding a new Section 4.15

### **REGULAR AGENDA**

- 18) Resolution of the City Council of the City of Delano authorizing the City Manager or designee to file an application to the State of California Strategic Growth Council for a Sustainable Communities Planning Grant for the purpose of funding a comprehensive update to the City of Delano General Plan, and to sign any and all grant related documents, contracts, or amendments

Ms. Carino presented the staff report.

Moved by Councilwoman Morris, seconded by Councilman Aguirre and unanimously carried by all those present to adopt Resolution No. 2012-02 regarding the filing of an application to the State of California Strategic Growth Council for a Sustainable Communities Planning Grant.

- 19) Resolution of the City Council of the City of Delano making an election in connection with serving as a successor agency under Part 1.85 of the California Community Redevelopment Law and taking certain actions in connection therewith

Mrs. Reyna presented the staff report. She stated that all redevelopment agencies in the state will be dissolved as of February 1, and this action will name the City as the successor agency for the city's RDA. Mr. Peake added that the assets of the RDA will be transferred to the successor agency. The successor agency will be tasked with paying the RDA's obligations. There will be a transfer of funds to pay the obligations. An oversight board will be put in place by May 1, and will have 7 members who will be appointed by various interested parties including the Board of Supervisors and the school board.

Moved by Councilman Chavez, seconded by Councilwoman Morris and unanimously carried by all those present to adopt Resolution No. 2012-03 regarding a successor agency to the Community Redevelopment Agency.

- 20) Approval of plans and specifications for the new police facility and authorize the City Clerk to advertise for bids pending final approval by the City Building Official

Mr. Dowling presented the staff report. Staff would like to advertise before the end of this month. Max Medina of W.L.C. Architects gave a power pint presentation of the rendering of the building.

Moved by Councilman Chavez, seconded by Councilwoman Morris and unanimously carried by all those present to approve the plans and specifications for the new police facility.

- 21) Approve contract with Willdan Financial Services to convert the city utility billing system from in-house billing to billing on the county property tax bill and authorize the City Manager to sign the contract

Mr. Dowling presented the staff report. Habib Isaac of Willdan participated in the discussion via telephone. Mr. Dowling explained that this item will allow Willdan to look at utility rates as they would be under the scenario of the billing on the county property tax bill.

There was lengthy discussion regarding: the current utility budget and the cost for the county to include the bill on property bills; current lost accounts and the technology necessary to track them; other cities that bill on the property bills; the burden on customers to pay the entire amount due at one time versus monthly; possible affects on staffing; cash flow at the time a change is made if the process is approved; a more fair distribution of rates among residential and commercial customers; any change in the utility rates.

Lupe Martinez, 1215 Lexington Street, stated customers would have to come up with more money for their taxes. He is opposed to the process and method and would rather pay bills monthly. Mr. Martinez stated that we need to look at the root causes and issues regarding the lost accounts.

Ethel Pickering, 102 Dover Place, stated her tax bill would be too high if utilities were included. She stated the city should go after those customers who aren't paying and not put more burden on those who are.

Maria Martinez, 1215 Lexington Street, stated a need for citizens to organize themselves. She noted that she is paying for trash and never uses the service.

Moved by Councilman Aguirre, seconded by Councilman Chavez and unanimously carried by all those present to approve a contract with Willdan Financial Services to convert the city utility billing system.

#### **DEPARTMENTAL REPORTS**

No items

#### **COUNCIL STATEMENTS AND REPORTS**

Councilman Aguirre thanked everyone in the audience for their feedback.

Councilman Chavez no items

Councilwoman Morris no items

Councilman Ramirez absent

Mayor Vallejo thanked everyone for coming to the meeting.

#### **CLOSED SESSION**

No items

#### **ADJOURNMENT**

Moved by Councilman Chavez, seconded by Councilman Aguirre, and unanimously carried by all those present to adjourn the meeting at 8:01 p.m.

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Phyllis A. Kraft, City Clerk