

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING March 5, 2012

CALL TO ORDER

Mayor Vallejo called the meeting to order at 5:39 p.m. in the City Hall Council Chambers, 1015 – Avenue.

FLAG SALUTE

Councilman Morris led the flag salute.

ROLL CALL

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

OFFICIALS PRESENT

City Manager Reyna, City Attorney Alan Peake, City Clerk Kraft, Finance Director Rios, Police Chief DeRosia, Community Development Director Cariño, City Engineer Dowling, Acting Human Resources Director Zamudio, Engineering Consultant Lippitt

PRESENTATIONS AND AWARDS

Certificate of Recognition to the Cecil Avenue Middle School Cheer Squad for their Participation in the National Cheer Leading Competition, February 2012, Las Vegas

ITEMS FROM THE PUBLIC

Angel Diaz, 510 High Street, stated he told the council two years ago that the city was going millions in the hole. He stated he chaired the committee that was responsible for passing the one cent sales tax and he can rescind it. He stated the city has squandered its money on wages. Mr. Diaz stated the company that picks up dumpsters has not paid in five years \$50,000 and the city will waive another \$50,000. He asked if they will do that for all the businesses. Mr. Diaz stated he is proud of the kids.

Tonya Recinos stated she would like to start a women's soccer league. She has gone to businesses to get sponsors and would like to ask now for help.

Lupe Martinez, 1215 Lexington Street, asked for clarification of the minutes of the January 17, meeting regarding the contract with Willdan. He stated he found out today that the city will have workshops regarding utility rates on Tuesday and Thursday, and that this is not giving citizens enough notice to come to the meetings and provide feedback.

Richard Markham, 315 Dover Drive, congratulated the city regarding Wal-Mart. He stated he is trying to get in touch with Foods Co. He congratulated Officer Jones on his work as code enforcement officer and noted he has been helpful on getting things done.

Valarie Gorospe stated the public needs more notice regarding the workshops. She stated it should be posted on the school's website or Delanonow.com. She stated the American Lung Association will have a new report next month on the state of the air. Ms. Gorospe stated we need to start planning the way we do things better and suggested larger trees be planted along the routes to schools.

Ruben Pascual stated he is opposed to putting the utility bills on the tax bills. He stated the city should be taking care of our own people. He asked for a copy of the dates provided by Willdan.

Daniel (no last name given) asked if there are any proposals for new stores.

Rudy Salas, Bakersfield City Council Member, offered the support of the City of Bakersfield in any way they can be of help. He suggested the City of Delano contact the Arbor Foundation regarding trees.

Nathan Ford, 1314 Belmont Street, stated 40% of the people living in Delano are living in poverty. Many of them may not be able to pay their bill if it goes on the property tax bill.

Mayor Vallejo called a recess at 6:25 p.m. Mayor Vallejo reconvened the meeting at 6:31 p.m.

CONSENT AGENDA

- 1) Warrant Register in the amount of \$1,578,790.99
- 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 February 21, 2012
- 4) Resolution No. 2012-17 of the City Council of the City of Delano declaring various equipment and vehicles as surplus and authorizing staff to dispose of same
- 5) Resolution No. 2012-18 of the City Council of the City of Delano approving a rental agreement between Mr. Gordon Dole and the City to rent port-a-port #P-11 at the Delano Municipal Airport Agreement No. 2012-19
- 6) Approval of travel to the 2012 Public Works Officers Institute for the Public Works Director / City Engineer
- 7) Resolution No. 2012-19 of the City Council of the City of Delano amending the Enterprise Zone Hiring Tax Credit Voucher processing fee of \$40 and approving and adopting a non-refundable \$100 processing fee to be paid to the City of Delano for each Enterprise Zone Hiring Tax Credit Voucher submitted to the City or its vouchering agent
- 8) Approval of travel to attend POST recommended Team Development Seminar for Police Chief and City Manager March 14 – 16, 2012 in Pacific Grove

Councilman Chavez asked that item #6 be pulled for discussion.

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

Item #6) Councilman Chavez noted that all travel had been frozen in the current budget and asked if this travel is necessary. Ms. Reyna answered that staff feel it is important for the city engineer to attend this conference as there are many public works projects on-going and he has not attended any such conferences during his four years with the city.

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

PUBLIC HEARINGS

- 9) Public hearing #2012-03 Continued from February 21, 2012: Receive comments related to unmet transit needs that may exist and can be reasonably met in the City of Delano

Mr. Lippitt presented the staff report. He noted that at the last meeting there was a request to restore Saturday bus service. KernCOG has awarded a contract to Moore & Associates to do a study on our transit system and that will issue will be looked at.

Mayor Vallejo asked for public comments.

Nathan Ford, 1314 Belmont Street, stated we will never be able to satisfy every citizen and every need. He noted that most people have someone who can provide them a ride and the city cannot be responsible for everyone who needs a ride.

Mayor Vallejo closed the public hearing.

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to adopt Resolution No. 2012-20 declaring there are no unmet transit needs that can be reasonably met within the City of Delano.

- 10) Public hearing #2012-04:
 - a) Resolution of the City Council of the City of Delano adopting a Mitigated Negative Declaration (E-11-04) for General Plan Amendment No. 2011-07, an update of the Housing Element of the City of Delano General Plan
 - b) Resolution of the City Council of the City of Delano approving General Plan Amendment No. 2011-07, an update of the Housing Element of the City of Delano General Plan

Ms. Cariño presented the staff report.

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

Mayor Vallejo closed the public hearing.

Moved by Councilman Chavez, seconded by Councilwoman Morris and unanimously carried to adopt Resolution No. 2012-21 of the City Council of the City of Delano adopting a mitigated negative declaration (E-11-04) for General Plan Amendment No. 2011-07, an update of the Housing Element of the City of Delano General Plan.

Moved by Councilman Chavez, seconded by Councilwoman Morris and unanimously carried to adopt Resolution No. 2012-22 of the City Council of the City of Delano approving General Plan Amendment No. 2011-07, an update of the Housing Element of the City of Delano General Plan.

- 11) Public hearing #2012-05: Introduction and first reading of an ordinance of the City of Delano adopting Chapter 7.40 of the City of Delano Municipal Code pertaining to the registration and maintenance of abandoned properties

Ms. Cariño presented the staff report. She noted some typos in the proposed ordinance on pages 2 and 8.

Mayor Vallejo asked for public comments.

Cornel Markham asked if the city is having problems with squatters and stated that notices should go to the banks. Mayor Vallejo answered that there are squatters in some cases and notices are sent to the property owners.

Mayor Vallejo closed the public hearing.

There was brief discussion regarding code enforcement and fees.

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to approve the introduction and first reading of Ordinance No. 2012-1244 of the City of Delano adopting Chapter 7.40 of the Delano Municipal Code pertaining to the registration and maintenance of abandoned properties, with corrections as noted.

REGULAR AGENDA

- 12) Approve contract with Jocelyn E. Roland, PhD. for psychological screenings for pre-employment psychological evaluations of police officer, correctional officer, and public safety dispatcher applicants; fitness-for-duty evaluations; and critical incident counseling

Ms. Zamudio presented the staff report. She noted that an RFP has been issued for a second psychologist.

Moved by Councilman Chavez, seconded by Councilman Ramirez and unanimously carried to approve a contract with Jocelyn E. Roland PhD. for psychological screenings. Agreement No. 2012-20

- 13) Contract between the City of Delano and Environmental Science Associates (ESA) to complete a Local Government Strategic Plan Strategies Program funded by Southern California Edison (SCE) Company

Ms. Cariño presented the staff report.

Moved by Councilman Chavez, seconded by Councilman Ramirez and unanimously carried to approve the contract with Environmental Science Associates to complete a Local Government Strategic Plan Strategies Program. Agreement No. 2012-21

- 14) Acceptance of scholarships to attend the Building Livable Communities Conference for Local Elected Officials March 15 – 18, 2012, at Yosemite National Park, and selection of elected official(s) to attend

Ms. Cariño presented the staff report.

Valarie Gorospe stated that Mayor Vallejo attended the conference in San Diego and has not yet provided a report to the public. She asked that whoever attends this conference provide a report.

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to accept scholarships to attend the Building Livable Communities Conference for Local Elected Officials and approve Councilman Aguirre to attend.

- 15) Resolution of the City Council of the City of Delano confirming the Mayor's appointments to the Oversight Board for the Successor Agency to the Community Redevelopment Agency of the City of Delano

Ms. Reyna presented the staff report. She noted that Mayor Vallejo has appointed Councilman Aguirre and Economic Development Specialist Bath to serve on the Board.

Moved by Councilman Chavez, seconded by Councilman Ramirez and unanimously carried to adopt Resolution No. 2012-23 confirming the Mayor's appointments to the Oversight Board for the Successor Agency to the Community Redevelopment Agency of the City of Delano.

DEPARTMENTAL REPORTS

No items

COUNCIL STATEMENTS AND REPORTS

Councilman Aguirre no items

Councilman Chavez no items

Councilwoman Morris no items

Councilman Ramirez asked for an update on the new police facility at the next council meeting. He stated the utility billing issue is a complicated one, and the public needs to be involved in the process. He noted that we have not looked at ways to make cuts in the budget rather than increase the rates.

Mayor Vallejo stated the public should attend the workshops to understand what has been done. She added that rates were not the only things looked at in the study. It showed that one area was compensating other areas. She asked the public to come to the workshop with an open mind. Mayor Vallejo noted that the city employees have been the ones to give up the most because they have not received raises. She thanked staff who have been doubling up on their work.

CLOSED SESSION

Moved by Councilman Ramirez, seconded by Councilman Chavez, and unanimously carried that the City Council adjourn to Closed Session at 7:30 p.m. The City Clerk was excused. Mayor Vallejo was appointed Acting City Clerk. The City Attorney and City Manager were asked to remain.

- 16) Conference with legal counsel: Social Pacific Construction Corp. vs. City of Delano et al.; pursuant to govt. code section 54956.9(a)

RETURN TO GENERAL SESSION

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to reconvene in Open Session at 7:45 p.m. Mr. Peake provided a report on closed session as follows:

- 16) Information was provided; no action taken.

ADJOURNMENT

Moved by Councilman Aguirre, seconded by Councilwoman Morris, and carried by the following vote to adjourn the meeting at 7:46 p.m. AYES: Aguirre, Chavez, Morris, Vallejo NOES: Ramirez

Phyllis A. Kraft, City Clerk