

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING October 16, 2017

CALL TO ORDER

Mayor Morris called the meeting to order at 5:30 p.m. in the City Hall Council Chambers, 1015 – 11th Avenue.

INVOCATION

Council Member Pascual offered the invocation.

FLAG SALUTE

City Attorney Richman led the flag salute.

ROLL CALL

Council members present: Liz Morris, Grace Vallejo, Rueben Pascual, Joe Aguirre, Ruben Hill
Council members absent:

OFFICIALS PRESENT

City Manager Reyna, City Attorney Rachel Richman, City Clerk Chavez, Finance Director Rios, Police Chief DeRosia, City Engineer Dowling, Human Resources Director Zamudio and Chief of Corrections Marshall

PRESENTATIONS AND AWARDS

R & F Disposal Inc. representative Evelyn Gonzalez presented a \$5,000 check to the City of Delano to help support a local project for the youth of Delano
Presentation was given by Senator Dean Florez regarding Legislative Update (**Tabled**)

ITEMS FROM THE PUBLIC

1. Roberto Ibarra mentioned that his co-worker brought to his attention that the traffic light going west taking a left on the green has a delay. Requested the council to make a correction.
 - a. City Manager Reyna stated that it is a matter of CalTrans, but will follow up regarding the logistics of the traffic light on Woolomes.
 - b.

CONSENT AGENDA

- 1) 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
- 2) Warrant Register in the amount of \$1,907,533.87
- 3) Minutes of regular City Council meeting of October 2, 2017
- 4) Minutes of the regular Pension Committee Meeting of May 8, 2017
- 5) Second Reading and Final Adoption of an ordinance of the City of Delano amending the City's Municipal Code to add a section pertaining to recovery of attorneys' fees as permitted by the government code (**Ordinance No. 2017-1293**)
- 6) Reclassification of one temporary part time community services officer to full time
- 7) Resolution of the City of Delano Adopting the City of Delano Employee Pension Plan, As Amended and Restated Effective January 1, 2016 (**Resolution 2017-61**)
- 8) Release funds from developer escrow account to the Vineyard Retail Center (Delano Market Place II) per MOU No. 2016-84 for the required offsite improvements in the amount of \$62,350.71 for payment application no. 10
- 9) Award of contract for the 2017 Installation of SJVAPCD Class II Bike Lane Project to T & T Pavement Markings in the amount of \$73,515.50 and authorize the Mayor to sign the construction contract (**Agreement No. 2017-58**)
- 10) Authorizing Mayor to sign Certificate of Acceptance from Deed for Right of Way on Various Streets offsite from Parcel Map 12093
- 11) Rejecting all bids for the Delano Animal Shelter Facility and directing the City Engineer to Re-Advertise
- 12) Approval of Developer Assistance Agreement with DMP2, LP, Regarding the use of traffic impact fees credits (**Agreement No. 2017-59**)
- 13) Request approval of the City's 2016 Consolidated Annual Performance and Evaluation Report
- 14) Acceptance of a donation in the amount of \$500.00 from Dr. Greg Hirokawa, Ph.D., for deposit into fund 01-5700-200 for use during the 2017 Delano Police Department Trunk or Treat event
- 15) Acceptance and Approval of the City of Delano Quarterly Investment Report

- 16) Authorize the City Manager to enter into and execute the first amendment to the contract with The Arts Council of Kern to provide additional art classes for CDCR inmates confined to the Delano Modified Community Correctional Facility (DMCCF) (**Agreement No. 2017-60**)
- 17) Request Council for authorization of funds to provide furnishings and equipment for the domestic violence center (“DVC”)

Motion was made by Council Member Vallejo to approve items 1-17, and on consent agenda; 2nd by: Hill

Vote: 5-0

Ayes: Morris/Vallejo/Hill/Pascual/Aguirre

Nays: None

Absent: None

Abstentions: None

PUBLIC HEARINGS

No Items

REGULAR AGENDA

- 18) Resolution of the City Council of the City of Delano Declaring Commercial Property located at 103 South High Street, APN# 422-040-09-7 as a nuisance property, and authorization to abate noted property and collect related costs of abatement of properties

Staff Report was provided by Chief DeRosia.

Public Comment was opened by Mayor Morris

Anthony Lara (1406 7th Ave) informed the council that the fence has been installed and it has been mostly cleaned up.

Chief DeRosia claimed that the area could have been secured a month ago.

Council Member Aguirre inquired about the inspection and inspector regarding what exactly the inspector would be inspecting.

Chief DeRosia responded that what is inspected is the structural integrity of the structure and safety of the transients that inhabited the quonset hut structure.

Council Member Hill believed that Mr. Lara has been making concerted effort to comply with the city. He feels that the City should help Mr. Lara help in

Council Member Vallejo inquired about welding the door shut for the tower.

Mr. Lara proposed that he would put a rod iron fence.

City Manager explained the process that the analysis would be done beforehand.

Council Member Vallejo emphasized whether or not Mr. Lara would be able to show the City if the structure, more specifically the tower is safe.

City Manager Reyna shared that the structure had suffered fire damage years ago which has compromised the structure.

Council Member Vallejo warned Mr. Lara that he should be concerned with conditions of the structure.

Mayor Morris asked if the debris was cleaned up.

Chief DeRosia responded that the two bigger concerns have not been addressed.

Council Member Aguirre asked Mr. Lara to contact a structural engineer.

Mr. Lara stated that he will have a contractor to review the structure and hope that it can be salvaged, if not just tear it down.

Council Member Vallejo asked if this item was approved, what would the time be to demolish the building.

City Manger Reyna stated that there is process which will take time, but initial approach would be to secure the area.

Chief DeRosia offered to help Mr. Lara tomorrow morning regarding securing the property.

Council Member Vallejo reflected that since she had been working with Chief DeRosia to remove several of the transients with their tents.

Chief DeRosia confirmed with Mr. Lara that he does not own the APN referenced in item no. 19.

Discussion was had with City Attorney Richman, Chief DeRosia and Council. Direction was given in providing 30 days conditional continuance to make sure property is abated.

Public Comment was closed.

Motion to continue matter to November 6, 2017 hearing and comply with the recommendations by code enforcement without any extension.

Motion was made by Council Member Vallejo; 2nd by: Aguirre

Vote: 5-0

Ayes: Morris/Vallejo/Hill/Pascual/Aguirre

Nays: None

Absent: None

Abstentions: None

- 19) Resolution of the City Council of the City of Delano Declaring 103 South High Street, APN 422-040-04-8 as a nuisance property, and authorizing staff to abate by demolition said property and collect related costs of abatement of properties (**Resolution 2017-62**)

Staff Report was provided by Chief DeRosia.

Anthony Lara stated that he simply would need more time so he can take care of it himself because the property is next to his property.

Council Member Aguirre asked if Mr. Lara knows the owner.

Mr. Lara disclosed that he is in the process of purchasing the property and escrow will close in about 60 days.

City Manager Reyna stressed that there would be no way to hold Mr. Lara responsible to anything he may claim.

City Attorney Richman emphasized that Mr. Lara does not have any standing as Mr. Lara is not the property owner regarding said property.

Motion was made by Council Member Aguirre; 2nd by: Pascual

Vote: 5-0

Ayes: Morris/Vallejo/Hill/Pascual/Aguirre

Nays: None

Absent: None

Abstentions: None

- 20) Request for Mayor to appoint two council members to Selection Committee for Water Park Consultant

Staff Report was given by Engineer Dowling.

Mayor Morris appointed herself and Council Member Vallejo to selection committee.

DEPARTMENTAL REPORTS

No Items

COUNCIL STATEMENTS AND REPORTS

Councilman Aguirre: None.

Councilman Hill: None.

Councilman Pascual: None.

Councilwoman Vallejo: Reported to staff and public regarding the City of Delano hosting the League of Cities meeting which was held at Pioneer school. Thank you to all the staff. Thank Mr. Dowling's staff, city hall staff, and the city clerk who did a beautiful job. Mayor Morris was able to obtain some great prizes. There were mayors and city managers that couldn't say enough about the City of Delano with tri-pods displaying the many developments in the city. The meal was delicious prepared by the school.

Mayor Morris: Wanted to add that most of them felt welcomed and they all had a good time.

CLOSED SESSION

No Items

RETURN TO GENERAL SESSION

ADJOURNMENT

Moved by: Vallejo **2nd by:** Hill

Time: 6:18PM

Vote: 5-0

Ayes: Morris/Vallejo/Hill/Pascual/Aguirre

Nays: None

Absent: None

Abstentions: None

Ricardo G. Chavez, City Clerk