

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING June 4, 2018

CALL TO ORDER

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

INVOCATION

Pastor David Vivas offered the invocation.

FLAG SALUTE

Mayor Pro Tem Hill led the flag salute.

ROLL CALL

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

Council members absent: One (1) Vacancy

OFFICIALS PRESENT

City Manager Reyna, City Clerk Chavez, City Attorney Richman, City Engineer Dowling, Finance Director Rios, Human Resource Director Zamudio, Chief of Corrections Marshall, Interim Chief of Police Alvizo, Sumeet Batth, Recreation Manager, and Interim Community Development Director Keene

PRESENTATIONS AND AWARDS

Proclamation for Supporting the Annual Ride to Work Day was presented. (Mr. Jen Anderson was not in attendance to receive proclamation.)

ITEMS FROM THE PUBLIC

1. Yolanda Vega was following up on the little league safety health concerns. Mayor Vallejo informed Ms. Vega that the staff is looking into the agreement and will be meeting with the County, in the mean time staff has made some repairs to the area. She also requested that Ms. Vega leave her contact information. Ms. Vega asked when that meeting will be taking place. City Manager Reyna shared that staff is getting all the information and the meeting is still pending, but will inform her of any development.

2. Filimon Garcia, President of Little League Board shared that they have 312 kids and said league. Also he with other volunteers/parents go out there to clean the fields where they find various debris and illegal activities and requested help from the City and as well a rodent problem that have been ruining the fields. He also asked the Council for more of a police presence.
3. Johnny Munoz suggested that the city develop its own baseball fields on its own property instead of the county park.
4. Veronica Vasquez requested to add a separate item such as item 15 on the budget for the little league fields.

CONSENT AGENDA

- 1) Authorization to waive the reading of any ordinance in its entirety and consenting to the reading of such ordinances by title only
- 2) Warrant Register in the amount of \$2,842,879.79
- 3) Minutes of regular City Council meeting of May 21, 2018
- 4) Adopt resolutions approving the new salary schedules for fiscal year 2018/2019 for the miscellaneous unit; the management employee group; department directors; and Delano police officers' association effective July 7, 2018 (**Resolution No. 2018-33**) (**Resolution No. 2018-34**) (**Resolution No. 2018-35**) (**Resolution No. 2018-36**)
- 5) Approval of renew agreement with Central Valley Occupational Medical Group to perform medical services for the City of Delano (**Agreement No. 2018-48**)
- 6) Adopt resolution approving revised format for department head contracts effective June 4, 2018 and authorize the city manager to negotiate terms and conditions (**Resolution No. 2018-37**)
- 7) Approve MOU agreement with Kern County Victim/Witness Assistance Program (**Agreement No. 2018-49**)

- 8) Resolution calling and giving notice of the holding of a general municipal election to be held on Tuesday, November 6, 2018, for the election of certain officers (**Resolution No. 2018-38**)
- 9) Resolution requesting the Kern County Board of Supervisors to consolidate a General Municipal Election to be held on Tuesday, November 6, 2018 with the Statewide General Election (**Resolution No. 2018-39**)
- 10) Authorization for Kern County to submit to Calrecycle a regional application for the used Oil Payment Program (OPP) Fiscal Year 2018-2019
- 11) Approve parcel map 12218 and accept irrevocable offer of dedications for streets and public utility easements
- 12) 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 \$33,261.92 for payment application no. 16
- 13) 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 \$75,020.00 for payment application no. 17
- 14) Staff is recommending for City Council to approve the acceptance of a donation of \$1,000 for Delano Recreation and Parks from Kern Valley State Prison
- 15) Approve the amended golf course budget for 2017/18 and 2018/19 and the temporary closure of the golf course from June 18, 2018 until August 6, 2018 for repairs
- 16) Approval of an Agreement with Kiwanis Club and the City of Delano for the July 4, 2018 Fireworks Show Permit (proposed to take place on Sunday, July 1, 2018) (**Agreement No. 2018-50**)

Motion was made by Council Member Aguirre to approve agenda items 1-3, 5, 6, 9, 12-14 on consent agenda; 2nd by: Morris

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

Item No. 4, Pulled by Arthur Rodriguez

Reason for being pulled: Asked if they are new salaries.

Mayor Vallejo explained the process of negotiations.

Motion by: Hill 2nd **by:** Aguirre

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

Item No. 7, Pulled by Council Member Aguirre

Reason for being pulled: Asked how the program works.

Staff report was provided by Interim Chief of Police Alvizo.

Council Member Aguirre inquired how the public has access to said services.

Interim Chief of Police Alvizo responded that all police officer's business cards have the contact information for said program with the assigned case number.

Motion by: Aguirre 2nd **by:** Morris

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

Item No. 8, Pulled by Arthur Rodriguez

Reason for being pulled: Asked how this works.

City Attorney Richman provided an explanation.

Mayor Vallejo further explained the process of elections for consolidation with county.

Motion by: Aguirre 2nd **by:** Hill

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

Item No. 10, Pulled by Arthur Rodriguez

Reason for being pulled: Asked if this was for recycled oil.

Staff report was provided by City Engineer Dowling.

Motion by: Hill 2nd **by:** Aguirre

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

Item No. 11, Pulled by Arthur Rodriguez

Reason for being pulled: Stated that he didn't understand this item.

Staff report was provided by City Engineer Dowling.

Motion by: Aguirre 2nd **by:** Hill

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

Item No. 15, Pulled by Veronica Vasquez

Reason for being pulled: Wanted to know if this can be taken off the agenda and have the money be used for something else since it is being privately leased.

Staff report was provided by City Engineer Dowling.

Mayor Vallejo shared that when City didn't do any repairs before this past lease and the cost was three times of what they are facing today.

City Manager reminded the Council that this item was brought back to the Council upon the Council's request to bring up to and budget whatever it needed to.

Council Member Aguirre asked for an opportunity for a budget or resolution from Ms. Vasquez so this may be resolved for the kids. Lastly, he requested that he be a part of that meeting with Little League.

Mayor Pro Tem Hill shared that he goes back with Little League for the past fifty years and also requests that he be a part of that meeting.

Motion by: Aguirre **2nd by:** Hill

Vote: 4-0

Ayes: Vallejo/Hill/Aguirre/Morris

Nays: None

Absent: None

Abstentions: None

Item No. 16, Pulled by Council Member Aguirre

Reason for being pulled: Requested staff to enlighten him on this request.

Staff report was provided by Interim Community Development Director Keen.

City Manager shared that the City typically sponsors the event at \$3,000, but Kiwanis is requesting \$5,000.

Council Member Aguirre shared that he received a phone call about the assistance needed and urges his colleagues if the City can do more and better since Kiwanis is requesting \$5,000 and the cost of the program is \$13,000.

Mayor Vallejo shared that the cost is dependent on when the show is and after discussing the matter with some of the members of Kiwanis they shared that it would only be for one year and the rest of the cost would be paid from the revenue of the fireworks sales.

Jim Koontz, President of Kiwanis, shared that costs have gone way up such as insurance and why they are requesting \$5,000.

City Council Member Aguirre asked is there a threat of the program going away if they don't receive the funds.

Mr. Koontz responded in the affirmative. The cost of the folks that put it on has increased their cost, so he stated that they can decrease the cost and the show could take less time.

City Council Member Aguirre asked what the cost would be for this year's show.

Mr. Koontz responded that the base price is \$12,000 up to \$18,000.

Mayor Vallejo asked what their profits from the sales of fireworks are.

Mr. Koontz responded that it \$5,000-\$6,000.

Mayor Vallejo apologized to public in excusing herself to attend her great-granddaughter's graduation.

Mayor Vallejo left the council chambers at 6:03pm.

Council Member Morris made a motion to approve the sponsorship for \$5,000.

Council member Aguirre shared that he's really worried about the program in which a thousand dollars can completely through off this program.

Mr. Koontz shared their request isn't make sure the make the show happen, instead that the extra \$2,000 will be made up by the Kiwanis so maintain the time of the show.

Council Member Aguirre suggested that they meet them halfway and offer \$6,500 and asked the City Manager if he can do that.

City Manager Reyna responded that if that's the desire of the Council they can.

Motion by: Morris **2nd by:** None

Motion was withdrawn by Council Member Morris.

Council Member Aguirre made a motion to approve the sponsorship for \$6,500.

Motion by: Aguirre **2nd by:** Morris

Vote: 3-0

Ayes: Hill/Aguirre/Morris

Nays: None

Absent: Vallejo

Abstentions: None

PUBLIC HEARINGS

- 17) Public hearing and resolution to establish the annual assessment for all maintenance districts within the City of Delano and Authorize the County of Kern to Make Collection of same (**Resolution No. 2018-40**)

Staff report was provided by City Engineer Dowling.

Council Member Morris asked if take care of the landscaping or do we contract it out.

Mayor Pro Tem Hill open the public comment.

Valerie Gorospe inquired if Clean Cut Landscaping is local.

City Engineer Dowling disclosed that it went out to bid and the lowest bid was awarded though if there was tie, the bid would go to the local business.

Valerie Gorospe asked if we can keep our tax dollars local as she feels we should invest in our local businesses.

Council Member Aguirre asked if we wanted to keep it local and not allow anyone outside of Delano to bid, do we have enough qualified contractors to bid.

City Attorney Richman stated that the law forbids public entities to take such practice.

Johnny Munoz shared that he remembered 30-years ago that the maintenance districts were supposed be helped, but in time to be turned over back to the residents after a certain time. Mr. Munoz shared that if person fails to pay their maintenance district fees they can lose their homes and that's a sad thing. He also asked if anyone from a maintenance district was present. He also reminded everyone that we no longer have a local paper so how was it advertised.

City Engineer Dowling assured that this notice was publicized as it is mandated and that it was placed on the city website.

Johnny Munoz shared his discontent of maintenance districts.

Mayor Pro Tem Hill closed public comment.

Motion by: Morris **2nd by:** Aguirre

Vote: 3-0

Ayes: Hill/Aguirre/Morris

Nays: None

Absent: Vallejo

Abstentions: None

- 18) Public Hearing to consider Rezoning Application no. ZA 2018-001 The applicant is requesting a rezoning amendment of the official zoning map from Single Family Residential (R-1) District to Planned Development (PD) District and the approval of the Development Plan for the Wonderful Prep Academy Teacher Housing Project. The purpose of the amendment is to develop the site for housing for Wonderful College Prep Academy for faculty. The school is adjacent and south of the site.

Staff report was provided by Interim Community Development Director Keene.

Mayor Pro Tem Hill open the public comment.

Johnny Munoz asked if this property is in the city limits, where is it at, and why doesn't this property have a maintenance district.

Interim Community Development Director Keene shared that it is in the city limits and informed the public the area that the project is located within the city. Also explained the school will be maintaining this development.

Roberto Ibarra asked how many units and where again is the project going to be developed.

Interim Community Development Director Keene stated that it's nine and again where.

Richard Markham warned council that he's worried how this company is buying up land that is how Hitler took over.

Valerie Gorospe shared that there was concern over the traffic a year or two years ago and that 20th has been repaved and looks great. She asked how many occupants will have in the new units. Also has there been any discussion of opening the road to County Line.

Interim Community Development Director Keene responded that it is up to 40 occupants or less. The traffic as to the rezoning of the 7 acres, the density can range from 2.5 – 5 units per acre and it will be on the lower end as it has already been introduced to the general plan. The CUP for the school itself when it reached a certain enrollment threshold it would connect to County Line as staff is monitoring it as a condition for the school to comply with.

Council Member Aguirre inquired who would that cost be on as it would connect to County Line.

Interim Community Development Director Keene said it is on the school to pay for that connection.

Filimon Garcia asked when this street would be built out to County Line.

Interim Community Development Director Keene said that the trigger would be based on the enrollment so he estimates 1-2 years.

Arthur Rodriguez has a concern over big companies as they can leave at any time dump everything and walkout on everyone since it happened to him before.

Veronica Vasquez shared that she sees it differently as how this benefits the community, since she's a social worker. Are they low-income house, since this is a charter school it's not a union for teachers, so therefore she warned council that though it may look good now, but what the long term goal is. She sees the full perspective and it's not looking good.

Interim Community Development Director Keene shared that this new housing development is a private development for their employees and is an incentive for teachers to come and teach in the City of Delano.

Ms. Vasquez stated that this is a big red flag. People that are not from here won't stay long, because they don't have an investment. As she works in with the county and they have a 40-50% turnover rate and it's not looking good.

City Attorney Richman reminded the council and reiterated that this is a land use decision.

City Council Member Aguirre that this decision is to provide services to their facilities as they want to build additional classrooms, they take care of the school business and the city takes care of city business.

Mr. Munoz emphasized that this a public hearing and the people should express their feelings and be heard as concerned citizens of the community.

Mr. Rodriguez shared that with the company that bought it there was some illegal things with real estate going on in which it lead to twenty years of prison. He also offered to provide names in private.

Garret Johnson, works for Mr. Resnick with Wonderful Company. Shared that the teacher housing is related to the school in which they want teachers to live in Delano. Also shared some accolades of their school. Made it a point to mention that many things that were said about their company is not true.

Mayor Pro Tem Hill closed public comment.

Council Member Morris asked if the landscaping going to be like the school.

Mr. Johnson said that will continue with same design from the landscaping to the two-story feature throughout.

Council Member Morris shared that she doesn't see anything wrong with this, as it would be a good addition like a college. As a teacher leaves there will be someone else to replace them. Lastly, since it's privately own, they run their own business and campus and has nothing to do with the city or why I wouldn't be a good addition to the City and is in total agreement.

Mayor Pro Tem Hill is also in agreement with the teachers living in the city. He remembers when 90% of the teachers stayed in Delano in which now 90% of the teachers live outside of Delano. He believes it's a great idea.

Motion by: Morris 2nd **by:** Aguirre

Vote: 3-0

Ayes: Hill/Aguirre/Morris

Nays: None

Absent: Vallejo

REGULAR AGENDA

19) Appointment of Planning Commission Members

Motion was made to appoint Stuart Collins to finish vacant term ending June 2021 and Rosa Romero to finish vacant term ending in June 2019 by: Morris 2nd by: Aguirre

Vote: 3-0

Ayes: Hill/Aguirre/Morris

Nays: None

Absent: Vallejo

20) Designation of Voting Delegate and Alternate for 2018 League of California Cities Annual Conference

Motion was made to appoint Council Member Morris as delegate and Mayor Vallejo to be alternate by: Aguirre 2nd by: Hill

Vote: 3-0

Ayes: Hill/Aguirre/Morris

Nays: None

Absent: Vallejo

DEPARTMENTAL REPORTS

No Items

COUNCIL STATEMENTS AND REPORTS

Council Member Aguirre: Shared as he's meeting with the developer here Wonderful Company, he encourages all business to reach out to the Delano Chamber of Commerce with all their resources.

Council Member Morris: None

Mayor Pro Tem Hill: None

Mayor Vallejo: Not Present. (Left at 6:03pm)

CLOSED SESSION

No Items

RETURN TO GENERAL SESSION

ADJOURNMENT

Moved by Council Member Morris, seconded by Council Member Aguirre, and unanimously carried 3-0 to adjourn the meeting at 6:43p.m.

Ricardo G. Chavez, City Clerk