

MINUTES

CITY OF DELANO CITY COUNCIL – REGULAR MEETING August 16, 2021

CALL TO ORDER

Mayor Osorio called the meeting to order at 5:32 p.m. in the City Hall Council Chambers, 1015 – 11th Avenue.

INVOCATION

Mayor Osorio offered a moment of silence.

FLAG SALUTE

Council Member Solorio-Ruiz led the flag salute.

ROLL CALL

Council members present: Bryan Osorio (via teleconference), Veronica Vasquez (via teleconference), Joe Alindajao (via teleconference), Liz Morris (via teleconference), Salvador Solorio-Ruiz (via teleconference)

Council members absent: none

OFFICIALS PRESENT

City Manager Reyna (via teleconference), City Clerk Chavez (via teleconference), City Attorney Richman (via teleconference), City Engineer Dowling (via teleconference) Finance Director Lara Rios (via teleconference), Human Resources Director Zamudio (via teleconference), Interim Chief of Police Nicholson (via teleconference), Senior Planner Card (via teleconference) and Interim Community Development Director Mynk (via teleconference)

PRESENTATIONS AND AWARDS

Featured Pet named “Blue” was presented by City Manager Reyna. Refujio Rodriguez, Hope and Heal Fund, provided a report update on reducing gun violence in Delano.

ITEMS FROM THE PUBLIC

1. Manuel Cuhna, Nisei Farmers League, spoke about two letters provided to the City Council addressed to US Senator Feinstein and Padilla regarding the Immigration Agricultural Farmworkers Modernization Act and his support for Dreamers.

2. Suzanne Villaruz invited the public to the Community Law Enforcement Liaison Board, and she clarified it is not the accountability board. She asked for clarification of usage of the City Seal on stationary by individuals not elected to office. She also applauded Mr. Rodriguez for his efforts.
3. Lupe Martinez thanked Mr. Rodriguez for his work regarding the gun violence in Delano. He asked if there is a status on the PCP-TCE meeting with the cleaners on their position. He also asked about Measure “A” in respect the site committee that has not been established.
4. Jordan Davis thanked Mr. Rodriguez for his work and the meetings he participated in.

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 \$3,016,395.21
- 3) Minutes of regular City Council Meeting of August 2, 2021
- 4) Minutes of regular Planning Commission Meeting of May 12, 2021
- 5) Minutes of regular Planning Commission Meeting of June 9, 2021
- 6) Minutes of regular Planning Commission Meeting of July 14, 2021
- 7) Approve an amendment to agreement no. 2021-23 Management Employee Group MOU Article 10. Holidays, section “A” and “H”; Article 5. Compensation, section “I”; Article 6. Insurance Provisions, section “A”; and Article 13. Miscellaneous Items, section “B” “1” (**Agreement No. 2021-33**)
- 8) Approve an amendment to agreement no. 2021-24 Delano Police Officer’s Association MOU Article 26. Holiday Pay; Article 29. Uniform Allowance; and Article 34. Health and Dental Plans, section “B” (**Agreement No. 2021-34**)
- 9) Rental Agreement between City of Delano (“City”) and Mr. Kent B. Harrison (“tenant”) at the Delano Municipal Airport and authorization for the City Manager to execute said agreement (**Agreement No. 2021-35**)

Motion was made by: Morris to approved items 1 – 9 on consent;

2nd by: Solorio-Ruiz

Vote: 5-0

Ayes: Osorio/Vasquez/Alindajao/Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

PUBLIC HEARINGS

- 10) Public Hearing for approval of a tentative subdivision map to subdivide a 38.70-acre parcel into 197 single family residential located on the north side of Cecil Avenue at the northeast corner of Cecil Avenue and Hiett Avenue. (Joseph Vineyards, LLC - Applicant) (APN 520-010-29) and resolution adopting the Mitigated Negative Declaration and approving Tentative Subdivision Tract Map No. 7384 with findings and conditions of approval (**Tabled from August 2, 2021, City Council Meeting) (Resolution No. 2021-41)**)

Mayor Osorio declared public hearing opened.

Staff report provided by Interim Community Development Director Mynk.

Mr. Derrill Whitten requested for this item to be approved.

Mayor Osorio opened public comment.

Lupe Martinez asked if this will be any low-income housing within the 197 units, is there a park in that neighborhood and inquired about the ingress and regress and finally asked in respect to the two entrances are in enough to the development.

Interim Community Development Director Mynk responded the development has three points of ingress and regress and have access for internal streets which meet fire requirements. He stated this housing is market rate housing, the applicant paid a fee in lieu which is pursuant to city ordinance which the City of Delano can build a park.

Mayor Osorio closed public comment.

Council Member Solorio-Ruiz asked what the price will these homes be going for.

Mr. Whitten responded his client is not a builder and will bring a builder in to develop. He said he'd be speculating as to a price, but further stated these will be affordable as they will meet the needs of the community or there wouldn't be a market for them. He also stated the cost will be difficult to predict due to interest rates and cost of building materials.

Council Member Solorio-Ruiz asked in stating it should be affordable, what would an estimate be for the price of these homes.

Mr. Whitten reiterated he wouldn't know but thought there would be in the price range of \$250-\$300. He also informed the Council on how affordable housing programs work in which it is geared more in assisting low-income buyers buy market rate homes, but in respect to affordable housing it is more targeted for multi-family project such as Kern Housing Authority building in Delano right now. He said all there is FDA housing assistance for first-time buyers which his clients are very aggressive in helping people with their homes.

Council Member Solorio-Ruiz shared he's been knocking on doors lately and asking what is affordable to them and he was told the folks would purchase a home in the range of \$150k - \$250k. He shared his concern on how they would be approving this without know what the cost of the homes would be. He also asked if he's developed homes around the area and how does that look like.

Mr. Whitten disclosed he's a civil engineer and land surveyor and stated he helped developed YK America in the 1st and 2nd phase of the Market Place, as well as their apartments. He also stated he's worked on the undeveloped land of Lamont and shared how some subcontractors have to be paid a premium to come out to these communities. Lastly, he shared how it's difficult for builders to sell homes at less than \$180-190 sq. ft. because resources are through the roof and there is a work shortage for skilled labor.

Council Member Solorio-Ruiz asked if they looked at the household income.

Mr. Whitten shared what variable builders have to take into consideration with developing homes.

Council Member Morris welcomes this development and appreciates them coming to Delano. She further stated there is much more of a demand than there is in supply, so she's grateful when they come to build homes. She stated Dr. Hair's development has homes sold before they're even built. She also stated about middle-class housing folks are also looking for homes and we need to keep everyone into consideration, not only low-income housing.

Council Member Alindajao welcomed Mr. Whitten to the City of Delano as there will various benefits for the City of Delano. He asked about suing developers due to craftsmen's work and defects.

Mr. Whitten responded the State of California has a ten-year statute of limitations, but there are attorneys that keep track of developments coming up to that ten-year limit. He further stated, he's a civil engineer, so he deals with the infrastructure of the homes and the builders deal with carrying the liability insurance and warranty insurance to mitigate this risk.

Council Member Alindajao shared there is a concern of the quality of the build for current or future residents.

Mr. Whitten shared he has had a lot of respect for the City Engineer, Engineering Department, public works department and City Staff is very well qualified, so he's experienced dealing with city governments throughout the Southern San Joaquin Valley and the City of Delano has really good staff... even Interim Community Development Director Mynk.

Mayor Osorio asked about a potential timeline of the development and sales of homes.

Mr. Whitten stated there have been conversation with different entities on the 197 units on the local scale, so he reaffirmed the owner of the property and is serious about this project.

Mayor Osorio asked what lead to developing this housing unit in this particular area.

Mr. Whitten responded the owner of the land currently has grapes and always had intentions to building residential homes when the time was right.

Motion made by: Morris

2nd by: Vasquez

Vote: 5-0

Ayes: Osorio/Vasquez/Alindajao/Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

- 11) Public hearing and Resolutions adopting the City's 2020 Urban Water Management Plan and the City's 2020 Water Shortage Contingency Plan
(Resolution No. 2021-42) (Resolution No. 2021-43)

Mayor Osorio declared public hearing opened.

Staff report provided by City Engineer Dowling.

Mayor Osorio opened public comment.

Lupe Martinez asked about the wastewater going to alfalfa or being sold to farmers. He asked about the 87% metered homes were supposed to have been completed as of this year. Also, he asked about the "missing water" because they're not metered.

City Engineer Dowling responded the metering of the entire city will be within the next two years. He clarified the “missing water” is the difference to what’s sold to what’s being used, so it is the best guess without being fully metered. Lastly, the wastewater has to be applied to spreading ground which is contracted with a farmer for foraged crops which cannot be used for human consumption.

Mayor Osorio closed public comment.

Motion made to approve 2020 Urban Water Management Plan by: Solorio-Ruiz

2nd by: Morris

Vote: 5-0

Ayes: Osorio/Vasquez/Alindajao/Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

Motion made to approve 2020 Water Shortage Contingency Plan by: Solorio-Ruiz

2nd by: Morris

Vote: 5-0

Ayes: Osorio/Vasquez/Alindajao/Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

REGULAR AGENDA

12) Confirmation of Mayor’s Appointment to Pension Committee

Staff report provided by Finance Director Rios.

Mayor Osorio opened public comment.

Pension Committee Chair Abel Moreno shared about the City of Delano’s Pension Committee and the background. He also shared about the qualifications of Ms. Connie Perez-Andreesen.

Mayor Osorio closed public comment.

Mayor Osorio shared he’s gotten the pleasure of meeting Ms. Perez-Andreesen for the past half-year during their volunteering efforts.

Mayor Osorio appointed Ms. Connie Perez-Andreesen.

13) Appointment to fill vacancy on the Planning Commission

Staff report provided by City Clerk Chavez.

Mayor Osorio opened public comment.

Jordan Davis provided an introduction.

Valerie Gorospe provided an introduction.
Mayor Osorio closed public comment.
Council Member Morris shared her support and nomination for Grace Vallejo.
Council Member Solorio-Ruiz shared his support and nomination for Valerie Gorospe.
Council Member Alindajao shared his support for Grace Vallejo

Motion made to appoint Grace Vallejo by: Morris

2nd by: Alindajao

Vote: 2-3 (Motion Failed)

Ayes: Alindajao/Morris

Nays: Osorio/Vasquez/Solorio-Ruiz

Absent: None

Abstentions: None

Mayor Osorio shared comments about Mr. Jordan Davis and Ms. Grace Vallejo. He shared his support for Valerie Gorospe.

Motion made to appoint Valerie Gorospe by: Solorio-Ruiz

2nd by: Vasquez

Vote: 4-1

Ayes: Osorio/Vasquez/Alindajao/Solorio-Ruiz

Nays: Morris

Absent: None

Abstentions: None

- 14) Approve a partnership with the Bakersfield College Foundation to establish a Delano Community Scholarship Program in the amount of \$50,000 that will offer scholarships to Delano high schools' students

Staff report provided by City Manager Reyna.

Mayor Osorio opened public comment.

Suzanne Villaruz shared her support and made an inquiry.

Cristian Cerda shared his support and made an inquiry.

Heather Pennella provided clarification regarding inquires.

Mayor Osorio closed public comment.

Council Member Morris shared her support.

Mayor Pro Tem Vasquez asked if this would be eligible for a trade or a degree.

Ms. Pennella responded it would be at the discretion of the City Council and there can be a program review at the end of the year.

Council Member Alindajao shared his support.

Mayor Osorio asked if the amount would be distributed equally between the schools.

Ms. Pennella responded it would be at the discretion of the City Council.

Motion made by: Solorio-Ruiz

2nd by: Morris

Vote: 5-0

Ayes: Osorio/Vasquez/Alindajao/Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

- 15) Introduction and first reading of an ordinance of the City Council of the City of Delano, California, amending sections of chapter 9.90 of the Delano Municipal Code, related to the ongoing major criminal investigation reward program fund and reward amounts

Staff report provided by City Attorney Richman.

Mayor Osorio opened public comment.

Pastor David Vivas shared his support.

Mayor Osorio closed public comment.

Discussion was had among the City Council and Interim Chief of Police Nicholson.

Motion made to amend and add “A maximum reward of fifty thousand dollars shall be budgeted yearly into each fiscal year budget of the Delano Police Department and placed into a trust fund. Any funds remaining in the reward fund not expended at the end of the fiscal year budget shall be carried over into the next fiscal year and additional allocations shall be added annually to the reward fund in an amount not the exceed fifty thousand dollars” by: Solorio-Ruiz

2nd by: Morris

Vote: 5-0

Ayes: Osorio/Vasquez/Alindajao/Morris/Solorio-Ruiz

Nays: None

Absent: None

Abstentions: None

- 16) Discussion on Community Land Trust (Mayor Osorio)

Staff report provided by Mayor Osorio and Mr. Daniel O’Connell from Central Valley Partnership.

Mayor Osorio opened public comment.

Suzanne Villaruz shared comments.

Lupe Martinez shared comments.

Mayor Osorio closed public comment.

Discussion was had between the City Council and Mr. O’Connell.

Council Member Alindajao left the meeting at 9:00pm.

No motion made.

17) Discussion on an Immigrant Legal Defense Fund (Mayor Osorio)

Staff report provided by Mayor Osorio and Mr. Juan Diego Hernandez.

Mayor Osorio opened public comment.

Cristian Cerda provided comment.

Ambaer Tovar provided comment.

Mayor Osorio closed public comment.

Discussion was between the City Council and Mr. Hernandez.

No motion made.

DEPARTMENTAL REPORTS

No items.

COUNCIL STATEMENTS AND REPORTS

Council Member Alindajao: Not present during this section.

Council Member Morris: None.

Council Member Solorio-Ruiz: Shared he was invited to speak at a panel at Wonderful College Prep Academy to motivate students. He volunteered with Dona Ana for food plates for the houseless. He also stated he's been knocking on doors to survey the community regarding the budget in order to provide a report for a feedback from the community. He invited everyone to the General Plan Committee meeting. He also invited the public to a food distribution this weekend. Lastly, he gave a shoutout to city staff.

Mayor Pro Tem Vasquez: She share she's had conversation on various topics such as law enforcement and the general plan. She asked to look in the future the outreach ordinance and how to improve community engagement.

Mayor Osorio: He stated he held a town hall meeting last week with Vice Mayor Vasquez with over 20 individuals discussing public safety, housing affordability and the idea cannabis dispensaries, as well as water. He announced he will have another town hall meeting later this week. He stated he met with city staff to meet with Department of Toxic Substance Control regarding a grant application for water. He also provided an update on his decarbonization committee which will hold its first meeting this month. He directed staff to place on the next agenda a discussion to repeal and replace a cannabis ordinance and ending the prohibition on cannabis. He stated he met with the Mexican Consulate which requested a proclamation honoring Mexico's Independence Day and raising Mexico's flag on their Independence Day. He further stated he'll be working with city staff on inclusionary ordinance and rent control. Lastly he asked to place the proposal for the Legal Immigrant Defense Fund at the next agenda.

CLOSED SESSION

No items.

RETURN TO GENERAL SESSION

ADJOURNMENT

Moved by Council Member Solorio-Ruiz, seconded by Morris, and unanimously carried 4-0 to adjourn the meeting at 9:31p.m.

Ricardo G. Chavez, City Clerk