

CITY OF DELANO

Celebrating Our Past, Growing Our Future



PREFACE:

The City of Delano (City) began as a railroad stop in 1869, surrounded by agriculture. It is now the second largest incorporated city in Kern County and a major business hub for northern Kern County. Agricultural businesses still supply most of the employment opportunities for the City: Wonderful Citrus, Wonderful Halos, and Railex.

The City has plans for growth; relocating the airport, taking ownership of the Voice of America (VOA) facility, opening a recreation center with a swimming pool, and expanding shopping opportunities. The increase in sales tax has given the City greater flexibility while meeting the needs of the community.

PURPOSE OF INQUIRY:

Pursuant to California Penal Code §925(a), the 2017-2018 Kern County Grand Jury (Grand Jury) inquired and investigated the operations and management of the City of Delano.

PROCESS:

The Cities and Joint Powers Committee of the Grand Jury toured the City, and interviewed the City Manager and Department Heads, on August 17, 2017. The Committee attended two meetings on August 21, 2017; Delano City Council as Successor Agency to the Former Community Redevelopment Agency of the City of Delano and the Regular City Council Meeting. A review of the City's website, past Grand Jury reports, and internet resources were used to prepare this report.

BACKGROUND and FACTS:

The City of Delano is located 31 miles north-northwest of Bakersfield at an elevation of 315 feet. The population of the City was 52,707 in 2016, up from 38,824 in 2000. It is Kern County's second largest city after the City of Bakersfield.

The City was founded on July 14, 1869, as a railroad town, not because the railroad passed through the town, but because the railroad coming down from San Francisco and areas north, terminated at the City of Delano. The name Delano was officially given by the Southern Pacific Railroad in honor of Columbus Delano, who at the time was the United States Secretary of the Interior. The first post office opened in 1874. There was an obvious need to provide schooling for the growing number of children in the new city, thus the Delano School District was formed in 1888. The City was incorporated April 13, 1915.

The City became a major hub of farmworker organization efforts, and the politically motivated Chicano movement. Filipino immigrants, Philip Vera Cruz and Larry Itliong, were instrumental in shaping the direction of farm worker movement in the 1950s. On September 8, 1965, Larry Itliong and other Filipino leaders led the predominantly Filipino Agricultural Workers Organizing Committee in a "walk off" from table grape farms, now known as "The Delano Grape Strike." The strikers' goal was to improve farmworkers' wages and working conditions. The National Farm Workers' Association, a largely Hispanic union led by Cesar Chavez, joined the strike within a week. During the strike, the two groups joined forces and formed the United Farm Workers of America (UFW). By 1970, the UFW won a contract with major grape growers across California.



Photos by Grand Jury

Agriculture continues to be the City's major industry. The area is well known as a center for growing premium table grapes. The City is home to North Kern State Prison and Kern Valley State Prison.

The Voice of America once operated its largest, most powerful shortwave broadcast facility outside of the City. The VOA ceased broadcasting in October 2007, citing a changing political mission, reduced budgets, and changes in technology.

The City has its own police department and contracts with the Kern County Fire Department for fire services. Emergency Medical Services are provided by a locally owned private company.

- A. Major farm employers in the City include: Wonderful Citrus, Wonderful Halos, Columbine Vineyards, Munger Farms, Lucich Farms, and Hronis.

Other major employers include Delano Regional Medical Center, Railex, Walmart, Vallarta Supermarkets, Delano Joint Union High School District, Delano Union Elementary School District, Sears Logistics, Kmart, two State Prisons, and the North Kern-South Tulare Hospital District.

- B. The City's two public school districts (Delano Union High School District and Delano Union Elementary School District) currently operate eight elementary schools, three middle schools, three comprehensive high schools, and two alternative high schools. The Wonderful College Prep Academy, a charter school, also serves the children within the City.

- C. The Delano Campus of Bakersfield College provides the community with local access to college programs and services. Most of the students live in Delano and the rural communities of northern Kern and southern Tulare counties.

- D. The 2010 United States Census recorded the population of the City as 53,041 (10,979 prison inmates).

- E. Effective January 1, 2017, the sales tax rate in the City is 8.25% (7.25% for the State and 1% for the City).

- November 2007, Measure "I" was passed by the residents which enacted a sales tax increase of 1%, which will sunset April 2018
- An oversight committee was established in conjunction with Measure "I"
- Proceeds shall be used for essential general services including, but not limited to, police and fire protection, streets, parks and recreation, and other general fund services
- November 2016, Measure "U" passed, extending the current sales tax rate of 1% for an additional ten years, until March 2028
- The additional 1% sales tax is effective only within the City limits
- The increase in sales tax brought in \$5.5 million last year

F. From October 2015 through September 2016, the top 25 Sales and Use Tax contributors generated 74.5% of the City's total sales and use tax revenue: (alphabetical order)

- ARCO AM/PM Mini Marts
- AutoZone
- Berchtold Equipment Company
- Central Valley Office Supply
- Chevron Service Stations
- CNCO Manos
- Crop Production Services
- DACO Farm Supply
- Delano Chevrolet – Buick – GMC
- Fastrip Service Stations
- Greg's Petroleum Service
- Home Depot
- JC Penney Company
- K Mart Stores
- McDonalds's Restaurants
- North Kern Machinery
- Panda Express
- Rite Aid Drug Stores
- Ross Stores
- Shell Service Stations
- Smart & Final
- Taco Bell
- Vallarta Supermarkets
- Walmart Stores

G. The City's sphere of influence filed with the Local Agency Formation Commission (LAFCo), is County Line Road to the north, Peterson Road to the south, Zachary Avenue to the east, and State Highway 43 to the west.

H. The City of Delano is a General Law City. General Law City regulations are found in the State Government Code, which enumerates the powers and the structure for the city.

I. The Delano Police Department follows guidelines outlined by the Standardized Emergency Management System (SEMS), for emergency response and disaster management in multi-agency and multi-jurisdiction emergencies.

- California Government Code §8607(a), local governments **must** use SEMS in emergency response and disaster management to be eligible for any available disaster reimbursement funding for its personnel related costs provided through state disaster assistance programs.

FINDINGS:

- F1. The Committee traveled around the City on August 17, 2017, and observed the following:
- Very little graffiti on private or public property
 - New construction is taking place:
 - Community Recreation and Aquatic Center
 - Rebuilding the Community Center
 - Wonderful College Prep Academy
 - Maya Cinemas
 - IHOP restaurant
 - Expansion to the shopping center
- F2. The City's General Plan was last completely updated in 2000. Parts of the plan have been addressed only when needed. The budgets for 2017-2018 and 2018-2019 allocate \$400,000 each year, for a complete update of the General Plan.
- F3. All City Council Members, city officials, and required staff have completed Form 700, and AB1234 required ethics training.
- F4. The California National Guard Armory building (725 South Lexington Street) is owned and maintained by the City. It is being used for public events because no other facility is currently available within the City. Plans include converting the building into a vehicle and equipment facility for fleet services.
- F5. The City is in the application phase with U.S. General Services Administration (GSA) to obtain ownership of the former Voice of America property of 800 acres (an antenna field covering 640 acres and 160 acres of open ground with buildings). When the process is completed, plans are to relocate the current airport to that property, and name it "VOA Delano Airport." The current airport would be converted to industrial use. The Federal Aviation Administration will not approve the relocation until the City has jurisdiction over the VOA property.



Photos by Grand Jury

- F6. The City is providing services outside the city limits to businesses located in Tulare County just north of County Line Road. These businesses pay a 25% increase in usage fees. A Joint Powers Agreement with Tulare County provides the City with a portion of their sales tax revenue.
- F7. The State of California is seeking water from the City for a small community of 12-15 homes in Tulare County. The State will fund this project.
- F8. The City owns and operates a Modified Community Correctional Facility (MCCF) prison, which has a contract with the California Department of Corrections and Rehabilitation (CDCR). There is approximately 100 staff employed at the facility. The CDCR pays a monthly facility fee, plus \$37.25 per day per inmate.
- F9. The City maintains a website with information about the city's departments, history, council meeting agendas and minutes, past Grand Jury reports, and how to pay utility bills. However, the website is NOT current with all information, and does not have the 2015-2016 Kern County Grand Jury Report and the City's Response.
- F10. The City is operating 14 water wells to provide drinking water; 11 of the wells were pumping arsenic-tainted water. The City borrowed \$20 million over a 20 year period to correct this problem. The new system has mitigated the arsenic problem to meet State standards.
- F11. New water meters are added to existing connections at the expense of the City. Currently about 2/3 of all connections are metered. The City plans to meet the State meter requirement by 2025.
- F12. Semi-truck traffic is a city-wide problem. Some businesses are asked to direct truck traffic to Pond Road, Driver Road, and Schuster Road. Trucks are directed not to use the Woollomes Avenue exit from State Highway 99.
- F13. The City Council Meeting on August 21, 2017, was well-run. The public was given many opportunities to make comments on agenda items and during

the public comment session. City staff and Department Heads were present to answer questions and make presentations. Votes taken by the council members were not always announced immediately, or with a vote count. Resolutions were passed without a recorded vote of the council members.

COMMENTS:

The Grand Jury would like to thank the City's Staff for their cooperation in providing information in preparation for this report. The Staff is to be commended for their vision and planning for future growth. The City is very business-friendly.

RECOMMENDATIONS:

- R1. The Grand Jury recommends that the City of Delano considers assigning a staff member to maintain their website, so it can be up-to-date. (Finding 9)

- R2. The City Council should follow California Government Code §36936, which states, "Resolutions, orders for the payment of money, and all ordinances require a recorded majority vote of the total membership of the city council." A **recorded vote** is a vote in which the vote (for or against) of each member of the assembly is recorded (and often later published). (Finding 13)

NOTES:

- The City of Delano should post a copy of this report where it will be available for public review.

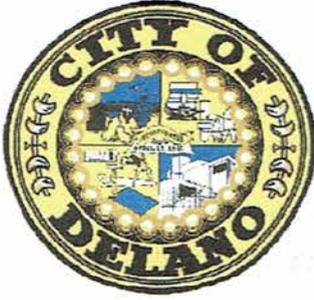
- Persons wishing to receive an email notification of newly released reports may sign up at: www.kerncounty.com/grandjury.

- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: www.kerncounty.com/grandjury.

RESPONSE REQUIRED WITHIN 90 DAYS

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

**CC: FOREPERSON
KERN COUNTY GRAND JURY
1415 TRUXTUN AVENUE, SUITE 600
BAKERSFIELD, CA 93301**



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Maribel G. Reyna
CITY MANAGER

November 30, 2017

Presiding Judge
Kern County Superior Court
1415 Truxtun Avenue, Suite 212
Bakersfield, CA 93301

Foreperson
Kern County Grand Jury
1415 Truxtun Avenue, Suite 600
Bakersfield, CA 93301

Re: Response to 2017-2018 Grand Jury Report on the City of Delano

The City of Delano appreciates the report provided following the Grand Jury's August 17, 2017 and August 21, 2017 visits to our community. Below is the City's response to the findings and recommendations contained in the Grand Jury Final Report.

The City of Delano agrees with the findings as we are proud of our accomplishments and work daily to provide quality service to our citizens and our staff. Although F9 and F13 remained accurate at the time of your visit, these items were noticed and actions were being implemented to improve in these areas.

Finding 9.

The City maintains a website with information about the city's departments, history, council meeting agendas and minutes, past Grand Jury reports, and how to pay utility bills. However, the website is NOT current with all information, and does not have the 2015-2016 Kern County Grand Jury Report and the City's Response.

Finding 13.

The City Council Meeting on August 21, 2017, was well-run. The public was given many opportunities to make comments on agenda items and during the public comment session. City staff and Department Heads were present to answer questions and make presentations. Votes taken by the council members were not always announced immediately, or with a vote count. Resolutions were passed without a recorded vote of the council members.

The City of Delano will continue the efforts in satisfying these recommendations. Each recommendation and response is listed below.

Recommendation 1.

*The Grand Jury recommends that the City of Delano considers assigning a staff member to maintain their website, so it can be up-to-date.
(Finding 9)*

R1. Response:

The City will assign a staff person to update its website and will add the 2015-2916 Kern County Grand Jury Report and the City's Response to the website.

Recommendation 2.

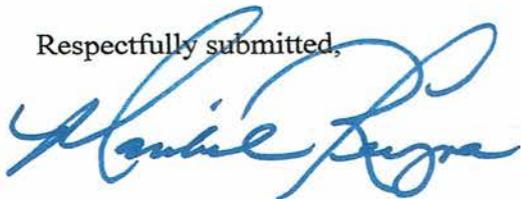
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R2 Response:

The City Clerk will announce votes taken by the City Council after each vote and will include a vote count. The City Clerk will record the votes in favor and against resolutions.

The City appreciates the opportunity to respond to the Grand Jury's Report. Should you have any questions regarding our written response to the report, please do not hesitate to contact me at 661-720-2222 via telephone or at mreyna@cityofdelano.org via email.

Respectfully submitted,



Maribel Reyna, City Manager