

COUNCIL / BOARD MEMBERS PRESENT: Payan, Smith, Wallace, McKittrick

COUNCIL / BOARD MEMBERS ABSENT: Morales

STAFF PRESENT: Anderson, Barkley, McCloskey, Nunes, Popovich, Thompson,  
Whitfield, Todd, Uota

#### WORK SESSION

The work session began at 5:39 pm.

##### 1.1. Engineering and Traffic Survey

Dean presented the information. Discussion followed in regard to various streets and proposed speed limits.

#### BREAK

Mayor Wallace declared a break at 6:26 pm.

#### RECONVENE FROM BREAK

Mayor Wallace reconvened the meeting at 6:34 pm.

#### CALL TO ORDER

The meeting was called to order at 6:34 pm.

#### INVOCATION

The invocation was led by Council / Board Member McKittrick.

#### FLAG SALUTE

The flag salute was led by Council Member Payan.

#### COMMUNITY RECOGNITION

##### 5.1. 2010-11 Miss Dinuba Candidates

Miss Dinuba Pageant Coordinator Christie Meyers was present along with reigning Miss Dinuba Taylor Wolfe and the current candidates. Mrs. Meyers invited the City Council to the pageant in September. She provided information as to several important dates in relation to the pageant.

Rotary Club Car Wash, August 15; Candidates' Fashion Show, August 27; Miss Dinuba Pageant, September 18

The candidates present were: Sabrina Rodriguez; Kayla Hernandez; Hanadi Hammad; Britney Gonzalez; Lindsay Chang; Sarah Herevia; Amanda Walden.

Mayor Wallace encouraged the contestants for entering the contest but told them they are all winners as any one of them would do well as Miss Dinuba.

The City Council offered comments of encouragement and commendation to the candidates.

#### PUBLIC COMMENT

6.1. *Unscheduled. At this time, the public wishing to address the City Council and/or Redevelopment Agency on any matter should approach the podium and **state their name, address and the nature of their request.***

None

#### CONSENT CALENDAR

- 7.1. City Council / Redevelopment Agency Meeting Minutes, July 13, 27, 2010
- 7.2. Other Agency Meeting Minutes
  - A. Parks and Community Services, June 15, 2010
  - B. Police Advisory Commission, July 6, 2010
  - C. Planning Commission, July 6, 2010
  - D. Citizens Oversight Committee, April 30, 2010
- 7.3. Parks and Community Services Draft Agenda, August 17, 2010
- 7.4. Master Development Schedule
- 7.5. Sign Ordinance Amendment, Ordinance No 2010-04, Second Reading, Waive Reading in Full
- 7.6. School Resource Officer Contract

It was moved by Council / Board Member McKittrick, second by Council / Board Member Payan, to approve the consent calendar as presented.

AYES: Payan, Smith, Wallace, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Morales

#### WARRANT REGISTER

- 8.1. Approval – City Council Warrant Register, July 16, 23, 2010
- 8.2. Approval – Redevelopment Agency Warrant Register, July 16, 23, 2010

It was moved by Council / Board Member McKittrick, second by Council / Board Member Payan, to approve the warrant register as presented.

AYES: Payan, Smith, Wallace, McKittrick

NOES: None  
ABSTAIN: None  
ABSENT: Morales

#### MAYOR'S MINUTE

##### 9.1. Information Sharing

Mayor Wallace said his son was married this weekend.

#### COUNCIL / AGENCY COMMENTS

##### 10.1. Request for Excused Absence, Mark Wallace, July 27, 2010

It was moved by Council Member McKittrick, second by Council Member Smith, to approve the request for excused absence by Mayor Wallace.

AYES: Payan, Smith, Wallace, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Morales

##### 10.2. Appointment of League of California Cities Annual Conference Voting Delegate

It was moved by Council Member McKittrick, second by Council Member Smith to appoint Mayor Wallace as the voting delegate and to appoint Council Member McKittrick as the alternate voting delegate to the League of Cities Annual Conference.

AYES: Payan, Smith, Wallace, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Morales

##### 10.3. Appointment of Measure R Oversight Committee Member

City Manager Todd said Dan Meinert is interested in the position of Measure R Oversight Committee Member.

Council discussion followed.

It was moved by Council Member McKittrick, second by Council Member Smith, to appoint Daniel Meinert to the position of Measure R Oversight Committee Member representing Dinuba.

AYES: Payan, Smith, Wallace, McKittrick  
NOES: None  
ABSTAIN: None

ABSENT: Morales

#### 10.4. Appointment of Administrative Hearing Officer

Chief Thompson said several applicants have applied for the position. He proposed that the Council consider Myles Chute for the position. In determining the best candidate for the position he took into account the many years Chute spent working for the City and the community.

Council discussion followed. The Council determined that if Chute is appointed, perceived conflicts could be heard by a representative from another city.

It was moved by Council Member Smith, second by Council Member McKittrick, to appoint Myles Chute as the City's Administrative Hearing Officer.

AYES: Payan, Smith, Wallace, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Morales

- 10.5. Reminder - South San Joaquin Valley Division Meeting, August 12, 2010
- 10.6. Country Care Living 15<sup>th</sup> Anniversary, August 15, 2010; 2:00-4:00 pm
- 10.7. Manzanita Pupuseria Ribbon-cutting, August 19, 2010; 5:00 pm
- 10.8. Read to Succeed Literacy Program Oldies Dance Party, September 25, 2010; 6-9 pm
- 10.9. City of Farmersville 50<sup>th</sup> Anniversary, October 2, 2010; 6:30 pm

City Manager Todd reminded the City Council of the upcoming events and asked them to consider their attendance.

#### 10.10. Information Sharing

Council Member McKittrick said he attended the Council of Cities meeting and stated that the group is getting close to seeing the cities and county agree on the General Plan.

City Manager Todd said we are getting close to agreeing upon an end to the matter and the next meeting should bring it to a close.

### OFFICE OF THE CITY MANAGER / EXECUTIVE DIRECTOR

#### 11.1. Information Sharing

City Manager Todd said he met with Attorney McCloskey, Engineer Uota and representatives from Tioga Solar, and a final agreement is eminent. Tioga projects that the project should be moving forward within the next 60 days. It has to be completed by March or April to get tax credits.

CITY ATTORNEY

12.1. Information Sharing

None

CITY ENGINEER

13.1. Amendment to Avenue 416 Measure R Program Supplement

Engineer Uota requested that the City Council consider authorizing the City Manager to execute the Program Supplement for the Avenue 416/El Monte Way Widening Project authorizing additional funding for Right-of-Way (ROW) Acquisition and for project administration subject to TCAG Board approval on August 16, 2010. This action would allow the City to request the necessary funding advances from TCAG to purchase the project-required ROW. Making the proposed amendment prior to incurring the expense will help the City avoid cash-flow problems.

Uota reported that staff has obtained appraisals for all affected properties and relocation costs. The previous program supplement was \$6.2 million and have asked that the cost be amended to \$12.6

Discussion followed as to where the extra funding will come. Assistant Director Whitfield said there are funds designated for local and regional projects. We have already spent the local funds and the funds for this supplement may delay other projects regionally.

It was moved by Council Member McKittrick, second by Council Member Smith, to authorize the City Manager to execute the Program Supplement as presented.

AYES: Payan, Smith, Wallace, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Morales

13.2. High Speed Rail Alignment

Engineer Uota explained that the High Speed Rail Authority (HSRA) is evaluating alternative rail alignments for the future High Speed Train (HST) system through the South Valley. To date, the HSRA has determined that the HST will generally follow the Burlington Northern – Santa Fe (BNSF) rail alignment through the Tulare/Kings County region. The HSRA is currently evaluating alternative alignments for the HST through the Hanford area that will determine the location of the HST station. Two options are under review. The primary option is an easterly loop from the BNSF around the City of Hanford then reconnecting to the BNSF. This primary alternative would provide a future station location near the juncture of State Highway 198 and Highway 43.

Due to concerns raised by the farming community in Kings County about impacts to farmlands, the HSRA is now examining a second option that could place the HST alignment through the center of Hanford (similar to Amtrak).

If the HST alignment moves to a Central Hanford route, the future station will move to a location outside of Hanford, possibly several miles to the south. The revised location will be much less accessible and convenient for potential HSR passengers in outlying areas, especially for persons travelling from cities in Tulare County.

The location of the HST alignment through Kings County, and near or through Hanford, has generated significant controversy in Kings County. Recently, the County of Kings, City of Hanford, and Kings County farming interests have taken a position in opposition to the HST alignment in Kings County. These groups are urging the HSRA to move the alignment out of Kings County and place the alignment along either the I-5 or Highway 99 corridors. Concerns expressed in Kings County are directed primarily at the impact of the HST alignment to farmlands and agricultural operations.

While the concerns raised by Kings County interests are important and must be addressed during project design, the long term implications and potential benefits of the HST must be understood. The HST is intended to provide a time-efficient, affordable, and convenient transportation mode in California as a viable alternative to highway or airplane travel, both of which are becoming increasingly congested in our state. The proposed California HST project is modeled after examples that exist throughout the world (Japan, China, and Europe) of high speed train systems successfully serving highly populated regions. Having a conveniently accessible HST station in our region will not only serve as a great convenience to our residents and business people who travel within the State, but would also have significant long term economic benefits to the region.

The voters in California have approved a \$10 billion bond to help finance construction of the project (total cost is currently estimated at \$43 billion) and approximately \$2.2 billion has been allocated from the Federal stimulus (ARRA) for the California project. Though the HST project remains controversial (due to its size, significance, cost and many components) it appears that the project is gradually moving through design to construction of the initial phases, including substantial segments in the San Joaquin Valley.

To date, the High Speed Rail Authority has concentrated its efforts on establishing an alignment along the BNSF through Kings County for our region. The HSRA's preferred alignment continues to be along Highway 43 east of Hanford. While Tulare County cities and other interests would likely prefer an HST alignment (and station) moving to the Highway 99 corridor, it is unlikely that this change will occur due to the significant time and money that the HSRA has invested in analyzing, conducting environmental studies, and preparing engineering studies for an alignment through Kings County. Also, undertaking efforts to move the alignment out of Kings County is impractical due to looming deadlines for expenditure of ARRA funds to construct the initial phases of the HST system, including the South Valley test tracks.

There will be no fiscal impacts associated with the recommended action.

City Manager Todd said this item came up in the last Council of Cities meeting and the concensus was to keep the alignment as originally proposed.

Council discussion followed.

Engineer Uota recommend that the Council adopt Resolution 2010-46 supporting an East Hanford HST alignment and station location.

It was moved by Council Member McKittrick, second by Council Member Smith, to adopt Resolution No 2010-46 as presented.

AYES: Payan, Smith, Wallace, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Morales

### 13.3. Planning Commission Action, August 3, 2010

#### A. Arroyo Tentative Parcel Map, Application 2009-22 Approval

The Planning Commission received public testimony and provided comments for Application No. 2009-22; a Tentative Parcel Map submitted by Robert Arroyo for the subdividing of one existing site into two parcels, located on the west side of McKinley Avenue, approximately 370 ft. south of Saginaw Avenue. Planning Commission approved Resolution No. 968 approving Application No. 2009-22, allowing the parceling of one site into two parcels. This item will be brought back to Council at a later date for acceptance of the easement.

#### B. Randall Mathias Application 2010-05 PUD/CUP, 1875 N Alta

Uota reported that the Planning Commission found that the site is currently zoned C-3 but when the project started when it was still zoned M-1, so the proposal to the Planning Commission was to approve it. He reported the Planning Commission approved Resolution No. 967 approving Application No. 2010-05, allowing the proposed mini storage, office and residence as a Planned Unit Development. The Development Application was forwarded to the City Council for their review and action.

Council discussion followed.

### 13.4. Authorization to Execute Development Agreement, Storage Station II, 1875 N Alta

Uota requested that the City Council consider authorizing the City Manager to execute a commercial development agreement with The Storage Station II, Dinuba, LP (Applicant/Developer) and to consider the developer's request for a System Development Charges (SDCs) deferred payment plan option.

The Developer has proposed the construction of a mini-storage as a planned unit development, including an office and single family residence on a 4.89 acre site located at 1875 N. Alta Avenue. The Planning Commission has approved the Applicant's conditional use permit. Staff has reviewed the Zoning Ordinance and the Dinuba Municipal Code and believes that this project satisfies all of the applicable sections.

Staff has received a request from the Developer to make installment payments on \$147,566.46 of the total amount due for development-related impact fees. After making an initial 20% down payment, the Developer wishes to make five (5) annual installment payments.

Council discussion followed.

Uota requested that the City Council authorize the city manager to execute the commercial development agreement and consider the developers request to make an initial down payment of 20% and 5 annual installment payments.

It was moved by Council Member Smith, second by Council Member McKittrick, to authorize the city manager to execute the commercial development agreement and consider the developers request to make an initial down payment of 20% and 5 annual installment payments.

AYES: Payan, Smith, Wallace, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Morales

#### 13.5. Information Sharing

Uota provided an update on the following items:

El Progreso Market: the Visalia market is closed and so it is assumed the Dinuba market is not moving forward.

AM/PM Market: the developer has indicated the bank has completed the property appraisal and it is expected progress will move more quickly and construction is expected to start late September or early October.

Hot dog stand: the property owners will be contacted as to the maintenance of the property.

Sonic Burger: the franchise owner said the proposed Dinuba restaurant is going forward.

Mayor Wallace asked what the soccer building will look like when completed.

Building Official Hartley said the walls and roof will be made of fabric; the interior will be artificial turf similar to high school football field. The project will be constructed in three phases.

Council member Smith asked if there is any interest in the annex building.

City Manager Todd said yes a number of lookers have come forward as recently as this week.

### FINANCE AND COMMUNITY SERVICES

#### 14.1. Information Sharing

Director Nunes reported that registration for the after school program has begun and the daily rate is \$1.50 per day. The program will be held at five schools, beginning Monday August 23.

She reported that soccer registration ends Friday; the aquatics program ended July 30. She added that park rentals are in heavy demand.

Nunes said she attended a finance directors' meeting and the triple flip was discussed. She explained that Tulare County cities were charged extraordinary amounts for administrative services by the county and Dinuba was charged \$150,000 for County's services that were recently much lower. The finance directors are providing a united front against the County to get back some of those excessive payments.

## FIRE SERVICES

### 15.1. Information Sharing

None

## POLICE SERVICES

### 161. Information Sharing

Chief is on vacation and Popovich will take his place for next two weeks.

## PUBLIC WORKS

### 17.1. Economic Development Consultant Selection

Assistant Public Works Director Whitfield requested the Council consider proposals for the Economic Development Grants Consultants. Proposals were received from the following:

- 1) Applied Development Economics (ADE)
- 2) Central Valley Christian Housing Development, Inc. (CVC Housing)
- 3) PMC
- 4) Triangle Associates

Upon review of the submitted proposals, staff determined that Applied Development Economics (ADE) met or exceeded all of the selection criteria (experience, availability, responsiveness to scope, overall impression, and a plan to maximize grant application score). The proposals received from the other three firms indicate a strong housing background but limited or no economic development experience. Further, ADE is a reputable firm, has had a presence in Dinuba for several years and has established economic development credentials. Acceptance of this proposal will allow ADE to pursue the economic development allocation grants that are considered to be in the best interest of the City.

Whitfield requested that the City Council approve the award for consulting services for economic development grants to Applied Development Economics, and to authorize the City Manager to execute a three-year professional services agreement with ADE.

Council discussion followed.

It was moved by Council Member McKittrick, second by Council Member Smith, to approve the award for consulting services for economic development grants to Applied Development Economics, and to authorize the City Manager to execute a three-year professional services agreement with ADE.

AYES: Payan, Smith, Wallace, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Morales

17.2. 517 West El Monte Way, Public Hearing Continued (Date TBD)

Mayor Wallace opened the public hearing at 7:43 pm. No comments from the public were brought forward. Mayor Wallace closed the hearing and it was continued to a future date yet to be determined.

17.3. Information Sharing

Whitfield reported that the Big 5 shell is expected to be completed next week and they hope to be open by Thanksgiving Day.

She also reported that the car wash should be completed by mid-October.

ADJOURNMENT

The meeting was adjourned at 7:45 pm.

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Mark Wallace, Mayor

ATTEST:

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Linda Barkley, Deputy City Clerk / Secretary