

COUNCIL/BOARD MEMBERS PRESENT: Harness, Hinesly, Smith, Morales, Gonzalez

STAFF MEMBERS PRESENT: Anderson, Beltran, Barkley, McCloskey, Nunes, Olvera,
Thompson, Todd, Uota

CALL TO ORDER

Mayor / Chair Smith called the meeting to order at 6:35 pm.

INVOCATION

Pastor Mark Wallace led the invocation.

FLAG SALUTE

Fire Chief Thompson led the flag salute.

EMPLOYEE SERVICE AWARDS

4.1. Juan Medina, 5 Years

Medina was not present.

NEW EMPLOYEES

5.1. Michael Banks, Paid Call Firefighter

5.2. Curtis Lewis, Paid Call Firefighter

5.3. Adolfo Solis, Paid Call Firefighter

Chief Thompson introduced Curtis Lewis to the City Council.

Banks and Solis were not present.

PUBLIC COMMENT

6.1. Unscheduled

Rudy Mendoza, 369 Lamona, Woodlake, field representative for Devin Nunes was present to introduce himself to the City Council. He said he likes to put a "name to a face" and so he was present representing the Tulare County area. Mendoza said he is also a Council Member in Woodlake.

Mendoza talked a little about the High Speed Rail project (HR761) of California. Mendoza mentioned that there is an opportunity to take some of the money and for the project and make major improvements to SR 99. He said a 6 lane highway from Sacramento to Bakersfield can be built with the money which would improve air quality and traffic for millions.

Council discussion followed.

CONSENT CALENDAR

7.1. City Council/Redevelopment Agency Joint Meeting, February 8, 2011

7.2. Certificates of Acceptance - Avenue 416/El Monte Way Widening Project
Right-of-Way and Property Acquisition

7.3. Claim for Consideration - Javier Lopez Perez

7.4. Set Hearing Date – Appeal Planning Commission Decision, PC Application No 2011-02, March 8,
2011, Resolution No 2011-10

7.5. Set Hearing Date – Historic Preservation Ordinance Amendment, March 8, 2011

City Manager Todd said the Council minutes of February 8 have incorrect wording on the first page which reads, "STAFF MEMBERS ABSENT" but should correctly read "STAFF MEMBERS PRESENT."

It was moved by Council / Board Member Morales, second by Council / Board Member Gonzalez, to approve the consent calendar with the noted correction to the Council minutes dated February 8, 2011.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez
NOES: None
ABSTAIN: None
ABSENT: None

WARRANT REGISTER

- 8.1. Approval – City Council Warrant Register, February 11, 18, 2011
- 8.2. Approval – Redevelopment Agency Warrant Register, February 11, 18, 2011

It was moved by Vice Mayor / Vice Chair Hinesly, second by Council / Board Member Harness, to approve the warrant register as presented.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez
NOES: None
ABSTAIN: None
ABSENT: None

CITY ATTORNEY

- 9.1. Bob Barker Building

This item was discussed in Closed Session.

- 9.2. Information Sharing

City Attorney McCloskey referred to the staff report to set the public hearing for amending the Historic Preservation Ordinance and pointed out that the changes are merely proposed at this time. This item sets the hearing date and the item will be considered at the March 8 meeting.

MAYOR'S / CHAIR'S MINUTE

- 10.1. Certificates of Appreciation – Community Volunteers

Mayor Smith said Council Members need to be at the Volunteer dinner Monday night.

- 10.2. Information Sharing

None

COUNCIL / BOARD COMMENTS

- 11.1. Reminder – Police Volunteer Dinner, February 28, 2011

City Manager Todd said this is a reminder of the Volunteer Dinner.

- 11.2. Meeting with Assembly Member Perea, Friday, March 25, 2011

City Manager Todd said Assembly Member Perea's staff person requested that the Council meet with Perea on March 25 from 3 to 5 pm.

After discussion, the City Council concluded that another date would be better and asked that it be scheduled later in the day.

City Manager Todd informed the Council Members that alternative dates will be obtained from Perea's staff and the item will be brought back to the Council for consideration again.

- 11.3. Information Sharing

City Manager Todd said he, some Council and staff members attended the Division League of Cities Dinner and once again heard Marshall Linn speak on the subject of Redevelopment.

Todd said he attended a meeting with the Governor to make a plea for Redevelopment. At the end of the meeting, the governor was open to ideas of reform but he kept to the fact that the end result has to generate \$1.7 billion. There were some ideas brought forth from the mayors of the 10 of the largest California cities. There is a proposal circulating to reform Redevelopment as opposed to eliminating the agencies statewide.

Other reform ideas are that cities be limited in the amount of Redevelopment property in Redevelopment areas. Restrictions would be placed on use of affordable housing funds and used for pressing community needs. The ideas can work short of elimination.

Todd said he passed the information on to Perea and Rubio's offices and added, "We'll see where it goes." The governor has less than three weeks to get his ideas in place and get his measure on the ballot. We hope to see reform and not complete elimination of Redevelopment.

Mayor Smith asked if they determined anything legally.

Todd said no but added that the Governor has to have some leverage or he wouldn't be pushing this so hard. That may be one reason why he's so strong going forward.

City Attorney McCloskey said the court could put it back or could protect what was there in Redevelopment up to a certain time. It would have to pass the legislature.

Vice Mayor Hinesly said she attended the Chamber's Good Morning Dinuba meeting on February 9. She added that the May 11 Good Morning Dinuba meeting would be a good day for the City to host.

The Council concurred.

Hinesly shared and made available an application for those who would like to enter the "Bucket Brigade" event that will be held at the Relay for Life "Pull for the Cure" event.

Hinesly shared that the Alta Heritage Square project is being done through the TE funding. She shared other information she received at TCAG with the other Council and staff members.

CITY MANAGER / EXECUTIVE DIRECTOR

12.1. Information Sharing

City Manager Todd said Michael Banks, paid call firefighter just walked in and Chief Thompson introduced him to the City Council at that point. The City Council welcomed Banks.

City Manager Todd said we currently don't have a representative for Tulare County EDC. Our representative was former Council Member Wallace. He said if one of the Council Members would like to serve on that committee, please advise staff.

Todd said he received an e-mail from Thatcher Wong who would like to serve on the Dinuba EDC.

Todd mentioned that tomorrow's Council of Cities meeting was cancelled.

Todd spoke of Goal Setting and presented tentative dates for discussion.

The Council discussed dates and selected April 1 from 5-10 pm for Goal Setting.

FINANCE AND COMMUNITY SERVICES

13.1. Designation and Authorization to Apply for State & Federal Assistance for Emergency Services,

Director Nunes reported that from the middle of December to the beginning of January the Central Valley was inundated with rainfall. As a result flooding occurred across the Central Valley. Due to the scale of the storms and the damage that resulted, the state declared a disaster emergency. This declaration allows the City to recoup up to 93% of its costs associated with work spent on mitigating the impacts of the flooding.

To be eligible for the grant assistance, the City must submit a number of applications to the California Office of Emergency Services. In particular, the Council will need to designate by resolution, authorized agents to act in behalf of the City to obtain financial assistance.

Nunes recommended that the City Council designate the City Manager, Finance & Community Services Director and the Finance/Budget Manager as authorized agents to act in behalf of the City for the purpose of obtaining federal and state assistance in relation to disaster assistance by adopting Resolution No 2011-09.

It was moved by Council Member Morales, second by Vice Mayor Hinesly, to adopt Resolution No 2011-09 as presented.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez
NOES: None
ABSTAIN: None
ABSENT: None

13.2. Information Sharing

Director Nunes shared that she too attended the League's Division meeting with Council and staff; and, earlier in the day she attended the Republican Women's meeting. She said the Republican Women's group had questions and are supportive of the City keeping Redevelopment money.

Nunes shared she will be out of town the rest of the week at a Finance Conference, returning to the office next Monday. Budget Manager Cook will be in charge of her matters while she's gone.

ENGINEERING SERVICES

14.1. Avenue 416 / El Monte Way Widening Project Right-of-Way Acquisition

This item was discussed in Closed Session.

14.2. Marquis Homes – Assessment District Proposal

Engineer Uota presented information as a follow-up to the Public Comment by Mr. and Mrs. Lever at the February 8, 2011 Council meeting. At the conclusion staff was directed to investigate alternatives to immediately proceeding with the abatement. Uota shared that staff developed alternatives and shared them with the City Council. It is requested that the Council provide further direction to staff based upon the alternatives listed.

Bob and Shayla Lever asked to be placed on the February 8, 2011 City Council Agenda to present an alternative to those conditions for avoiding abatement proceedings. The Levers proposed to paint the structures, maintain a clean site and wait until market conditions improved. At the February 8, 2011 meeting, the City Council directed staff to explore alternatives for effecting improved project appearances to the satisfaction of the neighborhood.

Alternatively, the property owners could quit claim their interests in the subdivision lots to the City RDA. Upon possession of all of the lots, the RDA could then find a builder to complete the project. Sales proceeds, less RDA expenses, could then be redistributed to the former property owners.

The Abatement proceedings will require that the City expend funds that will then be recovered by liens against the parcels. The alternatives will require City funds to effect the indicated work with reimbursement by the LLAD or property sales.

Uota said staff will immediately initiate the abatement process. A lighting and landscape district can be formed but would be subject to the law in order to form the district. There is an existing Morningside Lighting and Landscaping District adjacent to the subject property but there is likely not a good chance to approve a project addition. Alternatively, the City could initiate the formation of a new Landscaping and Lighting Assessment District (LLAD) for the Marquis Homes project for the purpose of financing the capital costs to install the landscaping improvements. An election by the property owners would need to approve the formation of the District. The City would need to find a means to provide the capital for reimbursement by the District.

The reality of developing a new one by "charging themselves" over time may not have a fair chance of being successful.

Another alternative would be that the property owners quit claim their property to the City's RDA and then the RDA could seek to find a builder/developer to move forward with the project. It could be packaged to be under the control of one entity. It obviously has obstacles. One way to present the idea to the property owners is that it would be an investment of pennies on the dollar but it would elude abatement.

Uota shared that there are alternatives but the prospect of all parties being in agreement is not good. It comes full circle to what was discussed in previous Council meetings. The purpose of this discussion was to provide an update to the alternatives and seek Council's direction on how to proceed.

Council discussion followed.

City Manager Todd said the abatement process has begun unless the Council directs staff to stop. We will obtain as many addresses as we can and send the property owners the alternatives we've developed and see what response we get but let them know, the abatement process is going forward. One way to get them done is to keep an assessment district. It could work but they will need to put some money in it each month.

Council discussion followed.

The Council agreed that staff should move forward with the abatement process.

FIRE SERVICES

15.1. Award of Bid – Mobile Training Unit

Chief Thompson shared that the Fire Department was awarded a 2010 AFG Grant totaling \$174,000 to purchase a Mobile Fire Training Unit. The City of Dinuba Purchasing Policy requires that a formal bids be taken. The Council authorized the Fire Chief to proceed with the formal bid process. The bid period closed on February 11 and throughout the process, multiple requests for bids were sent to various interested parties. Sealed bids from three different companies interested in constructing the two Mobile Live Fire and Rescue Training Trailers were received.

It was determined that two of the proposals exceeded the allowable budget by at least \$10,000. It was determined that Fireblast 451 Inc. met all selection criteria with the highest score. This company, according to their bid, will construct the training trailers to the Dinuba Fire Department's specifications without exceeding the \$174,500 budget. In addition, Fireblast will provide construction of the two live fire and rescue trailers; delivery of the trailers; training of use of the trailers and the warranty.

Thompson requested that the City Council consider the Fire Department's recommendation to award the Assistance to Firefighter's Grant funded Two (2) Mobile Live Fire and Rescue Training Trailer project to Fireblast 451, Inc., and authorize the City Manager to purchase the equipment.

Council discussion followed.

It was moved by Council Member Morales, second by Vice Mayor Hinesly, to award the bid to Fireblast 451, Inc. and authorize the City Manager to execute the purchase as presented.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez
NOES: None
ABSTAIN: None
ABSENT: None

15.2. Request Authorization – Out-of-State Training

Chief Thompson reported that In October of last year, the Dinuba City Council authorized the Fire Chief to apply to the National Fire Academy in order to attend the Fire Service Executive Planning course. The request was accepted and the course runs June 13-24, 2011. Thompson requested authorization to attend the academy to attend the Fire Service Executive Planning course.

The course is only provided at the academy in Maryland and therefore, City Council authorization is required. All costs will be reimbursed by the USFA with the exception of the \$234.00 meal plan provided on site through the facility, and any other ancillary expenses. These expenses will be funded from the Fire Department Training Fund.

Thompson requested that the City Council authorize his out-of-state travel to attend the National Fire Academy in Emmitsburg, MD.

Mayor Smith asked what he would learn to plan effectively.

Chief Thompson said the training is for planning for future growth or needs of the city as it relates to the Fire Department. The industrial area is a good example that may require personnel or capabilities to educate him to conduct a proper analysis of risks that may be involved.

Council Member Morales commented that it is good training and he needs to attend.

City Manager Todd asked Thompson if it gets him to a certification.

Thompson said it does help along with other classes and he explained the process and requirements.

It was moved Vice Mayor Hinesly, second by Council Member Morales, to authorize Chief Thompson to travel out-of-state to attend the Fire Service Executive Planning course.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez
NOES: None
ABSTAIN: None
ABSENT: None

15.3. Information Sharing

None

POLICE SERVICES

16.1. Information Sharing

Police Chief Olvera said the Volunteer Academy is moving along with three weeks until graduating. The students can at that time decide if they will go forward and become volunteers. In the past only 75% have followed through.

Mayor Smith said there are about a dozen volunteers currently enrolled in the Academy.

Chief Olvera said he has a presentation that he will present to the class in a couple of weeks.

Olvera shared staff is in the middle of recruitment for reserve officers and he added that two candidates were picked up out of the last recruitment.

PUBLIC WORKS

17.1. Self-Help Enterprises/Home Workshop

Director Beltran shared Self-Help Enterprises (SHE) will be holding a work shop to offer information about the First Time Homebuyer and Homeowner rehab program. SHE is increasing marketing efforts to make people aware of programs and how they are available to them. The work shop is scheduled March 16 from 6-8 pm.

Council discussion followed.

Beltran indicated there is no Council action required.

17.2. Award of Transportation Enhancement Project

Director Beltran reported that TCAG issued a call for projects for the Transportation Enhancement (TE) program. The TE program offers funding opportunities to help enhance transportation modes and corridors through projects related to surface transportation, including pedestrian and bicycle infrastructure and safety programs, scenic and historic highway programs, landscaping and scenic beautification, historic preservation, and environmental mitigation.

The City Council authorized City staff to apply for a TE grant funds for the Dinuba Downtown Entertainment/Alta Heritage Square Connection project. The project scope includes ADA ramps, decorative sidewalks, decorative street lights, tree wells, benches, and landscaping on K Street (between Kern and Ventura) and Kern (between K and alley east of L Street) and Ventura (between K and alley east of L Street).

The City's project received the highest scoring and is included in the list of proposed projects along with five additional projects. All the projects submitted by the City of Dinuba were approved and received the top score.

The total project cost amount is \$110,764 and the City's local match is \$12,705. Project recommendations assume future funding commitment from the 2012 STIP.

Mayor Smith asked where the funding comes from and Beltran said it's federal money.

Council discussion followed.

Beltran shared this is information only with no Council action required.

17.3. Information Sharing

Director Beltran said the CNG project will begin March 1--a 45 day project; and, beginning tomorrow Roy Ramirez and Sandy Sills will be visiting those businesses on the delinquent business license list per Council direction at a previous meeting to make face to face visits with businesses.

CLOSED SESSION ACTION

18.1. Avenue 416/El Monte Way Widening Project Right-of-Way Acquisition

Pursuant to Government Code Section 54956.8, the City Council/Redevelopment Agency met in closed session with the City Manager/Executive Director and City Attorney to discuss the right-of-way acquisition along Avenue 416/El Monte Way.

The City Council / Agency directed staff to proceed with the written offer.

18.2. Sale of Real Property Located at 201 N Uruapan

Pursuant to Government Code Section 54956.8, the City Council/Agency met in closed session with the Manager/Executive Director and City Attorney to discuss the sale of Real Property located at 201 North Uruapan.

It was moved by Vice Mayor/ Vice Chair Hinesly, second by Council / Board Member Morales, to reject all offers to purchase the Real Property located at 201 N Uruapan and take the property off the market.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez
NOES: None
ABSTAIN: None
ABSENT: None

ADJOURNMENT

The meeting was adjourned at 9:06 pm.

Mike Smith, Mayor / Chair

ATTEST:

Linda Barkley, Deputy City Clerk/Secretary