

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

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

WORK SESSION

1.1. CWMA

Ann Magana, CWMA Administrator presented information to the City Council on the Consolidated Waste Management Authority and its role.

Discussion followed in regard to the JPA and other county cities' involvement in the CWMA.

1.2. Pena's Disposal

Art Pena and Carlos Garcia, Pena's Disposal, was present to speak to Pena's Disposal's goals toward waste diversion rates.

Mayor Smith asked what it would cost for Pena's to do for our city what the CWMA currently does for us.

Art Pena spoke about a three can waste system.

Council Member Harness asked if there are other options than the 3-can system because, ultimately a three-can system means more service more cost to the user.

BREAK

Mayor Smith declared a break at 7:04 pm.

RECONVENE FROM BREAK

Mayor Smith reconvened the meeting at 7:21 pm.

CALL TO ORDER

Mayor Smith called the meeting to order at 7:21 pm.

INVOCATION

The invocation was led by Pastor Al Serna.

FLAG SALUTE

The flag salute was led by Chief Thompson.

PUBLIC COMMENT

Pastor Mike Curry presented a request for a street closure in front of the Nazarene Church on Kern Street to hold an event to benefit the community. He described the elements of the event and said one of the items is to hold a chili cook-off contest. He said he needs judges for the event and invited the council to volunteer.

Council discussion followed.

Mayor Smith directed Pastor Curry to work with staff in regard to the planned event.

CITY WEBSITE PRESENTATION

Daniel Valencia presented the City's new website. Valencia rebuilt the site and he shared the usefulness and ease of using the site.

CITY MANAGER/EXECUTIVE DIRECTOR

14.1. Proposed Alternate Site for Self-Help Enterprises Multi-Family Project

Engineer Uota presented information in regard to the Self-Help Enterprises Multi-Family Residential Project alternate site located south of the K-Mart property on El Monte Way.

Tom Colishaw of Self-Help Enterprises (SHE) was present to speak to the Council about the proposed project. He said Self-Help (SHE) appreciates the effort that went into the proposed project site. He added that he wished the site was available a year ago prior to SHE's purchase of the current project site in the Viscaya subdivision. Colishaw said SHE will remain a good neighbor, including providing amenities on the site. He added that SHE has been talking with Wathen-Castanos about their project.

Council discussion followed as to the proposed site design.

CONSENT CALENDAR

- 8.1. City Council / Redevelopment Agency Joint Meeting, September 27, 2011
- 8.2. Acceptance – Other Agency Meeting Minutes
 - a. Historic Preservation Commission, August 8, 2011
 - b. Parks and Community Services Commission, August 16, 2011
 - c. Police Advisory Commission, September 6, 2011
 - d. Pro Youth Commission, June 16, 2011
- 8.3. Citizens Oversight Committee Draft Agenda, October 28, 2011
- 8.4. Parks and Community Services Commission Draft Agenda, October 18, 2011
- 8.5. Master Development Schedule
- 8.6. Gutierrez Final Parcel Map Acceptance of Easement Dedication
- 8.7. Notice of Completion - Avenue 416/EMW Widening Project- Wise Engineering Demolition Contract
- 8.8. Set Hearing – Sale of Property 151/153 Eaton Ave, Dinuba, October 25, 2011

It was motioned by Council / Board Member Morales, second by Vice Mayor / Vice Chair Hinesly, to approve the consent calendar as presented.

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

WARRANT REGISTER

- 9.1. Approval – City Council, September 30, October 7, 2011
- 9.2. Approval – Redevelopment Agency, September 30, October 7, 2011

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

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

MAYOR'S / CHAIR'S MINUTE

10.1. Information Sharing

Mayor Smith said the Raisin Day Parade was lengthy this year.

- 11.1. Request for Excused Absence – Mike Smith, Mayor, September 27, 2011

It was motioned by Council Member Harness, second by Council Member Gonzalez, to approve the request for excused absence by Mayor Smith.

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

11.2. Request for Excused Absence – Emilio Morales, Council Member, September 27, 2011

It was motioned by Council Member Gonzalez, second by Council Member Harness, to approve the request for excused absence by Mayor Smith.

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

11.3. District 3 Neighborhood Meeting, November 10, 2011

Assistant City Manager Anderson reported that the Neighborhood meeting for District 3 will be held at JFK Academy on November 10 at 6:30 pm. The meeting will be noticed on the City's website, the local paper and mail.

11.4. Planning Commission Appointments

Director Beltran requested that the City Council take action to approve the reappointment of Planning Commissioners in City Council District 5 and District 3 as a result of the revised Council Election District boundaries.

Beltran cited Article II, Section 2.02 of the City Charter of the City of Dinuba and explained the City Council appointed the Dinuba Planning Commission as the Citizens Advisory Committee to review the City Charter and develop and recommend revised boundaries for Council election districts, if indicated by decennial census results.

As a result the Citizens Advisory Committee met and recommended certain changes to Council election districts. The City Council, at a public meeting, reviewed the recommendations of the advisory committee, accepted public comments, and took action to adopt Scenario 3b as recommended. The Dinuba Municipal Code, Section 2.32.020, requires that Planning Commission (PC) members be appointed from each city voting district. Each member must be a resident of the voting district from which he/she is appointed.

The recent revision of the Council election districts creates a need to reappoint two current Planning Commission members. If Commission Chair Terry McKittrick and Commissioner Ed Smither are to remain on the Commission they must be reappointed to represent the new Council district in which they reside. The reappointments would be Terry McKittrick to District 5; and, Ed Smither to District 3. Both terms run through December 31, 2013.

Commissioners Munoz and Gomez remain in their districts, 1 and 2, whose residency does not change, and District 4 becomes vacant with the district boundary changes.

Beltran requested that the Council consider the reappointments of McKittrick and Smither as proposed.

Council discussion followed.

It was motioned by Council Member Morales, second by Vice Mayor Hinesly, to reappoint Planning Commissioner Terry McKittrick to District 5 and Planning Commissioner Smither to District 3 as a result of the Council District changes.

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

11.5. Reminder – League of CA Cities Division General Meeting, October 13, Fresno

City Manager Todd shared information about the next League Division meeting in Fresno.

11.6. Reminder – Chamber of Commerce Volunteer Appreciation Event, October 13

City Manager Todd shared information about the upcoming appreciation event on the same night of the League Division meeting.

11.7. Information Sharing

Council Member Morales said he attended the Ride for the Red event where he was able to network.

Vice Mayor Hinesly spoke briefly about the Bark for Life event held recently and, she said she was part of the FEMA training earlier today. Hinesly also said she and staff attended the Council of Cities meeting.

PUBLIC HEARING

12.1. Dinuba Redevelopment Agency Affordable Housing & Real Property Disposition Agreement, 1821 East Mountain View, Dinuba, RDA Resolution No 2011-10

Fiscal Analyst Patino presented information in regard to the disposition of real property located at 1821 East Mountain View. Staff worked closely with Dinuba High School to create a Building Trades Construction Program. The objective of the program is to provide affordable housing to persons or families of low or moderate income who live in our community.

The sixth house is completed and is ready for sale. The marketing for this property has been made through an advertisement billboard located on the property and through advertisement in the local newspaper. The price of the house is \$130,000. Matthew Hernandez and Irma Ortiz are an eligible income family and have submitted an application to purchase the house. The Hernandez / Ortiz family meets all of the criteria for the program and are very excited about the new house.

The financing for the sale of the real property will be through Kings Mortgage, which will be providing the private sector financing. The Applicants have been qualified to borrow a maximum of \$70,700. The remaining \$59,300 will be funded by the City's Homebuyer Program. It is estimated that the Agency will receive the total \$130,000 sale proceeds before the end of the year.

Analyst Patino requested that the City Council open the public hearing to take testimony in regard to the sale of 1821 East Mountain View and after the hearing consider adoption of Agency Resolution 2011-10.

Chair Smith opened the public hearing.

No comments from the public were brought forward.

Chair Smith closed the public hearing.

It was motioned by Vice Chair Hinesly, second by Board Member Morales, to adopt RDA Resolution No. 2011-10, approving the sale of the real property to Matthew Hernandez and Irma Ortiz under the Affordable Housing Program; and, approving the Affordable Housing and Real Property Disposition Agreement with Matthew Hernandez and Irma Ortiz and authorizing the Executive Director to execute all associated sale documents.

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

12.2. Designation of Historic Resource, Resolution No 2011-42 (Continue to October 25, 2011)

Mayor Smith opened the hearing.

No comments were brought forward and the hearing was continued to October 25, 2011.

CITY ATTORNEY

13.1. AT&T Utility User Lawsuit

This matter was considered in closed session.

13.2. Real Property Acquisition Located at 6954 Avenue 416, Dinuba

This matter was considered in closed session.

13.3. Joe's Pawn Shop

This matter was considered in closed session.

13.4. Information Sharing

None

CITY MANAGER / EXECUTIVE DIRECTOR

14.2. 2011 HOME Program Construction Grant Contract Administrator Award/Senior Housing Project

Assistant City Manager Anderson requested that the City Council consider accepting the proposal from R.L. Hastings & Associates, LLC to provide administrative subcontractor services for the 2011 HOME Program Rental-New Construction grant award and authorizing the City Manager to execute the associated agreement.

Earlier this year the City of Dinuba received formal notification that it had been awarded a \$3.1 million grant for the construction of new senior multi-family development project on the northwest corner of North "M" Street and Merced Street. Although the City of Dinuba is the recipient of the HOME grant, the Chelsea Investment Corporation will be undertaking the construction of the complex and the installation of the required public improvements.

The City is required to submit regular financial and performance reports. Additionally, the City will be required to ensure the project is in compliance with federal and state guidelines. The depth of these duties is significant and requires constant engagement with State and other government agencies. Given the complexity and time-consuming nature of these administrative duties, the State has allocated a General Administration budget that can be used to outsource those services to a third-party agency.

On June 13, 2011 the City Council authorized Staff to request proposals (RFP) for administrative subcontractor services. As a result an invitation to submit a proposal was mailed to 33 administrative subcontractors and an announcement was published in the Fresno Bee and in the Dinuba Sentinel. Two proposals were received by the September 20, 2011 deadline from R.L. Hastings & Associates (\$47,500) and Craig S. Meltzner & Associates (\$50,000).

On September 21, 2011 Staff reviewed the submitted proposals and determined that both agencies have the experience and resources necessary to complete the entire scope of work identified in the RFP instructions. However, given R.L. Hastings & Associates' lower responsive

proposal, Staff recommends that the subject scope of work be awarded to them for an amount not to exceed \$47,500.

Other than the cost to publish the RFP announcement in the local newspapers, there is no fiscal impact to the proposed action. The awarded HOME grant includes a \$50,000 General Administration budget that will fund the entire cost of the subject agreement.

It was motioned by Council Member Morales, second by Council Member Gonzalez, to accept the proposal from R.L. Hastings & Associates, LLC to provide administrative subcontractor services for the 2011 HOME Program Rental-New Construction grant

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

14.3. Information Sharing

Anderson talked about the name contest for the Housing Project and said the deadline to submit names for consideration is October 28.

FINANCE AND COMMUNITY SERVICES

15.1. Reminder – Dog Days Event, October 15, 2011, Nebraska Park

Director Nunes shared that the Bark for Life event will occur Saturday, October 15.

15.2. Reminder – Fall Harvest Fling, October 31, 2011

Nunes shared the Fall Harvest Fling will be held October 31 at the Community Center as it is held annually.

15.3. Information Sharing

Nunes shared the 19th Annual Red Ribbon Night at the Park event will be held October 24 at the Entertainment Plaza and will begin at 4:00 pm.

Nunes also shared that youth basketball signups are in progress; soccer season is ongoing; the community Christmas tree lighting and parade will be held on Saturday, December 3 at 5:30 pm.

Nunes also shared that she has a meeting scheduled with folks from the Prop 84 grant at the end of the month for the Bob Barker building.

ENGINEERING SERVICES

16.1. Information Sharing

Engineer Uota shared that there was a preconstruction meeting today for public works warehouse building.

Uota also shared that the compressor for the solar plant was started up at the WWTF today.

FIRE SERVICES

17.1. Reminder – Fire Prevention Week Open House, October 15, 2011

Chief Thompson said the Fire Department's open house event is scheduled for October 15 from 9:00 am to 2:00 pm.

Chief Thompson touched on the FEMA training that occurred earlier in the day for fire personnel.

POLICE SERVICES

18.1. Project Listen, October 15, 2011

Project Listen will kick-off this Saturday at 8:00 am conducted by Sgt. Russell Son, southeast section of the city. All information will be distributed in packets for the survey volunteers. They will be equipped with ID cards. Sentinel will notify the public of the project kickoff.

18.2. Information Sharing

None

PUBLIC WORKS

19.1. Reminder – Fall Clean-up Event, October 22, 2011

Director Beltran shared that the fall clean-up event will be held October 22 at the usual site.

19.2. Information Sharing

None

CLOSED SESSION ACTION

20.1. AT&T Utility User Lawsuit

Pursuant to Government Code Section 54956.9, the City Council met in closed session with City Attorney McCloskey to discuss the AT&T Utility User Tax lawsuit.

The discussion of this matter was continued to the meeting of October 25, 2011.

20.2. Real Property Acquisition Located at 6954 Avenue 416, Dinuba

Pursuant to Government Code Section 54956.8, the City Council met in closed session with City Manager Todd to consider the acquisition of real property located at 6954 Avenue 416, Dinuba.

It was motioned by Council Member Morales, second by Vice Mayor Hinesly to authorize staff to sign the property acquisition documents.

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

20.3. Real Property Acquisition, 15.49 Acres APN 018-180-031

Pursuant to Government Code Section 54956.8, the City Council met in open session with City Manager Todd to consider the acquisition of real property, APN 018-180-031.

20.4. Joe's Pawn Shop

Pursuant to Government Code Section 54956.9, the City Council met in closed session with City Attorney McCloskey to discuss pending litigation concerning Joe's Pawn Shop.

No action was taken.

ADJOURNMENT

Mayor / Chair Smith adjourned the meeting at 9:18 pm.

Mayor / Chair

ATTEST:

Linda Barkley, Deputy City Clerk/Secretary