

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

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

#### CALL TO ORDER

Mayor Smith called the meeting to order at 6:33 pm.

#### INVOCATION

The invocation was led by Hindu Leader Rajan Zed who read the following prayer into the record in English and Sanskrit.

*“We meditate on the transcendental Glory of the Deity Supreme, who is inside the heart of the earth, inside the life of the sky and inside the soul of the Heaven. May He stimulate and illuminate our minds.*

*Lead me from the unreal to the Real.*

*Lead me from darkness to Light.*

*Lead me from death to immortality.*

*Fulfill all your duties; action is better than inaction. Even to maintain your body, you are obliged to act. Selfish action imprisons the world. Act selflessly, without any thought of personal profit.*

*Strive constantly to serve the welfare of the world; by devotion to selfless one attains the supreme goal of life. Do your work with the welfare of others always in mind.*

*May we be protected together.*

*May we be nourished together.*

*May we work together with great vigor.*

*May our study be enlightening.*

*May no obstacle arise between us.*

*United your resolve, united your hearts, may your spirits be at one, that you may long together dwell in unity and concord!*

*Peace, Peace, Peace be unto all.*

*Om.”*

#### FLAG SALUTE

The flag salute was led by Lt. Popovich.

#### COMMUNITY RECOGNITION AND APPRECIATION

##### 4.1. Dinuba Police Community Volunteers

Sgt. Son was present with some of the police volunteers to present the City Council with a mock check representing service hours the volunteers worked patrolling city streets in 2011. The dollar equivalent of those hours was \$141,320.96.

Sgt. Son said that a handful of the volunteers excelled in their volunteer efforts having served several hundred hours each.

The City Council commended the volunteers for their diligent work.

#### PUBLIC COMMENT

##### 5.1. John Sanchez, Flag Day Celebration, June 14, 2012

John Sanchez, Dinuba Sentinel, was present to talk about the upcoming Flag Day Celebration program and festivities. Sanchez commended the City of Dinuba for the assistance provided last year and said he's looking forward to this year's Flag Day event and urged the City Council to attend the event on Thursday, June 14.

The City Council commended Sanchez for coordinating the event and Mayor Smith said he looks forward to the event growing in the future.

#### 5.2. Willow Partners, LLC –Davis Park Apartments, Request for City Partnership

Davis Slackerd, Willow Partners, LLC, was present to update the Council on the apartment project with the City Council. Slackerd said his group has been involved in projects up and down the state and most recently in Kerman, the Kearney Park Senior Housing Development and the Hacienda Heights project a 3-phase multi-family housing development project is under construction. Slackerd encouraged the City Council to visit the Kerman project as is similar to the Davis Park Apartments. He said the rents are for people who are 50-60 percent median income. The project will generate over \$1 million dollars in fees to the City of Dinuba. There will also be over \$200,000 in school fees generated. Slackerd talked about the amenities of the 2 and 3 bedroom apartments. Slackerd showed a site plan and pointed out the amenities are toward the center of the project with parking on the south end. He wants to apply to housing of community development applying for rural housing. \$5 million dollars included in it are administrative costs to the City of Dinuba. He said the project is consistent with the Housing Element and specific plan.

Slackerd shared some quick facts about the Davis Park Apartments project and said it is similar to Kerman's project. Slackerd said if the City Council accepts the proposal, the City would not have to defer fees as previously requested nor put up any money towards the project. The City would be the applicant in the process and he said financing is federal money which will likely be phased out over time. He said he feels it's an opportunity to apply for the funding. Slackerd requested the City Council accept Willow Partners request to place the item on the Council agenda on June 26, 2012 to partner with Willow Partners in the HOME application.

Mayor Smith said the only thing changed is the City's participation not paying money. Slackerd confirmed there would be no money put up from the City for the project nor would the City defer or waive fees.

The City Council briefly discussed the project proposal.

The Council directed Mr. Slackerd to return to the City Council meeting of June 26, 2012 for consideration of the proposed project.

#### 5.3. Unscheduled

None

#### CONSENT CALENDAR

- 6.1. City Council Meeting Minutes, May 22, 2012
- 6.2. Acceptance – Other Agency Meeting Minutes
  - a. Planning Commission, May 1, 2012
  - b. Parks and Community Services Commission, March 27, 2012
  - c. Pro-Youth Commission, September 15, 2011
- 6.3. Parks and Community Services Commission Draft Agenda, June 19, 2012
- 6.4. Pro-Youth Commission Meeting Draft Agenda, June 21, 2012
- 6.5. Set Hearing – Authorization to Levy Assessments on Lighting and Landscaping Districts, June 26, 2012
- 6.6. Zoning Code Ordinance No 2012-03, Second Reading, Waive Reading in Full
- 6.7. Set Hearing - Sale of Building Trades House at 1502 Nutcracker, June 26, 2012
- 6.8. Notice of Completion - Chlorine Generation and Injection Unit
- 6.9. Request for Proposals – Loan Portfolio Management Services

It was moved by Vice Mayor Hinesly, second by Council Member Harness, to approve the Consent Calendar as presented.

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

#### WARRANT REGISTER

##### 7.1. Approval –Warrant Register, May 25, June 1, 8, 2012

It was moved by Council Member Harness, second by Vice Mayor Hinesly, to approve the Warrant Register as presented.

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

#### MAYOR’S / CHAIR’S MINUTE

##### 8.1. Information Sharing

Mayor Smith said he attended the Memorial Day event at Smith Mountain Cemetery where the new Nazarene Church Pastor officiated over the event and, where longtime Dinuba resident Bob Raison was the guest speaker. Mayor Smith said since the last Council meeting he attended two other graduations as well as the Dinuba High School Alumni Reunion.

#### COUNCIL / BOARD COMMENTS

##### 9.1. Request for Excused Absence – Council Member Scott Harness, May 22, 2012

It was motioned by Vice Mayor Hinesly, second by Council Member Gonzalez, to approve the request for excused absence from Council Member Harness on May 22, 2012.

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

##### 9.2. Reminder – LOCC South San Joaquin Valley Division General Meeting, June 21, 2012

City Manager Todd said the next League of Cities Division meeting will be in Clovis and the subject matter will be a report from the San Joaquin Valley Air Pollution Control District.

##### 9.3. Information Sharing

The Council Members discussed the Car Show and cruise night event that occurred over the weekend.

Council Member Harness introduced Mr. and Mrs. Ware present in the audience who has expressed interest in starting a local chapter of Gold Star Mothers.

#### FINANCE AND COMMUNITY SERVICES

##### 10.1. Selection of Banking Services Provider, Resolution No 2012-35

Director Nunes presented information about the process to select a Banking Services Provider.

Nunes said that the City’s banking services have been provided by Bank of the West for 17 years as a result of a formal Request for Proposals (RFP) issued for banking services in 1995. The City once

again conducted an informal RFP for banking services and bank of the West was awarded the contract. Nunes shared that it is prudent financial practice to obtain periodically proposals for services to ensure the City is receiving the best service at a competitive price. As a result of circulating the RFP, five banks responded. Upon evaluation the selection committee narrowed down the field to Rabobank and Bank of the West.

Nunes reported that at the same time the RFP was circulated, the City was seeking a bank loan to pay off the remaining debt on previous land purchases in the industrial park which the now defunct Redevelopment Agency was paying for. Nunes explained that the City's request for a loan from Bank of the West was rejected and City staff met with representatives of Rabobank who was able to work with staff in regard to a loan. The loan is a separate item which will be brought before Council on June 26 for consideration.

Director Nunes requested that the City Council authorize staff to execute documents necessary to enter into a professional agreement with Rabobank for the City's banking service needs and adopt Resolution 2012-35 authorizing the transaction.

Council Member Morales arrived at 7:13 pm and took his place at the dais.

Rabobank Manager Mike Boudourian said he couldn't have done the work without the assistance of Jerry Lake, who was also present at the meeting to discuss the loan. Jerry Legg thanked the City of Dinuba and said the bank wants to help the City any way it can.

It was motioned by Vice Mayor Hinesly, second by Council Member Harness to adopt Resolution No 2012-35 as presented.

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

#### 10.2. Request for Street - Closure Summer Night Lights Events, L Street from Ventura to Kern

Stephanie Hurtado, Recreation Coordinator, presented information for street closure during the months of June and July to hold summer community events previously approved by the Council. Hurtado explained the street closures are in accordance with the Summer Night Lights events to be held at the Entertainment Plaza on L Street between Ventura and Kern. The events will be held on six Friday nights from June 22-27, 2012 from 7:00 to 10:00 pm on June 22, 29; July 6, 13, 20 and 27.

It was motioned by Council Member Morales, second by Vice Mayor Hinesly, to approve the request for street closure as requested for the Summer Night Lights events.

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

#### 10.3. Information Sharing

Director Nunes gave an update as to what programs are currently being conducted at the Community Center.

Nunes said the Senior Center is selling tickets for a fundraiser dinner and said she had tickets available. She reported the Senior Center recently had a \$10,000 donation from the family of someone who recently passed away. Nunes explained because of the donation the Center is having repairs done to the facility.

Nunes shared that staff received a letter from the Department of Finance notifying the Successor Agency that the Recognized Obligation Payment Schedule was approved.

Nunes said the R.O.M.E.O.'s have been invited once again to attend the Flag Day celebration as honored guests.

## PUBLIC HEARING

### 11.1. Adoption of Fiscal Year 2012/2013 Budget, Resolution No 2012-32

Finance Manager Cook presented the proposed Budget for fiscal year 2012/2013 and requested the Mayor open the public hearing and after the hearing that the Council consider and adopt Resolution NO 2012-32 adopting the proposed budget.

The Mayor opened the public hearing with no comments from the public. Mayor Smith closed the public hearing.

Council Member Harness asked questions in regard to the \$30,000 for the proposed stage. Nunes said the stage is made up of modular pieces so it can be configured to meet a variety of shapes and sizes and will accommodate many community events.

It was motioned by Vice Mayor Hinesly, second by Council Member Morales, to adopt Resolution No 2012-32 adopting the City's fiscal year 2012/2013 budget.

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

### 11.2. Gann Appropriation Limit, Resolution No 2012-33

Finance Manager Cook presented the request for approval of the Gann Appropriation Limit. Cook explained the appropriation limit sets a limit as to the amount of tax revenues that can be spent in the following year. The calculation does not include revenues that are raised by fee, charges for services, permits or redevelopment tax increments—it only pertains to certain tax revenues and the amount is based on 1978-79 fiscal year and is raised each year based on inflation and population growth.

Mayor opened the public hearing, closed with no comments. Cook said the spending limit for proceeds of taxes is \$14,676,054 and is based on last year's limit of \$13,676,940 and increased by the change in the California Per Capita Income of 3.77% and, further increased by the growth in the City's population of 3.41%.

Cook recommended that the City Council consider and approve the use of the California Per Capita Income and the City's population growth as the factors used to calculate the City of Dinuba Annual Appropriation Limit.

It was motioned by Council Member Harness, second by Vice Mayor Hinesly, to adopt Resolution No 2012-33 as presented.

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

### 11.3. 2010 Urban Water Management Plan Adoption, Resolution No 2012-34

Director Beltran introduced Matt Ainley, Civil Engineer, 4Creeks Engineering, who presented an overview of the 2010 Urban Water Management Plan to the City Council.

Ainley explained the general overview of the report is that the State of California Department of Water Resources (DWR) is requiring that water providers with over 3,000 water connections submit an Urban Water Management Plan every 5 years. What the State is looking for are requirements to reduce water consumption by 20% by the year 2020. This document is meant as a baseline which 4Creeks carefully constructed. The original Plan was submitted in 2005 but it was not accepted by

the DWR and so they granted an additional year extension. Part of the reason the extension was granted was due to the adoption of SBx7-7.

Ainley said there is a primary goal set to reduce water use in 2015 by 198 gallons of water consumed per person per day (gpcd) and further reduce usage to 179 gpcd by the year 2020. Ainley explained that 4Creeks first analyzed the City's population. The Plan predicts there will be just under 32,000 residents in Dinuba by the year 2020. The Plan analyzes the City's water system demands, supply, use provision, reliability, recycling opportunities, shortage contingency and management measures.

Mayor Smith asked why the baseline chart shows the water usage going down and Ainley explained that the water is measured throughout the City as a whole and usage fluctuates.

Ainley said part of the way Dinuba is achieving the interim goal is by finishing out water improvement projects. Dinuba was already using a fairly low amount of water compared to other cities. Ainley continued to talk about the proposed 2015 and 2020 targets and the methods to determine them.

City Manager Todd asked why the State requirements are by gpcd versus annual acre foot reduction. Ainley said that's just the State requirement. Todd asked how we would account for water used on fires like the one that happened today. Ainley said it's the way the DWR has established the measurement across the state; the water is being divided by the number of people. Ainley said it's an interesting way to account for it but it's established across the board; across the state.

Todd asked a clarifying question; he asked, "If the population growth in the General Plan is used you're saying 3% of growth per year but what happens if its 6% growth; what happens to the number if everything else stays constant?" Ainley said it won't change because the ratio is the same to the amount of people. He explained it would fluctuate with population growth or decrease. Ainley said that's why the tables are proportionately increased to allow industrial users to use the same amount of water they currently use. Gonzalez said Ainley is approaching it from the residential aspect rather than the commercial. Ainley said if the growth is due mainly to population then it will decrease. Todd said it really encourages population growth rather than industrial which uses large amounts of water. Ainley said the Dinuba tables show the industrial sites using the same amount of water in the future as they now do.

Mayor Smith asked how do we know how much water has been used or flowed. Ainley said Public Works keeps records and the pumps are metered. Mike asked what we do when we sell water and he proposed Sultana as an example. Ainley said if the water is sold to another agency it would be taken out but the City is still accountable for those to whom water is sold to also reduce water usage by 20% by the deadline. Ainley said if water is sold it would have to be included in the goals.

Council Member Harness asked what the consequences are if we're only at 15% reduction in 2020. Ainley said the main carrot is ineligibility for grants across the board as relates to water. Director Beltran said it could be more than that because when staff has applied for other grants they look to see if we have a water management plan. Ainley agreed.

Todd asked Ainley how he established the volume of water used. Ainley said 4Creeks did their best to estimate. He explained there is a differential between shallow and deep water wells. The shallow wells were excluded from the numbers because they are non-potable which is probably why Dinuba is already efficient more so than other communities. One of the recommendations and solution options is to disengage the park systems from the water system and connect them to shallow ground wells.

Mayor Smith asked how much water is used and Ainley said the information is obtained from the meters. Mayor Smith asked if everyone in Dinuba is on a meter and Director Beltran said everyone who pays for water in the City limits is on a meter.

Ainley summarized by saying the concern is the mandated state water use reductions could mean revenue loss.

Ainley said the considerations are that an updated water rate survey was performed for Dinuba. Normally in other cities there is a base cost of water usage. Ainley shared the considerations with the Council.

1. Consider implementing a tiered water rate system or perform an updated water rate study. In a tiered system, the higher water users would pay higher rates and the lower users would pay the lower rate for their water. This would assist in offsetting the loss in revenue expected from an overall decrease in water usage.
2. Update the water conservation ordinance and enact Stage 2 water conservation requirements. Consider allowing building inspectors or other City staff to cite and fine violators of the water conservation ordinance.
3. Continue to use non-potable shallow groundwater wells to irrigate parks and open space areas, in order to keep from drawing from the potable deep groundwater aquifers. Potentially tie additional landscaping and irrigation into the shallow groundwater well systems.
4. Recycle wastewater and provide for use in landscaping of areas near the water reclamation facility. (purple pipe system)
5. Continue to invest in updating the current water system, in order to eliminate leaking or damaged portions of the system. This will assist in eliminating unaccounted for water losses, thereby resulting in an easy reduction in existing water consumption without impacting residents or businesses.
6. Enforce current green building code requirements on all new construction, which requires much greater water conservation methods to be implemented.
7. Enforce the State Water Model Ordinance for landscaping on all new projects. Additionally, the City could consider a more stringent local ordinance for landscaping on all new projects that would result in even greater water savings.
8. Apply for grant money or other sources of capital to assist existing homeowners to retrofit existing plumbing fixtures and household items with newer water saving devices.

Mayor Smith opened the public hearing but no comments were brought forward. Mayor Smith closed the hearing.

It was motioned by Council Member Harness, second by Vice Mayor Hinesly to adopt Resolution 2012-34 adopting the 2010 Urban Water Management Plan.

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

#### 11.4. JAG Grant, Resolution No 2012-31

Lt. Popovich requested that the City Council conduct a public hearing to allow the public an opportunity to comment on expenditures to be made from funds received through the 2012 Edward Byrne Memorial Justice Assistance Grant (JAG).

Lt. Popovich reported that the Department of Justice advised the Police Department of eligibility to apply for funding in the amount of \$12,500. The purpose of the grant is to provide funding to prevent and reduce crime and violence based on local needs and conditions. There is no local match and once notification of award is received a mandatory public hearing will be required. The total cost of the anti-riot equipment proposed is \$12,664.48 and the balance of \$136.40 will be absorbed in the Police Department's operating budget.

Lt. Popovich requested that the Mayor open the public hearing to gather comments in regard to the expenditure of the grant funds as described and consider Resolution No 2012-31 for adoption accepting the grant funds.

Mayor Smith opened the public hearing; no comments from the public were brought forward.

It was motioned by Council Member Morales, second by Council Member Gonzalez, to adopt Resolution No 2012-31 as presented.

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

CITY ATTORNEY

12.1. Information Sharing

None

CITY MANAGER

13.1. Information Sharing

Anderson presented an update on the Northpark Apartment fire that occurred today. She reported that 16 units were destroyed in the fire but no injuries; 70 people were displaced and the Red Cross is working with the High School to utilize the gym as a temporary shelter.

Anderson said earlier in the day the ground breaking ceremony for the Senior Project Emperor Estates was held and some of the Council and staff members were present.

Mayor said the transit center will be nice downtown and he said he has high expectations for it. Anderson said they will have each month informative services for the residents of the apartment building and Rabobank will partner along with the management organization to provide the services. Nunes shared that they will also be close to the new Community Center so they will be able to utilize it as well.

ENGINEERING AND PLANNING SERVICES

14.1. Authorization to Bid – Hayes Avenue Project

Engineer Uota shared information in regard to the Hayes Avenue Project and a request to advertise the project for bids. Uota reported that PG&E confirmed that they have committed to move the power poles by August. Uota said if the Council approves the authorization to bid before them for consideration, it will be published in local papers and the Builders Exchange. Uota shared that the project funding is secured in the budget.

It was motioned by Council Member Gonzalez, second by Council Member Morales, to authorize staff to advertise for bids for the Hayes Avenue Improvements Project.

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

Council Member Harness asked if the crosswalk will be constructed at the same time and Uota said it will be constructed later.

14.2. Master Development Schedule

Engineer Uota reported that the Master Development Schedule is usually on consent but the City Manager thought it would be a good idea to share and discuss it with the Council. Uota referred to the developments listed and are scheduled to expire in the next couple of years.

Council discussion followed.

14.3. Information Sharing

None

FIRE SERVICES

15.1. Information Sharing

None

## POLICE SERVICES

### 16.1. School Resource Officer Agreement

Lt. Popovich reported that this is a request before the Council for consideration to authorize the City Manager to execute the School Resource Officer (SRO) Agreement with the Dinuba Unified School District for the 2012/2013 year. He described that the program provides crime prevention, intervention/enforcement, teaching and counseling and having an SRO on campus provides a safer environment. The agreement stipulates that each body will share 50% of the costs.

Discussion followed.

It was motioned by Council Member Morales, second by Vice Mayor Hinesly to approve the request to authorize the City Manager to execute the SRO Agreement for 2012/2013 as presented.

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

### 16.2. Thunderbolt Agreement

Lt. Popovich presented information about the Thunderbolt Program which the City has participated in since 1998. He explained the program provides an alternative to criminal prosecution for youth and the agreement provides for shared compensation for a probation officer between Dinuba Police Department and Tulare County Probation Department. Popovich said there are funds in the budget to cover the cost of the program for fiscal year 2012/2013 and requested that the City Council authorize the City Manager to execute the amended Agreement as presented.

It was motioned by Council Member Morales, second by Council Member Gonzalez to authorize the City Manager to execute the amended Thunderbolt Agreement for FY 2012/2013 as presented.

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

### 16.3. Information Sharing

None

## PUBLIC WORKS

### 17.1. Authorization to Purchase Replacement Street Sweeper

Director Beltran requested that the City Council consider information regarding a request to purchase a CNG air sweeper and authorize staff to purchase a new sweeper from MME and the HGAC Contract program.

Beltran described the model as a Schwarze Model A7000 CNG Regenerative Air Sweeper. She reported that a similar sweeper was purchased in January 2008 through a grant from the CMAQ program but the sweeper caught fire in December 2011 while in service.

Beltran reported that due to the urgency to replace the sweeper, the City contacted Municipal Maintenance Equipment to purchase the new sweeper through HGACBuy through which local government agencies contract to make the governmental procurement process more efficient.

Beltran reported that staff has received a quote from MME for a Schwarze Model A7000 CNG Regenerative Air Sweeper, mounted on a 2012 Freightliner M2 CNG truck chassis for the total amount of \$289,659. MME offered \$8000 for the trade-in of the damaged sweeper if a new Schwarze unit is purchased. Beltran reported that \$277,762 is available to purchase the new sweeper

and when all reimbursements / costs are considered, there is a difference of approximately \$12,000 which will be covered by the Disposal Fund Street Sweeping Division.

Council discussion followed.

It was motioned by Council Member Morales, second by Vice Mayor Hinesly, to authorize staff to purchase a new Schwarze Model A7000 CNG Regenerative Air Sweeper from Municipal Maintenance Equipment through the Houston-Galveston Area Council Contract program.

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

17.2. Action of the Planning Commission, June 5, 2012

Director Beltran shared the action of the Planning Commission at the meeting of June 5, 2012.

17.3. Information Sharing

Director Beltran reported that last week there was an incident that affected Public Works and she went on to explain there is a contractor, CVIN, in town installing fiber optic conduit and while boring city streets, the workers hit a water main at K and Kern Streets. Several locates were received by Public Works but not for K at Kern. The boring caused a 10 ft x 10 ft x 5 ft deep hole and flooding. Beltran said the company did not immediately accept responsibility for the damage and it took city staff the entire week to get the site repaired sufficiently because of the impending car show. A letter was sent to CVIN as to the City's position that we feel the contractor is responsible for the damages. They have been given until June 22 to reconstruct the site to its condition prior to the damage. Beltran reported that in the same week the same contractor hit a sewer line on property owned by the school district and it had to be repaired. Beltran shared that if the work is not done by the deadline staff will hire a contractor to do the repairs and will bill CVIN's insurance company for them.

Beltran reported that there were two large power outages last week.

ADJOURNMENT

Mayor / Chair Smith adjourned the meeting at 8:58 pm.

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Mike Smith, Mayor / Chair

ATTEST:

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Linda Barkley, Deputy City Clerk / Secretary