

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

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

#### CALL TO ORDER

The meeting was called to order at 6:30 pm.

#### INVOCATION

The invocation was led by Supervisor Worthley.

#### FLAG SALUTE

The flag salute was led by Supervisor Worthley.

#### COMMUNITY RECOGNITION AND APPRECIATION

- 4.1. Jose Gomez, Planning Commission
- 4.2. Mike Hayes, Historic Preservation Commission

Mayor Hinesly presented Gomez with a Certificate of Appreciation for his service on the Planning Commission from 1995 to 2012.

City Manager Todd commended Gomez for his service to the community.

Mayor Hinesly and the City Council Members thanked Gomez for his service.

Mayor Hinesly presented Hayes with a Certificate of Appreciation for his service on the Historic Preservation Commission.

Historic Preservation Commission Chair Hoyt was present and thanked Hayes for his service to the community while serving as Commissioner.

The City Council Members thanked Hayes for his service to the community.

#### PUBLIC COMMENT

- 5.1. Supervisor Steve Worthley – Tulare County Update

Supervisor Worthley was present to give an update to the City Council of the state of Tulare County. Worthley reported that the County is doing well financially and has balanced its budget. He reported that the County was able to release furloughs and unfreeze step and merit increases; he added that there have been no increases for last three years. Worthley said the property taxes are still lower than anticipated with a 1.5 percent decrease. Worthley reported there was a 10 percent increase in sales tax, barely over last year's income for December.

Worthley expressed appreciation for the good working relationship between the County and Dinuba which was the first city to step up and sign the memorandum of understanding with the County. He said there are two cities yet to sign. The County is also working with cities hand in hand on Urban Development Boundaries to develop understanding.

Worthley reported there are major changes in the county's operations. The District Attorney retired and Attorney Tim Ward signed on to fill the position. Several senior people have retired. Worthley reported, in speaking to public safety, prisoners are kept in local jails as opposed to moving them to other jails. He added that we are fortunate in Tulare County not to have an over-abundance of prisoners. Worthley reported that there is a major project underway in Porterville, the construction of a courthouse and the receipt of a \$60 million grant from the state to build a jail there.

Worthley reported the retirement accounts are in good shape; the County handled finances conservatively and as a result it is in good shape.

The County is looking at how to control cost by limiting operations and so the amount of transfer stations is being discussed and possibly reducing down to one. The County has already closed some of the transfer stations and raised rates.

Worthley briefly reviewed County construction projects and said the major projects are being completed.

Council Member Gonzalez stepped away from the dais at 7:19 and returned at 7: 21 pm.

The Council thanked Worthley for his representation of Dinuba on the Board of Supervisors.

5.2. Seyed Sadredin, Executive Director, San Joaquin Valley Air Pollution Control District

Sadredin was present to give a report on the progress made in improving air quality.

After the presentation, discussion followed in regard to the valley's air.

5.3. Unscheduled

Susan Shariff Senior Manager, Chelsea Project Emperor Estates, spoke to the project. She said it's a wonderful project and the target date for completion is end of January and she projected 80% occupancy by the end of January. Currently there are seven units which are not rented to date. Sharif added that the

grand opening is scheduled for March 6.

Roy Orozco, 1806 Asa Gray Way, shared concerns in regard to Pena's Disposal's service. Orozco explained his issue with a recent garbage pickup experience. Orozco asked that staff review Pena's contract for services.

#### CONSENT CALENDAR

- 6.1. City Council Meeting Minutes, January 8, 2013
- 6.2. Set Hearing - Street Vacation (abandonment) of a portion of "L" Street/Alta Avenue and "M" Street/Alta Avenue Intersections, February 12, 2013
- 6.3. Alta Avenue/North Way and El Monte Way/Palm Avenue Lighted Crosswalks Project Right of Way Certification, Resolution No. 2013-02

It was motioned by Vice Mayor Morales, second by Council Member Harness, to approve the consent calendar as presented.

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

City Manager Todd said part of the issue is the size of the can and, he said it's time to begin looking at a three part can to give better service and get us closer to some of the mandated recycling standards. Staff will get back to Orozco about the issue and speak with Pena's Disposal staff. Todd said the item will come back to Council for discussion.

#### WARRANT REGISTER

- 7.1. Approval –Warrant Register, January 11, 18, 2013

It was motioned by Council Member Harness, second by Vice Mayor Morales, to approve the warrant register as presented.

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

#### MAYOR'S MINUTE

- 8.1. Information Sharing

Mayor Hinesly reported she attended the Good Morning Dinuba meeting at the Flower Box with a good attendance.

#### COUNCIL COMMENTS

- 9.1. Reminder – Dinuba Chamber of Commerce Annual Dinner, January 25, 2013
- 9.2. Reminder – City Council Goal Setting Sessions, February 1-2, 2013
- 9.3. Reminder – South San Joaquin Valley League of CA Cities Division Meeting, February 21, 2013; 6:00 pm, Ridge Creek Golf Course
- 9.4. Reminder - Grand Opening Emperor Estates Senior Housing Complex, March 6, 2013; 11:30 am

City Manager Todd shared the meeting and event reminders with the Council.

- 9.5. Information Sharing

Council Member Gonzalez said he attended Chief Olvera’s retirement dinner.

Council Member Harness said he met with Roy Orozco over the potential effectiveness of Project Listen. Council Member Harness said he’s noticed graffiti is becoming worse lately. Interim Chief Popovich responded to his concerns about graffiti.

Council Member Smith said he attended the TCAG meeting on behalf of the Mayor and he attended Chief Olvera’s retirement dinner.

#### CITY ATTORNEY

- 10.1. Delinquent Business License Accounts – Cease and Desist Action

City Attorney McCloskey said staff came to the Council in November with a list of delinquent business license accounts. There are five businesses that remain delinquent with more than six attempts to collect the debt. Staff wants to get a court order to collect fines and go through the process to cause them to cease and desist.

Mayor Hinesly asked McCloskey what the time frame is to go through the court system and what would happen should the debt be paid.

Attorney McCloskey said the City is entitled to the license taxes. He said at this point he is merely going to ask the court to file an injunction on the delinquent businesses and he said he won’t file a restraining order, although he feels it would not be denied.

Discussion followed.

Attorney McCloskey said the delinquent businesses should be fined on a daily basis.

#### 10.2. Information Sharing

None

#### CITY MANAGER

#### 11.1. Information Sharing

The Chamber Awards Dinner will be held on January 25 and tickets are available for the City Council.

#### ENGINEERING AND PLANNING SERVICES

#### 12.1. Information Sharing

Engineer Uota said he met with the County Chief Engineer on the bridge project on Avenue 416. Temporary piers are in place and permanent piers are being constructed to be in place prior to water release. Uota reported the project is on schedule to be completed by the end of this year. Property acquisition for road widening on Avenue 416 from Road 56 to the county line has begun and that portion of the project is expected to be completed in 2015. Believe Fresno is on track to complete widening in 2017 or 2018. The county extended an invitation to the Council to make a site visit at the project location.

#### FINANCE AND COMMUNITY SERVICES

#### 13.1. 2011-12 Year-end Financial Report

Finance and Budget Manager Cook presented the City's FY 2011-12 year-end financial report.

Discussion followed.

It was motioned by Council Member Harness, second by Vice Mayor Morales to accept and have the report filed.

AYES: Harness, Smith, Hinesly, Morales, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: None

#### 13.2. Action of the Community Services and Dinuba Pro-Youth Commission, January 15, 2013

Director Nunes reported on the action taken by the Community Services and Dinuba Pro-Youth Commission at the January meeting.

### 13.3. Information Sharing

Director Nunes reported that the youth basketball program began January 12; with 40 teams and 385 participants. The games will continue through March 23 and if in competition until March 29. Youth baseball and softball registration will occur through February 28. Nunes reported that “pitch count” will be implemented for participants ages 10 through 12.

## FIRE SERVICES

### 14.1. Information Sharing

Chief Thompson said there was a report of a gas leak on K Street across from the post office downtown. Council Member Gonzalez said he stopped by the fire station this weekend and met the Fire Explorers who were studying and was impressed with their knowledge of the program.

## POLICE SERVICES

### 15.1. Project Listen Update

. Project Listen Meeting – Dinuba Community Center, January 31, 2013; 6:00 pm

Interim Chief Popovich reminded everyone of the upcoming community meeting.

### 15.2. Information Sharing

Interim Chief Popovich said there occurred a door kick burglary on Lily Avenue and officers were able to take 4 individuals into custody in conjunction with the incident.

## PUBLIC WORKS

### 16.1. Authorization to Apply for FTA Section 5311 Transit Operating Assistance Grant

Director Beltran reported that Caltrans announced a call for projects for the Federal Transit Administration Section 5311 Program Grant for Federal Fiscal Year 2013. The program provides funding to States for the purpose of supporting public transportation in rural areas.

One of the identified goals of the program is to “enhance the access of people in non-urbanized areas to health care, shopping, education, employment, public services and recreation”. The City of Dinuba is a regular applicant of the subject grant funds which are an essential part of the City’s transit system operating revenue.

The apportionment identified for Dinuba for FY 2013 is \$200,000 and is based on the total amount allocated to the County from the State the City’s operating needs, and county-wide demands.

There is no fiscal impact to the proposed action. However, not applying for these funds would be detrimental to other operating funds. Specifically, the City is first required to use the State's Local Transportation Fund (LTF) to fund transit operations. If more LTF money is used on transit then less will be available for the maintenance of streets and roads. Additionally LTF money is regularly used to pay for the debt service on the 2007 Transportation Bond. If most of the City's LTF allocation is used on transit then the City's ability to meet its debt service obligations can be compromised.

Beltran requested that the City Council authorize staff to submit an application for FY 2012/13 Section 5311 Operating Assistance funding through the California Department of Transportation.

It was motioned by Council Member Gonzalez, second by Vice Mayor Morales, to authorize staff to submit an application for FY 2012/13 Section 5311 Operating Assistance funding through the California Department of Transportation.

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

#### 16.2. Palm Drive Striping Plan

Director Beltran said there was held a neighborhood meeting in November and staff has worked with 4Creeks Engineering to address the concerns resulting from the meeting. Beltran shared the plan with the City Council and discussion followed. Beltran requested that the Council set a public hearing for February 26, 2013 to gather public testimony in regard to the proposed striping plan.

It was motioned by Vice Mayor Morales, second by Council Member Gonzalez, to set the hearing for February 26, as proposed.

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

#### 16.3. Information Sharing

Director Beltran reported she attended a CWMA board meeting last week and the hot topic was the sharps disposal ordinance. The item was brought before the Council several months ago. They asked for enforcement measures. The CWMA Board approved the draft to go to the agencies for consideration and adoption. There were 3 people to speak to the item representing California retailers, the Pharmaceuticals Association and one pharmacist present. The two California agency reps requested that the board not move forward with the ordinance and they reconsider mandating retailers, stores, and medical providers accept the sharps and subsequently require them to dispose of them. And make it voluntary. The

independent pharmacist asked that he be allowed to do a trial program to receive and dispose of sharps to get an idea of what it would cost before fully moving forward with the ordinance.

Beltran said she will likely bring back the sharps ordinance to a future Council meeting for consideration.

ADJOURNMENT

Mayor Hinesly adjourned the meeting at 9:10 pm.

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Janet C. Hinesly, Mayor

ATTEST:

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Linda Barkley, Deputy City Clerk