

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

STAFF MEMBERS PRESENT: Anderson, Barkley, Beltran, Carrillo, Cook, Doyle, McCloskey, Nunes, Popovich, Todd

#### CALL TO ORDER

Mayor Hinesly called the meeting to order at 6:32 pm.

#### INVOCATION

The invocation was led by Pastor Nicolay.

#### FLAG SALUTE

Chief Popovich led the flag salute.

#### NEW EMPLOYEES & PROMOTIONS

##### 5.1. Public Works

Public Works Director Beltran introduced new employees, Alex Aldaz, a part-time mechanic's helper and Michael Mota, part-time meter reader.

The City Council welcomed Aldaz and Mota.

#### PUBLIC COMMENT

##### 5.1. Evi Hernandez - Street Closure Request for Block Party, West Adelaide Way, July 4, 2013

City Manager Todd said this is a recurring event as the applicant requests street closure each year to have a block party in recognition of Independence Day. Todd reported that staff has approved the request and is in support.

It was motioned by Council Member Gonzalez, second by Vice Mayor Morales, to approve the Request for Street Closure as presented.

AYES: Harness, Smith, Hinesly, Morales, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: None

##### 5.2. Unscheduled

None

#### CONSENT CALENDAR

- 6.1. City Council Meeting Minutes, June 13, 2013
- 6.2. General Plan Amendment and Zone Change, Application 2013-02, Ordinance No 2013-01, Second Reading Waive Reading in Full
- 6.3. Public Works Facility-Grant Deed for APN 030-120-056 Certificate of Acceptance
- 6.4. Set Hearing, CDBG Annual Grantee Performance Reports, July 9, 2013

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

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

#### WARRANT REGISTER

- 7.1. Approval –Warrant Register, June 14, 21, 2013

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

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

#### MAYOR'S MINUTE

- 8.1. Parks Make Life Better! Month, Proclamation No 2013-08

Director Carrillo said each year the State proclaims the month of July as "Parks" month and the City of Dinuba participates in events to promote parks. July is also our warmest month but our parks get used.

Mayor Hinesly read Proclamation No 2013-08 into the record.

It was motioned by Council Member Smith, second by Council Member Gonzalez to accept the proclamation.

AYES: Harness, Smith, Hinesly, Morales, Gonzalez

NOES: None  
ABSTAIN: None  
ABSENT: None

## 8.2. Information Sharing

Mayor Hinesly said she attended the theater anniversary celebration. The Mayor also attended the TCAG meeting Dinuba hosted recently.

## COUNCIL COMMENTS

### 9.1. Request for Excused Absence – Aldo Gonzalez, June 11, 2013

It was motioned by Council Member Morales, second by Council Member Harness, to approve the request for excused absence presented from Council Member Gonzalez.

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

### 9.2. Community Services & Pro Youth Commission Resignation – Judy George

It was motioned by Council Member Smith, second by Vice Mayor Morales, accept the resignation of Judy George from the Community Services & Pro Youth Commission.

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

### 9.3. Reminder Independence Day Celebration – July 3<sup>rd</sup>, 7 PM (Entertainment Plaza)

Director Carrillo shared the reminder of the Independence Day celebration which is being combined with Flag day and will be held on July 3<sup>rd</sup> at the Entertainment Plaza.

## 9.4. Information Sharing

Council Member Smith said the Lions Club had their car show and the City was involved. The Fire Department featured the Garford Fire Truck in the event.

Council Member Smith said he attended CWMA meeting. He asked what the future value of the CWMA is to the city. A brief discussion followed.

PUBLIC HEARING

10.1. Sale of Building Trades Program House 1486 Nutcracker, Dinuba Housing Authority Resolution No 2013-01

Business Manager Avila presented information about the sale of real property at 1486 Nutcracker. Avila reported that the City of Dinuba has worked closely with the Dinuba High School to create the Building Trades Construction Program. One of the objectives of the program is to give students an opportunity to learn valuable skills in various construction trades. In addition, the program has made it possible to provide affordable housing to persons of low-to-moderate income. The house at the described location was completed in May 2013 and is the seventh house constructed through the program. The house is approximately 1,200 sq. ft.

Avila requested that the Mayor open the public hearing to gather public testimony in regard to the sale of the property as described.

Mayor Hinesly opened the hearing with no comments from the public brought forward.

Mayor Hinesly closed the hearing.

Council Member Smith asked how many empty lots the city has now and City Manager Todd responded "zero."

Discussion followed.

It was motioned by Council Member Smith, second by Vice Mayor Morales, that the Housing Authority Board consider adopting Resolution Number 2013-01 and thereby approve the sale of real property to Bladimir and Briselda Cervantes under the Affordable Housing Program, approve the associated Affordable Housing and Real Property Disposition Agreement, and authorize the Executive Director to execute all associated sale documents.

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

CITY MANAGER

11.1. Authorization to Apply – Home funding and authorize City Manager to execute documents.

Assistant City Manager Anderson presented the item to request authorization for HOME funding for a ½-acre parcel. The undeveloped parcel at the Northwest corner of North Alta Avenue and Union Avenue is zoned multifamily. Chelsea Investment Corporation ("Chelsea") proposes to construct a 12 unit affordable housing rental development for low income families on this site. The cost of the development, Dinuba

Family Apartments, is estimated to be \$3.1 million. The developer intends to seek HOME funding from HUD. The funds for this project will come from:

HOME Funds	\$1,956,012
Federal LIHTC	\$ 841,920
State LIHTC	\$ 224,488
Deferred Developer Fee	\$ 84,069
TOTAL	\$3,106,490

On May 1, 2013 the Department of Housing and Community Development issued a notice of funding availability (“NOFA”) for HOME project funds. Chelsea will seek \$1.956M in HOME funding assistance for the project. Chelsea will prepare the HOME application but the City will technically be the applicant and recipient of the funds, and would administer the loan. The HOME application is due on July 8, 2013.

Anderson requested that the City Council consider Resolution 2013-16, authorizing the submittal of an application through the 2013 HOME project for assistance with funding for constructing an affordable housing unit complex located at the Northwest corner of Alta Avenue and Union Avenue, and authorizes the execution of a Standard Agreement or any other related documents necessary to participate in the HOME Investment Partnerships Program. If the application is successful, staff will return to request authorization to enter into a Development Agreement.

It was motioned by Council Member Smith, second by Vice Mayor Morales to adopt Resolution 2013-16 as presented.

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

Council Member Harness asked if the residents on Davis should be notified that the apartment project won’t be built because the City is partnering with Chelsea for their HOME project.

City Manager Todd said it’s not necessary to do so as the Davis site is currently zoned multi-family and it could still be built on the Davis location without HOME money. The property could be sold and someone else could build apartments on the site.

## 11.2 Vocational Center Sale Update

Deputy City Manager Nunes presented the report in regard to the sale of the Vocational Center. She described the conditions of the lease.

Dr. Thusu provided contracts and letters of intent from schools who agreed to partner with his purpose for the Vocational Center.

Dr. Thusu clarified information about training and certification through his program.

City Manager Todd said there is the Master agreement by the city and EDA which is still in place.

Deputy City Manager Nunes said that University Inc. has agreed to carry out obligations to the EDA with modifications. The information still needs to be submitted to EDA. Nunes said EDA will get the report and they will know what training programs are offered but the EDA must agree to the action. Deputy City Manager Nunes said the EDA issued a letter that states all sales need to be current market rate as part of a federal regulation. The only problem there may be is the small number of students in the program. EDA may possibly have a problem with the payment amount.

Council discussion followed.

Council Member Gonzalez asked where is the money owed through the lease agreement by Universal Inc. to the City.

Dr. Thusu explained that he signed an agreement with the City for the benefit of satisfying the EDA. He said the cost of maintaining the facility is \$10,000 a month.

City Manager Todd explained the original lease agreement was done because the doctor didn't originally want to buy the property. He decided that he wanted to sign a straight lease. Now the doctor wants to buy the building.

City Manager Todd explained Option 1: 40% of appraised value plus whatever the city asks. The doctor could have it free and clear if he wanted to purchase the building for \$2.3 million. Todd explained that the doctor then wanted a lease purchase. He said we don't want to take the proposal to EDA until the doctor becomes current on the lease payments. The price has been determined, the lease is in place and we have a plan going forward.

Dr. Thusu said he has other investors, other partners waiting to come forward but he asked the Council how can he justify bringing them on board until this matter is cleared up.

Discussion followed.

Council Member Smith said the EDA has the final say anyway.

Council Member Gonzalez said we need to see the lease agreement to see what it says.

Mayor Hinesly said the difference is what we believe the contract says and what Dr. Thusu understands it to say.

City Manager Todd said the main issue is to bring the lease payments current, secondly, to talk about the lease purchase.

Discussion followed.

Council Member Gonzalez stepped off the dais at 7:58 pm.

Dr. Thusu said the checks in his possession are dated March through July 2013 and he said, he gave copies to Nunes.

Council Member Harness said we've always known about the approval needed from EDA; EDA needs to be in agreement with the lease purchase.

Council Member Gonzalez returned to the dais at 8:01 pm.

Mayor Hinesly said before we take this to the EDA to request that they agree to \$5,000 a month in purchase payments, we need to have the lease agreement brought current by Universal Inc.

Discussion followed.

Attorney McCloskey said Dr. Thusu leased the building and there's a value to that; the lease is a committed covenant to pay the money.

Dr. Thusu asked for a guarantee that the \$50,000 in arrears, when paid toward the current lease would be applied toward the purchase.

Mayor Hinesly questioned if we should allow \$50,000 to be applied to the lease purchase should EDA agree to the sale.

City Manager Todd said the monthly debt service is over \$11,000 so the City would be subsidizing the payment and that's a gift of public funds.

City Attorney McCloskey said it's misconstrued as a gift of public funds because it is already under a lease contract and the money is owed.

Discussion followed.

Mayor Hinesly said she has an issue with approving a \$5,193 payment and the City having to subsidize \$6,000 to meet the obligation to EDA.

Deputy City Manager Nunes said the bond revenue payment is much greater than \$140,000. The bond purchase was used toward construction of the vocational center.

Mayor Hinesly said during the months the payment was deferred, the City had to come up with \$160,000. She conveyed her concerns about that fact.

Discussion followed.

City Manager Todd said we don't know what the market value is; we know the appraised value.

Deputy City Manager Nunes said we went with the appraised value the lower of the two appraisals.

City Manager Todd said we really need to go to EDA to see if they will agree to the terms offered by Universal Inc.

The Council directed staff to write a formal letter to EDA and see if they agree. The Council said Dr. Thusu needs to get current with his lease contract and ask for authorization to permit.

Mayor Hinesly told Dr. Thusu that the Council cannot make a commitment to apply the \$50,000 owed through the lease agreement toward purchase of the building until the EDA responds.

Dr. Thusu asked how much the building will cost him if he is authorized to purchases. He was told by City Manager Todd it would cost \$1,310,000 at no interest.

The Council directed staff to contact the EDA in regard to the sale of the property and working on a proposal with Dr. Thusu.

Discussion followed.

BREAK

Mayor Hinesly declared a break at 8:31 pm.

RECONVENE FROM BREAK

Mayor Hinesly reconvened the meeting at 8:44 pm.

11.3 Meet and Confer (Closed Session action as warranted)

Item discussed in closed session.

11.4. Information Sharing

None

CITY ATTORNEY

12.1. Information Sharing

None

COMMUNITY SERVICES

### 13.1. Award of Bid – Landscape Services

Community Services Director Carrillo reported that the City has had contracts with outside landscaping companies for a portion of the city's landscaping maintenance services for parks, lighting & landscape districts, and open space.

The 2013 RFP for the Landscape Maintenance Contract was advertised in the Dinuba Sentinel and the Visalia Times Delta and as a result three RFP's were submitted by companies that provide this type of service. The RFP responses were from:

Joe Grijalva Landscaping - Visalia  
Chris Quinn Landscape - Tulare  
Clean Cut Landscape - Clovis

The bids were opened on June 20, 2013 at 2:00 pm.

Clean Cut Landscaping has been under contract with the City since 2004 and has a great working relationship with the City. They have been consistent with their services and we have not experienced any problems or issues with the company or its staff.

Carrillo recommended that the City Council award the 3-year maintenance contract to Clean Cut Landscape for their bid of \$197,797.56.

It was motioned by Council Member Smith, second by Vice Mayor Morales, to award the 3-year maintenance contract to Clean Cut Landscape for their bid of \$197,797.56.

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

### 13.2 Ridge Creek Golf Club 5 Year Anniversary – August 8. 2013

Carrillo shared the upcoming anniversary celebration plans for Ridge Creek where a golf tournament will be held as part of the festivities.

### 13.3. Information Sharing

Carrillo reported the Summer Night Lights Program began with approximately 500 people in attendance, despite the heat and he said the band's performance was great.

Carrillo reported that there will be aerial fireworks on July 3 to celebrate National Independence Day, and staff will provide plenty of water stations, misters, and a water slide for those who attend.

Staff will be opening the Pro-Youth Fireworks Booth on Friday for fireworks sales.

## ENGINEERING AND PLANNING SERVICES

### 14.1. Americans with Disabilities Act (ADA) Draft Transition Plan

Engineer Uota reported the ADA Transition information. He introduced Engineer Bruce Weber who worked on the ADA plan.

Bruce Weber, 953 North Harvard Avenue, Clovis, said he looked at some of the parking and specifically looked at ADA parking for events. The current standards need to meet a number of parking for disability and be compliant with ADA. Weber said he looked mostly at pedestrian and transit facilities. Changes in transit facilities requiring an area called “the landing” adjacent to the transit facility for embarking and disembarking. The pedestrian issues were examined through Google Earth and records that staff provided. Weber said he verified areas through field trips. Weber said the premise was the ADA law says equal access must be provided for handicapped individuals. Weber clarified, if there is a street with no sidewalks it would be a sidewalk project and not an ADA project. He said he looked at the plan as to limit the liability. This is not to submit to Caltrans or FHWA. If they come to the Council and ask for the plan then staff would have to provide the report.

Mayor Hinesly said she would like to be able to respond to changing the priorities or address an accident that happens that may not fit one of the categories.

Discussion followed.

Engineer Uota stated we could meet with disabled citizens on an annual basis during budget sharing.

### 14.2. Information Sharing

Engineer Uota said he attended a meeting of entities to kick off the design construction phase for the Nebraska Avenue signalization project.

Council Member Smith asked about the project manager for Avenue 416. Uota shared we did not receive as many applicants as we had hoped. Smith asked if we are still on target to start in August. Uota shared that staff will come back to get authorization later this summer.

Smith asked who owns the property on El Monte Way west of Dr. Cutts property. Uota reported that Pablo Contreras owns that lot and those adjacent to his property are owned by the Dinuba Housing Authority. Smith asked if it is zoned commercial property and Uota verified it is.

## FINANCE SERVICES

### 15.1. 2012/2013 Budget Amendments

Administrative Services Manager Manager Cook reported the information for the current fiscal year budget amendments.

It was motioned by Council Member Gonzalez, second by Council Member Smith, to approve the budget amendments as presented.

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

#### 15.2. Information Sharing

None

#### FIRE SERVICES

#### 16.1. Authorization to Apply - Staffing for Adequate Fire & Emergency Response Grant (S.A.F.E.R.)

Battalion Chief Doyle reported that staff would like authorization to apply for the S.A.F.E.R. grant. If awarded, the grant will be used to hire three additional fire personnel. He explained that hiring 3 more staff members would greatly enhance the department's ability to answer calls for service and reduce staffing levels.

It was motioned by Council Member Morales, second by Council Member Smith, to apply for the grant as presented.

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

#### 16.2. Information Sharing

Chief Doyle said Chief Thompson is on vacation for a week. Doyle shared information in regard to the strike team activities in the recent Cressman fire.

Council Member Harness left the dais at 9:35 pm.

Chief Doyle said the department was awarded equipment including a thermal imager, helmets, upgraded AED's. The grant presentation will take place Thursday at 1:00 pm at the Dinuba Fire Department and he invited Council to attend.

Council Member Harness returned to the dais at 9:37 pm.

## POLICE SERVICES

### 17.1. Project Listen Update

Chief Popovich reported the last Project Listen meeting was held at Dinuba Christian Church. All flyers have been sent out to the remainder of the households. The Chief said he plans to present the final Project Listen information to the City Council in August.

### 17.2. Authorization to Apply – Justice Assistance Grant (JAG)

Chief Popovich requested authorization to apply for the Edward Byrne Memorial JAG grant. The grant will be used to assist the department in providing funding for local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support and information systems for criminal justice programs. It will be used for purchasing audio/video equipment and other equipment for the new training room and armory. The grant is for \$12,104.

It was motioned by Council Member Smith, second by Vice Mayor Morales, to authorize staff to apply for the JAG grant.

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

### 17.3 Authorization to Apply – P.O.S.T. (Teambuilding Workshop Grant)

Chief Popovich requested authorization to apply for a teambuilding workshop grant offered through the California Commission POST for Police Department Administrative Staff.

The California Commission on Peace Officers Standards and Training (POST) offers teambuilding workshops every other fiscal year to Police and Sheriff's Departments statewide. The workshop is structured in three phases: identification of department needs, a 24-hour workshop and follow-up evaluation.

The department last attended this team building workshop five years ago. With the changes in the organization due to a new Police Chief, two Lieutenants and two Sergeants, teambuilding would be a valuable tool for the administration. This workshop allows for the Administration of the Police Department to meet at an off-site location to discuss and refine the Department's new organizational structure and the changes both internally and within the community relating to the changes for enhanced Community Based Policing.

Popovich reported that if the application is approved, staff would request that the City Council allow the Police Department Administration and Supervisors to attend a 3-day teambuilding workshop at a pre-

planned location outside of the city limits; and to secure the services of the Tulare County Sheriff's Department (at no-cost to the City) to provide full-time supervision of departmental personnel, while Administration is at the training.

It was motioned by Council Member Smith, second by Council Member Harness, to apply for a teambuilding workshop grant offered through the California Commission POST for Police Department Administrative Staff.

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

#### 17.4 Authorization to enter agreement for School Resource Officer (SRO)

Chief Popovich requested that the City Council authorize the City Manager to execute the School Resource Officer (SRO) Agreement with the School District for the 2013–2014 school year.

The program provides crime prevention, intervention/enforcement, teaching, and counseling; provides a safer campus environment; and, each entity will agree to share 50% of the costs including , salary, benefits, vehicle maintenance, training, and estimated overtime for the two SRO's.

The 2013–2014 SRO program will cost \$132,216 per assigned officer for one-year periods. The agreement allows the school district to agree to reimburse the City billing on a quarterly basis over the school year.

Chief Popovich requested that the City Council authorize staff to enter into the SRO program agreement with the Dinuba Unified School District as presented.

It was motioned by Vice Mayor Morales, second by Council Member Gonzalez, to authorize staff to enter into the SRO program agreement with the Dinuba Unified School District as presented.

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

#### 17.5. Information Sharing

Chief Popovich reported that the DUI check point will occur Friday, July 5. He also reported that staff will be involved in the July 3 Independence Day event.

#### PUBLIC WORKS

#### 18.1. Measure R Expenditure Plan Amendment No 3, Resolution No 2013-15

Director Beltran reported that in 2006 Tulare County voters approved a ½ Cent Transportation Sales Tax Measure for transportation improvements in Tulare County. An Expenditure Plan was developed by the Tulare County Association of Governments (TCAG) and nine member agencies (Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake, and the County of Tulare) to guide more than \$652 million in transportation fund expenditures generated through the approval of a transportation sales tax over the next 30 years. The Plan provides a detailed blueprint that allows for leveraging of state and federal funds through the revenues received through Measure R. The Plan provides funds for regional road improvements, public transit, rehabilitation of existing roads, and other transportation programs that improve mobility and air quality within the County and each of the cities.

The Measure R Expenditure Plan allows the TCTA Board to review annually and propose amendments to the Expenditure Plan to provide for the use of additional Federal, State, and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances. In order to react to changes in funding and/or priorities, an amendment to the plan can be proposed. As a result, action was taken by the Tulare County Transportation Authority (TCTA) to allow for the submittal of the third Measure R Expenditure Plan amendment to member agencies for their consideration and approval.

Beltran reviewed with the Council:

- Request #1 submitted by all member agencies
- Request #2: Submitted by County of Tulare
- Request #3: Submitted by City of Visalia/County of Tulare
- Request #4: Submitted by City of Woodlake
- Request #5: Submitted by the City of Visalia
- Request #6: Submitted by the City of Visalia
- Request #7: Submitted by the City of Farmersville
- Request #8: Submitted by TCAG Staff
- Request #9: Submitted by City of Visalia

Beltran reported of the requests in Amendment No. 3 to the Measure R Expenditure Plan, Request #1 has an immediate fiscal impact to the City of Dinuba. Request #1 would provide an additional \$65,000 annually for transit service expansion and approximately \$40,000 annually for bike/pedestrian projects.

Beltran requested that the City Council take action to approve Resolution 2013-15 endorsing Amendment No. 3 to the Measure R Expenditure Plan.

It was motioned by Vice Mayor Morales, second by Council Member Harness, to endorse Amendment No 3 to the Measure R Expenditure Plan.

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

18.2. Authorization to Contract –Renewal of Dinuba Connection \ Fresno County Rural Transit Contract.

Business Manager Avila reported that the 2007-2009 City Council Goals identified developing transit routes to Reedley and Cutler-Orosi as a “Top Priority Goal”. The goal was set to further support efforts to make Dinuba a regional retail, educational, and entertainment center. The City initiated the Dinuba/Reedley route (Dinuba Connection) in 2008 in partnership with the Fresno County Rural Transit Agency. The route includes one-hour headways with bus stops at the Vocational Center, Sierra Kings Hospital, Reedley College, Palm Village, Wal-Mart and the Dinuba branch of the Tulare County Library. This route also facilitates connection services with FCRTA to Parlier, Sanger, and Fresno; and with the Tulare County Area Transit (TCAT) to Cutler-Orosi. Staff is recommending that the agreement with FCRTA be renewed for the 2013/14 fiscal year. The City and FCRTA will continue to evenly divide the cost of the Dinuba Connection route as well as split fare-box recovery from this service.

Business Manager Avila requested authorization to allow the city manager to enter into agreement with the Fresno County Rural Transit agency for renewal of the fiscal year 2014/15 Dinuba Connection program.

It was motioned by Council Member Smith, second by Vice Mayor Morales, to authorize the City Manager to enter into agreement with the Fresno County Rural Transit agency for renewal of the fiscal year 2014/15 Dinuba Connection program.

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

18.3. Authorization to Apply for the Department of Toxic Substances Control (DTSC), Targeted Site Investigation Program (TSI)

The City purchased the 288 S. “M” Street property as an extension of a proposed commercial use complimentary to the adjacent downtown Entertainment Plaza and theater. A Phase I Environmental Assessment was performed on the property in June 2003 and the report identified an underground fuel storage tank located near the northwest corner of the site. As a result, the tank was removed in July 2003. Upon removal it was discovered that the tank had no bottom and soil and ground water contamination was detected.

Krazan & Associates were contracted to initiate soil removal, sampling, and ground water testing. Ground water monitoring wells were installed to monitor the underground plume. To date, the plume appears to be stable and there is no evidence that it has migrated from the location where it was first detected. The reports completed by Krazan & Associates are sent to the State Regional Water Quality Control Board and to the Tulare County Environmental Health Services Agency.

In May 2013 the State's Department of Toxic Substances Control released a Targeted Site Investigation Program application package. Through this program, a contractor under DTSC staff oversight performs an investigation of the subject site and will prepare a report indicating if further assessment or cleanup is needed. Applications are due on July 12, 2013.

The City's contract Engineers, 4-Creeks can prepare and submit the required application on the City's behalf. If the City Council authorizes the application process through Four Creeks, the fiscal impact is \$2,000 to pay 4-Creeks to complete and submit the Targeted Site Investigation Grant application.

It was motioned by Council Member Smith, second by Vice Mayor Morales, to authorize staff to apply for the Department of Toxic Substances Control's (DTSC) Targeted Site Investigation (TSI) Program for the property located at 288 South "M" Street known as the former Ice House.

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

#### 18.4. Information Sharing

Director Beltran shared that the Dinuba High School Class of 1943 will be using the Jolly Trolley to tour the city on Saturday at 1:30 pm as part of their reunion activities.

Discussion followed.

BREAK

Mayor Hinesly declared a break at 10:17 pm.

RECONVENE FROM BREAK

The meeting was reconvened at 10:21 pm and the Council Members and staff went into closed session.

RECONVENE FROM CLOSED SESSION

The meeting was reconvened in open session at 10:30 pm.

CLOSED SESSION ACTION

#### 19.1. Conference with Labor Negotiators: Meet and Confer

Pursuant to Government Code Section 54957.6 the City Council met in closed session with City Manager Todd, Deputy City Manager Nunes, Assistant City Manager Anderson and City Attorney McCloskey, to discuss labor negotiations.

It was motioned by Vice Mayor Morales, second by Council Member Smith, to approve the following:

- 4% COLA
- Employees will contribute 2% toward PERS
- The City to discontinue city-paid contributions toward Retiree Health Insurance and the Medicare Supplement for full-time employees hired on or after July 1, 2013
- The Vacation Buy Back policy will now apply to Confidential Employees (accumulated vacation time must be in excess of 120 hours)

AYES: Harness, Smith, Hinesly, Morales, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: None

#### ADJOURNMENT

The meeting was adjourned at 10:33 pm.

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Janet C. Hinesly, Mayor

ATTEST:

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Linda Barkley, Deputy City Clerk