

COUNCIL MEMBERS PRESENT: Harness, Smith, Hinesly, Gonzalez

COUNCIL MEMBERS ABSENT: Morales

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

#### CALL TO ORDER

The meeting was called to order at 5:30 pm.

#### CLOSED SESSION

##### 2.1. Conference with Legal Counsel--Anticipated Litigation

Significant exposure to litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (One (1) Case)

The Council Members and staff members went into closed session to discuss matters at 5:30 pm.

#### RECONVENE FROM CLOSED SESSION

The regular meeting was reconvened at 6:32 pm.

#### INVOCATION

The invocation was led by Chaplain Garcia.

#### FLAG SALUTE

The flag salute was led by Chief Popovich.

#### COMMUNITY RECOGNITION & APPRECIATION

##### 5.1. Major Division Youth Softball / Baseball Team Winners

Director Carrillo introduced the girls' softball team Angels and their coaches. The players were awarded a plaque from the City Council. The council members congratulated the players and the coaches for their devotion to the youth.

#### NEW EMPLOYEES & PROMOTIONS

##### 6.1. Police Services

Chief Popovich presented Chad Georges to the City Council. Georges has been promoted to Police Officer.

BREAK

Mayor Hinesly declared a break 6:52 pm.

RECONVENE FROM BREAK

The meeting was reconvened at 6:57 pm.

PUBLIC COMMENT

7.1. Ann Kloose, PG&E Government Relations Representative – Presentation of Grant Award to Proteus, Inc.

Ann Kloose, PG&E, Government Relations Representative, was at the meeting to present a \$2,500 grant to Proteus for scholarships.

Elizabeth Camargo, Youth Counselor said Proteus has been able to award several scholarships for students at all college levels. Camargo introduced several staff members who worked for the Proteus scholarship committee.

The Council Members congratulated Proteus and thanked PG&E.

7.2. Unscheduled

Mike Saporetti, Internet Sales Manager for Ed Dena's Auto Center, invited everyone to the re-opening celebration planned for this weekend.

Mayor Hinesly thanked Saporetti for the invitation.

CONSENT CALENDAR

- 8.1. City Council Meeting Minutes, July 9, 2013
- 8.2. Notice of Completion – Lighted Crosswalk Project, El Monte Way / Hayes Avenue
- 8.3. Industrial Retirement Tim McLean, Resolution No 2013-23
- 8.4. Citizens Oversight Committee Draft Agenda, July 26, 2013

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

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

ABSTAIN: None

#### WARRANT REGISTER

##### 9.1. Approval –Warrant Register, July 12, 19, 2013

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

AYES: Harness, Smith, Hinesly, Gonzalez

NOES: None

ABSENT: Morales

ABSTAIN: None

#### MAYOR'S MINUTE

##### 10.1. Request to Terminate Lease, Universal Biopharma Research Institute, Inc.

Deputy City Manager Nunes read the request to cancel the lease effective August 1. He requested to keep four rooms at a flat lease rate of \$1300 a month. He requested the lease be month to month for a 12-month period. He requested the Council release him from the back-payments owed as he has made substantial improvements to the building, which will remain with the building once vacated. Dr. Thusu said he will remain in the downtown area but on a much smaller scale.

Deputy Director Nunes said the action may be deferred to item 10.2.

##### 10.2. Anticipated Litigation

It was motioned by Council Member Gonzalez, second by Council Member Smith, to terminate the lease and move forward with the litigation to receive as much of the remedy as possible.

AYES: Harness, Smith, Hinesly, Gonzalez

NOES: None

ABSENT: Morales

ABSTAIN: None

##### 10.3. Information Sharing

Mayor Hinesly said she attended the TCAG meeting where Tulare Mayor Vejvoda presented to TCAG issues of SB7.

City Manager Todd said the bill is aimed at Charter cities he explained how it would affect city projects, paid with city funds or grant monies.

Mayor Hinesly said there was a lengthy discussion that impacted at least 2 or 3 cities and TCAG voted to draft a letter in opposition of SB7. Todd said our City Charter has a provision that allows us to simply amend the ordinance.

#### COUNCIL COMMENTS

##### 11.1. League of CA Cities Latino Caucus Appointment – Council Member Morales

It was motioned by Council Member Harness, second by Council Member Smith, to appoint Vice Mayor Morales, to the League of CA Cities Latino Caucus.

##### 11.2. Cancellation of August 27, 2013 City Council Meeting

City Manager Todd said the meeting is usually a black out day.

Discussion followed.

It was motioned by Council Member Harness, second by Council Member Gonzalez, to cancel the August 27, 2013 meeting.

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

##### 11.3. Request for Excused Absence – Emilio Morales, July 9, 2013

It was motioned by Council Member Harness, second by Council Member Smith, to excuse the absence for Emilio Morales as presented.

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

##### 11.4. Reminder – Ridge Creek 5<sup>th</sup> Anniversary Celebration Event, August 8, 2013

- 7:00 am Breakfast
- 8:00 am Shotgun Start
- 1:00 pm Buffet Lunch & Program

City Manager Todd said the golf course will celebrate their 5<sup>th</sup> anniversary this year and the event is planned to commemorate. He said staff would like to see them there.

##### 11.5. Information Sharing

Council Member Smith discussed the diversion topic discussed at the CWMA meeting.

Beltran responded to the discussion about diversion.

Council Member Smith said he attended a mock oral board for the Miss Dinuba candidates.

#### PUBLIC HEARING

##### 12.1. Formation of Dinuba Economic Development Commission, Ordinance No 2013-02, Introduction and First Reading, Read Title, Waive Reading in Full

City Manager Todd reported that with the demise of the Redevelopment Agency, the Economic Development Committee was terminated. He went on to explain that the Committee was essential in helping to bring economic development to Dinuba. Todd explained the Dinuba Economic Development Committee was established by City Ordinance in 1987 as an advisory committee to the City Council. On March 14, 1995 the City Council abolished the Dinuba Economic Development Committee and on the same date the Dinuba Redevelopment Agency Board of Directors reestablished the Dinuba Economic Development Committee as an advisory committee to the Redevelopment Agency. The reason for the change was that the Redevelopment Agency was the primary City of Dinuba entity responsible for economic development activities at the time.

In January 2012, the Redevelopment Agency was dissolved as a result of actions by the Legislature in 2011 and by action by the Governor in signing this legislation into law. From that point forward the Dinuba EDC no longer had an entity to report to and therefore, did not technically exist; although, it continues to meet and provide input to the City Council on economic development issues.

The EDC was made aware of the impact of the State's action on the status of the Dinuba EDC at their February 7, 2013 meeting. Since that date the committee has continued to be engaged in dialog with City staff regarding the steps needed to reestablish the Dinuba EDC and redefine its role.

In the past, the Dinuba EDC has been an important part of the City's economic development efforts. Examples include helping the City determine the best location for the City's Industrial Park in the late 1980s. The EDC assisted in successful economic development attraction efforts for companies such as Ruiz Food Products, Best Western Americana, Patterson Logistics, Best Buy, Platinum Theaters, Walmart and several businesses near Walmart. The Committee was instrumental in the successful retention efforts of business relocations within the City such as Bret's Auto Center and several downtown businesses, as well as providing input on other economic development issues to the City Council and staff.

Since the February 2013 meeting, the EDC has been working to develop the form of an ordinance that would reestablish the EDC as an advisory body to the City Council and has been working with staff to redefine the mission and goals for the EDC going forward.

The EDC feels that fifteen members are too many and there should be nine (9) members.

The EDC at the April 2013 meeting took three unanimous actions with regard to a draft ordinance intended to reestablish the EDC as an advisory body to the City Council.

City Manager Todd requested that the City Council hold a public hearing to consider public testimony on the matter of establishing the Dinuba Economic Development Commission as an advisory body to the City Council, and following the public hearing, consider the introduction and first reading of Ordinance No 2013-02 to establish the Dinuba Economic Development Commission.

Discussion followed and there was a change as to the meeting date being changed. Staff requested the meeting day should be changed to the first Thursday each month.

Mayor Hinesly opened the public hearing. No comments from the public were brought forward so the Mayor closed the public hearing.

It was motioned by Council Member Gonzalez, second by Council Member Smith, to approve the introduction and first reading of Ordinance 2013-02 as presented.

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

#### CITY MANAGER

##### 13.1. Compensation Plan Study

Deputy City Manager Nunes presented information in regard to the proposed City's Compensation Study Plan. The current salary plan is evaluated annually by the City for both internal and external relationships. Internal salary relationships are determined through job analyses which reflect similarities and differences among job classifications. In order to remain competitive in the employment market, external salary relationships are determined by comparing compensation rates for comparable positions in cities of similar size, service description, similar job proximity to the City of Dinuba, and geographic location.

Since the countrywide economic downturn and housing market crash however, the City has had many inquiries regarding the salary levels of its employees. In addition, on June 30, 2014, the contract period for both the Police and Fire Associations' Memorandums of Understanding will be expiring and the study would be helpful in assessing the comparison of the compensation level of two of our larger employee associations with our comparator cities. Because of these needs and because it has been almost 30 years since the original compensation plan was developed, and the Charter requires maintenance of the City's Personnel system, a new Compensation Plan Study is needed and warranted.

Deputy City Manager Nunes requested that the City Council authorize staff to proceed with the development of a Request for Proposals to send to qualified firms and appropriate \$85,000 from the General Fund for a Compensation Plan Study.

It was motioned by Council Member Gonzalez, second by Council Member Harness, to authorize staff to begin the RFP process for a citywide Compensation Plan Study.

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

BREAK

Mayor Hinesly declared a break at 7:51 pm.

RECONVENE FROM BREAK

Mayor Hinesly reconvened the meeting at 8:05 pm.

13.2. Information Sharing

None

CITY ATTORNEY

14.1. Information Sharing

None

COMMUNITY SERVICES

15.1. Information Sharing

Director Carrillo reported that soccer registration will begin soon. Carrillo reported that the aquatics season will soon end.

The last Summer Night Lights concert will be held this Friday. August will kick off the summer sunset series.

Council Member Smith asked what will happen to the Spartans and Carrillo said they will be playing at the junior high campus.

Director Carrillo said it is the Spartans and Dinuba Youth Football.

## ENGINEERING AND PLANNING SERVICES

### 16.1. Information Sharing

Uota shared he was at the TCAG meeting as well as Council Member Smith. He shared information about FTP funding.

## FINANCE SERVICES

### 17.1. FY 2012-13 Investment Report

Finance Manager Cook reported information about the City's cash investment report. He stated the economic outlook is gradually recovering; the housing market is slowly recovering, corporate earnings have been good and employment rates are rising.

LAIF is an investment option for local governments and special districts. The city invests a portion of its portfolio in LAIF because it is a competitive yield. Staff predicts that LAIF will decline through the end of the year and into the coming year but the Federal Reserve has been buying treasury and mortgage bonds monthly. The Fed has indicated it may ease its economic stimulus plan and the action could lead to a gradual rise in interest rates. This may have a positive influence on the LAIF rate.

Cook reported the Money Market Deposit Account which is an alternative to the LAIF account which is indexed directly to the monthly LAIF rate. The advantage is that transactions flow directly into and out of the City's account with Rabobank. The LAIF account transactions flow through an intermediary bank.

Cook reported that the City has not had to issue loans or Tax Revenue Anticipation Notes to meet its cash flow needs. The need arises due to timing issues of expenditures and revenues. The city makes semiannual debt payments and most of the payments are due in the fall. The City has been able to build reserves sufficient to weather the City's cash flow needs. This results in the City not issuing debt for cash flow purposes.

Cook shared the City's cash summary as of June 30, 2013 showing total cash and investments at \$24.10 million. He recommended that the City Council accept the report for the quarter ending June 30, 2013.

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

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

### 17.2. Information Sharing

Vice Mayor Morales arrived at 8:14 pm.

Finance Services Director Cook reported that the new Auditing firm is here all week going through records.

#### FIRE SERVICES

##### 18.1. Authorization to Apply for Homeland Security Grant

Chief Thompson reported that every year, the Department of Homeland Security provides each State with grant funding that is to be distributed to public safety agencies throughout the State in order to improve response capabilities and preparedness. The City of Dinuba Fire Department has taken advantages of this opportunity for multiple years.

Thompson requested \$3,500 to replace outdated air/gas monitors required when firefighters enter a potentially hazardous space in order to perform a rescue or other tasks. These monitors allow our personnel to determine if an atmosphere is within safe limits for our personnel to enter. If awarded, the grant will fund 100% of the request.

Chief Thompson requested that the Council authorize the Fire Department to apply for the 2013 Homeland Security Grant.

It was motioned by Council Member Smith, second by Vice Mayor Morales, to authorize staff to apply for the 2013 Homeland Security Grant as proposed.

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

##### 18.2. Authorization to Replace Fire Station Apparatus Bay Doors

Chief Thompson reported that the City Council previously approved \$50,000 from the Measure F fund to replace the apparatus bay doors at the Dinuba Fire station. The doors are over 35 years old and replacement parts are becoming obsolete.

Chief Thompson reported that the Fire Department solicited written quotes from five vendors and out of those five vendors, only three provide written quotes. After reviewing the quotes, the lowest quote was submitted by R&S Erection Tri-County Inc. for a total cost of \$38,042.

Chief Thompson requested that the Council authorize staff to accept the quote from R&S Erection Tri-County Inc. and authorize the company to perform the work necessary to replace the apparatus bay doors.

It was motioned by Vice Mayor Morales, second by Council Member Smith, to authorize staff to accept the quote from R&S Erection Tri-County Inc. and authorize the company to perform the work necessary to replace the apparatus bay doors.

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

18.3. Information Sharing

None

POLICE SERVICES

19.1. Information Sharing

None

PUBLIC WORKS

20.1. Information Sharing

None

ADJOURNMENT

Mayor Hinesly adjourned the meeting at 8:19 pm.

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Janet C. Hinesly, Mayor

ATTEST:

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Linda Barkley, Deputy City Clerk