

COUNCIL MEMBERS PRESENT: Smith, Hinesly, Morales

COUNCIL MEMBERS ABSENT: Harness, Gonzalez

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

WORK SESSION

1.1. ADA Transition Plan

The proposed ADA Transition Plan was presented by Assistant Engineer Aguirre.

Engineer Uota explained that the street overlay now triggers State compliance if state money is used to improve concrete overlay.

Mayor Hinesly said Measure R money is somewhat encumbered but she asked if it would pay for any of the project.

Director Beltran said any road improvement projects will require it. She addressed bicycle lane improvements and said they can be funded with ADA improvements. They are minimal but they could be added to the annual \$50,000 allocation the Council previously approved.

Vice Mayor Morales asked if parks funding can be used for walking trail projects.

City Manager Nunes said no because those funds can only be used for new park facilities. She added that staff is always looking for grant money for curb and gutter but it's different from regular park impact fees.

Council Member Smith said all we need is a plan. The only thing that has changed is if we have projects with federal money we have to include the money.

1.2. Sharps Disposal Ordinance

Public Works Director Beltran reviewed information on the sharps disposal ordinance. She reported that the City of Tulare has adopted an ordinance and other cities are looking to do the same. She continued with background information then she talked about steps that can be taken in the future.

Art Pena, Pena's Disposal, was present. Pena said his waste haulers collected approximately 45 sharps in February. He said the ordinance is definitely needed. He added there are a lot more sharps disposed in this manner than he initially thought. He reported that his staff experience "sticks" because of the improper disposal of sharps.

Ann Magana, Consolidated Waste Management Administrator was present. She reported she talked to several city wastewater plant staff members and she was told they routinely find sharps in their water

works. She said the ordinance is desperately needed. She said when the survey was done for determining costs it came in at approximately \$35 per container; significantly lower than three years ago when it was first considered. Magana offered scenarios for funding the containers.

Discussion followed.

Council Member Smith said he disagrees with taxing businesses for the expense of disposal.

Magana said we need to start somewhere with the ordinance and improve it from there.

Discussion continued.

The work session was adjourned at 6:18 pm.

CALL TO ORDER

The regular meeting was called to order at 6:32 pm.

INVOCATION

The invocation was led by Chaplain Susee.

FLAG SALUTE

The flag salute was led by Chaplain Susee.

PUBLIC COMMENT

5.1. Unscheduled Items

Robert Cervantes asked if Director Beltran relinquished the 25% water discount she used to receive.

City Manager Nunes said Beltran relinquished the benefit.

CONSENT CALENDAR

- 6.1. City Council Draft Meeting Minutes, January 14; 28, 2014
- 6.2. Special City Council Draft Meeting Minutes, January 28, 2014
- 6.3. Acceptance of Other Agency Meeting Minutes
 - a. Citizens Oversight Committee, October 25, 2013
 - b. Community Services & Dinuba Pro-Youth Commission, November 19, 2013
 - c. Planning Commission, January 7, 2014
 - d. Police Advisory Commission, January 7, 2014
- 6.4. Master Development Schedule
- 6.5. Notice of Completion – Well #14 Granular Activated Carbon Change-out Project

6.6. Parkside Village Phase II Final Map Agreement

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

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

WARRANT REGISTER

7.1. Approval – January 30; February 7, 2014

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

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

MAYOR'S MINUTE

8.1. Call for Consolidated Election June 3, 2014, Ward 2 and Request to Tulare County Registrar of Voters to Render Services; Determination of Candidate Statement Expense; Adoption of Resolutions.

Assistant City Manager Anderson presented a request to the City Council to authorize the consolidation of an election slated for June 3, 2014. Anderson also requested that the City Council adopt a resolution determining who shall pay the cost of a candidate's statement. Anderson explained that the consolidation of an election is a result of a successful Petition to Recall, Janet Hinesly.

- a. A Resolution Ordering a Special Election to Determine Whether One Governing Council Member Shall be Recalled and to Elect a Successor, Resolution 2014-06

It was motioned by Vice Mayor Morales, second by Council Member Harness, to adopt Resolution No 2014-06 as presented.

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

- b. A Resolution Determining Who Shall Pay the Cost of a Candidate's Statement and Limiting the Number of Words Allowed, Resolution 2014-09

It was motioned by Council Member Harness, second by Vice Mayor Morales, to adopt Resolution No 2014-09 as presented.

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

8.2. Information Sharing

None

COUNCIL COMMENTS

- 9.1. Request for Excused Absence, City Council Meeting January 28, 2014
 - a. Council Member Emilio Morales
 - b. Council Member Mike Smith

It was motioned by Council Member Harness, second by Council Member Smith, to approve the request for excused absence by Vice Mayor Morales as presented.

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

It was motioned by Vice Mayor Morales, second by Council Member Harness, to approve the request for excused absence by Council Member Harness as presented.

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

9.2. Information Sharing

None

CITY ATTORNEY

- 10.1. CLOSED SESSION ACTION: CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
Name of Case: City of Dinuba v. Thusu

The item was discussed in closed session. No action was taken.

10.2. Information Sharing

None

CITY MANAGER

11.1. Request to Receive Public Comment Regarding an Application for a Planning Grant for “East El Monte Economic Vitality and Community Sustainability Plan” in the Amount of \$500,000; and, Request Authorization to Submit Application for Same Planning Grant, Resolution 2014-07

Assistant City Manager Anderson presented an item requesting authorization to submit an application for funding related to Prop 84 to revitalize mercantile row. We hope to include planning for a multi-family project for the area and improvements along Randle Avenue. Townsend is assisting with the grant writing of the grant.

Mayor Hinesly opened the public comment period in regard to the application.

Robert Cervantes, 1367 West Kelly, asked if the money will be used for sewer improvements.

Assistant City Manager Anderson said the grant is for a planning study.

Cervantes asked who the city is going to use for the study. He asked for information to better understand.

Anderson explained what the grant is intended to do.

It was motioned by Vice Mayor Morales, second by Council Member Harness, to authorize staff to adopt Resolution No 2014-07 authorizing staff to submit the application for the Planning Grant for East El Monte Economic Vitality and Community Sustainability Plan.

AYES: Harness, Smith, Hinesly, Morales

NOES: None

ABSTAIN: None

ABSENT: Gonzalez

11.2. Vocational Center Entrepreneurial Business Training Program (information only)

Assistant City Manager Anderson reported information in regard to the Vocational Center Entrepreneurial Business Training Program. The entrepreneurial classes are offered free of charge, will last 8 weeks and will be held Tuesdays and Thursday evenings during that time. Assistant City Manager Anderson said it's a good way to get an introduction to starting a business.

Discussion followed.

11.3. Information Sharing

City Manager Nunes said she attended the Dinuba Chamber of Commerce annual Awards Dinner. Vice Mayor Morales and Council Member Smith were also in attendance. Nunes reported that Vice Mayor Morales gave the State of the City address in Mayor Hinesly's absence.

Nunes reported that the Good Morning Dinuba meeting will be held at Bennani's Restaurant tomorrow morning.

ENGINEERING AND PLANNING SERVICES

12.1. ADA Transition Plan Adoption, Resolution 2014-08

City Engineer Uota shared that in addition to information provided earlier during the work session, the ADA plan will provide intermittent pedestrian facilities.

Discussion followed.

Engineer Uota asked the City Council to adopt Resolution 2014-08 to effecting the adoption of the ADA Transition Plan.

It was motioned by Vice Mayor Morales, second by Council Member Smith, to adopt Resolution No 2014-08 as presented.

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

12.2. Measure R Supplement for Alta Heritage Square Project

Engineer Uota reported that in May 2013 the CTC approved allocation of \$100,000 in TE funds for construction phase of the Alta Heritage Square Project. He explained the scope of the project. Uota then explained that in order to increase the City's chance of receiving TE funding the City agreed to use a "Community Conservation Core" to complete a portion of the identified scope of work. The group, CSET, meets the criteria and will construct the ADA ramps and landscaping/irrigation part of the project. The construction cost of the project is \$32,800.

Uota reported that in January 2014, the City Council awarded the construction contract for the remaining construction scope to JT2 Inc., Todd Co for \$194,841.

The total estimated cost of the project is \$268,825. There is roughly a \$100,000 budget shortfall. Staff has formally requested additional Measure R funding from TCAG and TCAG staff has determined there is

additional funding available. The revised Measure R funds will increase to \$149,000 making the project budget total \$275,000 covering all identified expenditures including a construction contingency.

Once executed, the program supplement will give force a defect to the Measure R Cooperative Agreement executed between the City of Dinuba and TCAG and will allow the City to access the identified Measure R funds for the project.

A motion was made by Council Member Smith, second by Vice Mayor Morales, to authorize the City Manager to execute a Program Supplement for the Downtown Plaza Streetscape Project.

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

12.3. Authorization to Award Sports Equipment and Specialty Flooring Contracts for the Dinuba Sportsplex Center

Engineer Uota presented information to award the specialty flooring contracts for the Dinuba Sportsplex Center to seven specialty contractors. Uota explained that the Council recently voted to reject the sole bid received as it exceeded the budget amount. This action allowed staff to review the bid specifications and make necessary revisions to reduce the cost of the project for a subsequent bid advertisement.

Uota reviewed the overhead costs and staff's determination that it would be best to advertise bids for separate equipment packages minus installation. He said the bids were advertised beginning December 19, 2013 and were received and opened on January 23, 2014. As a result, staff recommends awarding all Sporting Equipment and Specialty Flooring contracts to their respective lowest responsive bidder. Funding will be paid by Prop 84 Statewide Park and Development and Community Revitalization Grant and local match funds.

A motion was made by Council Member Harness, second by Vice Mayor Morales, to authorize the award of Seven Sporting Equipment and Specialty Flooring Contracts to the lowest responsive bidders.

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

12.4. Information Sharing

Engineer Uota shared that the Notice to proceed will be issued to Papich Construction this week and it will begin the 18-month process for the Avenue 416 project to be completed. Information will be available on our city website and SGI will keep the community informed via twitter and other social media.

FINANCE SERVICES

13.1. Notice of Award – Distinguished Budget Presentation Award from the Government Finance Officers Association of the United States and Canada

Finance Director Cook said there are two awards staff seeks each year, the CAFR and the Budget Book award. Staff recently received notice that they were awarded the Government Finance Officers Association Distinguished Budget Presentation Award. He read a portion of the press release into the record. He pointed out that the GFOA's Distinguished Budget Presentation Award is the only national awards program in governmental budgeting.

The City Council congratulated staff on the honored achievement.

13.2. Information Sharing

Director Cook reported that tomorrow is the budget kickoff meeting for the next fiscal year.

FIRE SERVICES

14.1. Information Sharing

Battalion Chief Doyle said Chief Thompson was not available so he is represented him.

Chief Doyle said we believe we are going to have an antique fire apparatus element in the fire truck pull this year. He said other cities have the element so staff is actively seeking participation.

Discussion followed in regard to Pull for a Cure event benefitting American Cancer Society's Relay for Life event in Dinuba.

He said this year's event will be even better than past years.

PARKS AND COMMUNITY SERVICES

15.1. Co-sponsorship Korean Independence Day Re-enactment Parade

Director Carrillo presented the co-sponsorship of the parade re-enactment and street closure of the Korean Independence Day event. The parade will begin at 3:30 in front of Dinuba PD at the former site of the Korean Church. He explained the parade route. Staff has secured the Dinuba High School Band. There is expected to be 500 to 600 spectators to be bused in from the bay area. Staff will oversee the event.

The fiscal impact is estimated at approximately \$2,500. Carrillo requested that the City Council approve the parade re-enactment, street closure and co-sponsorship of the event as presented.

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

15.2. Information Sharing

Carrillo reported that registrations are being taken for baseball / softball program. Participation is expected to be 600 to 650 registrants.

POLICE SERVICES

16.1. Information Sharing

Chief Popovich shared a new police officer was recently hired, Officer Miguel Lopez, a former reserve officer. He will be introduced next meeting.

PUBLIC WORKS

17.1. Adoption of 2013 Building Codes, First Reading, Read Title, Waive Reading in Full, Ordinance 2014-01

Building Official Hartley was present to introduce an ordinance to adopt the 2013 Building Codes. He explained elements of the revisions. Hartley requested the City Council accept the introduction and first reading of the draft Ordinance No 2014-01. He said that no public hearing is necessary.

Council Member Harness asked if this is anything like the sprinkler regulation. Hartley said no and added that the biggest will be the changes to the motor code.

Hartley said he recommends adopting the ordinance because whether or not we approve it, this is state law and we must still comply.

Discussion followed.

It was motioned by Council Member Smith, second by Council Member Harness, to accept the introduction and first reading of the draft Ordinance No. 2014-01.

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

17.2. Planning Commission Action, February 4, 2014

Director Beltran reported the action taken at the Planning Commission at the meeting of February 4, 2014.

17.3. Information Sharing

Director Beltran reported a reminder of the criterium bicycle race downtown.

Beltran said staff is conducting well soundings; one was conducted on January 27 and another this week. The test in January showed recovery and another test showed wells dropping. Staff is not sure what is going on. Staff is conducting a leak detection test. Staff intends to come back with a conservation ordinance in a future meeting. Staff will contact other cities to see what their plans are regarding water conservation. Staff heard we are the only city that does not have a mandatory conservation process in place but staff will confirm the information.

The meeting was adjourned to closed session at 7:28 pm.

CLOSED SESSION

18.1. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Number of Cases: (ONE (1) case)

Name of Case: City of Dinuba v. Thusu

ADJOURNMENT

The meeting was adjourned at 8:05 pm.

Janet C. Hinesly, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk