

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

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

1.1. CITY COUNCIL, PLANNING COMMISSION, AND PARKS AND COMMUNITY SERVICES COMMISSION

- 2015-2019 Capital Improvement Projects

The work session began at 5:38 pm.

Mayor Hinesly, City Council Members Harness, Smith and Gonzalez were present for the work session; Vice Mayor Morales was absent during the work session.

Planning Commissioners Smither, McKittrick and Munoz were present for the work session; Wong and Olesky were not present.

Pro-Youth and Parks & Community Services Commissioners Myer, Kandarian, Lamb, Carrion and Launer were present for the work session; Delgado was absent.

City Engineer Uota began with the definition of the City’s CIP: “A Systematic program of planning for Capital Improvements in advance of their need. A tool designed to assist the community in its orderly development.”

Uota explained the elements of the CIP as: Qualifying Projects; Financial Planning Tool; and, Long Range View.

Engineer Uota presented the current CIP projects.

Funded Projects	Estimate	Funding Source
Road 72 Improvements	\$541,000	CMAQ & Prop 1B
Sierra Way Improvements	\$222,000	CMAQ & Prop 1B
Downtown Alta Heritage Square	\$269,000	TE, Measure R & Local
El Monte Way/Ave 416 Widening	\$35,000,000	SLPP, Measure R & Local

CNF Fueling Station Expansion Phase II	\$1,637,000	FTA, CMAQ & Local
Safe Routes to School Alta/North Way & El Monte/Palm Dr.	\$186,000	Federal SRTS

Council Member Gonzalez asked if the current funded projects will go to bid soon.

Engineer Uota said the Police Department expansion project bids will be opened Thursday.

Gonzalez asked how long before it's completed and Uota said about 6 months.

Mayor Hinesly said when we were talking about the College Park facility for the Scouts several people came forward who wanted to give money for the facility and eventually staff concluded that it was not a good idea. She asked if there are ideas of how to best involve the community.

City Manager Nunes said we can still have community members help with some of the project but with some of it they cannot help. She went on to explain. We will soon be at a time where we will have the opportunity. We need to see how much must be done through contracts and some in-kind. The project will receive state of CA funds for improvements. We have talked about a community garden. She explained what the different clubs have talked about possibly doing to help. The scouts can help with some of the landscape items. Construction would be a liability.

Uota said the budget is limited to \$280,000 for the construction only.

Uota said staff seeks confirmation that the project is consistent with the general plan and the council goals. We will bring this back to be sure it remains consistent with the approved budget.

City Manager Nunes said we may want to ask if the two Commissions would like to see any other projects added.

Planning Commissioner Smither asked where the second fire station will be placed.

Thompson said we only know that it will be needed soon and likely on the west side of the city. Staff is going through the process with a consultant who will give us ideas of where it should be placed.

Planning Commissioner Munoz asked if \$280,000 is sufficient for the reconstruction of the Community Center on College Way because he said he thinks it is a mess.

Engineer Uota said Munoz' assumption is likely correct. Uota explained what we have done and what is currently underway in the project.

Commissioner Munoz asked about the kitchen and Uota said the kitchen is not included in this number.

Pro-Youth Commissioner Lamb asked if the students will be working on it this year.

Uota said it depends when the grant we are pursuing can be completed. We are in hopes it can be done in the third quarter of this year.

Nunes said the HCD Prop 84 Grant is based on affordable housing units have been completed since 2010. Based on that number we can receive a certain amount of monies. We are actually eligible for \$1.1 million. We met today with the consultant working on the grant, even if they are funded at the current level that would leave about \$700,000 to be used on that project. If we get the funding we can move up future phases. It will be split between Roosevelt Park lighting and this project.

The work session was adjourned at 6:08 pm.

CALL TO ORDER

The meeting was called to order at 6:33pm.

INVOCATION

The invocation was led by Chaplain Garcia.

FLAG SALUTE

The flag salute was led by Director Beltran.

PUBLIC COMMENT

- 5.1. 2013-14 LNTC Class Request Event Co-sponsorship and Exclusive Use of Vuich Park, May 1-4, 2014; and, Request for Street Closure for Annual Cinco de Mayo Parade, May 3, 2014

LNTC Class Members Brenda Garcia, Carmen Neri and Rupinder Mann were present to request that the City Council authorize exclusive use of Vuich Park for the Cinco de Mayo event, that the City Council authorizes the street closure for the parade and that the City co-sponsor the event.

It was motioned by Vice Mayor Morales, second by Council Member Harness, to authorize exclusive use of Vuich Park, authorize the street closure for the parade and authorize the City's co-sponsorship of the event as requested.

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

5.2. Unscheduled Items.

Officer James Garcia, Chair for City’s Relay for Life team was present. He requested that Council authorize the Relay for Life banner to be hung across Alta Avenue to advertise the event as in years past.

City Manager Nunes said if the Council is in agreement, staff will make it happen.

CONSENT CALENDAR

- 6.1. City Council Draft Meeting Minutes, February 25, 2014
- 6.2. Acceptance of Other Agency Meeting Minutes
 - Planning Commission, February 4; 18, 2014
- 6.3. Parks and Community Services Commission Draft Agenda, March 18, 2014
- 6.4. Master Development Schedule
- 6.5. Set Hearing – Appeal Planning Commission Decision – Hookah Bar, Applicant Abdu Almurisi, March 25, 2014
- 6.6. Greater South San Joaquin Valley Recycling Market Development Zone (GSSJV RMDZ) Re-designation Tulare County Economic Development Committee, Resolution of Support, No. 2014-14
- 6.7. Ridge Creek Ranch LLP - Approval of Purchase and Sale Agreement

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

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

WARRANT REGISTER

- 7.1. Approval – February 28; March 4, 2014

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. Relay for Life Proclamation No 2014-02

Mayor Hinesly read the proclamation into the record and presented it to James Garcia, Relay for Life representative.

Garcia explained the events intended this year. It is a ten year celebration and it will mark the \$1 millionth dollar raised for American Cancer Society from our small community. Garcia said there will also be an aerial photo taken by the Sheriff's Department of the event between 2:15 and 2:30 pm so he invited all who could come out to the event to be present at that time.

8.2. Information Sharing

None

COUNCIL COMMENTS

9.1. Dinuba Economic Development Commission Applications

A request that the City Council consider the applications submitted and appoint members to the Dinuba Economic Development Commission.

- a. Rosa Areguin
- b. Sandi Miller
- c. Daniel Meinert
- d. Arthur Pena
- e. Ramon Rivera
- f. Robert Rocca
- g. Trinidad Rodriguez
- h. Sandra Sills
- i. Barbara Thiessen
- j. Eddie Valero

Discussion followed in regard to Linda Launer's application. The council decided to close the application period on March 14 and add the item to council for March 25.

Smith/Morales

9.2. Information Sharing

Council Member Gonzalez commended staff for a job well done during the recent rainstorm.

Morales said he attended the Korean parade and staff did a great job.

PUBLIC HEARING

10.1. Home Generated Sharps Disposal Ordinance No 2014-03

Director Beltran presented the purpose of the draft ordinance for sharps waste disposal. She requested the City Council conduct the public hearing to gather comments from the public in regard to the proposed Sharps Disposal ordinance.

Mayor Hinesly opened the public hearing.

Art Pena, Pena's Disposal, said he was present at the last meeting with a container full of sharps that were found coming across the disposal sort line. He said it's the right thing to do. He hoped the Council will vote in favor of the ordinance.

No other comments were brought forward and Mayor Hinesly closed the public hearing.

Mayor Hinesly said she doesn't like the ordinance but we need to start somewhere. She asked where insurance fits into this, she used the example of people who are on Medicare.

Pena said he doesn't know. Since they have never had anyone of his staff become sick, his insurance has never been affected.

Mayor Hinesly said the rates will probably be raised because of the various elements.

It was motioned by Vice Mayor Morales, second by Council Member Gonzalez, to approve the first reading and introduction of Ordinance No 2014-03.

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

- 10.2. General Plan Amendment, Planning Commission Application 2013-14
- a. Resolution No 2014-13
 - b. Ordinance No 2014-02, First Reading and Introduction, Read Title, Waive Reading in Full

Mayor Hinesly opened the hearing, no comments were brought forward.

Discussion followed.

It was motioned by Vice Mayor Morales, second by Council Member Gonzalez, to continue the public hearing to the City Council meeting of March 25, 2014.

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

CITY ATTORNEY

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

No action was taken.

11.2. CLOSED SESSION ACTION: CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

It was motioned by Vice Mayor Morales, second by Council Member Harness, to reform the Deed due to an error in the deed.

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

11.3. Information Sharing

None

CITY MANAGER

12.1. Information Sharing

City Manager Nunes shared we have been working with Fresno Pacific University to bring similar entrepreneurial programs that Reedley and CVBI will be doing and they will be doing the business incubator plan too.

ENGINEERING AND PLANNING SERVICES

13.1. Award of Bid 2013 Street Improvement Projects

City Engineer Uota explained these items are the 2013 street improvement projects. Uota reviewed the bids received and recommended that the City Council award the bid to the lowest responsive bidder Dave Christian Construction.

It was motioned by Council Member Harness, second by Vice Mayor Morales, to award the bid of the 2013 Street Improvement Projects to the lowest responsive bidder Dave Christian Construction.

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

13.2. Information Sharing

None

FINANCE SERVICES

14.1. Information Sharing

None

FIRE SERVICES

15.1. Pull for a Cure Event – Request for Street Closure, April 5, 2014

Chief Thompson requested that the City Council authorize a temporary street closure to hold the annual Pull for a Cure event benefitting the American Cancer Society is scheduled for April 5, 2014.

It was motioned by Council Member Smith, second by Council Member Gonzalez, to approve the street closure as presented in conjunction with the Pull for a Cure event.

AYES: Harness, Smith, Hinesly, Morales, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: None

15.2. Information Sharing

Chief Thompson reported that FEMA staff initially reported to city staff that there are zero matching funds for the Assistance to Firefighters Fire Prevention and Safety Grant but it was later discovered that a match of 5% is required. Thompson said the match equals \$3800 and Measure F funds will be utilized.

Thompson reported that the Firefighters Association participated in the annual Kids Day Fundraiser and more than doubled what they raised the previous year. They raised more than \$4,500.

Thompson reported that there was a fire in the mobile home park north of town last week. There were no injuries but one mobile home was destroyed but the cause is undetermined.

Chief Thompson reported that the Mayor and Council Member Gonzalez have appointments to speak with Matrix tomorrow. Appointments for the others will be determined at a later date.

PARKS AND COMMUNITY SERVICES

16.1. Rummage Sale – Request for Street Closure, April 19, 2014

Director Carrillo presented information requesting authorization to hold a rummage sale at the Entertainment Plaza on April 19. He requested that the City Council authorize temporary street closure in order to hold the event.

It was motioned by Council Member Gonzalez, second by Vice Mayor Morales, to authorize staff to hold the rummage sale and authorize the street closure to hold the event as presented.

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

16.2. Information Sharing

Carrillo shared some pictures of the recent commemorative Korean Independence Parade.

He said baseball/softball registrations yielded 520 sign-ups but even though the sign-up period is over, it will likely be extended to accommodate more sign-ups.

Carrillo said basketball season is not quite over yet.

Carrillo reported that the Zumba class is ongoing with about 30 to 35 participants per night.

He reported that the Spring Fling will be held on April 12.

Carrillo said we've lost a few trees in Lighting & Landscaping areas. Staff is checking to make sure the trees are structurally sound.

POLICE SERVICES

17.1. Information Sharing

Chief Popovich said he attended the Korean Parade which turned out to be a nice event. He said he attended the Dinuba Woman's Club luncheon yesterday as a waiter to raise money for Relay for Life.

Popovich said the police department will be hiring a police reserve this week and interviewing some more candidates.

PUBLIC WORKS

18.1. Water System Supply Update

Director Beltran presented the information in regard to water systems supply.

Council Member Harness asked what the amount of a citation is after the third warning? What is consistent with administrative citation?

Council Member Smith asked from where do the stages originate?

Beltran said they are what already exist in our water conservation ordinance today. Visalia is considering a 5th stage, Reedley or Sanger has four stages. She reiterated that these were taken from our existing ordinance.

Council Member Gonzalez said this is a tough call with the drought. The water district is not feeling good about the water situation. He described a recent fire in the mountains that normally at this time would not have happened at this time of year. He agreed with staff's report.

Vice Mayor Morales agreed.

Hinesly said we can't be arrogant and irresponsible because we've got water now. She stated stage 2 can be implemented by the city manager as the current ordinance mandates.

Council Member Gonzalez stepped away from the dais at 7:41 pm and returned at 7:42 pm.

Mayor Hinesly asked if what we're talking about is implementing stage 2. Beltran confirmed. She asked if there is an option that conserves water well and above others. She said the concept of conserving water doesn't work in her mind.

Director Beltran said the last time staff ran numbers which is what is pumped out of our wells we came up with 216 gallons used per person per day. It was previously determined that each person needs to reduce usage by 37 gallons. She explained how water is pumped, "on demand." She explained making no changes will continue to make matters worse. The ordinance is written with specific requirements. If you stayed in the voluntary stage and added a watering schedule you could do that but it's difficult to enforce something that is voluntary and gain results. She said, "going back to council member Harness question about the fines, they are \$100 for the first, \$200 for the second, and \$500 for each subsequent. In this case the citation would be issued on the fourth warning.

McCloskey said the fines would be issued within a one-year period at these amounts.

Discussion followed.

Hinesly asked Barbara Thiesen who was in the audience if this is something that lends itself to something in the school system. Thiesen said she doesn't know about the education system but the district's MOT is adjusting and cutting back on water usage already.

Harness said he wants to see a public hearing if we are going to go "full bore." He said he would like to see the water days implemented. He doesn't want to see the sidewalks not being washed down.

Mayor Hinesly asked why the city manager has the authority to implement.

City Manager Nunes said this is what is in our existing ordinance and she prefers to get feedback from the Council prior to implementing any course of action.

Council Member Smith said he agrees because his constituents will be asking him.

Dan Meinert who was in the audience said when we enacted the voluntary measures in 1989 the water utility budget was around \$900,000 and we saw a 30% decrease in revenue and it was voluntary measures. He described some low flow shower heads and bags for toilet tanks were recommended back then to conserve water. He said revenues were devastated and we were at a point where we were contemplating laying off about half the water utility staff as a result of the revenue loss. We saw favorable water levels as a result.

Meinert explained how the aquifer is affected in the daytime vs. nighttime usage. He also said that usage and pumping the water is much easier using it at night than in the day.

Discussion followed in regard to timing of the public hearing.

Mayor Hinesly said she would like to see what other cities are doing and she wants to see what measures we need to take.

Council Member Harness said there should be some exemptions for some businesses like gas islands maybe washing off islands after 7:00 pm.

The City Council directed staff to notice the public hearing in regard to water conservation efforts to be held on March 25, 2014.

18.2. Authorization to Apply for Federal Transit Administration Section 5311 Operating Assistance Grant

Director Beltran reported that this is a request to the City Council to authorize staff to apply for a FY 2013/14 Federal Transit Administration Section 5311 Operating Assistance Grant to fund a portion of operating expenditures for the Dinuba Area Regional Transit System.

Director Beltran reported.

It was motioned by Council Member Gonzalez, second by Vice Mayor Morales, to authorize staff to apply for a FY 2013/14 Federal Transit Administration Section 5311 Operating Assistance Grant to fund a portion of operating expenditures for the Dinuba Area Regional Transit System.

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

18.3. Information Sharing

None

CLOSED SESSION

19.1. 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, Tulare County Superior Court

19.2. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision
(a) of Section 54956.9: Number of Cases: (ONE (1) case)

ADJOURNMENT

The meeting was adjourned at 9:00 pm.

Janet C. Hinesly, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk