

**COUNCIL MEMBERS PRESENT:** Smith, Hinesly, Morales

**COUNCIL MEMBERS ABSENT:** Harness, Gonzalez

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

#### **CALL TO ORDER**

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

#### **INVOCATION**

The invocation was led by Cass Cook.

#### **FLAG SALUTE**

The flag salute was led by Erv Toews.

#### **PRESENTATIONS**

4.1. Mary Newton, Centennial Birthday - Key to the City

Mayor Hinesly presented a Key to the City to Mary Newton in recognition of her centennial birthday on July 1. Her daughter Kathleen Kelly was present with her and shared some information about Newton. The Council congratulated Newton on her centennial birthday.

#### **PUBLIC COMMENT**

5.1. Unscheduled Items

None

#### **CONSENT CALENDAR**

6.1. Approval of Minutes – City Council Meeting, June 24, 2014

6.2. Acceptance of Other Agency Minutes

- a. Dinuba Economic Development Commission, June 5, 2014
- b. Planning Commission Meeting, June 3, 2014
- c. Police Advisory Commission Meeting, May 6, 2014

6.3. Citizens Oversight Commission Draft Agenda, July 18, 2014

6.4. Set Hearing – Community Development Block Grant (CDBG) Grantee Performance Report, Program Income Waiver (Transit Center), July 22, 2014

6.5. Set Hearing – Street Vacation a Portion of O Street between Alta Ave and Fresno Street, July 22, 2014

6.6. Master Development Schedule

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

**AYES:** Smith, Hinesly, Morales

**NOES:** None

**ABSTAIN:** None

ABSENT: Harness, Gonzalez

**WARRANT REGISTER**

7.1. Warrant Registers - June 27; July 3, 2014

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

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

**MAYOR'S MINUTE**

8.1. Information Sharing

Mayor Hinesly shared a few details about her recent vacation.

**COUNCIL COMMENTS**

9.1. Request for Excused Absence – Council Member Aldo Gonzalez, June 24, 2014

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

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

9.2. Reminder – Rancho Vista Ribbon-Cutting Ceremony, 11:30 am, July 11, 2014

Mayor Hinesly announced the ribbon-cutting ceremony for the new Rancho Vista subdivision will be held on Friday.

9.3. Information Sharing

Vice Mayor Morales shared details of a recent trip.

**PUBLIC HEARING**

10.1. Zone Text Amendments, Application 2014-08

- Resolution 2014-33
- Ordinance 2014-04, First Reading and Introduction, Read Title, Waive Reading in Full (continued from June 26, 2014)

Jerome Keene, Senior Planner, Quad-Knopf was present give information on the zone text amendments. The item was brought to the City Council to address policy issues, make corrections, and clarifications to the Dinuba Zoning Ordinance as follows:

- Update the definitions sections with new definitions and revisions to existing definitions;
- Update the existing zoning Matrix for several sections of the Zoning Ordinance

Revise permitting requirements for various sensitive uses; and  
Revise sections fo the Zoning Ordinance to clarify certain currently ambiguous regulations and incorrect references.

The proposed text amendments would revise the City Codes as follows:

- Tattoo/body art and body piercing establishments
- Hookah bars and tobacco stores
- Hydroponic stores
- Internet gambling businesses
- Communication and wireless facilities (cell towers)
- Cell phone stores
- Drive-in restaurants
- Home occupation (cottage food employee requirements)
- Removal of signage from closed businesses
- Restaurants serving alcohol
- Residential uses on upper floors in C-2 zone

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

Mayor Hinesly the City Council opened the public hearing to gather public comments in regard to Application 2014-08, Zone Text Amendments.

No comments from the public were brought forward.

It was motioned by Council Member Smith, second by Vice Mayor Morales to adopt resolution 2014-33.

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

It was motioned by Council Member Smith, second by Vice Mayor Morales, to approve the first reading and introduction of Ordinance 2014-05.

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

Deputy City Clerk Barkley read the title of Ordinance 2014-05 into the record.

- 10.2. Rezone and General Plan Amendment, Application 2014-05
- Resolution 2014-34
  - Ordinance 2014-05, First Reading and Introduction, Read Title, Waive Reading in Full

Planning Tech Carrillo presented information for rezone and general plan amendment concerning Application 2014-05. Carrillo reported some background information about the General Plan Amendment and Zone Change for seven properties located on the north side of West El Monte Way between Arkona Avenue and Alta Avenue.

Carrillo presented background for application 2014-05, Angel Speed LP and Pablo Contreras. Contreras owns the easternmost parcel while Angel Speed is in the process of acquiring the six westernmost parcels from the City of

Dinuba/Dinuba Successor Agency. The properties, 153, 175, 191, 225, 243, 251, 285 West El Monte Way, Dinuba, north of West El Monte Way and between Arkona Avenue and Alta Avenue (APNs 014-063-033,036,037,034,035,021,026).

The applicants requested rezone of the sites from RM-3 to C-4. The lots are vacant due to Ctiy acquisition for the Avenue 416/El Monte Way widening project and the Alta Avenue/El Monte Way intersection project. Contreras intends to develop an office building on his parcel and Angel Speed LP plans to develop a Western Dental office and a second building for commercial, restaurant, or office-type use.

Carrillo explained that the Planning Commission held a public hearing in regard to the proposed Application 2014-05 rezone. Public comment were received in regard to traffic impacts; placement of a block wall along the northern boundary of an adjacent alley; and, public comment was received in support of the proposed rezone. The Planning Commission approved the application but added one condition of approval as recommended by the San Joaquin Valley Air Pollution Control District. The Condition ensures that the applicants comply with all Air District rules prior to commencement of any commercial or office uses.

Carrillo explained that the changes comply with the requirements of the Dinuba Zoning Ordinance and all elements of the Dinuba General Plan, specifically the Land Use Element, which encourages the location of the General Commercial areas along arterial streets such as El Monte Way. Costs will be included in the fees collected from the applicant.

Carrillo requested that the City Council conduct a hearing to gather public comments in regard to Application 2014-09.

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

It was motioned by Vice Mayor Morales, second by Council Member Smith, to adopt Resolution 2014-34, approving Application 2014-05, an application for a General Plan Amendment and Zone Change for seven properties located on the north side of West El Monte Way, between Arkona Avenue and Alta Avenue.

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

It was motioned by Council Member Smith, second by Vice Mayor Morales, to approve the first reading and introduction of Ordinance 2014-05.

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

Deputy City Clerk Barkley read the title of Ordinance 20214-05 into the record.

10.3. Edward Byrne Justice Assistance Memorial Grant (JAG), Resolution 2014-31

Sgt. Robison requested that the City Council conduct a public hearing to allow the public an opportunity to comment on the expenditure of the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) funds.

Robison explained the federally funded grant allocates an amount of money for selected law enforcement departments in California. The Dinuba Police Department applied for and was awarded the grant in the last several years, allowing for the purchase of much needed equipment.

The JAG will assist the department providing additional funding for local initiatives, tech assistance, training, personnel, equipment, supplies, contractual support and information systems for criminal justice programs. The grant award for Dinuba is \$14,044 and the department plans to purchase new audio/video equipment for interview and interrogation of suspects, victims and witnesses, as well as “simulations” for force on force training at monthly range trainings.

The grant is \$14,044 and the total cost of the projects is \$15,489.74; the balance will be absorbed by the department’s budget.

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

It was motioned by Vice Mayor Morales, second by Council Member Smith, to adopt Resolution 2014-31.

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

**CITY ATTORNEY**

11.1. Closed Session Action - Conference with Legal Counsel: Labor Negotiations

No action was taken as a result of closed session discussions.

11.2. Information Sharing

None

**CITY MANAGER**

12.1. June Primary Election Official Canvass, Resolution 2014-32

Deputy City Clerk Barkley presented the Certified Official Canvass of Elections for the City Council’s consideration. She requested that the Council adopt Resolution 2014-32 declaring and ratifying the official certified results of the Primary Election; and, direct staff to enter the certified results of the election into the official City Council meeting minutes.

It was motioned by Vice Mayor Morales, second by Council Member Smith, to ratify the official certified results of the Primary Election held June 3, 2014.

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

12.2. Information Sharing

City Manager Nunes shared information about her recent trip to Wisconsin.

**ENGINEERING & PLANNING**

13.1. Planning Commission Action, July 1, 2014

City Engineer Uota presented information about the recent Planning Commission meeting.

13.2. Information Sharing

None

**FINANCE SERVICES**

14.1. Information Sharing

Finance Director Cook reported that the Auditors are in the office this week.

**FIRE SERVICES**

15.1. Authorization to Purchase Ambulance

Chief Thompson presented information in regard to the purchase of a 2014 Chevrolet G-3500 wheeled coach Type III Citimedic Module ambulance.

Chief Thompson explained the current ambulance has over 250,000 miles.

It was motioned by Council Member Smith, second by Vice Mayor Morales to authorize staff to purchase a 2014 Chevrolet G-3500 Wheeled Coach Citimedic Module ambulance.

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

15.2. Information Sharing

Chief Thompson reported Ryan Wilson was sent to a fire and returned recently. Chief Doyle is at a fire in the Napa area and should return soon.

**PARKS AND COMMUNITY SERVICES**

16. Information Sharing

Planning Tech Carrillo said staff recently approached the Council for authorization to apply for a grant but the application was unsuccessful.

We were advised recently that we are the recipients of a grant in the amount of \$1,046,000 for park upgrades for several park facilities and grounds.

Dinuba Pro-Youth and DPOA / Explorers sold over \$27,000 and netted \$9,200 which will be split amongst the three groups.

Gearing up for color fun run which will happen August 2.

Independence Day Celebration event was held on July 3 and it was very well attended.

Council discussion followed.

**POLICE SERVICES**

17.1. Information Sharing

Chief Popovich reported that there was a DUI checkpoint Saturday night.

He also reported that the victim of a recent assault is doing much better.

Chief Popovich reported that the Orange Cove Police Department arrested a suspect for a recent attempted homicide that occurred in Dinuba.

**PUBLIC WORKS**

18.1. Authorization to Submit Allocation Request - Public Transportation Modernization, Improvement, and Service Enhancement Account Program (PTMISEA) Grant

Director Beltran reported information in regard to the PTMISEA grant. She explained that staff would like to apply for the grant in the amount of \$124,697 for use toward a new transit bus purchase. The Public Transportation Modernization, Improvement, and Service Enhancement Account Program (PTMISEA) was created by Prop 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. There are \$3.6 billion dollars allocated to the PTMISEA program available to transit operators over a ten-year period. Funds may be used for transit rehabilitation, safety or modernization improvements, capital service enhancements or expansion, new capital projects, bus rapid transit improvements, or rolling stock (buses and rail cars) procurement, rehabilitation or replacement.

Beltran shared that the Federal Transportation Administration recommends a four to seven year service life for the types of vehicles that comprise the Dinuba Area Regional Transit (DART) fleet. The current Transit Development Plan (TDP) recommends a transit fleet of 10 for our system. The DART system is currently 2 vehicles short of the TDP requirements.

Staff recommends the purchase of a medium-duty cut-away fueled with compressed natural gas. Seating should be at least 16 passengers plus two wheelchairs. The City wishes to use the California Association for Coordinated Transportation’s purchasing Cooperative to make this compliant with Federal Transit Administration procurement requirements and is also allowed by the City of Dinuba’s Purchasing Policy. Using the referenced Purchasing Cooperative allows the City to forego the formal bidding process and as a result is able to make this purchase faster.

The PTMISEA program is not a competitive grant program. Receipt of the allocation will occur once the bond money is available from the state and there is no match required.

It was motioned by Vice Mayor Morales, second by Council Member Smith, to authorize staff to submit an allocation request to the State of California’s PTMISEA Program to purchase a transit bus.

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

18.2. Information Sharing

Beltran shared a letter that will go to residents in regard to the new waste disposal cans/system.

Beltran reported we were one of 2 cities that received news from the State Regulatory Assistance Fund that we will receive \$200,000 to offer residents drought assistance.

**BREAK**

Mayor Hinesly declared a break at 7:33 pm.

Mayor Hinesly reconvened the meeting in closed session at 7:38 pm.

**CLOSED SESSION**

19.1. CONFERENCE WITH LEGAL COUNSEL – LABOR NEGOTIATIONS

Pursuant to paragraph (a) and paragraph (b) of Section 54957.6:

Agency designated representatives: City Manager Nunes and City Attorney McCloskey

Employee organization(s): Police Association

**ADJOURNMENT**

The meeting was adjourned at 8:06 pm.

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Janet C. Hinesly, Mayor

ATTEST:

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Linda Barkley, Deputy City Clerk