

COUNCIL MEMBERS PRESENT: Smith, Hinesly, Gonzalez

COUNCIL MEMBERS ABSENT: Harness, Morales

STAFF MEMBERS PRESENT: Anderson, Avila, Barkley, Carrillo, Cook, James, McCloskey, Popovich, Thompson, Uota

CALL TO ORDER

The meeting was called to order at 6:40 pm.

INVOCATION

The invocation was led by Supervisor Worthley.

FLAG SALUTE

The flag salute was led by Pastor Aiken.

COMMUNITY RECOGNITION AND APPRECIATION

4.1. 2014-2015 Miss Dinuba and Court

Cristy Meyers and Shirley Stormont were present with the newly crowned Miss Dinuba and her court. Most of the candidates were present.

Pageant Executive Director Meyers introduced the young ladies.

Mattie Tuttle; Katie Morgan; Anyssa Ramirez and Destiny Rodriguez comprise the new court.

The candidates all introduced themselves to the City Council and one candidate, Courtney Hogue was absent.

The Council Members congratulated the young ladies.

Meyers said the ladies will perform at Vuich Park on Saturday during the Raisin Day event.

NEW EMPLOYEES AND PROMOTIONS

5.1. Public Works – James Ferrales, Waste Water Reclamation Operater Trainee

Business Manager Avila introduced Ferrales who was hired as wastewater facility trainee.

Council Member Smith, Council Member Gonzalez and Mayor Hinesly welcomed Ferrales.

PRESENTATIONS

6.1. Supervisor Steve Worthley, Tulare County Update

Supervisor Worthley thanked those who attended the Oliver Bridge dedication ceremony. Worthley said it is a beautiful addition to Avenue 416. He reported the County is in the process of acquiring remaining property to continue the road widening project.

Worthley reported the County is in a good financial position and able to give pay increases of 3% that have not been given for a long time. He reported the County has one more loan payment and the county will be free of that debt.

Worthley said the last time he was here Council Member Smith asked about landfill issues; Worthley reported that contracts have been reduced. He said that landfill contracts have made a major turnaround compared to a year ago.

Worthley said that at the last meeting of the San Joaquin Valley Air District on where he serves as Board Member, a new regulation was adopted concerning the use of fireplaces. The latest rule has further reduced use standards more so that now there are less burn nights. He explained that EPA-approved wood stoves are allowed to burn when others are not allowed. For Tulare County that means there might be a couple nights that people cannot burn. He explained that 5 tons of pollutants can be removed from the air each night with implementation of the new rule.

Council Member Smith said many of us have heard about the new library in London. He asked Worthley to share what he knows about the project.

Worthley said Robert Isquirdo has raised \$50,000 for the library and the county librarian has agreed to make it a branch library; the County is currently working with the landlord for placement of the library. The goal is to place a book vending machine which will provide 24 hour access to books to the London community.

Mayor Hinesly thanked Worthley for the County update.

6.2. Jim Aiken, Faith in Action Sunday, October 12, 2014 - Request for Use of Vuich Park Bandshell, Waiver of Fees and City Co-sponsorship

Pastor Jim Aiken, Dinuba Ministerial Association, was present Faith in Action Program will have several projects throughout the community. Aiken said there are currently projects planned for Open Gate, Dawnings Pregnancy Center and Washington Intermediate School. The group plans yard work for seniors and there are also projects scheduled for New London. Aiken said if the City has projects he will rally volunteers for that too. Aiken said Ruiz Foods donates food for the day as well as a provider from Reedley.

It was motioned by Council Member Smith, second by Council Member Gonzalez to waive fees and to approve the cosponsorship of the Faith in Action Project by waiving the fees for use of the band shell.

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

6.3. Romelia Castillo – Veterans Day Parade, Request for Street Closure, November 11, 2014

Romelia Castillo was present with the VFW President of Alta Post 19. Castillo asked for the City's help to hold the Veterans Day parade and she had questions about the Pioneer Day event.

Castillo was informed that the Pioneer Day event will occur November 11, 2014 at 10:00 am so the road closure will be at 9:00 am.

Discussion followed.

Castillo asked if public works would allow them to use the barricade signs, she also asked for the police explorers help.

Castillo said that a dinner is being planned for Wednesday October 29 at Dinuba Memorial Hall and she is working on getting sponsors for the dinner.

Discussion followed.

Assistant City Manager Anderson said the City bills for services provided by staff. She said the Council may only consider the street closure tonight which is the only item on the agenda for consideration in the matter. The other items need to come back at a later date for consideration and approval.

It was motioned by Council Member Smith, second by Council Member Gonzalez, to approve the street closure as requested.

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

Castillo thanked the police and fire associations for donating to the wall project. She said other communities are giving because they gave. Castillo reported that the owners of the wall will be here October 10 and they would like to meet with community folks. She said she is busily working to report to them the monies are being collected daily.

- 6.4. Bully-free Workplace, Proclamation 2014-12
- 6.5. National Breast Cancer Awareness Month, Proclamation 2014-13
- 6.6. National Fire Prevention Week, Proclamation 2014-14
- 6.7. Gold Star Mothers' Sunday, September 28, 2014, Proclamation 2014-15

Mayor Hinesly presented the October proclamations.

PUBLIC COMMENT

- 7.1. Unscheduled Items

Dan Meinert, Dinuba Kiwanis Club, invited the Council to a pancake breakfast hosted by the Lion's Club from 6-9:30 am at Dinuba Memorial Hall.

CONSENT CALENDAR

- 8.1. Approval of Meeting Minutes - City Council Meeting, August 26, 2014
- 8.2. Acceptance – Other Agency Meeting Minutes
 - a. Dinuba Pro-Youth & Community Services Commission, July 15, 2014
 - b. Economic Development Commission, August 7, 2014
 - c. Historic Preservation Commission, August 11, 2014
 - d. Planning Commission, August 5, 2014
 - e. Police Advisory Commission, July 1, 2014
- 8.3. Master Development Schedule
- 8.4. Notice of Completion – 2013 City Streets Improvements
- 8.5. Application No. 2014-09, City of Dinuba Street Vacation - Rights-of-Way Dedication, Quit Claim, and Acceptance; Certificate of Acceptance
- 8.6. Set Hearing – Adoption of Transit Development Plan Recommendations, October 14, 2014
- 8.7. 2014 Fall Clean-up Event; 7 am – 3 pm, October 25, 2014

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

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

WARRANT REGISTER

9.1. Warrant Register – August 29; September 5, 12, 19, 2014

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

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

MAYOR’S MINUTE

10.1. Information Sharing

Mayor Hinesly and Assistant City Manager Anderson attended the LOCC SSJVD Board meeting yesterday where several hot bills related to the drought were discussed. She reported the League’s General Division meeting will be held on October 9 in Reedley and the topic will be about the energy grid.

COUNCIL COMMENTS

11.1. Request for Excused Absence
a. Council Member Emilio Morales, August 26, 2014

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

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

b. Council Member Janet C. Hinesly, August 26; September 9, 2014

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

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

c. Council Member Aldo Gonzalez, September 9, 2014

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

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

d. Council Member Mike Smith, September 9, 2014

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

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

11.2. November 11, 2014 Federal Holiday / City Council Meeting

Assistant City Manager Anderson explained if the Council chooses to do nothing, the regularly scheduled November 11 City Council meeting will go on as scheduled. There are several community activities that night to consider. She advised that the Council has the discretion whether or not to cancel or reschedule the meeting.

Mayor Hinesly said she won't be present on November 11.

It was motioned by Council Member Gonzalez, second by Council Member Smith to cancel the November 11, 2014 Council meeting with the caveat that if pressing business attention, a special meeting will be called.

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

11.3. Request for Reappointment to Police Advisory Commission

- a. Salvador Medina
- b. Raymond Millard

It was motioned by Council Member Smith, second by Council Member Gonzalez, to reappoint Medina and Millard to the Police Advisory Commission.

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

11.4. Reminder – League of California Cities SSJVD General Meeting, October 9, 2014; Reedley

11.5. Reminder – Red Ribbon Night, 4:15 pm, October 27, 2014; Dinuba High School

11.6. Reminder – Dawnings Second Annual Harvesting Hope Banquet, 6:30 pm, October 28, 2014; Visalia

Holiday Inn

11.7. Reminder – Battle of the Badges, 3-7 pm, November 10, 2014; Big 5 parking lot

11.8. Reminder – Ruiz 4 Kids Fundraiser Event; 6:00 pm, November 11, 2014; Visalia Convention Center

Assistant City Manager Anderson shared reminders of upcoming events with the Council.

11.9. Information Sharing

Council Member Smith said he attended the TCAG meeting. He reported some of Dinuba's Streets were on TCAG's list of projects for discussion at the meeting.

PUBLIC HEARING

12.1. Fire Master Plan Adoption, Resolution 2014-42 (continued from September 9, 2014)

Thompson reported that Matrix Consulting Group conducted a thorough analysis on the Dinuba Fire Department. They analyzed the department's service and staffing levels, call volumes, response times, training programs, prevention and public education programs. They also evaluated current fire apparatus and facilities utilized by the fire department. Matrix utilized all the data collected to develop recommendations and strategies to assist the City of Dinuba in ensuring that the current level of service will be maintained or strengthened while accommodating our growing city.

The 2014 Fire Department Masterplan determined that the City of Dinuba Fire Department maintains a high level of service for our citizens and visitors. However, the plan also shows that the department has experienced a large increase in calls for service over the past 10 years and increased city boundaries. The growth triggered additional recommendations such as:

- Increase Daily Staffing by one firefighter one each shift.
- Work with dispatch to increase accuracy of response times.
- Increase the frequency and consistency of fire inspections.
- Add one additional Battalion Chief to oversee Fire/EMS and training.
- Begin the planning process for a second fire station to improve services to the northern and western portions of the City.

City Staff has reviewed the entire Fire Department Master Plan document and believes it will serve as a useful tool to accomplish the goal of maintaining and strengthening the fire and EMS services provided to Dinuba's residents. As mentioned above, the recommended action for this item is to adopt the 2014 Fire Department Master Plan. Authorization to implement the described system recommendations will be requested at future City Council meetings prior to implementation.

Chief Thompson asked that the Council open the public hearing.

Mayor Hinesly opened the hearing.

Maria McElroy, Heather Avenue, Dinuba, said she had the occasion to do a ride-along with Fire Department staff and saw how hard to do all that they do. She rode in an ambulance to the hospital. She said that as a resident, she is all for this and she said she hopes others are also.

Mayor Hinesly closed the hearing.

Discussion followed.

It was motioned by Council Member Smith, second by Council Member Gonzalez, to adopt Resolution 2014-42 as presented.

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

12.2. Standard Agreement Amendment 2012 CDBG-8382 (to be continued at a date TBD)

Business Manager Avila said the process amends the 2012 CDBG-8382 agreement. Avila reported that the state has changed their housing program. It substitutes grant funds with program income and that leaves some grant funds available to do other projects. We want to amend the contract so we can identify what the substitute projects would be. Since this is a new process, the state has been unclear to us on the process and because it is new they are having to work through it. Avila reported that because sufficient information is lacking staff will bring it back at a later date for consideration.

Council Member Gonzalez stepped off the dais at 7:42 pm.

Mayor Hinesly opened the hearing. No comments from the public were brought forward. It was determined that the hearing would be continued to a date yet to be determined.

Council Member Gonzalez returned to the dais at 7:44 pm.

12.3. Consideration of an Ordinance Amending Title 17, Chapter 17.72 of the Dinuba Municipal Code Regarding Regulation of Political Signs within the City

This public hearing was continued to October 14, 2014.

Attorney McCloskey said it has been over 20 years since the code section regarding political signs has been revised. The item will first go to the Planning Commission and then it will come back to the Council for consideration.

Mayor Hinesly opened the hearing concerning political signs.

Attorney McCloskey said the Planning Commission hearing was properly noticed.

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

12.4. Acceptance of Amended Sections of the 2010 Urban Water Management Plan, Resolution 2014-45

Dan Meinert, 4 Creeks Engineering, presented the item. The 2010 Urban Water Management Plan was adopted in 2012. The items to be discussed are, in the State's point of view, minimal for review. He said all urban water management plans are required of all urban water suppliers with water system connections of 3000 or more. He explained that this only deals with the amendments, not the whole plan. Meinert said only about 8 sections need amending to become compliant with DWR.

Meinert reviewed the amendments and asked that the Mayor open the hearing to gather public comments.

Mayor Hinesly opened the public hearing.

No comments from the public were brought forward.

Council Member Smith asked about Measure K and whose idea is it and how does it work.

Meinert said the idea is to structure the rate so that if heavy water usage happens, one would pay for that usage. Essentially DWR is saying that every city needs to look at their rates and see if it encourages excessive use of water. We are already conserving water.

Dinuba has a tiered water usage and has a basic charge. He explained the tiers. The more water used the less paid through those tiers. That means water isn't used wisely. The state is saying that cities should look at the structure and restructure the tiers so that it would encourage reduced usage.

Mayor Hinesly asked if he knows why it is structured like it is.

Meinert said there were two schools of thought. One was an economic development tool; the other is that it assumes that if you are using a lot of water, you already have the infrastructure to accommodate the usage. It doesn't cost much more to provide the consumer the water. Also if water is used at a continuous rate, some of the pumping costs which won't pay the costs to provide the infrastructure, some of the grants and so on. The aquifer is affected and cannot be readily quantified. When the tiers were put into place this community the biggest users were a couple of the packing houses for a couple months out of the year. Now we have large businesses like Ruiz Foods who use large amounts of water. There are certain classes of customers that may be subsidizing the rates for others. There is an imbalance in the rates as found by Quad-Knopf in 2010.

Discussion followed.

It was motioned by Council Member Gonzalez, second by Council Member Smith, to adopt Resolution 2014-45 as presented amending the 2010 Urban Water Management Plan (UWMP).

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

12.5. 2014 Citizens Option for Public Safety (COPS) Grant, Resolution 2014-44

Chief Popovich presented information about the 2014 COPS Grant. The Citizens Option for Public Safety (COPS) Grant is funded through AB3229 and allocates \$100,000 to offset the cost of one police officer position. The funds are dispersed through the Tulare County Supplement Law Enforcement Services funds, and the Dinuba Police Department has been awarded this grant for the past eighteen years.

The Citizens Option for Public Safety (COPS) Grant will assist the department in providing funds to offset the cost of one full-time police officer. The total cost of a full-time police officer is \$127,538. The COPS Grant will offset \$100,000 of the officer's salary and benefits with the remaining \$27,538 being charged to the general fund.

The total cost of a full-time officer's salary with benefits is \$127,538. The remaining \$27,538 will be absorbed by the department's budget.

Mayor Hinesly opened the hearing. No comments were brought forward.

It was motioned by Council Member Smith, second by Council Member Gonzalez, to adopt Resolution 2014-44.

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

CITY ATTORNEY

13.1. Conflict of Interest Biennial Notice to City Council

City Attorney McCloskey explained that this is the biennial notice to the City Council that we will be looking at the Conflict of Interest Biennial Notice. He explained the process.

13.2. Closed Session Action – Conference with Legal Counsel: Labor Negotiations

No action was taken.

13.3. Closed Session Action – Conference with Legal Counsel: Existing Litigation

No action was taken.

13.4. Information Sharing

Mayor Hinesly asked if it's time to renew the ethics training.

Attorney McCloskey said he will be holding those refresher classes once again in December. He said the course may be taken online anytime during the year.

CITY MANAGER

14.1. Information Sharing

Assistant City Manager Anderson reported that City Manager Nunes is out ill but we hope she will return soon.

ENGINEERING & PLANNING SERVICES

15.1. Planning Commission Action, September 2, 2014

City Engineer Uota reported on the Commission's action at the September meeting.

15.2. Information Sharing

Engineer Uota shared information on the El Monte Way widening project. You may have noticed the storm drain construction is advancing to the east. It began last week and continues this week. There were issues with the existing gas main. The actual problem is that the sand was giving way next to the gas main which could become a problem. Production is increasing. We continue to have problems with the gas company and their existing mains. There is another one that may be very shallow close to road 72 so staff will have a meeting with the Gas Company to see what their action plan is so as not to delay the project.

Mayor Hinesly asked if AT&T issues have been resolved. Uota said yes they are resolved. There are a couple of poles that have not been removed but staff is following up with them on those poles.

Council Member Smith asked when that portion of the project will be done from Alta Avenue to Ed Dena's automall.

Uota said he does not know and the contractor does not yet know. Staff is working with the contractor to resolve the issue.

FINANCE SERVICES

16.1. 2013-2014 Fiscal Year-end Budget Amendments

Finance Services Director Cook presented the 2013-2014 Fiscal Year-end Budget Amendments information.

Mayor Hinesly asked if we have given up the fight with the State over our Internet Sales Tax.

Cook said staff feels fighting is fruitless. Our fight is over with the State. Our Internet Sales Tax even with how the State figures it, is increasing.

It was motioned by Council Member Smith, second by Council Member Gonzalez, to approve the 2013-2014 Fiscal Year-end Budget Amendments.

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

16.2. Information Sharing

Cook shared that the 2014-2015 budget is on the City website. Cook reported that we go live with the New World system on Monday which will begin with our payments module. We have an HR module we plan to take live in January, community development in the spring and utility billing in April.

IT and Records Manager James commented the program will be very good.

Discussion followed.

FIRE SERVICES

17.1. Information Sharing

Chief Thompson reported that firefighters remain busy. All our staff is present and not on assignment. Thompson reported that staff usually has 4 special assignments a year but this year there have been 14 and fire season is far from over.

Assistant City Manager Anderson asked the chief to tell the council about the numerous calls received recently.

He reported there were 47 calls received for service within 48 hours. Fortunately, many of them weren't medical emergencies and some of the medical calls went to Reedley.

PARKS AND COMMUNITY SERVICES

18.1. Information Sharing

Director Carrillo said it is good to be back. Staff is working diligently to get the Raisin Festival off the ground. The carnival is setting up now.

He said he spoke with the Chamber and numbers are low on the craft booths.

Carrillo reported the Youth Soccer program is in its practice mode and the first game is scheduled for mid-October. Bark for Life is on October 18 with the usual activities. The time was changed from noon to 1:30 pm. He listed the activities.

Council Member Smith asked if he knows what pre-sale ticket sales are currently.

Carrillo said they are low at the community center this year. Wednesday and Thursday are historically the best sale dates. Ticket prices have gone up. More tickets were sold for Cinco de Mayo this year.

BREAK

Mayor Hinesly declared a break at 8:37 pm.

RECONVENE FROM BREAK

Mayor Hinesly reconvened the meeting at 8:43 pm.

POLICE SERVICES

19.1. Information Sharing

Chief Popovich reported this month has been busy numerous he noted that crimes are up. He reported that there was a car-jacking, a homicide, but he said he's glad to say both crimes were solved and suspects were identified and people are in custody. Chief Popovich reported that unfortunately there had been a fatal accident involving a 3 year old girl it is an ongoing investigation. The driver is cooperating with the investigation.

Mayor Hinesly asked about the car-jacking incident.

Chief Popovich said the investigation is ongoing.

PUBLIC WORKS

20.1. Information Sharing

Business Manager Avila said the 2014 Fall clean-up event was on the consent calendar as an item to note.

The City Council went into closed session at 8:46 pm.

CLOSED SESSION

21.1. 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

21.2. 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 9:06 pm.

Janet C. Hinesly, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk