

COUNCIL MEMBERS PRESENT: Reynosa, Smith, Morales, Harness, Thusu

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

WORK SESSION

1.1 Groundwater Sustainability Legislation – Chris Kapheim

The work session began at 6:00 pm.

Chris Kamphelm, Alta Irrigation District Manager was present to talk about groundwater sustainability and specifically the east Kings Sub-basin and GSA pre-planning. Kapheim shared a PowerPoint Presentation with the City Council and audience. The presentation included the following information.

Administrative issues: GSA Area

- Boundary changes/Sub-basin area changes by DWR in January 2016
- Bulletin 118 designated sub-basin
- Governance and Implementation
- Legislation
- Memorandum of Understanding

Definition of Basin: Basins and Sub-Basins

Justification for a New Sub-Basin

Hydro-geologic Rationale for an East Kings Sub-Basin

GSA Governance Criteria

Example of a GSA: Fox Canyon

Draft East Kings GSA Governance Structure/Membership: County, City, Alta Irrigation District, Special Districts and an Ag Representative

Legislative Solution

East Kings MOU

Signatories to East Kings MOU: City of Orange Cove; City of Reedley; Alta Irrigation District; Hills Valley Water District; Cutler Public Utility District; Tulare County Farm Bureau; Tri-Valley Water District; Kings River Water District and County of Tulare

Kapheim said the bill will be introduced on February 27, 2015.

Kapheim requested the Council participate in the process in order to achieve these things together so the State can't take over our water district. He asked the Council to participate by having key staff join the monthly meetings. The key timelines includes June 2017 at which time there must be a GSA or the State will step in. The other timeline includes that the Plan has to be filed by 2020. If we fail either of those timelines, the State can come in and implement procedures. Alta Irrigation District is trying to stay ahead of that and be prepared.

Council Member Smith asked if the GSA will regulate water that is pumped in and out. Kapheim said we must pump less water or regulate what is pumped. We have a plan to address drinking water issues on the east side. We have to look at criteria that will make a difference. Kapheim said there is funding for the GSA but it needs to be based on good science. The GSA will have authority to address groundwater issues and he explained, "we've never had that authority before. "

Council Member Smith asked if authority includes water recharge.

Kapheim said the GSA will have fee authority, re-testing, and monitoring. He said we must to reduce the amount of water being pumped. The City will have to evaluate the way water is pumped. We need to assess if we are achieving long-term goals. Kapheim said this will be a big project and it will take a lot of effort but with local control there is a better chance of achieving goals than having someone else do so.

Mayor Morales asked Kapheim, "how hard is it to bring water in?"

Kapheim said, "Not easy at all. All the easy fixes have been done."

Council Member Smith asked what role Friant-Kern plays in all this.

Chris said Friant-Kern, The City of Orange Cove and the City of Reedley are on board and signed MOUs amongst others who think it's a good idea.

Council Member Smith asked if the Friant-Kern has a better water supply than Alta Irrigation District.

Kapheim replied no. He said we will service the east side but won't be getting water from the Friant-Kern. We have two different recharge areas; east and west. He added where there is severe shortage, there is little to no recharge. Kapheim said the collective wisdom could be successful. He said we won't be sustainable in 5 years. We have up to 20 years or more to get all these things in order.

Council Member Thusu asked how groundwater is policed between counties or joint agencies.

Kapheim said we have contractual laws and water usage is a scrutinized, very carefully monitored.

Interim City Manager Meinert said City and AID staff met to discuss the item and the guiding principles. He shared the draft agreement produced by the City Attorney.

Kapheim said this is a draft of concepts meant to get the issues on the table to begin having relevant discussion.

Meinert asked Kapheim to discuss with the Council the major pitfalls.

Kapheim said on the west side there is significant groundwater overcharge. The east side is not as bad. We want to make sure that once the State gets involved we protect this area.

Meinert said as they discussed the item this morning, it was apparent that the State's idea is not the best way to deal with this.

Kapheim said collaboration is the best way to go about it at this point, adding it's a very soft path at this point. Once we know more and get a better concept in terms of what we're doing, we will take a more direct path. At this point, the legislation is not written. We will need time to do that. The MOU brought forth now is to bring everyone up to speed.

Interim City Manager Meinert said he and Uota plan to attend the meeting on Thursday afternoon.

Kapheim requested it be placed on the next council agenda for action. Council conceded.

BREAK

Mayor Morales declared a break at 6:30 pm.

CALL TO ORDER

The meeting was called to order at 6:37 pm.

INVOCATION

The invocation was led by Chaplain Susee.

FLAG SALUTE

The flag salute was led by Chief Popovich.

PRESENTATIONS

- 5.1. 2014-15 LNTC Class – Cinco de Mayo Event
 - Request for Co-sponsorship
 - Exclusive Use of Vuich Park, April 30 -May 3,2015
 - Request for Street Closure, Annual Cinco de Mayo Parade, May 2, 2015
 - Cinco de Mayo Event Banner Display, Alta Avenue

Jose Gonzalez was present representing the LNTC Class. He introduced the class members and the facilitator Ruth Medlin. Gonzalez requested the Council authorize co-sponsorship, exclusive use of the park, street closure for the annual Cinco de Mayo parade and, authorize the Cinco de Mayo banner displayed over Alta Avenue.

It was motioned by Council Member Smith, second by Vice Mayor Harness, to authorize co-sponsorship, exclusive use of the park, street closure for the annual Cinco de Mayo parade and, authorize the Cinco de Mayo banner displayed over Alta Avenue.

- AYES: Reynosa, Smith, Morales, Harness, Thusu
- NOES: None
- ABSTAIN: None
- ABSENT: None

NEW EMPLOYEES & PROMOTIONS

- 6.1. Interim City Manager – Daniel L. Meinert

Assistant City Manager Anderson introduced the Interim City Manager Daniel Meinert.

Meinert said it’s a pleasure to be back having been gone nearly 5 years. He said he hopes to help in the transition period with items identified by the City Council. The Council congratulated Meinert on his interim appointment.

- 6.2. Police Department - Eloisa Huerta, Dispatcher

Chief Popovich introduced Eloisa Huerta who was recently promoted to a public safety dispatcher. The Council welcomed Huerta.

- 6.3. Public Works - Matthew Neufeldt, Custodian

Director Beltran introduced Matthew Neufeldt, newly hired as a custodian at the Transit Center. The Council also welcomed Neufeldt.

PUBLIC COMMENT

7.1. Unscheduled Items

Carol Knoy was present and read into the record a statement she wrote about a past police officer. She asked the Council why no effort was made to retain the employee and she asked the Council if a letter of recommendation can be provided him.

Maria McElroy said she wanted to let everyone know that she is very grateful for the police officers, sheriff’s department and CHP. There was a big car chase through her neighborhood yesterday involving all three agencies ending in her back yard. She explained the incident and she stated she is grateful that police officers risk their lives for her and other residents of this community. She thanked the Police Chief and asked that her gratitude be passed on to the officers and canine officer.

CONSENT CALENDAR

- 8.1. Approval of City Council Meeting Minutes, February 10, 2015
- 8.2. Approval of Special City Council Meeting Minutes, February 17, 2015
- 8.3. Acceptance of Other Agency Minutes
 - Historic Preservation Commission Meeting Minutes, January 12, 2015
- 8.4. Human Resources Destruction of Records, Resolution 2015-07
- 8.5. Relay for Life Paint the Town Purple

It was motioned by Council Member Smith to approve the consent calendar but the motion died for lack of a second.

It was motioned by Vice Mayor Harness, second by Council Member Thusu, to pull item 8.4. from the consent calendar to discuss it separately.

- AYES: Reynosa, Smith, Morales, Harness, Thusu
- NOES: None
- ABSTAIN: None
- ABSENT: None

It was motioned by Council Member Thusu, second by Vice Mayor Harness, to approve the rest of the consent calendar.

- AYES: Reynosa, Smith, Morales, Harness, Thusu
- NOES: None
- ABSTAIN: None
- ABSENT: None

Council Member Thusu referred to item 8.4. of the consent calendar and said there are items in those files such as medical records and memos.

Assistant City Manager Anderson said they are miscellaneous records but not necessary that they be kept. There is no purpose for them to be kept anymore.

City Attorney McCloskey explained the differences in various records and informed the Council that there are provisions to destroy records. McCloskey said in the past records have been destroyed by taking similar action. He offered to bring back a guideline to the Council on records destruction policy and he added that we don't have a formal policy in place and it might be something the Council wants to institute in the future.

It was motioned by Vice Mayor Harness, second by Council Member Smith, to approve item 8.4.

AYES: Reynosa, Smith, Morales, Harness, Thusu
NOES: None
ABSTAIN: None
ABSENT: None

Bev Keel-Worrell raised questions about the records to be destroyed. Assistant City Manager Anderson responded to her question and she shared the schedule of the records included in the staff report for clarification.

WARRANT REGISTER

9.1. Warrant Register – February 13, 20, 2015

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

AYES: Reynosa, Smith, Morales, Harness, Thusu
NOES: None
ABSTAIN: None
ABSENT: None

MAYOR'S MINUTE

10.1. Information Sharing

Mayor Morales said he attended a recent meeting about Prop 47 and shared what occurred at the meeting.

Chief Popovich talked about how Prop 47 will and won't affect law enforcement. Discussion continued in regard to the law and Popovich commented that Prop 47 is bad for law enforcement and the community.

COUNCIL COMMENTS

11.1. 2015-2018 City Council Goals

Interim City Manager Meinert presented the results of the goal setting session of the Council that occurred last month. He said the goals could be adopted as is or the council could choose to put them in some sort of order. He said his sense would be to save action on the item for some time in the future.

Council Member Smith agreed it warrants lengthy discussion at a separate meeting.

Vice Mayor Harness explained that he agrees.

Interim City Manager Meinert was directed to conduct a goal session again the way it used to be done. The Council set March 5, 2015 at 5:30 pm for the goal-setting meeting.

11.2. Request for Reappointment – Pablo Contreras, Police Advisory Commission

Interim City Manager Meinert said this is a request for reappointment.

It was motioned by Vice Mayor Harness, second by Council Member Reynosa, to reappoint Pablo Contreras to the Police Advisory Commission.

AYES: Reynosa, Smith, Morales, Harness, Thusu
NOES: None
ABSTAIN: None
ABSENT: None

11.3. Reminder - Joint Work Session City Council and Planning Commission, March 24, 2015

Interim City Manager Meinert said this is a reminder of a joint work session of the Council and Planning Commission.

11.4. Reminder - Joint Meeting City Council and Dinuba Unified School Board, March 26, 2015

Meinert shared the reminder of the joint meeting.

11.5. Reminder – Spring Fling Event, March 28, 2015

Director Carrillo shared information about the upcoming annual Spring Fling event which will occur 11:00 to 1:00 at Roosevelt Park.

11.6. Information Sharing

Vice Mayor Harness said there are folks interested in the Save Mart building but the property managers have not been willing to negotiate.

Council Member Smith said he attended the CWMA meeting and delivered a brief update.

Council Member Reynosa shared the information about the upcoming Kiwanis Banquet to be held March 6.

Council Member Thusu said he looks forward to working with interim manager Meinert and the rest of the Council.

He also said a few words about the upcoming Dinuba Dreams Summit to be held March 14 and urged people to attend the event at Living Word Fellowship.

PUBLIC HEARING

12.1. Program Update to Housing Rehabilitation Program Guidelines; and Homebuyer and Acquisition with Rehabilitation Program Guidelines (continued to March 10, 2015)

Director Beltran requested that the hearing be continued to March 10, 2015 and the Council directed same.

CITY ATTORNEY

13.1. Authorization to Purchase 190 North O Street, APN 017-202-014, Resolution 2015-09

City Attorney McCloskey said we got approval from Council to purchase the real property at 190 North O Street. He requested the Council adopt Resolution 2015-09 authorizing the interim City Manager to sign related documents to purchase the property.

It was motioned by Vice Mayor Harness, second by Council Member Thusu, to adopt Resolution 2015-09.

AYES: Reynosa, Smith, Morales, Harness, Thusu
NOES: None
ABSTAIN: None
ABSENT: None

13.2. Closed Session Conference with Legal Counsel: Anticipated Litigation - Nehf-Gapen Subdivision Update

The item was discussed in closed session. No action was taken on the item as a result of closed session discussion.

13.3. Information Sharing

None

CITY MANAGER

14.1. Interim City Manager Agreement for Services, Resolution 2015-08

City Attorney McCloskey reported that pursuant to the Council's decision to hire Daniel Meinert as the Interim City Manager, he prepared an agreement for services. McCloskey reviewed the document with the Council and after discussion he requested the Council adopt Resolution 2015-08.

It was motioned by Council Member Thusu, second by Council Member Reynosa, to adopt resolution 2015-08 as requested.

AYES: Reynosa, Smith, Morales, Harness, Thusu
NOES: None
ABSTAIN: None
ABSENT: None

14.2. Daniel Meinert - Request for Leave of Absence from the Dinuba Economic Development Commission and Measure R Citizens Oversight Committee

Interim City Manager Meinert requested a leave of absence from the Dinuba Economic Development Commission and Measure R Citizens Oversight Committee during his interim assignment as City Manager.

It was motioned by Council Member Smith, second by Vice Mayor Harness, to approve the leave of absence as requested.

AYES: Reynosa, Smith, Morales, Harness, Thusu
NOES: None
ABSTAIN: None
ABSENT: None

14.3. Information Sharing

Assistant City Manager Anderson shared that the Mayor received a letter from our Korean friends in Eumsong County Korea offering congratulations to the Mayor for his appointment and reminding us of their intent to visit us in the future. Anderson said we will respond to the letter on the Mayor's behalf soon.

ENGINEERING & PLANNING SERVICES

15.1. Information Sharing

City Engineer Uota reported that the unplanned replacement of a water main on Avenue 416 was completed last week and last night some of the businesses were reconnected to minimize the impact to them.

Engineer Uota reported that the two Road Shoulder Stabilization Projects will begin soon. Staff needs to generate a CMAQ invoice. We need to issue the notice to proceed on March 9. Both contractors were told that if it rains again, they will be granted an extension to complete the projects.

Interim City Manager Meinert said we will keep the Council apprised when actual construction occurs.

The Council continued discussion on the projects.

Engineer Uota said staff will do a notice of closure to through traffic. It would be best and safest to keep traffic out of that area. The paving needs to be done without traffic traveling through the project area.

Council Member Thusu said he's glad that public safety is considered. He expressed that all three projects happening will lock the residents in so staff should figure out a plan to keep traffic flowing with plenty of notice ahead of time. Engineer Uota acknowledged.

Vice Mayor Harness asked if progress has been made in getting a signal for the RR crossing and Engineer Uota responded yes and he explained.

FINANCE SERVICES

16.1. Information Sharing

Finance Director Cook said he attended the California Municipal Accounting Officers Conference. He said he learned that the Gas Tax will come in at a lower number. Cook explained the Tax is paid by the number of gallons purchased but nowadays cars are becoming more fuel efficient which in turn affects fuel purchases and taxes.

Council Member Reynosa asked where the money will come from to pay Dan Meinert.

Cook said it will come from the General Fund. He said it looks like sales tax revenues are coming in a little higher but it will be paid from sales tax revenues or from reserves. He said a budget amendment will likely have to be adopted at a later date for this purpose.

Council Member Thusu asked when positions are budgeted, how are they budgeted? He asked what happened to the money left over when former City Manager Beth Nunes left.

Director Cook explained that Nunes was due a pay-out and it was paid out of that fund.

Interim City Manager Meinert stated there was only \$25,000 left in that fund as a result.

Council Member Smith said that information was provided at the last Council meeting.

Vice Mayor Harness asked what other cities are doing in respect to these situations and should we do something different?

Interim City Manager Meinert said the money typically comes from the fund balance or somewhere else. His employment as Interim City Manager for the City of Tulare left nothing in the account so other funds had to be tapped. Meinert agreed with Cook and confirmed there will likely be a budget amendment later to cover the expense.

Council Member Thusu asked what happens if 3 or 4 employees decide to retire at one time.

Meinert said we have had to hold positions open in the past due to funding shortages and if that situation were to occur holding positions open is an option.

Council Member Thusu asked how we could plan funding for anything like this again in the future.

Meinert said in his experience, a pot of money for that use has never existed.

Council Member Smith said it would be tough to budget for something like that and he compared it to budgeting for a flood or other disaster.

Director Cook said the City Manager position is unique because we use a recruiting agency where other positions aren't necessarily recruited in that manner.

FIRE SERVICES

17.1. Information Sharing

Chief Thompson said we have received a public service announcement about a big storm coming our way later in the week.

PARKS AND COMMUNITY SERVICES

18.1. Second Annual Community Rummage Sale, April 4, 2015 - Request for Street Closure

Director Carrillo requested approval of the second annual rummage sale proposed for April 4 from 8:00 to 1:00 pm at the Entertainment Plaza and, he also requested street closure for the event. He explained how the spaces will be sold for the event. He explained the event received positive feedback last year and more booths will be accommodated this year.

It was motioned by Council Member Smith, second by Vice Mayor Harness, to authorize the street closure of the 200 Block of South L Street from Ventura to Kern Street.

AYES: Reynosa, Smith, Morales, Harness, Thusu

NOES: None
ABSTAIN: None
ABSENT: None

Council Member Smith asked that the school nurse be advised of the event because she was interested in it last year. Mayor asked how many spaces were rented last year and Carrillo could not recall but said this year it will be 50 to 60 spaces.

18.2. Summer Night Lights Event, Fridays; June 12 – August 7, 2015

Director Carrillo reported that the Summer Night Lights event is an organized family event every Friday night from June 12 through August 7. He said it was established in Dinuba and due to the positive feedback it will be extended from 6 to 8 events this year. The events will take place at the Entertainment Plaza each Friday night except during the 4th of July holiday. Carrillo reported that he would like to utilize the transit service free of charge to youth who wish to attend the Friday night events. Carrillo reported this year the event will be funded with \$5300 which is a little more than last year.

It was motioned by Council Member Reynosa, second by Vice Mayor Harness, to approve the 2015 Summer Night Lights/Dinuba Farmers' Market Program and make available to Dinuba Youth free transit services on Friday nights during the program hours 6:00 pm-10:00pm; and, approve the request for street closure 200 block of South "L" Street from Ventura to Kern during the event.

AYES: Reynosa, Smith, Morales, Harness, Thusu
NOES: None
ABSTAIN: None
ABSENT: None

18.3. Information Sharing

Carrillo reported this year there are 530 baseball/softball participants enrolled. The program has increased over last year by 2 to 3 teams.

He reported that on February 14 during one of the games an incident occurred involving three parties and said the incident is being investigated. The three participants have been suspended from entering any of the sports programs until the investigation is completed.

POLICE SERVICES

19.1. Information Sharing

Chief Popovich thanked McElroy for her comments about the pursuit and he went on to describe what occurred. The suspects were apprehended and the driver was taken into custody.

PUBLIC WORKS

20.1. Authorization to Apply for Transit Securities Grant, Resolution 2015-10

Management Analyst Ramirez presented the information to the Council and requested the Council take action to adopt Resolution 2015-10 following his report.

Analyst Ramirez explained provided background information on the item for the Council. The California Transit Assistance Fund program was approved as part of the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006 as Proposition 1B with the stated purpose of funding transit system safety, security, and disaster response projects. Total Statewide CTSGP-CTAF allocation is estimated at \$60,000,000 for FY 2014-15. Tulare County was apportioned \$352,405 and the City of Dinuba is eligible to apply for \$17,361. The City has applied for and received this funding over the last several years. Some of the projects funded include facility surveillance, bus surveillance and bus shelters.

Assessment of the City's transit system needs determined that the best use of the funds would be to purchase and install additional bus shelters illuminated with solar lighting. Staff believes that two additional bus shelters can be purchased and installed given the available funds. A decision on the location of these two additional shelters has not been finalized. However, there are several possibilities that staff is currently considering. A final decision will be based on factors such as service demands and right-of-way acquisition. Resolution 2015-10 authorizes the Interim City Manager or his designee to submit an application for the subject funding, execute the associated contract and perform any administrative actions necessary for the successful implementation of the proposed project. There is no local match for the grant.

It was motioned by Vice Mayor Harness, second by Council Member Thusu, to adopt Resolution 2015-10 authorizing staff to make application for the FY 14-15 California Transit Security Grant Program, California Transit Assistance Fund (CTSGP-CTAF).

AYES: Reynosa, Smith, Morales, Harness, Thusu
NOES: None
ABSTAIN: None
ABSENT: None

20.2. Information Sharing

None

CLOSED SESSION

21.1. Conference with Legal Counsel – Anticipated Litigation: Nehf-Gapen Subdivision Update

Pursuant to Government Code Section 54956.9(b)(1), the City Council met in closed session with City Attorney McCloskey to discuss significant exposure to litigation. One (1) Case

ADJOURNMENT

The meeting was adjourned at 9:16 pm.

Emilio Morales, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk