

COUNCIL MEMBERS PRESENT: Morales, Harness, Thusu

COUNCIL MEMBERS ABSENT Reynosa, Smith

STAFF MEMBERS PRESENT: Aguirre, Anderson, Barkley, Beltran, Carrillo, Cook, James, Meinert, Popovich, Thompson

JOIINT WORK SESSION - City Council; Planning Commission; Community Services & Dinuba Pro-Youth Commission

1.1. 2016-2020 Capital Investment Program

The work session was called to order at 5:39 pm. The boards held a joint work session to discuss the City's Capital Investment Program.

Council Members present were Thusu, Harness, and Morales. Council Members Reynosa and Smith were absent.

Planning Commissioners present were Conklin, Munoz, Smither, and Wong. Planning Commissioner Olesky was absent.

Parks and Community Services & Dinuba Pro Youth Commissioners present were Kandarian, Carrion, Lamb, and Launer. Commissioner Delgado was absent.

Associate Engineer Aguirre presented the information regarding the Capital Investment Plan while sharing a PowerPoint Presentation with the following information.

- Transportation Projects
- Water Projects
- Sewer Projects
- Parks Projects
- Other Projects: fire station #2
- Unfunded Projects
- Next Steps

Council Member Thusu asked staff who manages fund balance for ongoing projects and Fiscal Analyst Patino responded that she manages the funds.

Thusu asked about SLPP and she explained how those funds are handled.

Vice Mayor Harness asked about unfunded projects directed to the Planning Commission and Community Services Commission. He asked how the two boards see the unfunded projects.

Director Beltran explained those projects are not prioritized and they are carried over from prior years.

Vice Mayor Harness asked Chief Popovich if purchasing the "unfunded" parking lot near the police department will help the department. Chief Popovich replied it will not.

Vice Mayor Harness asked if the City is able to purchase real property as it becomes available for Roosevelt Park and Vuich Park expansion, which are currently unfunded projects. Staff replied yes, as they become available for purchase.

Commissioner Munoz asked how many properties are still waiting to be acquired. Assistant City Manager Anderson said three on each street adjacent to the parks.

Commissioner Smither asked if the City can purchase the property along El Monte Way for widening.

Director Beltran said the property he asked about is for the second phase of the El Monte Way Widening Project.

Vice Mayor Harness said he has had phone calls from various merchants who are concerned that we seem to have a saturation of tire businesses on one side of town. He talked about adopting an ordinance to regulate that process.

Commissioner Smither said he too has talked with the merchants. He asked if the Council would consider such an ordinance and he explained his history with his past employer who had a similar situation.

Vice Mayor Harness said it may be worth having a work session in the future to discuss the idea.

The work session adjourned at 6:03 pm.

CALL TO ORDER

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

INVOCATION

The invocation was led by Chaplain Garcia.

FLAG SALUTE

The flag salute was led by Batallion Chief Doyle.

PRESENTATIONS

5.1. Richard Marquez, Retiring Fire Captain

Chief Thompson introduced retiring Fire Captain Marquez and thanked him for his service with the Dinuba Fire Department.

Mayor Morales presented Marquez with a parchment signed by city employees and a gift card from the city. Marquez thanked the city family and the crews with whom he's worked.

BREAK

Mayor Morales declared a break at 6:40 pm to celebrate Captain Marquez retirement.

RECONVENE FROM BREAK

Mayor Morales reconvened the meeting at 6:57 pm.

5.3. Sandy Sills, Executive Director Dinuba Chamber of Commerce
1. Citywide Shop Local Campaign

Executive Director Sills introduced Forrest Waltermire from Les Schwab Tires, who talked to the Council in regard to shopping locally. He referred to a recent similar experience with another community. He stated his belief to make a commitment to shopping in Dinuba.

Executive Director Sills said Waltermire is passionate about his commitment to Dinuba. Sills said she presented many ideas to the Council included in her letter to them. She referred to purchasing programs and suggested the proposal

is to come up with a centralized place where businesses would submit information on a preferred business application to create a database as it is submitted. It would help when searching for items as people shop. Sills said when we invest in a local business the money will stay in the community and it builds a better tax base. She asked the Council to let the idea of buying locally be the tone of the community. She said merchants have chosen to open a business in Dinuba and we should all support merchants locally. She urged the Council to set the tone from the top. She said she hopes the Council thinks about the idea.

The Mayor asked Chief Popovich to explain the special tires needed for police cars which we currently purchase out of town.

Chief Popovich explained that there is a requirement mandated by the state on tires for police units. Discussion followed about the special tires.

Interim City Manager Meinert said that in the 1990's the Council established a policy to buy locally within 5% preference of the lowest out of town bidder.

Forrest continued explaining the Shop Dinuba First idea.

Sills shared her thoughts on the 5% preference policy and asked the Council to reconsider the policy.

Director Beltran said she previously met with Waltermire on two or three occasions. She said she has previously explained the 5% preference to him and she said she discussed the special tires with him and the city's fleet supervisors.

Vice Mayor Harness said he feels we need a work session with the chamber of commerce to discuss similar items further.

Council Member Thusu said we should probably review the purchasing policy.

The Council thanked Waltermire for his proposal.

2. Dinuba Chamber of Commerce Golf Tournament, April 10, 2015 – Request for Co-sponsorship

Executive Director Sills asked that the City cosponsor the Chamber of Commerce golf tournament again this year with \$1,000.

It was motioned by Vice Mayor Harness, second by Council Member Thusu to cosponsor the golf tournament at a silver level of \$1000.

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

- 5.4. Sandy Sills, Dinuba Chamber of Commerce - Dinuba Car Show Auto Parts Swap Meet, June 6, 2015
- a. Request for Street Closure Adelaide Way – Registration and Vendor Parking
 - b. Exclusive Use of Roseann Vuich Park for Auto Parts Swap Meet
 - c. Jolly Trolley Bus Stop at Fresno And El Monte During Dinuba Car Show

Executive Director Sills asked the Council to approve the auto parts swap meet that will take place during the annual Car show in June. She also requested exclusive use of Roseann Vuich Park and a special bus stop at Fresno Street and El Monte Way during the car show.

Discussion followed.

Council Member Thusu asked how the swap meet will work and asked if vendors will be required to pay sales tax to the city on their sales.

Sills said the idea is to bring more people to Dinuba. Seller's permits are required but taxes are difficult to regulate unless the vendors voluntarily disclose their sales and pay the city sales tax for their sales.

It was motioned by Vice Mayor Harness, second by Council Member Thusu, to approve

- a. Request for Street Closure Adelaide Way – Registration and Vendor Parking
- b. Exclusive Use of Roseann Vuich Park for Auto Parts Swap Meet
- c. Jolly Trolley Bus Stop at Fresno And El Monte During Dinuba Car Show

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

- 5.5. St. Catherine's Catholic Church, Via Cruces (Stations of the Cross), 3:00-7:00 pm; April 3, 2015 – Request for Street Closure

Interim City Manager Meinert presented the information in regard to the Stations of the Cross procession. He said it is an annual event occurring on Good Friday each year and requested that the Council approve the request.

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

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

- 5.6. 2015-2016 Cinco de Mayo Queen and Princess Candidates

Not present

- 5.7. Community Police Volunteers – Kid's Day

The Police Community Volunteers were present to give the Council a check in an amount representing their volunteer hours for the annual Kid's Day event benefitting Valley Children's hospital. The group helped raise about \$5,000 for the hospital.

Mayor Morales and the Council thanked the volunteers for volunteering their time to raise money for the hospital.

NEW EMPLOYEES & PROMOTIONS

6.1. Fire Services - Jose Lopez, Fire Inspector

Chief Thompson presented newly promoted Fire Inspector, Jose Lopez. The Council congratulated Lopez on his promotion and thanked him for his work.

PUBLIC COMMENT

7.1. Unscheduled Items

Cesar Mendoza questioned Chief Popovich about where he does business for his dry cleaning.

Fernando Munoz, Morning Rotary President and high school student Ysenia Diaz were present to request a \$1,000 grant for the Spring Walk event to be held at the golf course in April.

The City Council directed staff to place the event on the Consent Calendar for April 14 to take official action on the item as it was not on the agenda for this meeting.

Augustine Gonzalez was present in regard to talk about the community outreach meeting. He said it was somewhat disappointing to see lack of community members at the meeting. He said he made copies of the survey and talked to several people about the questionnaire. He said we should reach out and do a better job of reaching out.

Mark Wallace was present to speak to the community meetings.

Anderson explained the meetings were announced through Alert TC, ads in the local paper, it's on the City Facebook, and possibly an e-mail blast through the Chamber of Commerce. Discussion followed as to how it should be advertised.

Maria McElroy said she appreciated the comments that Gonzalez and Wallace made. She said she feels that if the City is willing to provide the survey that she feels the public needs to get involved and with that, she publicly offered her assistance.

CONSENT CALENDAR

- 8.1. City Council Special Meeting Minutes – March 5, 2015
- 8.2. City Council Meeting Minutes – March 10, 2015
- 8.3. Other Agency Meeting Minutes
 - Historic Preservation Commission, February 9, 2015
- 8.4. Set Hearing – 2015-2016 Fees, Charge and Fines; April 14, 2015
- 8.5. Authorization to Execute an Agreement for the State Standard for Housing Related Parks Program Grant, Resolution 2015-16
- 8.6. Euclid Village Apartments, Public Utility Easement (PUE), APN 014-034-043 - Certificate of Acceptance
- 8.7. Pre-payment for Fire Engine Chassis, \$188,000
- 8.8. Master Development Schedule

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

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

WARRANT REGISTER

9.1. Warrant Register – March 13, 20, 2015

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

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

MAYOR'S MINUTE

10.1. Eumsong County, Republic of Korea Sister City Delegation, April 28-May 1, 2015

Assistant City Manager Anderson provided an update of the Korean visitors who plan to be here April 28. Anderson reported the formal dinner will take place on Wednesday, April 29 and, to her knowledge, there are two visitors planning to attend, the mayor and one other person. The City of Reedley will also be involved in some manner.

10.2. Information Sharing

Mayor Morales said he attended the sixth annual Valley ROP at Reedley College where both Fire Chief Thompson and Battalion Chief Doyle received awards. Chief Thompson explained how the Valley ROP works. Mayor Morales added he attended the Youth Summit at Living Word Fellowship.

Interim City Manager Meinert reported that Council Member Reynosa is presently on her way to Canada and Council Member Smith is working out of town.

COUNCIL COMMENTS

11.1. Mayors and Council Members Executive Forum, June 24-26, 2015; Monterey CA

Interim City Manager Meinert asked the Council if they wish to attend the executive forum. After discussion Mayor Morales said he would like to attend.

11.2. Letter of Opposition – Governor's Budget Proposal Affecting Redevelopment Dissolution (RN#15 08847)

Interim City Manager Meinert talked about the letter of opposition in regard to the Governor's budget proposal affecting redevelopment Dissolution. He said the bill contains several areas of concern for the city. He said the DOF wrote the bill and if the legislation were to go through, the DOF would have the power to refuse the loans like those that the City of Dinuba loaned to the Redevelopment Agency several years ago. If this legislation passes we would likely not retrieve the loan monies. Secondly, the dof would not be subject that documents would have to review documents for approval within the 60n days mandated by state law. They could essentially wait as long as they

want and eventually cause us to lose good interest rates. If the DOF would take out those two things we could support the legislation.

It was motioned by Council Member Thusu, second by Vice Mayor Harness to approve the letter of opposition in regard to (RN#15 08847).

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

11.3. Delta Vector Control District Area Inspection Warrant - March 11, 2015 - November 15, 2015

Interim City Manager Meinert said this information was received from Delta Vector. It is a proposed warrant that asks our police, animal control officers and code enforcement officer to be authorized concerning areas that might have standing or stagnant water exacerbating the mosquito problem; of particular concern are swimming pools or spas that have turned green with standing water.

Discussion followed and the Council concurred.

11.4. Reminder – Joint Work Session City and DUSD, March 26, 2015

Interim City Manager Meinert discussed the nature of the joint work session that is scheduled for Thursday this week.

11.5. Reminder – Spring Fling, March 28, 2015, Roosevelt Park; 11:00-1:00 pm

Director Carrillo said they expect great weather for the event and are expecting from 1000 to 1500 participants.

11.6. Reminder – New City Manager Survey Community Meetings, March 31, 2015; Dinuba Vocational Center and Dinuba Community Center

Interim City Manager Meinert reminded the Council about the community meetings at the Vocational Center and the Community Center on March 31, to get the public's input in regard to what qualities they want in the next city manager.

11.7. Reminder – Rummage Sale, April 4, 2015; Entertainment Plaza, 8:00-1:00 pm

Director Carrillo said several people have applied to participate in the sale. The event set up is at 7:00 am and the event should wind down by 2 or 3 pm. Staff is planning for 45 vendors this year.

11.8. Reminder – League of California Cities Legislative Reception & South San Joaquin Valley Division Membership Meeting, Visalia Convention Center April 16, 2015; 5:30 pm reception/6:30 meeting

Interim City Manager Meinert said this will be an opportunity to speak with our local legislators about what's important to our community.

11.9. Reminder – Pulling for a Cure, April 18, 2015; Entertainment Plaza, 10:00-2:00 pm

Mayor Morales said Council Member Smith has challenged Mayor Morales against Senator Vidak for the tricycle race at the event. Anderson said there are 7 ladies' teams this year.

11.10. Reminder – Budget and CIP Hearings May 11-12, 2015

Interim City Manager Meinert explained how the budget process will unfold in preparation for the budget and CIP hearings.

11.11. Information Sharing

PUBLIC HEARING

12.1. Approval of the Issuance by the California Statewide Communities Development Authority, of Multi-family Housing Revenue Bonds in the amount of \$6,500,000, Resolution 2015-14

Assistant City Manager Anderson reported this is a request that the City Council conduct a hearing in regard to the 43-unit multi-family housing project proposed for east Davis Drive and north Crawford Avenue then consider approval of the issuance of Multi-family Housing Revenue Bonds in the amount of \$6,500,000 by the California Statewide Communities Development Authority for the project. Self-Help is the borrower who will establish a Limited Partnership or affiliate that will be solely responsible for the debt/obligation of the bonds. The bonds are tax-exempt and in the amount of \$6,500,000. Self-Help is seeking tax-exempt bonds up to \$6,500,000 to finance the project. The Internal Revenue Code requires the local elected legislative body to approve the issuance of bonds under Section 147(f) of the Code. Adoption of the Resolution is solely for the purpose of meeting the requirements of the IRS Code and in no way obligates the City to provide financing to the borrower. The developer has been awarded HOME funding in the amount of \$4,511,114 toward the Project. There is no fiscal impact to the City of Dinuba associated with this action. Anderson requested the Council consider and adopt the resolution after the public hearing.

Mayor Morales opened the hearing. No comments were brought forward in regard to the item.

It was motioned by Thusu, second by Council Member Harness, to adopt Resolution 2015-14.

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

12.2. General Plan Amendment, Zone Change Request and Tentative Parcel Map
a. Resolution 2015-17

Annalisa Perea, Associate Planner, Quad Knopf, Inc presented the information for the General Plan Amendment, Zone Change Request and Tentative Parcel Map. Perea requested that the City Council hold a hearing to review a Planning Commission decision to approve Application 2014-10, for a General Plan Amendment, Rezone and Tentative Parcel Map. The Applicants are Carlos and Tanya Murrieta, 42906 Road 80, Dinuba and located on the east side of Alta Avenue, approximately 400 feet north of Union Drive. (APN: 013-030-041). The Applicants request that the Council amend the 2008 City of Dinuba General Plan to change the General Plan designation of the project site from Residential – Medium High to Commercial – General, and amend the Zoning Map to rezone a portion of the subject property from RM-2 (Multi-Family Residential, 2,000 sq. ft. minimum) to C-4 (General Commercial).

On March 3, 2015 the Planning Commission heard and approved for recommendation to the Dinuba City Council a request by the Applicants to amend the General Plan and Zoning designations of the property.

Frank Gomez, the applicants' consultant, was present and said the applicants are asking the changes be made to the rear portion of the property to accommodate commercial use.

Mayor Morales opened the public hearing and closed the hearing with no comments from the public brought forward.

It was motioned by Harness, second by Council Member Thusu, to adopt Resolution 2015-17 as presented.

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

b. Ordinance 2015-01, Introduction and First Reading, Read Title, Waive Reading in Full

Deputy Clerk Barkley read the title of Ordinance 2015-01 into the record.

It was motioned by Vice Mayor Harness, second by Council Member Thusu, to approve the introduction and first reading of Ordinance 2015-01.

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

12.3. Authorization to Apply to the FY 2015 Community Development Block Grant (CDBG) Program, Resolution 2015-15

Budget Manager Avila presented the proposed application for CDBG funding for construction of an 18" sewer line on Randle Avenue from east Sierra Way to Franzen Way; a 12" water main on east Sierra Way from Crawford Avenue to Randle Avenue, and an 8" water main on Randle Avenue from Sierra Way to Franzen Way; and, the completion of Randle Avenue from east sierra Way to Franzen Way.

He explained that in January HCD released information announcing CDBG Program funds in the amount of \$24.9 million and applications are due April 10, 2015. State CDBG statute requires a cash match as a percentage of the total Planning and Technical Assistance activity application amount. This year the amount is 5% and the City is applying for \$100,000 in assistance to prepare the El Motne Commercial Center Planning Study which will cost in matching funds, \$5,000 and will be paid out of the City's general fund.

Avila requested that the City Council hold the public hearing to gather public comments in regard to the application and then consider and adopt Resolution 2015-15 as presented.

Mayor Morales opened the public hearing. No comments from the public were made and he closed the hearing.

It was motioned by Vice Mayor Harness, second by Council Member Thusu, to adopt Resolution 2015-15 as presented.

AYES: Morales, Harness, Thusu

NOES: None
ABSTAIN: None
ABSENT: Reynosa, Smith

CITY ATTORNEY

13.1. Rise Sierra Clovis Hospitality LLC, dba Holiday Inn Express – Request for Waiver of Late Fees

Attorney McCloskey spoke to the item requesting a waiver of late fees made by Rise Sierra Clovis Hospitality. This is a request to waive penalties. The requestor has a remaining balance which is the penalties. He said he can make the payment in the next 10 days but he has requested the waiver of fees which is about \$17,000.

Vice Mayor Harness asked if it would be a good idea to wait to get the payment owed then waive the late fees.

Attorney McCloskey said we could foreclose but that’s not what we want to do. He explained what we do across the board when the City is owed money. He explained we don’t have a policy in place but we don’t want to start waiving penalties and set a precedent because waiving penalties would be meaningless in the future.

Council discussion followed in regard to waiving penalties. McCloskey said we have never paid penalties. He talked about options for the question at hand. After discussion McCloskey said the Council could direct staff to work with him on writing a letter to Rise Sierra on the matter.

The Council directed staff to work with the property owner for a payment plan for the late fees (interest) and not lien the property.

It was motioned by Vice Mayor Harness, second by Council Member Thusu, to direct staff to work with the property owner for a payment plan for the late fees owed by Rise Sierra Clovis Hospitality LLC, dba Holiday Inn Express.

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

13.2. Closed Session Action: Conference with Legal Counsel – Anticipated Litigation, Avenue 416 Widening Project

No action

13.3. Closed Session Action: Conference with Property Negotiators – Sale of Real Property, Ridge Creek Ranch Homes, El Monte Way, Dinuba

No action

13.4. Closed Session Action: Conference with Legal Counsel – Existing Litigation, City of Dinuba v. Thusu

No action

13.5. Information Sharing

None

CITY MANAGER

14.1. Information Sharing

None

ENGINEERING & PLANNING SERVICES

15.1. Information Sharing

Associate Engineer Aguirre reported that the Sierra Way Shoulder Stabilization Project was completed and the road was reopened this week. Work continues on the Englehart stabilization project.

FINANCE SERVICES

16.1. Information Sharing

None

FIRE SERVICES

17.1. Information Sharing

Chief Thompson said there was another gas leak on El Monte Way. He explained what occurred and said it was due to a big rig who made a sharp turn to avoid colliding with a car and running over a gas regulator causing a high pressure gas leak. The road closure lasted just over an hour.

Chief Thompson said he attended the Dinuba Chili Cook-off benefiting Relay for Life and announced the first place winner of the event was our own Daniel James.

PARKS AND COMMUNITY SERVICES

18.1. Information Sharing

None

POLICE SERVICES

19.1. Information Sharing

None

PUBLIC WORKS

20.1. Spring Clean Up Event, April 25, 2015; 7:00 am-3:00 pm

Public Works Director Beltran shared the 2015 Spring Cleanup event will be held on April 25, 2015 from 7:00 am-3:00 pm. There will also be a County sponsored household hazardous waste event at the County firehouse on Alta Avenue. The County recently imposed a \$15 fee on mattresses and box springs and she reported that this time we will be charged for mattresses and box springs at the landfill. They have never been tallied before but this year staff will do so for budgeting purposes at our next event. Beltran requested the Council approve the annual Spring Clean Up event.

It was motioned by Vice Mayor Harness, second by Council Member Thusu, to approve the annual Spring Clean Up event.

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

20.2. Information Sharing

Beltran shared that the Foodlink food giveaway will begin in April at the Transit Center and effective April 7, buses will be begin service to and from Tachi Palace casino from the Transit Center.

CLOSED SESSION

21.1. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (SIX (6) CASES)

21.2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Ridge Creek Ranch Homes
City Negotiators: Dan Meinert, Interim City Manager
Other Negotiators: Ridge Creek Ranch Partners, LLC
Daniel McCloskey, City Attorney
Under Negotiation: Sale of Real Property, price and terms of payment - Ridge Creek Ranch Homes, El Monte Way, Dinuba

21.3. 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 adjourned at 10:02 pm.

Emilio Morales, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk