

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

STAFF MEMBERS PRESENT: Anderson, Barkley, Beltran, Carrillo, Cook, James, McBrearty, Patlan, Popovich, Thompson, Uota

1. OPENING CEREMONIES

1.1. Welcome & Call to Order – Mayor

The Mayor opened the meeting at 6:34 pm.

1.2. Invocation

The invocation was led by Chaplain Susee.

1.3. Pledge of Allegiance

The pledge of allegiance was led by Tim Conklin.

2. AGENDA CHANGES OR DELETIONS

To better accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed. Additions to Agenda may be added only pursuant to California Government Code section 54956.8.

None.

3. REQUEST TO ADDRESS COUNCIL

This portion of the meeting is reserved for any person who would like to address the Council on any item that is not on the agenda. Please be advised that State law does not allow the City Council to discuss or take any action on any issue not on the agenda. The City Council may direct staff to follow up on such item(s). Speakers may be limited to three (3) minutes. If there is any person wishing to address the City Council at this time please approach the podium and state your name and nature of the request.

Barbara Thiesen, 1327 East El Monte Way, present on behalf of the Dinuba Unified School District to recognize Council Member Thusu because he recently spoke at a conference in New Orleans regarding the Medical Pathways program. She presented Council Member Thusu with an EECU coffee mug and writing pad.

4. NEW EMPLOYEES / PROMOTIONS

4.1. Public Works - Amanda Aguilar, Part-time Custodian

Director Beltran read Aguilar's bio into the record. Aguilar was not at the Council meeting.

5. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Council Member may request an item be removed from the Consent Calendar and it will be considered separately.

5.1. **SUBJECT**: Meeting Minutes for November 24, 2015 (LB)

RECOMMENDATION: City Council to review draft minutes and adopt as final.

5.2. **SUBJECT**: Master Development Schedule (DU)

RECOMMENDATION: Information item only.

5.3. **SUBJECT**: Bi-weekly update of West El Monte Widening Project (DU)

RECOMMENDATION: Information item only.

5.4. **SUBJECT**: Authorization to Execute Amendment No. 3 to the Service Agreement between the City of Dinuba and MV Transportation, Inc. (BB)

RECOMMENDATION: Council approve Amendment No. 3 to the Service Agreement between the City of Dinuba and MV Transportation, Inc. and authorize the City Manager to execute the agreement.

5.5. **SUBJECT**: Acceptance of Minutes from City Commission(s): Planning Commission October 6, 2015

RECOMMENDATION: Council to accept adopted Commission minutes.

5.6. **SUBJECT**: Planning Commission Action, December 1, 2015 (BB)

RECOMMENDATION: A report of the Planning Commission's action concerning items considered at the November meeting.

5.7. **SUBJECT**: Award of Contract to Public Restroom Company for Pre-Fabricated Restrooms at Gregory and Roosevelt Parks. (DU)

RECOMMENDATION: Council award contract to Public Restroom Company for two (2) pre-fabricated restroom facilities for Gregory and Roosevelt Parks in the amount of \$178,360.

5.8. **SUBJECT**: Revised Memorandum of Understanding (MOU) forming the Kings River East Groundwater Sustainability Agency (GSA) by adding the Kings River Water District as a Member Agency. (DU)

RECOMMENDATION: Council approve the revised Memorandum of Understanding (MOU) forming the Kings River East Groundwater Sustainability Agency (GSA) by adding the Kings River Water District as a member agency and authorize the City Manager to execute the MOU.

A motion was made by Vice Mayor Harness, second by Council Member Thusu, to approve the consent calendar as presented.

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

6. WARRANT REGISTER

6.1. **SUBJECT:** Approval of Warrants for December 4, 2015

RECOMMENDATION: Council to review and approve warrants as presented.

A motion was made by Vice Mayor Harness, second by Council Member Smith, to approve the warrant register.

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

7. PUBLIC HEARING

7.1. **SUBJECT:** Approval of Operating Covenant Agreement between the City of Dinuba and BestBuy.com (CC)

RECOMMENDATION: Council to approve Operating Covenant Agreement with BestBuy.com to ensure the City continues to receive sales tax from Internet sales at BestBuy.com and authorize the Mayor to execute the agreement.

Director Cook presented background information regarding Best Buy and their time located in Dinuba. Cook requested the Mayor open the public hearing.

Mayor Morales opened the hearing.

Lonnie Humphrey was present with other representatives on behalf of Best Buy and thanked the City of Dinuba for this opportunity.

No other comments were brought forward.

Mayor Morales closed the public hearing.

It was motioned by Council Member Thusu, second by Vice Mayor Harness, to approve the Operating Covenant Agreement with BestBuy.com to ensure the City continues to receive sales tax from Internet sales at BestBuy.com and authorize the Mayor to execute the agreement.

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

7.2. **SUBJECT:** Development Impact Fee Annual Report for FY 2014/15
(Hearing continued to January 12, 2016) (BB)

RECOMMENDATION: Council open the public hearing, take testimony, and continue the public hearing regarding the Development Impact Fee Annual Report for FY 2014/15 to the January 12, 2016 City Council meeting.

Director Beltran reported the public hearing was scheduled to be heard this evening but asked the Mayor to open then continue the hearing to January 12, 2016 to allow for the appropriate noticing period.

The Mayor opened the hearing and continued it to January 12, 2016.

8. DEPARTMENT REPORTS

8.1. **SUBJECT:** Appointments to the Public Safety Commission, Economic Development Commission and Historic Preservation Commission (JA)

RECOMMENDATION: Council to make appointments to the following Commissions:

1. Public Safety Commission: Appoint Fernie Cuevas (District 3), Agustin Gonzalez (District 4), Gary Medders (District 5), Ray Millard (at-large), and Pablo Contreras Sr. (at-large).
2. Economic Development Commission: Reappoint Trinidad Rodriguez.
3. Historic Preservation Commission: Reappoint Robert Raison (ADHS), Joseph Morgan (ADHS), and Jesus Pelayo (at-large).

Assistant City Manager Anderson reported there are currently 5 applications for appointment to the Public Safety Commission.

Anderson also reported there is a request to reappoint Trinidad Rodriguez to the Dinuba Economic Development Commission and reappointments of Bob Raison, Joe Morgan, and Jesus Pelayo to the Historic Preservation Commission. She requested that the Council vote on the reappointments first.

A motion was made by Council Member Smith, second by Vice Mayor Harness, to reappoint Trinidad Rodriguez to a 3-year term on the Dinuba Economic Development Commission.

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

Anderson reported three Historic Preservation Commissioners are seeking reappointment: Bob Raison, Joe Morgan and Jesus Pelayo.

A motion was made by Council Member Smith, second by Council Member Reynosa, to reappoint to the Historic Preservation Commission: Bob Raison, Joe

Morgan and Jesus Pelayo to 3-year terms on the Historic Preservation Commission.

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

Anderson said there are seven seats for the Public Safety Commission and currently there are 5 applications for appointment. She explained that appointments to Districts 3, 4 and 5 are 2-year terms and the two at-large appointments are to serve 3-year terms.

Maria McElroy, Dinuba District 4, wanted to address the possible appointment of Agustin Gonzalez to District 4. McElroy referred to Gonzalez' paper work, and said she was told Gonzalez has an employer/employee relationship with the Council Member in his District. She cited that his appointment might skirt the ethical boundaries of a conflict of interest. She asked Council Member Thusu if he is an employee a consultant or in any way receives payment from him for any work that he might do for him.

Council Member Thusu answered no.

Gonzalez, Medders and Contreras were present at the meeting.

A motion was made by Vice Mayor Harness, second by Council Member Reynosa to appoint Fernie Cuevas (District 3), Agustin Gonzalez (District 4), Gary Medders (District 5), Ray Millard (at-large), and Pablo Contreras Sr. (at-large).

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

City Manager Patlan said at the behest of Council Member Smith, staff will prepare and present Certificates of Appreciation for past Commissioners and that will be a tradition going forward.

9. MAYOR/COUNCIL REPORTS

9.1. Items from Mayor.

Mayor Morales shared his attendance at city functions and a meeting with Congressman Devin Nunes regarding the drought.

9.2. Items from Council Members.

The Council Members shared their attendance at various city functions and wished everyone a Merry Christmas and Happy New Year.

10. CITY MANAGER/STAFF COMMUNICATIONS

10.1. Community Food Give-away, Dinuba Community Center, December 15, 2015, 10 am.

Director Carrillo said he was approached to host a food giveaway by the Foodbank who primarily gives food away to Fresno County. This year they have to distribute 30,000 pounds of food and have chosen to give food to the community of Dinuba. The police and fire departments will give away toys at the same time all at the Dinuba Community Center.

- 10.2.** Employee Christmas Luncheon, Dinuba Community Center, December 18, 2015, 11:30 am-1:30 pm.

Anderson shared that the annual employee luncheon is scheduled Friday at 11:30 am.

- 10.3.** Dinuba Chamber of Commerce Mixer, Ed Dena's Auto Center, December 17, 2015, 5:30-8:30 pm.

Barbara Thiesen shared information on behalf of the Dinuba Chamber of Commerce that there will be a Mixer and coat drive at Ed Dena's Auto Center.

- 10.4.** Chamber of Commerce Annual Awards Banquet; Veterans Memorial Hall, January, 29, 2016, 5:30 pm.

Barbara Thiesen reported the Chamber of Commerce is currently taking nominations for citizens' and business awards for the Chamber's annual awards banquet in January.

Patlan followed up on comments earlier about water reporting that Dinuba is at a cumulative 34% water reduction. That is a testament to staff working with the community to conserve water. Dinuba is doing its part to conserve water during the drought.

11. ADJOURNMENT

Mayor Morales adjourned the meeting at 7:16 pm.

Emilio Morales, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk