

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

**STAFF MEMBERS PRESENT:** Aguirre, Anderson, Barkley, Beltran, Carrillo, Cook, James, McCloskey, Patlan, Popovich, Thompson

**1. WORK SESSION – 5:30 pm**

Vice Mayor Harness called the work Session to order at 5:32 pm.

**1.1. Utility Rate Study – Revenue Options (BB)**

Director Beltran presented an introduction of the Utility Rate Study and its intended purpose. She introduced Kevin Burnett, and Tony Thrasher of Wildan Financial Services to speak to the structure of the Utility Rate Study.

Burnett presented the system overview. He reported it is a Prop 218 compliant rate structure which has four options to consider.

Burnett recommended a new methodology for utility rate billing. He recommended no changes to the sewer side.

Vice Mayor Harness requested they bring back the water fund page with deficits for each option. He also requested the fund balance sheets for all options, outlay and costs.

**BREAK**

Vice Mayor Harness declared a break at 6:20 pm.

**RECONVENE FROM BREAK**

6:32 pm

**2. OPENING CEREMONIES – 6:30 pm**

**2.1. Welcome & Call to Order – Mayor**

The regular meeting convened at 6:32 pm.

**2.2. Invocation**

The invocation was led by Chaplain Garcia.

**2.3. Pledge of Allegiance**

The flag salute was led by Daniel James.

**3. 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.

**4. PRESENTATIONS / CEREMONIAL MATTERS**

- 4.1.** Firefighter Joe Cruz to present a Relay for Life Report and Certificate of Recognition to the City Council.

Firefighter Cruz presented the City Council with a photograph of the lighted luminaria which spelled the word HOPE and a certificate of appreciation from the American Cancer Society. Cruz noted that the City's team raised \$3,876 on behalf of the ACS to further cancer research.

**5. NEW EMPLOYEES / PROMOTIONS**

**5.1. Fire Services (CT)**

Chief Thompson introduced the three employees.

- A. Sam Febres Promoted to Fire Captain

Febres a 16-year employee recently promoted to Fire Captain.

- B. Dustin Espino Promoted to Engineer / Paramedic

Espino an 8-year employee recently promoted to Engineer / Paramedic.

- C. Kevin Sirr Promoted to Firefighter / Paramedic

Kevin Sirr was not present but Chief Thompson said he is a 5-year employee promoted to Firefighter / Paramedic.

**5.2. Parks & Community Services (JC)**

- A. Richard DeOcio, Sports Coordinator

Director Carrillo introduced Richard de Ocio newly hired in the Parks Department as a Sports Coordinator.

**BREAK**

Mayor Morales declared a break at 6:43 pm.

**RECONVENE FROM BREAK**

The meeting reconvened at 6:55 pm.

**6. 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.*

None.

**7. 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.*

**7.1. SUBJECT:** Meeting Minutes for May 24, 2016 (LB)

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

**7.2. SUBJECT:** Acceptance of Meeting Minutes from City Commissions

**RECOMMENDATION:** Council to accept City Board meeting minutes: Dinuba Economic Development Commission, April 7 and May 5, 2016; Planning Commission, May 3, 2016.

**7.3. SUBJECT:** Planning Commission Action of June 7, 2016. (BB)

**RECOMMENDATION:** For information purposes only.

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

**RECOMMENDATION:** For information purposes only.

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

**RECOMMENDATION:** For information purposes only.

**7.6. SUBJECT:** Annual Review of Towing Rotational Agreement (DP)

**RECOMMENDATION:** Council review and approve the proposed adjustments for towing fees requested by the towing companies operating under the City Towing Rotational Agreement.

**7.7. SUBJECT:** School Resource Officer Annual Agreement for FY 2016-17 (DP)

**RECOMMENDATION:** Council authorize the City Manager to execute the School Resource Officer (SRO) Agreement with the Dinuba Unified School District for the 2016-17 school year.

7.8. **SUBJECT:** Adoption of Resolutions Nos. 2016-30 and 2016-31 Approving Participation in the California Home Finance Authority PACE Programs (JA)

**RECOMMENDATION:** Council take the following action by one motion:

1. Adopt Resolution No. 2016-30 consenting to inclusion of properties within the City's Incorporated Area in CHF Community Facilities District No. 2014-1 (Clean Energy) to Finance Renewable Energy Generation, Energy Efficiency, Water Conservation and Electric Vehicle Charging Infrastructure Improvements and approving associate membership in CHF; and

2. Adopt Resolution No. 2016-31 consenting to inclusion of properties within the City's Incorporated Area in the CHF PACE Program to Finance Renewable Energy Generation, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and approving associate membership in CHF.

7.9. **SUBJECT:** Request for Reappointment to Measure R Citizens' Oversight Committee. (BB)

**RECOMMENDATION:** Council approve the reappointment of Daniel L. Meinert to the Measure R Citizens' Oversight Committee representing the City of Dinuba.

7.10. **SUBJECT:** Non-Custody Intake Program Agreement for FY 2016-17 (DP)

**RECOMMENDATION:** Council authorize the City Manager to sign the amended Non-Custody Intake Program Agreement for fiscal year 2016-17.

7.11. **SUBJECT:** Hayes Avenue Widening Project - Certificate of Acceptance for Grant Deed from Dorothy E. Nehf Revocable Trust for a Portion of APN 014-204-017 (DU)

**RECOMMENDATION:** Council accepts the Grant Deed from Dorothy E. Nehf Revocable Trust for a portion of right-of-way (APN 014-204-017) for the Hayes Avenue Widening Project.

7.12 **SUBJECT:** Resolution No. 2016-32, Authorization to Apply for CalRecycle Grants (BB)

**RECOMMENDATION:** Council adopt Resolution No. 2016-32 authorizing the City Manager or designee to submit applications, enter into contracts, and sign all appropriate documents for all CalRecycle Grants.

7.13. **SUBJECT:** Authorization to Purchase Two Administrative Vehicles for Dinuba Police Department (DP)

**RECOMMENDATION:** Council to authorize the purchase of two administrative police vehicles from Ed Dena's Auto Center.

7.14. **SUBJECT:** Participation in the Intergovernmental Transfer Program (IGT) with the California Department of Health Care Services (DHCS) for EMS Ambulance Transport Services Reimbursements (CC)

**RECOMMENDATION:** Council adopt Resolution No. 2016-33 approving participation in 2015-16 Intergovernmental Transfer Program (IGT) with the California Department of Health Care Services for EMS Ambulance Transport Services reimbursements and authorizing the City Manager to execute all agreements associated with the program.

A motion was made by Vice Mayor Harness, second by Council Member Thusu, to adopt the Consent Calendar as presented.

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

## 8. WARRANT REGISTER

8.1. **SUBJECT:** Approval of Warrants for May 27; June 3; 10, 2016 (CC)

**RECOMMENDATION:** Council to review and approve warrants as presented.

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

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

## 9. DEPARTMENT REPORTS

9.1. **SUBJECT:** Self-Help Enterprises (SHE) Request for Letter of Support for Sierra Village Apartments (BB)

**RECOMMENDATION:** Council approve a Letter of City Support for Self-Help Enterprises (SHE) application for Affordable Housing Sustainability Communities (AHSC) Program funding for the Sierra Village Apartments Project.

Director Beltran requested that the Council approve a letter of support by Self-Help Enterprises (SHE) for the Sierra Village Apartments Projects. The SHE letter requests support from the City of Dinuba in the installation of Class II and III Bicycle Lanes adjacent to their proposed Sierra Village Apartments Project. Additionally, SHE is requesting that the City agree to review the feasibility of a future bus stop at the proposed project site. SHE proposes to include the City's Letter of Support for these transportation enhancements as part of their AHSC Program grant application.

Betsy McGovern Garcia, reported that the California Vanpool Authority will own, maintain and operate the two vans bought by SHE.

A motion was made by Council Member Thusu, second by Vice Mayor Harness to approve letter of support but not to approve the bus stop until a feasibility study can determine if the stop is warranted at the site.

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

**9.2. SUBJECT:** Selection of Site for Future Public Safety Memorial (CT)

**RECOMMENDATION:** Council select a preferred site for future Public Safety Memorial.

Chief Thompson presented information regarding various sites for the Public Safety Memorial placement. Thompson said that 4 sites were selected for the Council to consider. He said that staff is also open to suggestions from the Council for alternative sites.

Vice Mayor Harness stepped down from the dais at 7:13 pm.

Vice Mayor Harness returned to the dais at 7:15 pm.

A motion was made by Council Member Reynosa, second by Council Member Smith to select Site B for the Memorial site.

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

**9.3. SUBJECT:** Resolution No. 2016-34 Approving Legal Services Agreement with McCormick, Kabot, Jenner & Lew (LP)

**RECOMMENDATION:** Council adopt Resolution No. 2016-34 approving Legal Services Agreement with McCormick, Kabot, Jenner & Lew and authorize the Mayor and City Manager to sign agreement.

City Manager Patlan requested that the Council adopt Resolution No. 2016-34 approving the Legal Services Agreement with McCormick, Kabot, Jenner & Lew and authorize the Mayor and City Manager to sign the agreement.

Nancy A. Jenner, Attorney, was present to thank the Council and Attorney McCloskey for graciously giving of his time regarding the transition.

A motion was made by Vice Mayor Harness, second by Council Member Reynosa, to adopt Resolution 2016-34 as presented.

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

Council Member Thusu recused himself from discussion and consideration of the item concerning the legal services agreement.

**9.4. SUBJECT:** Update on State Water Conservation Mandates (BB)

**RECOMMENDATION:** Council receive information regarding Governor Brown's recent emergency regulation concerning water conservation and water reduction targets.

Director Beltran requested that the Council receive information regarding Governor Brown's recent emergency regulation concerning water conservation and water reduction targets.

Beltran reported that more information will come to the Council at a later date.

**10. PUBLIC HEARING**

**10.1. SUBJECT:** Public Hearing for Adoption of 2015 Urban Water Management Plan Update (BB)

**RECOMMENDATION:** Council adopt Resolution No. 2016-29 adopting the City's 2015 Urban Water Management Plan Update.

Owen Cubitt, Urban Futures, Inc. was present to give the City Council information in regard to the 2015 Water Management Plan Update. He said that the goal is by the year 2020 everyone is required to reduce water usage by 20 percent. That goal is nearly reached by the City. Cubitt said the city is doing a very good job in long range planning goals concerning water. He reported that the City's UWM Plan will be submitted within a week to the California Department of Water Resources.

The mayor opened the public hearing, no comments were brought forward so the public hearing period was closed.

A motion was made by Vice Mayor Harness, second by Council Member Thusu to adopt Resolution 2016-29 as presented.

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

**10.2. SUBJECT:** Ordinance No. 2016-01 Approving Zone Text Amendments Related to Medical Marijuana Dispensaries and Cultivation. (DU)

**RECOMMENDATION:** Council conduct a public hearing, receive public testimony, close the public hearing and take the following action:

1. Adopt the first reading of Ordinance No. 2016-01 approving the Zone Text Amendments; and
2. Schedule second reading and adoption of Ordinance No. 2016-01 for June 28, 2016.

Director Beltran introduced Steve Brandt, Quad Knopf Engineering, was present to give information regarding the Zone text amendment in regard to medical marijuana dispensaries and cultivation.

Brandt said the ordinance allows you to say no to cultivation within the city limits. They can still use it they just cannot grow it.

The Mayor opened the public hearing.

Gilbert Martinez asked how many plants are going to be able to be grown. Brandt answered 24 plants. Martinez advocated home use of marijuana.

Mayor Morales closed the public hearing.

Tim Conklin, Planning Commissioner, asked for clarification of the proposed ordinance.

Chief Popovich said this ordinance allows a person to use the marijuana but it does not allow marijuana to be grown in the city limits.

Conklin clarified that it also cannot be transported through the city. Chief Popovich said that is correct we don't want it transported within the city limits.

A motion was made by Vice Mayor Harness, second by Council Member Thusu to adopt Ordinance 2016-01.

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

**11. MAYOR/COUNCIL REPORTS**

**11.1. Items from Mayor.**

Mayor Morales reported he attended the Veterans Memorial Ceremony at the Cemetery. He also attended the Cruise Night and Car Show events. He attended the League Division meeting in Madera where homelessness was addressed.

**11.2. Items from Council Members.**

Vice Mayor Harness reported he attended the Veterans Memorial Ceremony at Smith Mountain Cemetery. He said he attended the Car Show and Cruise Night events. Harness said he will soon have a vacancy on the Planning Commission in District 3 as the Commissioner has indicated he plans to move away.

Council Member Smith attended the Veterans Memorial Ceremony at Smith Mountain Cemetery and he attended the Car Show and Cruise Night.

Council Member Reynosa said she attended the Car Show and Cruise Night events; the LNTC graduation; the Friday Night Lights event; the Historical Society dinner and she said she worked at the polling place during the June Primary.

Council Member Thusu said he attended a Silicon Valley Tech Fair with students from many cities and, he reported he attended the Policy committee meeting.

**12. CITY MANAGER/STAFF COMMUNICATIONS**

**12.1. Items from City Manager.**

City Manager Patlan said he plans to attend the SSJVD City Managers meeting tomorrow. Patlan reported that realtor Buck Wagner with Colliers listed the Odwalla facility and there are several interested parties. Patlan reported that last Friday Daniel James and Linda Barkley launched the City's e-newsletter.

**12.2. Independence Day Celebration, July 1, 2016 at Centennial Park (JC)**

Director Carrillo presented information about the upcoming Independence Day event. He reported that the band Dynamic Edge will play at the event.

**12.3. League of California Cities Annual Conference, October 5-7, 2016, Long Beach (JA)**

Assistant City Manager Anderson reported that the League Annual Conference will be held in October this year and she asked the Council to consider if they will be attending and to notify Deputy Clerk Barkley.

The Council went into closed session at 8:20 pm.

**13. CLOSED SESSION**

**13.1. Conference With Legal Counsel - Anticipated Litigation**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One (1) Case.

No action was taken.

**13.2. Liability Claim**

Pursuant to Government Code Section 54956.95; Claimant: Geno Gomez  
Agency Claimed Against: City of Dinuba.

A motion was made by Vice Mayor Harness, second by Council Member Reynosa, to deny the claim.

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

**13.3. Conference with Labor Negotiators**

Pursuant to Government Code Section 54957, Agency Designated Representative(s): Luis Patlan, City Manager and Cass Cook, Finance Director; Employee Group: Dinuba City Employees Association.

No action was taken.

**14. ADJOURNMENT**

The meeting adjourned at 9:30 pm.

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Emilio Morales, Mayor

ATTEST:

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Linda Barkley, Deputy City Clerk