



DINUBA CITY COUNCIL REGULAR MEETING

July 26, 2016 MINUTES

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

1. OPENING CEREMONIES

1.1. Welcome and Call to Order

Vice Mayor Harness called the meeting to order at 6:30 pm.

1.2. Invocation

Chaplain Garcia led the invocation.

1.3. Pledge of Allegiance

City Manager Patlan led the flag salute.

Mayor Morales arrived at 6:32 pm.

2. AGENDA CHANGES OR DELETIONS

Assistant City Manager Anderson said item 5.5. will be pulled from Consent Calendar and acted upon separately from the other items when the consent calendar is considered. Anderson said item 7.1. will not be considered at this meeting but will be considered at the meeting of August 9, 2016.

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.

3. PRESENTATIONS/CEREMONIAL MATTERS

3.1. Certificates of Recognition for Dinuba Senior Citizens, Inc. Board Members

Mayor Morales presented certificates of Recognition to the members of the Dinuba Senior Citizens, Inc. Board.

4. REQUEST TO ADDRESS COUNCIL

David Cruce, Papich Construction, was present to address the City Council on the status of payments to Papich Construction regarding the Avenue 416 widening construction project.

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.

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

Authorization to Renew the Dinuba Connection / Fresno County Rural Transit Agency (FCRTA) Agreement for FY 2016/17 (BB)

RECOMMENDATION

Council approve the renewal of the Dinuba Connection Transit Service Agreement with Fresno County Rural Transit Agency (FCRTA) for FY 2016/17 (See Attachment A); and authorize the City Manager to execute the service agreement.

5.2. SUBJECT

Cancellation of City Council Meeting, August 23, 2016 (LB)

RECOMMENDATION

Council approve the cancellation of the City Council meeting scheduled for August 23, 2016.

5.3. SUBJECT

Historic Preservation Commission Meeting Minutes, June 13, 2016 (BB)

RECOMMENDATION

Council to accept City Board meeting minutes.

5.4. SUBJECT

City Council Meeting Minutes June 28 and July 12, 2016 (LB)

RECOMMENDATION

Council to review meeting minutes and adopt as final.

5.5 SUBJECT

Legal Services Agreement with Betts-Rubin Law Firm, A Professional Corporation (NJ)

RECOMMENDATION

Council approve a contract with Betts-Rubin Law Firm for legal services concerning the case City of Dinuba v. Thusu per previous direction to City Attorney.

5.6. SUBJECT

Bi-weekly Update of West El Monte Widening Project (JA)

RECOMMENDATION

For information purposes only.

5.7. SUBJECT

Certificate of Acceptance Real Property 437 N. Eaton, Dinuba (JC)

RECOMMENDATION

Council accept the Grant Deed for the Dinuba Senior Citizen's Center, and authorize the City Clerk to sign the Certificate of Acceptance.

Council Member Thusu recused himself from the meeting while the City Council considered item 5.5.

Attorney Jenner asked Mayor Morales to execute the Substitution of Attorney for legal counsel representation concerning the case City of Dinuba v. Universal Biopharma, Inc., Thusu.

A motion was made by Scott Harness, second by Mike Smith, to approve item 5.5

Ayes: Harness, Morales, Reynosa, Smith

Absent: Thusu

Council Member Thusu re-entered the room at that time.

A motion was made by Scott Harness, second by Kuldip Thusu, approve the remainder of the Consent Calendar.

Ayes: Harness, Morales, Reynosa, Smith, Thusu

6. WARRANT REGISTER

6.1. SUBJECT

Approval of Warrants for July 15 and 22, 2016 (CC)

RECOMMENDATION

Council to review and approve warrants as presented.

A motion was made by Scott Harness, second by Maribel Reynosa, approve the Warrant Register as presented.

Ayes: Harness, Morales, Reynosa, Smith, Thusu

7. DEPARTMENT REPORTS

7.1. SUBJECT

Award of Bid - East El Monte Planning Study, Retail Recruitment Plan (JA)

RECOMMENDATION

Council to award the "East El Monte Planning Study, Retail Recruitment Plan" Project to The Retail Coach in the amount of \$43,000.

This item was not considered as it will be considered at the August 9, 2016 City Council meeting.

7.2. SUBJECT

Request for Consideration of Change to Dinuba Municipal Code regarding Prohibition on Well Digging (BB)

RECOMMENDATION

Council to consider a request by the Cochran family to dig an existing agricultural well deeper for farming purposes and direct staff accordingly.

Director Beltran asked that Council give staff time to speak with the City's hydrologist to see what process should be put into place to protect the City in both the short and long term.

Realtor Mike Schuil gave the Council a history of the annexation of the Cochran's property. He requested that the Council allow the Cochrans to drill the well to 200 feet.

Vice Mayor Harness said he thinks there should be certain exceptions for these types of issues where it concerns continuous farming of property. He conveyed his concern regarding taking the blanket approach.

Council Member Smith said there's a big difference between fallow land and productive land.

Council Member Thusu asked how we know we aren't "opening the flood gates" concerning these types of requests.

Director Beltran said if you make changes to the City's code to allow it; that opens the doors for others.

City Manager Patlan said his recommendation would be to give staff time to meet with the hydrologist then meet with the Cochran's to try to come up with solutions.

It was the consensus of the Council to direct staff to explore information and set parameters for the future concerning similar requests.

7.3. SUBJECT

Authorization to Award - Purchase & Delivery of Fifteen (15) Bus Shelters to LNI Custom Manufacturing (RR)

RECOMMENDATION

Council award the Purchase and Delivery of Fifteen (15) Bus Shelters, to be installed at various locations throughout town, to LNI Custom Manufacturing in the amount of \$74,355.75.

Director Beltran presented information regarding the bid process for fifteen (15) bus shelters. Beltran reported that a bid process produced five (5) bids from vendors. Beltran requested that the Council award the bid to LNI Custom Manufacturing in the amount of \$74,355.75 for the purchase and delivery of fifteen (15) bus shelters.

A motion was made by Scott Harness, second by Mike Smith, award the purchase and delivery of 15 bus shelters to be installed at various locations to LNI Custom Manufacturing

Ayes: Harness, Morales, Reynosa, Smith, Thusu

8. MAYOR/COUNCIL REPORTS

8.1. Council Member Smith said he was recently told by the Miss Dinuba candidates that the youth want more youth program in Dinuba.

9. CITY MANAGER COMMUNICATIONS

City Manager Patlan announced that Western Dental will have their grand opening event on August 17.

10. CITY STAFF COMMUNICATIONS

10.1. Update Summer Night Lights Events Extension (JC)

Director Carrillo reported that the Summer Night Lights Events was extended by three weeks. He reported that due to the hot weather, this Friday's event is cancelled.

11. CLOSED SESSION

The City Council went into closed session at 7:15 pm.

11.1. CONFERENCE WITH LABOR NEGOTIATORS (CC)

Pursuant to Government Code Section 54957.6(a), Agency Designated Representatives(s): Luis Patlan, City Manager and Cass Cook, Finance Director; Employee Group: Dinuba City Employees Association

No action was taken.

12. ADJOURNMENT

The meeting adjourned at 7:40 pm.