

COUNCIL MEMBERS PRESENT: Smith, Wallace, Morales, McKittrick

COUNCIL MEMBERS ABSENT: Payan

STAFF MEMBERS PRESENT: Anderson, Barkley, Beltran, Meinert, Nunes, Olvera,  
Thompson, Todd, Uota

## WORK SESSION

The work session was called to order at 5:32 pm.

### 1.1. Budget Discussion

City Manager Todd went over the City's current budget standing with the City Council. After the discussion, Todd requested that the Council consider reaffirming the resolutions and ordinances adopted in 1992 surrounding the MSI Study. City Manager Todd asked the City Council to direct the City Attorney to write the necessary legislation reaffirming the resolutions and ordinances. Todd also requested that the council Wants council to tell staff how the structure should be.

City Manager Todd said there will be three new council members in November and he wants to be clear on the Council's top goals. He said this is a difficult situation with having to retire employees, lay people off and we still aren't in a good place. He asked for direction as to the Council's wishes on their goals and said he wants to make sure the Council has complete information about the city's services and that we know what they are.

Council Member Smith asked when the Council must bring back a recommendation to the City Manager.

Mayor Wallace said he doesn't know how the Council can decide on a budget when the State has yet to do so.

City Manager Todd said we make assumptions about what the State may or may not do and be ready to adjust if the state comes after the City's money. We don't know where they are taking money from. It's possible they could take it from general fund or other funds like the gas tax.

Todd explained that staff won't know about the gas tax until May. We will need to figure out where we can get funds. Come May 10 we may have to come up with \$700,000 out of our general fund which is no easy task.

Council Member McKittrick asked what if we give the money to the State to get the money back. Todd said we would have to sue and the State would appeal which could take years so we could be without those monies for years. Things are serious enough to where we need to take some dramatic steps to keep our community safe, balance services, and make the impact of what happens operational in terms of what happens in the street as smooth as possible. He asked that the Council do so by consolidating to try to save the work quality as well as possible.

He said Measure F took a large hit because it's funded through sales tax and we lost sales tax which means loss of employees.

Council discussion followed.

City Manager Todd urged the Council to consider and direct staff to look at various scenarios in regard to the City's budget.

Council Member Smith said he would like to see actual "cuts" to consider those rather than a proposed city structure.

City Manager Todd said this can be approached in a couple different ways. Council could direct staff to bring back the budget in a specific format. He said he wants the Council to keep in mind their goals. His proposal does that. He requested that the Council direct staff to bring back a structure like the one proposed.

Mayor Wallace said he is not opposed to the proposal but he is not for it either. He said he needs time but would like to see the budget that goes with the proposal.

City Manager Todd said perhaps it would be a good idea to see a proposed budget and a traditional budget to consider.

Council discussion followed.

Todd explained that the City is losing \$488,000 in Measure F (sales tax) and we need \$220,000 in fund reserves. The same thing rules apply in the general fund to get through emergencies and to have cash flow. Todd went over the funds being lost in the general funds as well as the reserves.

Discussion followed in regard to reserve officers.

Chief Olvera explained the reserve officer program and how it can benefit the city's budget and services. The reserves are hired to supplement officers and it reduces overtime in the budget. They are paid \$18 to \$19 an hour and no benefits whereas officers are paid up to \$50 per hour. The training level is the same as officers coming out of the academy. The only difference is he has police authority when they are on duty and police officers have authority 24-7. There are many positives to re-implement the reserve program.

Mayor Wallace asked that staff bring back a proposed budget that reflects the report with variations plus the traditional budget with a couple variations.

City Manager Todd said he would like to have a special meeting at the end of the month to have a special meeting with this subject as the lone subject.

Council discussion followed.

Mayor Wallace directed that the closed session be held at the end of the meeting for the sake of time and those waiting.

Mayor Wallace adjourned the work session and opened the regular City Council meeting at 6:37 pm.

## INVOCATION

The invocation was led by Council Member McKittrick

## COMMUNITY RECOGNITION AND APPRECIATION

### 6.1. PG&E – City Facilities Energy Conservation Project

Mayor Wallace presented the PG&E representatives Cam Malloy and Dave Christensen with a certificate of appreciation for PG&E's efforts to help the City with the energy conservation project.

Christensen commented that having heard the sobering discussion in regard to challenges the City is facing. He said he appreciates the efforts the City makes and one of those is energy efficiency. Christensen commended staff for making the decisions they are making.

Christensen said through the program partnership the energy savings equates to approximately \$17,000.00 in energy savings for the City.

The Council thanked PG&E and representatives Christensen and Malloy for their efforts to help the City save money through energy conservation.

## PUBLIC COMMENT

### 7.1. 2010-2011 Cinco de Mayo Queen and Princess Candidates

The Cinco de Mayo Queen and Princess Candidates were present to introduce themselves to the City Council and asked that the Council attend the pageant on Saturday, April 24, 2010.

The candidates for Princess are:  
Stefanie Manzo  
Yasmin Pinedo  
Stacie Rendon

The candidates for Queen are:  
Ann Cortinas  
Rosa Diaz  
Susana Lopez  
Jaqueline Montejano  
Teresa Santa  
Analisa Tamayo  
Guadalupe Torres

Princess Andrea Nava and Queen Xenia Perez were present as well and thanked the Council and the City for supporting them throughout their reign.

Perez and Nava talked about their experiences as Cinco de Mayo queen and princess. Perez invited everyone to pageant on April 24.

The City Council congratulated them for their efforts and Debbie Rojas for her efforts in coordinating the pageant.

Mayor Wallace said these types of competition teaches one to perform in many avenues such as employment interviews, college entrance exams, etc. he commended them for committing to the pageant. He said they will all gain a world of experience. Mayor Wallace and Vice Mayor Morales presented the candidates with a city lapel pin.

Pageant Coordinator Rojas introduced two committee members, Catherine and Veronica and said the whole committee helps make it work.

#### 7.2. WIC Farmer's Market Proposal Update Request for Street Closure

City Manager's Assistant Anderson briefed the Council on the request.

Sandy Sills, Executive Director, Dinuba Chamber of Commerce was present to talk about the event and the importance of timing to allow for different work hours for the farmer's market potential clients as well as the downtown merchants.

Thompson said he would like to see the entire street blocked off and he recalled a similar accident in Santa Monica where a vehicle driven by an elderly man ran through several market goers.

Discussion followed.

Chief Olvera agreed with Chief Thompson that the entire street should be closed off for the safety of pedestrians.

Mayor Wallace asked Sills why that particular block was chosen.

Sills responded the reason is that the interested businesses are located at the selected block. The other issue was shade covering for the event for which this scenario allows. There is one merchant that does not agree to the market as she feels she would be impeded.

Chief Olvera said he would like to go out and see what the best design for the event would be prior to the event's approval.

Mayor Wallace said he would like to see the full street closed to protect pedestrian traffic. He would like to see the Chamber work with Rabobank for parking and as to the opposing merchant, their use of the bank's parking lot during the event as well to help with their parking issues.

It was moved by Council Member McKittrick, second by Vice Mayor Morales to approve the request for street closure on the dates submitted to hold the farmer's market.

AYES: Smith, Wallace, Morales, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Payan

7.3. Reda Bennani

El Monte Way property owner Reda Bennani was present with his representative, Alan Powers, Solutions Management Group, Visalia California. Powers explained that he has experience throughout the US providing services to consult with clients who experience takings of redevelopment property by cities, redevelopment agencies, etc.

Powers said the item in question is an individual landowner. Powers briefly reviewed the appraisals that have taken place on Bennani's property. He said his client is losing \$4,000 per month in rental income and he would like a fair and equitable offer on the property from the City.

7.4. *Unscheduled. At this time, the public wishing to address the City Council on any matter should approach the podium and state their name, address and the nature of their request.*

None

CONSENT CALENDAR

- 8.1. Approval – City Council and Redevelopment Agency Joint Meeting Minutes, March 23, 2010
- 8.2. Acceptance – Other Agency Minutes
  - A. Parks & Community Services Commission, February 16, 2010
  - B. Planning Commission, February 2, 2010
  - C. Police Advisory Commission, March 2, 2010
- 8.3. Pro-Youth Draft Agenda, April 15, 2010
- 8.4. Parks & Community Services Commission Agenda (Park Tour), April 19, 2010
- 8.5. Master Development Schedule
- 8.6. Notice of Completion – Lincoln & McKinley Estates
- 8.7. Set Hearing – City Fees, Fines and Charges, April 27, 2010
- 8.8. Conveyance of Vacated Portion of South O Street
- 8.9. Approving Engineer's Report for Viscaya I & II Lighting and Landscaping District and Setting a Public Hearing, May 25, 2010, Resolution 2010-15

It was moved by Vice Mayor Morales, second by Council Member McKittrick, to approve the consent calendar as presented.

AYES: Smith, Wallace, Morales, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Payan

WARRANT REGISTER

- 9.1. Approval – City Council Warrant Register, March 26; April 2, 9, 2010

It was moved by Council Member McKittrick, second by Vice Mayor Morales, to approve the warrant register as presented.

AYES: Smith, Wallace, Morales, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Payan

MAYOR'S MINUTE

- 10.1. Information Sharing

Mayor Wallace was out of town last weekend and not able to attend the Relay for Life event but he heard it was again successful.

Mayor Wallace will not be at the first meeting in May as he will be out of town.

#### COUNCIL COMMENTS

##### 11.1. Request for Excused Absence, March 23, 2010 Council Meeting - Emilio Morales

It was moved by Council Member McKittrick, second by Council Member Smith, to approve the request for excused absence from Vice Mayor Morales as requested.

AYES: Smith, Wallace, Morales, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Payan

##### 11.2. Request for Appointment to Dinuba Economic Development Committee, Daniel Meinert

City Manager Todd said Meinert, upon retirement, has requested to be appointed to the Dinuba Economic Committee. There are currently four or five vacancies and he would bring a good perspective to the Committee. There is no compensation to this appointment.

Todd requested the appointment be considered and made effective for the EDC meeting in May.

It was moved by Council Member McKittrick, second by Council Member Smith, to approve the appointment of Meinert to the Dinuba Economic Development Committee as presented.

AYES: Smith, Wallace, Morales, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Payan

##### 11.3. ICSC Alliance Event, Visalia Convention Center, April 22, 2010, 10:00 am -3:00 pm

Assistant City Manager Meinert alluded to the packet item for the ICSC Alliance event. He said there are currently no like events that occurs here in the valley by way of the ICSC event. It is a good chance to let people outside the area know we are here and what prospects are in the valley. The Chamber and Dinuba EDC have entered into a co-sponsorship for the event. There are a couple of EDC members and Chamber members who are interested in going to the event. Meinert encouraged staff and Council to attend as well.

Council Members McKittrick and Wallace said they are interested in attending.

##### 11.4. Information Sharing

Council Member McKittrick:  
Attended Spring Fling  
Attended opening of Papa Murphy's Pizzeria  
Attended Council of Cities with Dan, his last COC meeting  
Attended Relay for Life event and read proclamation on Mayor's behalf  
McKittrick and his wife participated in the CPS3 program table at the 158 participant event.

Morales said he threw first pitch at the Patriots event.  
Attended Rail Committee meeting with Engineer Uota  
Attended Relay for Life event

#### OFFICE OF THE CITY MANAGER

##### 12.1. Budget Discussion · Budget Impacts

City Manager Todd said this item will be discussed once again on April 29 with the budget message and budget discussion. This past couple weeks has been very difficult for us and for staff.

City Manager Todd said unfortunately, due to budget constraints he was forced to lay off Director Chamberlin. He commented that there is not much more we have to give and certainly Chamberlin leaves a huge hole in the organization. He added that we are not proud of having to let people go.

## 12.2. Council of Cities Update

Deputy City Manager Meinert explained what occurred at the latest Council of Cities meeting.

The items discussed were:

Tulare County General Plan Update  
Tolling Agreement  
TCAG JPA Amendment  
Regional Hazardous Materials Response  
Countywide Reverse 911 System

After discussion Meinert requested that the Council authorize the expenditure of \$3,510 as the City of Dinuba share of the legal fees to respond to the amended Tulare County General plan and its EIR; and, support actions to go to a County-wide Reverse 911 System.

He explained that action on the TCAG JPA Amendment and the Regional Hazardous Materials Response issue will be requested at later dates. Meinert added that the City Council previously authorized support of the Council of Cities actions to change the Tolling Agreement with Tulare County.

It was moved by Council Member McKittrick, second by Council Member Smith, to authorize the expenditure of \$3,510 as the City of Dinuba share of the legal fees to respond to the amended Tulare County General plan and its EIR; and, support actions to go to a County-wide Reverse 911 System.

AYES: Smith, Wallace, Morales, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Payan

## 12.3. Information Sharing

Todd said this discussion that we had with the COC is an indication of how things are changing in terms of intergovernmental relationships and of being involved in things that affect us, just providing information to our communities and services, we have seen things happening in different settings that affect us and if you are not there representing your interests, your position will likely not be considered. He emphasized how important it is to stay involved with their assigned committees just for that reason. He shared its important not to drop out of the League's SSJVD meetings and other League meetings for these reasons. He urged the Council to "stay involved."

Todd described the ballot measure that has potential of protecting cities. It may not happen, to a certain extent, people are tired, it takes an extra effort, everyone is cutting back, staff is eliminated, and we are going to have to step up.

Mayor Wallace said he is amazed at the mind set of people, especially at the state level in California. He said he experienced this with other propositions. The people's mind set is negative and now it's to a point that everything gets overridden. He feels voter turn out will be bad in November because of the mind set.

City Manager Todd said we must also remind ourselves that we're stewards of city services; the expectation has not changed to meet the city's resources. There is a dynamic that will happen; you can see it every time you pick up the newspaper. People have not adjusted to the new reality and will not be pleasant. When you take things away from people and you don't change their taxes, they don't associate the change.

City Manager Todd reminded the City Council that the retirement celebration will be held on April 23.

CITY ATTORNEY

13.1. Information Sharing

None

COMMUNITY SERVICES

14.1. Information Sharing

None

POLICE SERVICES

15.1. Lexipol Finalization

Lt. Popovich said the police department decided to go to new a policy procedure manual, it has been reviewed and the final draft is ready to move forward. The manual is 499 pages in length. Beginning May 1, the manual will be utilized in the department. Lexipol will be contacted once police staff has been notified of the procedures. The manual will always be up to date and accessible.

Lexipol does two yearly updates, once in June and January of each year. Although we are utilizing the manual May 1, there will be a chance to update the manual in June. The item was information only.

15.2. Information Sharing

Police Chief Olvera said that in the absence of Community Relations Specialist Villanueva, Sgt Son has been assigned the duties of the Volunteer Coordinator. It seems that the volunteers are excited to revert to the way the program was run a few years ago.

Chief Olvera said reserve officers have been interviewed; there were 11 applicants and the top 5 will be notified and backgrounds checks will be conducted.

Council discussion followed.

ADMINISTRATIVE SERVICES

16.1. Information Sharing

Director Nunes said that today was water shut-off day. This is the first month staff did not send out door tags. The procedure was advertised and staff used Connect CTY to notify the people of late utility payments. Staff assumes there will be less next month. The new procedures brought the shut-offs down from 230 to 114. Staff is updating client files as they come in to pay their bills. It was as expected that there would be more people the first month.

Nunes reminded everyone that city hall will be closed Friday for furlough.

DEVELOPMENT & ENGINEERING SERVICES

17.1. Avenue 416 Real Property Acquisition(s)

This item was discussed in closed session.

17.2. Action of the Planning Commission, April 6, 2010

Director Uota reported the continuance of the previously scheduled public hearing due to lay off of the city planner.

Mayor Wallace asked Uota about the sign ordinance.

Uota said the ordinance draft is in his in-basket for review and he will circulate it to the City Manager's office soon.

### 17.3. Information Sharing

Uota reported on building matters:

The developer of the new car wash near Carl's Jr pulled the permit recently. Staff received inquiry on the project because USDA was involved on financing. We will provide them the proper information. AM/PM is moving through another round of file review. Staff continues to work with the issues.

Meinert reported that BIG 5 would like to begin construction in June and open by Thanksgiving.

## PUBLIC WORKS

### 18.1. Information Sharing

Director Beltran said she would like to make a clarifying point; parking spaces downtown are still temporary.

The Mayor asked if downtown Christmas banners are going to be taken down soon. Beltran said they are scheduled to be changed next Monday.

## FIRE SERVICES

### 19.1. Information Sharing

Chief Thompson shared that weed abatement is well under way.

## ADJOURN TO REDEVELOPMENT AGENCY MEETING

Mayor Wallace adjourned to the Redevelopment Agency meeting at 8:02 pm.

## RECONVENE FROM REDEVELOPMENT AGENCY MEETING

Mayor Wallace reconvened the meeting at 8:04 pm.

## CLOSED SESSION ACTION

### 2.1. Meet and Confer

Pursuant to Government Code Section 54957.6, the City Council met in closed session with City Manager Todd to discuss meet and confer negotiations.

No action taken.

### 2.2. Avenue 416 Property Acquisition Negotiations

Pursuant to Government Code Section 54956.8, the City Council meet in closed session with City Attorney McCloskey and City Manager Todd, to discuss acquisition of real property located as outlined below:

595 [West El Monte Way, APN 014-033-024](#)

It was moved by Council Member McKittrick, second by Vice Mayor Morales, to direct the negotiator to counter the offer.

AYES: Smith, Wallace, Morales, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Payan

383 [West El Monte Way, APN 014-064-016](#)

It was moved by Vice Mayor Morales, second by Council Member McKittrick, to approve the negotiated offer of \$120,000 for full take (\$86.00 per square foot) plus relocation expenses as prescribed by law.

AYES: Smith, Wallace, Morales, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Payan

317 West El Monte Way, APN 014-064-022

It was moved by Council Member McKittrick, second by Vice Mayor Morales, to approve the negotiated offer of \$82,000 for full take approved (\$86.00 per square foot) plus administrative settlement to satisfy the bank note per Caltrans rules plus relocation expenses as prescribed by law.

AYES: Smith, Wallace, Morales, McKittrick  
NOES: None  
ABSTAIN: None  
ABSENT: Payan

ADJOURNMENT

Mayor Wallace adjourned the City Council meeting at 9:50 pm.

---

Mark Wallace, Mayor

ATTEST:

---

Linda Barkley, Deputy City Clerk