

COUNCIL MEMBERS PRESENT: Harness, Hinesly, Smith, Morales, Gonzalez

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

CALL TO ORDER

Vice Mayor Hinesly called the work session to order at 5:35 pm.

Mayor Smith and Council Member Morales were absent when the work session began.

WORK SESSION

2.1. General Plan Review

Josh McDonnell and Steve Brandt of Quad-Knopf were present to familiarize the City Council with the General Plan and other planning elements. McDonnell shared the goals; objectives and policies from broad to specific and the seven mandated elements which he explained individually.

Mayor Smith arrived at 5:52 pm.

City Manager Todd requested that McDonnell explain how General Plans are constructed and initiated which McDonnell shared.

Steve Brandt spoke next about Specific Plans. He reviewed the LAFCo Municipal Service. The document shows we are planning for growth and have plans in place from planning and financial standpoint to prepare for the General Plan. He explained the final steps that he said will take a number of months working with City staff and keep Council informed.

Council discussion followed.

BREAK

Mayor Smith adjourned the Work Session at 6:27 pm.

RECONVENE FROM BREAK

Mayor Smith called the meeting to order at 6:40 pm.

INVOCATION

Council Member Harness led the invocation.

FLAG SALUTE

Fire Chief Thompson led the flag salute.

COMMUNITY RECOGNITION AND APPRECIATION

5.1. Leadership Northern Tulare County

Mayor Smith presented the Leadership Northern Tulare County Steering Committee representative, Lisa Castillo, with a certificate of Appreciation recognizing the recent donations made to the community for park amenities and improvements at Vuich Park. Castillo was accompanied by other LNTC Steering Committee members.

PUBLIC COMMENT

6.1. Alta Family Health Clinic – Letter of Intent to Purchase Hospital Facility

City Manager Todd explained the proposal by Dr. Thutsu, Alta Family Health Clinic, to purchase the hospital facility on Adelaide Way. He requested authorization to negotiate the sale with Dr. Thutsu. Council discussed the proposed agreement.

It was moved by Vice Mayor, second by Council Member Morales to look at proposal and negotiate with Dr. Thutsu.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez  
NOES: None  
ABSTAIN: None  
ABSENT: None

6.2. Myles Chute – ACS Pulling for a Cure Event, March 19, 2011; Request for Street Closure and Co-sponsorship

Fire Chief Thompson presented the request for street closure and the City's co-sponsorship of the event in Chute's absence. The Fire Department will bring the ladder truck for the event this year. He explained the street closure request and the "taco challenge" event that will occur downtown and sponsored by the Chamber of Commerce.

Vice Mayor Hinesly clarified that the intersection will not be closed as it was last year, from Kern to Ventura.

It was moved by Council Member Morales, second by Council Member Gonzalez, to approve the request for street closure and co-sponsorship as presented by Thompson.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez  
NOES: None  
ABSTAIN: None  
ABSENT: None

6.3. Ashley Greco, ACS Relay for Life Dinuba Team, Request for Sponsorship

Ashley Greco, Captain of the Dinuba Relay for Life Team, requested the City's continued support through sponsorship of the team at a cost of \$3,000 as in past years. Council discussion followed.

It was moved by Council Member Morales, second by Council Member Gonzalez, to authorize the co-sponsorship as requested in the amount of \$3,000.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez  
NOES: None  
ABSTAIN: None  
ABSENT: None

6.4. Marquis Homes

Bob and Shayla Lever, 1911 Barcelona, Pismo Beach, California, were present representative of the owners of Marquis Homes properties. Bob Lever acknowledged having received a letter sent him and other property owners about what the Marquis Homes property. He explained there are 60 owners and they don't all know each other.

The few property owners that have responded to Lever's contact about the situation agreed to do minimal maintenance to the property but are not willing to spend or borrow funds to complete all of the City's demands for the property in its current state. Lever said the homeowners that responded agreed that they can implement a clean-up and maintenance program for the entire property and the partners who own the houses already built will paint the houses and keep them fenced and secured. They do not agree to build a block wall as it would be too great an expense.

Mayor Smith responded that we passed a Measure a year or so ago and the neighbors in that neighborhood are very unhappy with the situation.

Lever said the owners didn't know about the situation in the beginning. He talked about the process that has occurred over time with the ownership of the property. He said they require some time to see a return on the investment even at a loss.

Vice Mayor Hinesly asked how much time they need.

Lever said he doesn't know; the market has to come back, he mentioned there's some grant money and he added he can only tell the Council what they can propose right now. He said he doesn't know what is gained by leveling the houses through the abatement process.

City Manager Todd shared the past history of the project and said it comes to a question, how much is the neighborhood willing to take.

Mayor Smith said he's glad he doesn't live across from a cyclone fence with barbed wire on it.

Council discussion followed.

City Manager Todd suggested to the City Council to let them come back with a visual representation of what they are willing to do and have them hold a community meeting to see what the neighborhood is willing to accept and put up with.

Council Member Gonzalez said since that is his district he's willing to talk to his neighborhood about what they are willing to accept in the meantime.

Shayla Lever shared the possibility of putting up a block fence is zero to none. She said they have not received consensus on what they are proposing even tonight which is to paint houses; protect houses and keep lots clean. The block wall cost is \$200,000 to \$250,000 and that is not going to happen right now. They want to eliminate the eyesore but it doesn't include the brick wall and it is only 17 owners who have an interest in the built houses and it can't be done. Again, they proposed to keep houses and lots clean, and painted, change the barbed fence if the council so wishes but a block wall is not possible right now.

City Manager Todd said there's a good argument for a block wall but maybe an alternative is to clean up the property and put in some landscaping around the public improvements, paint the houses, keep it looking clean. He offered that landscaping can make it look nicer than putting up a block wall.

Lever said they want to do what's right; they feel the property will come back eventually. She said they can get prices for gardening, cleanup and maintenance, find out about landscaping the property perimeter. Again, she expressed she doesn't know what the response from the other partners will be.

Vice Mayor Hinesly asked how long it would take to get the word out to the neighborhood and get a neighborhood meeting to talk about it.

City Manager Todd said it sounds like what they're doing is putting out \$5,000 to \$6,000 per year and that will not be sufficient in maintaining the property.

Mayor Smith asked the Levers if they would like to see those houses across from them where they live in Pismo. They said no, they wouldn't want to see that.

Council Member Gonzalez said "help us to help you" and he added that his first responsibility is to his constituents. He said he will talk to his neighborhood and asked the Levers to come back to the next Council meeting but after further discussion it was decided that 30 days would be better to enable them to notify their partners.

Mayor Smith tabled item 6.4 to a subsequent meeting.

#### 6.5.     Unscheduled

Erica Cabrera, 8650 Mariposa Mall, District Manager for Assembly Member Henry T. Perea, said she was present to let the Council know Perea's office is available to work with them.

City Manager Todd said Council and staff would like to meet with Assembly Member Perea to discuss redevelopment and staff will contact Cabrera's office to schedule a meeting.

#### CONSENT CALENDAR

7.1.     City Council / RDA Joint Regular Meeting, January 11, 25, 2011

7.2.     City Council / DUSD Joint Meeting, January 25, 2011

- 7.3. Acceptance – Other Agency Meeting Minutes
  - a. Citizens Oversight Committee, October 29, 2010
  - b. Parks and Community Services, November 16, 2010
  - c. Planning Commission, January 4, 2011
  - d. Police Advisory Commission, January 4, 2011
  - e. Pro Youth Commission, September 16, 2010
- 7.4. Historic Preservation Commission, Draft Agenda, February 14, 2011
- 7.5. Parks and Community Services Draft Agenda, February 15, 2011
- 7.6. Building & Fire Codes Adoption, Ordinance No 2011-01, Second Reading, Waive Reading in Full
- 7.7. Certificates of Acceptance - Avenue 416/El Monte Way Widening Project  
Right-of-Way and Property Acquisition

It was moved by Council / Board Member Morales, second by Vice Mayor / Vice Chair Hinesly, to approve the consent calendar as presented.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez  
NOES: None  
ABSTAIN: None  
ABSENT: None

#### WARRANT REGISTER

- 8.1. Approval – City Council Warrant Register, January 28, February 4, 2011
- 8.2. Approval – Redevelopment Agency Warrant Register, January 28, February 4, 2011

It was moved by Vice Mayor / Vice Chair Hinesly, second by Council / Board Member Morales, to approve the warrant register as presented.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez  
NOES: None  
ABSTAIN: None  
ABSENT: None

#### MAYOR'S / CHAIR'S MINUTE

- 9.1. Information Sharing

Mayor Smith said he attended a dinner for the Chamber's past annual award recipients. He said Dinuba's history includes team members of the Steelers and the Packers who were each inducted into the Hall of Fame. He added the founder of the first blood bank was from Dinuba.

#### COUNCIL / AGENCY COMMENTS

- 10.1. Reminder – League of CA Cities South San Joaquin Valley Division General Meeting, February 10, 2011, Visalia

Council Member Gonzalez said he went to the State Capital with City Manager Todd to a legislative meeting in regard to Redevelopment. They spoke in favor of Redevelopment.

Council discussion followed.

Vice Mayor Hinesly said she and the Mayor attended the Fire Department and Dibudio and DeFendis presented the fire department with a \$10,500 check. The firm is Fireman's Fund and Mr. DeFendis said they give large amounts of grants like this each year.

Vice Mayor Hinesly said she attended the Chamber Annual Awards Dinner. She also attended the Council of Cities meeting and she said it made her feel proud that they look favorably to Dinuba for the MOU and the General Plan. She shared a Relay for Life update; she said she attended the first Good Morning Dinuba meeting and the second one will be tomorrow at 8:00 am at M. Green at 135 North Uruapan. The first meeting was first rate and she encouraged anyone who has an interest about the businesses in Dinuba to attend tomorrow.

CITY MANAGER / EXECUTIVE DIRECTOR

11.1. Engineering Service Consultant Selection

Assistant City Manager Anderson shared that RFP's were mailed to prospective firms for engineering services. There are services that we are already contracting out but this is a request for a firm to continue to do that or continue using the firm we were using to do so. Staff interviewed four firms. After further discussion Anderson recommended that the City Council award the contract for general engineering services to 4 Creeks Engineering, approve AECOM/Boyle Engineering as pre-authorized for Capital Projects design, award the contract for general planning services to Quad Knopf, Inc., and authorize the City Manager to execute contracts for these purposes.

It was moved by Council Member Morales, second by Council Member Gonzalez, to award the contract for general engineering services to 4 Creeks Engineering, approve AECOM/Boyle Engineering as pre-authorized for Capital Projects design, award the contract for general planning services to Quad Knopf, Inc., and authorize the City Manager to execute contracts for these purposes.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez  
NOES: None  
ABSTAIN: None  
ABSENT: None

12. Information Sharing

City Manager Todd shared information about the legislative meeting he and Council Member Gonzalez attended in Sacramento. He said the reason we don't see anything about the governor's proposal to abolish redevelopment is that it's so complicated and he added it's not an easy thing to just say we won't do it anymore. It was interesting because the representatives were from all over and it wasn't staff but mayors and council members who told about the impact on their communities. They spoke about the number of jobs created; the number of houses added and the numbers were significant. The mayor from Los Angeles said they created about 2,000 jobs per year.

The story we told is what our Agency did to support our local schools. Prior to Redevelopment, the industrial park generated \$1100 per year in property tax and the school district was getting about \$300 per year in property tax from that property; the school district now gets about \$450,000. Our story was against the argument that somehow taking RDA funds from cities would free up more money for the schools.

Council discussion followed about Redevelopment.

CITY ATTORNEY

12.1. Information Sharing

None

FINANCE AND COMMUNITY SERVICES

13.1. Bob Barker Building

City Manager Todd said the staff report makes a request but he asked the Council to wait on formal action until a subsequent Council Meeting. He said there is a realtor present who said he has a client interested in the building and as a result staff received a letter of interest today. Todd recommended the Council allow an opportunity to consider the offer and meet with the interested parties. He asked that the party be able to come up and speak and he said there is another interested party present in the audience, Gary Lunsford.

Mayor Smith asked if the Council has already taken formal action on the Bob Barker Building.

City Manager Todd said not yet; the Council directed staff to come back with recommendations at a later date.

Realtor Brian Hyde, 3330 Mineral King, Ste F, Visalia, said Food Link is his client and was present to answer questions the Council may have in regard to the proposed purchase.

Harley Roberts 2229 S Fulcom, Visalia and Sandy Beals of Food Link were present. Roberts said the USDA approached Food Link about a 100 percent loan. They must first get approved by USDA but Roberts said he felt positive about the proposal and he said it helps to get acquainted with the building. Roberts said they like working with Dinuba and a requirement of the grant is the purchase must be in a city that has 20,000 or less in population, according to the census. He said it could be good move for Food Link and Dinuba.

Sandy Beals gave an overview about Food Link's mission to make sure no one in Tulare County goes hungry. One of their biggest expenses is on their warehouse to which the lease has expired. USDA offered to assist them with 100 percent financing. It makes sense for them to buy a building. USDA has only pre-approved the loan; they want to be here and the building is very tempting to them.

Mayor Smith asked why Dinuba residents would be glad they are located here.

Beals said Food Link is welcomed by many communities. They provide volunteer work for churches, schools, and communities. They offer work programs for school children and give them an opportunity to complete their work programs. She added they have nine paid staff.

Vice Mayor Hinesly asked how the facility in Visalia compares to the warehouse in Dinuba.

Beals said it's larger and more "usable" for them than the Visalia facility. She added the USDA will build remodeling provisions into the loan.

Council discussion followed.

#### 13.2. FY 2010-2011 Mid-Year Financial Report(s) Ending December 31, 2010

Director Nunes referred to the financial reports and exhibits and explained each to the City Council / Agency. Nunes requested that the Council / Agency accept the reports as presented.

It was moved by Vice Mayor / Vice Chair Hinesly, second by Council / Board Member Gonzalez, to accept the reports as presented.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez  
NOES: None  
ABSTAIN: None  
ABSENT: None

#### 13.3. Information Sharing

Nunes shared that the annual budget process begins on Thursday. The Council will have the first report from the City Manager in April and the budget sessions begin in May.

Nunes shared that this Friday the Senior Center is hosting a Valentine Luncheon for its senior citizens.

Nunes said baseball sign-ups are being taken.

Nunes shared we're hosting a family night for after school program children and their families. She added there will be food booths, a carnival and the money raised will be used for a field trip for the children in the program. The event will be held March 30.

CITY ENGINEER

#### 14.1. MSR/SOI Adoption, Resolution No 2011-08

Director Beltran shared that this is the action item that stemmed from the earlier work session.

Steve Brandt, Quad-Knopf, requested the City Council adopt Resolution No 2011-08 as discussed in the work session.

It was moved by Council Member Gonzalez, second by Council Member Morales, to adopt Resolution No 2011-08 as presented.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez  
NOES: None  
ABSTAIN: None  
ABSENT: None

#### 14.2. Master Development Schedule

Director Beltran reviewed a copy of the revised Master Development Schedule with the City Council. She said typically the item is listed under consent calendar but tonight it is before the Council for review and discussion to help the Council understand and to answer any questions they might have about the schedule.

Council discussion followed.

Mayor Smith asked if Perko's has pulled a permit to rebuild.

Building Official Hartley said Perko's is planning to submit plans possibly next week for the new building and they plan to open in late August or early September.

City Manager Todd said he met with representatives of Adventist Health earlier in the day and they explained their plans. The plans are to build an urgent care center with laboratory and x-ray facilities and other support services. It will be a top notch facility and their plan is to make Dinuba an anchor and connect it to the clinic but also to the other facilities they have in the area. They are moving right along with their plans. Todd said Adventist Health hopes to bring something to share to the next Council meeting.

#### 14.3. Information Sharing

None

### FIRE SERVICES

#### 15.1. Haz-Mat Services Agreement Amendment

Chief Thompson reported that since March 21, 1995, the City of Dinuba, along with the other cities in the County, and the County of Tulare has relied on the Visalia Fire Haz-Mat Team to respond to, identify and mitigate significant hazardous materials releases. Under the current agreement, the Visalia Fire Haz-Mat Team only bills for actual response, when requested by the authority having jurisdiction. The Visalia Fire Department notified the Tulare County Operational Area Emergency Council on July 23, 2009, that due to recent budget cuts the City of Visalia is no longer able to continue to fund the annual operational costs of the Visalia Haz-Mat Team. The 2009/2010 annual operational costs are projected at \$119,312. In 2009 the Dinuba City Council authorized an appropriation in the amount of \$2,525 to cover the city's portion of the cost to sustain the Haz-Mat Team for the remainder of FY 2009/2010.

Since then, a Haz-Mat Subcommittee has met several times in order to determine a reliable funding source to annually support the Team. One option considered was to have the Certified Unified Program Agency (CUPA) assess a fee to those businesses and facilities in all of Tulare County that use or store hazardous materials. In order for those funds to be eligible to go towards the funding of the Haz-Mat Team, the Visalia Fire Department would have to provide one of the 6 functions of the CUPA and the County would have to implement a county-wide fee ordinance. To date the County has not moved forward with either.

Option 2 is to use a private company called PARC Environmental (with an office in Fresno) or a "typed" Regional Haz-Mat Team from another jurisdiction available under the California Fire Service and Rescue Emergency Mutual Aid Plan. This option would likely extend the response time upwards of an hour or longer.

Option 3 is to share the annual cost of maintaining the Visalia Haz-Mat Team. The City of Dinuba's portion of this cost is \$5051 annually.

Council discussion followed.

It was moved by Council Member Morales, second by Council Member Harness, to authorize the City Manager to enter into the agreement between the City of Dinuba and the City of Visalia in regard to Haz-Mat responses as amended.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez  
NOES: None  
ABSTAIN: None  
ABSENT: None

#### 15.2. Information Sharing

Chief Thompson thanked the Council for attending the grant acceptance ceremony.

### POLICE SERVICES

#### 16.1. Range Training Facility

Chief Olvera reported the Dinuba Police Officer's Association Range Training Facility is located at the Waste Water Treatment Plant and it met all the firearms training requirements set forth by P.O.S.T. and the Dinuba Police Department for all of its members. In July 2008, the range became no longer accessible due to safety issues concerning the newly developed Ridge Creek Golf Course.

The Police Department made alternate arrangements to use the Kingsburg Police Department firing range but immediately encountered several problems with the level of training that our officers needed and required that the range training exercises be modified. In addition, the City of Kingsburg was at risk of losing their range due to encroachments from housing developments along the river.

Staff sought other range facilities that would address the department's standard of training. We were able to obtain a contract with the City of Visalia to use their facility which is much more conducive to a full training experience in firearms, but we still lack the ability to train with the department issued patrol rifle. In addition the department continues to encounter several obstacles:

1. Scheduling Training. (Six other agencies also use the range)
2. Time is limited. (Remediation/rescheduled)
3. Rifle training. (Only a two wall alley)
4. Request from the D.A. to test fire weapon used in a crime. (Scheduled)
5. Department weapon requiring repair and test fired. (Scheduled)
6. Accessibility. (Any additional firearms training, Officer are utilizing public ranges)
7. Overtime. (To and From, or additional training)

In addition, the court ruled that in order for law enforcement firearm training to be valid it must incorporate the following:

- |                        |  |                       |
|------------------------|--|-----------------------|
| 1. Stress              | 5. Decision-making                     | 9. Attitude           |
| 2. Knowledge           | 6. Skills                              | 10. Shoot/don't shoot |
| 3. Moving targets      | 7. Officer required to move            | 11. Shotgun           |
| 4. In-service training | 8. Low light or adverse light shooting |                       |

The Dinuba Range Facility is currently available but still poses the same safety concerns. Chief Olvera is confident that with some modifications, the range can become a fully functional range training facility; for example, elevate the existing dirt berms, install rubber traps or install ricochet baffles over the existing berms. Another idea would be to rotate the firing direction opposite of what it is now, along with alleviating any possible ricochet towards the golf course. There are other measures that can be put into place that would make the range safe.

Council discussion followed.

The Council felt the range is important but there was no consensus as to where it should be located.

#### 16.2. Reminder – Police Volunteer Dinner, February 28, 2011

Chief Olvera invited the Council to the Police Volunteer Dinner.

### 16.3. Information Sharing

Chief Olvera shared that the Police Department was selected as the host agency for POST Dispatch Training. There are 21 cities currently enrolled in the training which is expected to last three days.

## PUBLIC WORKS

### 17.1. Downtown Diagonal Parking – Tulare Street

Director Beltran shared that at the meeting of October 26, 2010, the Council adopted resolutions approving the sale of the Dinuba Vocational Center to Ruiz Food Products, Inc. Proteus, a current tenant of the Dinuba Vocational Center, is relocating to available building space in the El Rincon Plaza located at the corner of West Tulare and “O” Streets this month.

Availability of long-term parking is necessary to accommodate the needs of clients using Proteus’ services. Parking for clients is available in the existing parking lot along with required handicapped parking. To maximize on-street parking for Proteus employees and/or clients, it is recommended that the existing parallel parking be converted to diagonal parking on West Tulare Street (both sides of the street), from “O” Street to “P” Street. The existing church on the corner of “P” Street and Dinuba Lumber will also benefit from the additional parking spaces by converting to diagonal parking.

Currently, there is space for 12 parallel parking spaces on the south side and 3 parallel spaces on the north side of Tulare Street in the respective block; and 3 parallel spaces on the west side of “O” Street adjacent to the plaza. By converting to diagonal parking on Tulare Street an additional 7 parking spaces can be achieved (6 on the south side and 1 on the north side). Beltran recommended that the 2 parallel parking spaces on the west side of “O” Street, south of the driveway remain and that space markings be installed for visibility.

Beltran shared that per the Dinuba Municipal Code, “Establishment of diagonal parking zones”... The City Council may by ordinance or resolution or minute order authorize the establishment of diagonal parking zones on specified streets or portions of streets within the city. To minimize visibility issues, 20 ft. “no parking” clearance setbacks are recommended.

Beltran requested the City Council discuss the matter and if approved, the Public Works Department Streets Division will convert parallel parking spaces into diagonal parking spaces in the designated area.

Council discussion followed.

It was moved by Council Member Gonzalez, second by Council Member Morales, to designate Tulare Street between “O” and “P” Streets as a diagonal parking zone.

AYES: Harness, Hinesly, Smith, Morales, Gonzalez  
NOES: None  
ABSTAIN: None  
ABSENT: None

Council Member Gonzalez removed himself from the dais at 9:23 pm.

### 17.2. Business License Delinquency List

Director Beltran shared the Business License Delinquency list with the City Council.  
Council Member Gonzalez returned to the dais at 9:24 pm.

Council discussion followed.

The Council directed staff to make personal contact with those on the delinquency list and ask them to pay their overdue business license fees.

### 17.3. Planning Commission Action, February 1, 2011

Director Beltran reported the action of the Planning Commission from the February 1, 2011 meeting.

17.4. Information Sharing

Director Beltran shared that the next CWMA meeting will be held on February 17 at noon.

Beltran also shared she received word that the trolley repairs were completed and it's hoped we get it back at the end of the week.

CLOSED SESSION ACTION

18.1. Avenue 416/El Monte Way Widening Project Right-of-Way Acquisition

Council directed staff to continue negotiations for the right-of-way acquisition.

ADJOURNMENT

Mayor/Chair Smith adjourned the meeting at 10:15 pm.

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Mike Smith, Mayor / Chair

ATTEST:

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Linda Barkley, Deputy City Clerk / Secretary