

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

STAFF MEMBERS PRESENT: Anderson, Barkley, Beltran, Carrillo, McCloskey, Nunes,  
Robison, Uota, Todd

#### CALL TO ORDER

The mayor called the meeting to order at 6:33 pm.

#### INVOCATION

The invocation was led by Chaplain Susee.

#### FLAG SALUTE

The flag salute was led by Chaplain Susee.

#### COMMUNITY RECOGNITION AND APPRECIATION

##### 4.1. Miss Dinuba Queen / Court

Miss Dinuba Anabelle Pantoja, Second runner-up Valarie Gallardo, and Kayla Oliver, Miss Congeniality were present. First runner-up Tara Cartozian was absent.

Mayor Hinesly presented the Queen and her court with city lapel pins.

#### PUBLIC COMMENT

##### 5.1. Brittney Watson, District Representative Senator Vidak's Office

Watson was present to introduce herself to the City Council. She said her territory of responsibility is the north part of Tulare County and south of Fresno County areas. She said constituents should call her office to discuss issues they may have.

Watson presented Miss Dinuba with a resolution from Senator Vidak's office.

##### 5.2. Unscheduled Items

Michael Krepps, 3750 South Demaree, Visalia, was present for the Arts Consortium. Krepps said the Consortium has been in existence for the last 5 years. Krepps said the Arts Consortium can promote the arts in this community. Krepps asked that the Mayor and Vice Mayor consider being Master of Ceremonies at the Arts Festival on October 19 for a little while. He also said he would welcome any of the Council Members to MC.

Mayor Hinesly said we are always concerned about the arts being removed from our schools.

Krepps said he is looking into some of those school programs.

Mayor Hinesly said the Council will try to attend the Art Festival.

Robert Cervantes, was present to deliver recall letters to Mayor Hinesly and Council Member Gonzalez.

Cesar Mendoza, 920 Lincoln Avenue, also delivered a letter of recall to Council Member Smith.

Ed Abair 696 Northridge, was present to defend the City Council. He chided recent claims against the Council from members of the public.

#### CONSENT CALENDAR

- 6.1. City Council Meeting Minutes, September 24, 2013
- 6.2. Acceptance of Other Agency Meeting Minutes
  - a. Community Services & Dinuba Pro-Youth Commission, July 16, 2013
  - b. Planning Commission, September 3, 2013
  - c. Police Advisory Commission, September 3, 2013
- 6.3. Community Services & Dinuba Pro-Youth Commission Draft Agenda, October 15, 2013
- 6.4. Master Development Schedule
- 6.5. Parkside Village Subdivision Unit No 2 Final Map, Resolution No 2013-32

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

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

#### WARRANT REGISTER

- 7.1. Approval –Warrant Register, September 27; October 4, 2013

It was motioned by Council Member Harness, second by Council Member Gonzalez, to approve the warrant register as presented.

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

#### MAYOR'S MINUTE

- 8.1. Bully-free America, Proclamation No 2013-12

Mayor Hinesly read the proclamation into the record.

8.2. Breast Cancer Awareness Month, Proclamation No 2013-13

Mayor Hinesly read the proclamation into the record.

8.3. Red Ribbon Week, Proclamation No 2013-14

Mayor Hinesly read the proclamation into the record.

8.4. Correspondence to Mayor Hinesly – National “Lights on After School” Day, October 17, 2013

Mayor Hinesly read into the record correspondence in regard to the National “Lights on After School” Day in which it was requested that the City of Dinuba participate in the event scheduled for October 17, 2013.

The Council conceded to participate by leaving the lights on after hours at City Hall in support of After School Programs.

8.5. Information Sharing

Mayor Hinesly attended the California Association Waste Management meeting. She said there was a conversation about a decision that allows marijuana to be burned in landfills because it makes fuel.

Mayor Hinesly reported that the Bark for Life event will be held at Nebraska Park on October 19 and she encouraged attendance.

COUNCIL COMMENTS

9.1. Request for Excused Absence – Mike Smith, September 24, 2013

It was motioned by Council Member Harness, second by Vice Mayor Morales, to approve the request for excused absence by Council Member Smith.

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

9.2. Reminder - Economic Development Commission Candidates

City Manager Todd reported that staff has received 4 applications and there are nine seats for the commission.

9.3. Reminder – League of California Cities South San Joaquin Valley District Meeting, October 10, 2013, Selma

Mayor Hinesly reminded Council and staff about the upcoming Division meeting.

9.4. Reminder – Ruiz 4 Kids Fundraiser Event, October 17, 2013

Mayor Hinesly encouraged members of the public to support Ruiz 4 Kids. She said Ruiz Foods puts so much money back into the community for our youth. She added that the Ruiz 4 Kids Fundraiser and golf tournament are their main fundraisers.

9.5. Reminder – Joint Meeting City Council and Dinuba Unified School District Board, October 22, 2013

Discussion followed in regard to the tentative joint body agenda with the potential items listed as: tennis courts; updates on city projects; update on vocational center activities and programs.

9.6. Information Sharing

Council Member Smith talked about the recall. He discussed some “interesting points” in the recall petition he received. Smith said he would welcome a public forum with the person who petitioned him to discuss the “interesting points.”

Council Member Smith said the Raisin Day event looked like a big success.

Council Member Gonzalez urged people of the public to look at both sides of the issues and make their own decisions.

He said he attended the Raisin Day Parade on Saturday.

PUBLIC HEARING

10.1. Dinuba/Chevron Phase II Solar Program, Resolution No 2013-33

Engineer Uota reported that this item is a follow-up to a staff report presented to Council on September 24 in regard to the proposed solar energy project on 4 different city projects connecting to existing city meters. He presented a representative of kW Engineering to give information pertaining to the proposed solar program cost analysis.

Victor Gonzales, kW Engineering, was present to give results of the City’s photovoltaic cost analysis as an independent third party consultant.

Gonzales was asked if Chevron is connected with kW Engineering and he said that kW is an independent company not associated with Chevron.

Engineer Uota requested that the Mayor open the public hearing for the proposed solar program.

Beverly Worrell, 1080 Lincoln Avenue, read the contract and said she searched Google for kW Engineering and she said, she found that Chevron is one of kW's clients. She said we don't know what the cost is for the review. It is worked into the guaranteed maximum price. Looking at the cost of the project it will be \$15,000,000 to the tax payer over a period of 20 years. She asked, "what is the profit margin, the manufacturer is guaranteeing the inverters for 15 years." She asked what happens when the warranty runs out on the inverters. Theoretically you could be paying \$7 million for something that doesn't work. She urged the Council to direct staff to send out an RFP. She said there are many other reputable solar companies.

Mayor Hinesly closed the public hearing.

Council Member Smith said he somewhat agrees about the bidding. This is all too reminiscent of the high school pool because of the grant funding. He said it is reminiscent of what a customer told him. He said he doesn't know what else we could get out of a bid. He said he feels mixed on this item. He said we need to have a good understanding and we need to rely on staff and the attorney. There is a concern if kW has a relationship with Chevron.

Vice Mayor Morales agreed with Smith.

Council Member Gonzales said he too agrees with Smith.

Mayor Hinesly said she'd like to discuss some of the issues brought by Worell. One of the questions is the relationship between kW and Chevron. Hinesly said she had asked about this earlier.

Gonzales said kW has in the past been under contract with Chevron but is not currently.

Hinesly asked who paid kW and Uota said that the City is paying kW and if the project goes forward part of the grant repays the City for the cost to kW.

Nunes presented information about the financing of the project. She reported that Urban Futures is our financial consultant who puts out our bonds and handles our refinancing through Wed Bush but they could not beat the interest rate which is 4.11 percent.

Uota said based upon the review, he feels this is a reasonable deal, in terms of cost and financing costs and the savings generated. The urgency is in respect to pursuing the special tariff which applies to the largest of the 4 proposed sites. Uota said we are potentially in the forefront of the group of competitors for the Bill Credit Transfer Tariff. He said he won't request the Council make a decision tonight but delaying will only make it more difficult to acquire the tariff.

Worrell asked is the \$8.1 million price is a good price compared to other providers. The third party estimator gave an assessment of savings but not of the cost. She referenced the draft contract.

Deputy City Manager Nunes responded that in the presentation they looked at the cost. Tonight is not about the contract; tonight is only about the project and going forward.

Council Member Smith said the one thing that stood out to him was the cost from Chevron. He said he believed it was 10 percent of the project.

Council Member Harness said his position is a little different. He doesn't want to get into the tariff fund.

Council Member Smith said he would like the item placed on the joint agenda with the School Board scheduled for October 22 to discuss the School Board's experience with Chevron on the pool and other projects.

Worrell said she doesn't feel it is an item for joint discussion with the School Board as she is present as a private citizen not a School Board Member.

Council discussion followed and concluded that a discussion should take place at the joint meeting about the School District's past experience with Chevron but continue the public hearing at the October 22 City Council meeting.

It was motioned by Council Member Smith, second by Vice Mayor Morales to continue the hearing to October 22, 2013.

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

Engineer Uota said delaying this item two weeks probably won't put us at risk of losing the Tariff.

Mayor Hinesly asked why then should we go to a joint meeting.

Uota said if we don't get the Tariff, the largest project will likely be downsized so economics will be matched with the other four projects. It could still advance to a particular savings; it could still be altered and move forward.

Director Beltran commented that even on the other sites, the benefits are in the rates. In summer we spend \$20,000 in energy per well site.

Uota said they will come down from the program but we would be close.

Director Beltran explained how the breakdown occurs.

Discussion followed.

CITY ATTORNEY

11.1. Joe's Pawn Shop Update

Attorney McCloskey said an injunction was served on the owner of the business and we are going forward with seeking permanent injunction. McCloskey said he anticipates a permanent injunction ruling on October 30.

11.2. Consideration of Claim – Kuldip Thusu, Ph.D. and Universal Biopharma Research Institute Inc.

Council Member Harness asked where we are in this process. He asked if we are talking to a mediator and McCloskey said we can't get the mediator until January but we are looking at others. McCloskey said that its staff recommendation to reject the claim brought forward from Kuldip Thusu, Ph.D. and Universal Biopharma Research Institute.

It was motioned by Council Member Harness, second by Council Member Smith, to reject the claim brought forward by Kuldip Thusu, Ph.D. and Universal Biopharma Research Institute.

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

11.3. Information Sharing

None

CITY MANAGER

12.1. Consideration of Offers to Purchase Real Property:  
a. West El Monte Way/Arkona, APN 017-040-020, 024

Assistant City Manager Anderson presented the information in regard to real property for sale belonging to the City. She said several inquiries have been received about the sites so there has been good response. The real property is located on West El Monte Way and Arkona and there are 2 locations with several parcels located on at least one of them. Anderson said the persons who submitted offers for the property were present in the audience.

Michael Porte, 3216 So Green Oaks, Visalia, reported he's a realtor whose client is a dentist. He has been working with Dr. Mariya Grigoryan who would like to build a dental facility on one of the locations. She is very interested in the property.

Dr. Mariya Grigoryan said she sees many patients who are from Dinuba. She reported she is interested in both a family and pediatric dental practice.

Council Member Morales asked if she offers orthodontics services.

Dr. Grigoryan said she does have a certificate to do orthodontics and implants too and, there are two other doctors who work with her as well. They too are willing to join her in Dinuba. She said there would be three doctors and 8 employees working at the facility. She offered \$5.00 per square foot.

Council Member Harness asked in relation to this property where we have identical practices making offers, is there an opportunity to counter offer.

Discussion followed.

Doctors Mirzaeian and Rafisolyman, the other party to make an offer on the property were present. Their specialties are I.V. sedation, implant and cosmetic dentistry, and many other dental procedures. Dr. Mirzaeian said he has been working in Dinuba for 9 years and Dr. Rafisolyman for 12 years, both currently practicing at Alta Family Health Clinic. Dr. Mirzaeian said they would have 16-20 employees. They offered \$7.00 per square foot.

Assistant City Manager Anderson said one buyer is represented by a realtor and the other is not so one will pay a commission and the other won't.

Council Member Smith said we should go with the higher bid. The others agreed.

Council Member Harness asked if they would need to build within a certain time frame. Anderson said yes they will come back with the plans.

Vice Mayor Morales asked if there is another location available for the other dentist to purchase. Staff said there is.

It was motioned by Council Member Harness, second by Council Member Smith, to support staff's recommendation to accept the offer for purchase of real property located at West El Monte Way/Arkona, APN 017-040-020, 024 from Doctors Mirzaeian and Rafisolyman for \$7.00 per square foot.

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

BREAK

Mayor Hinesly declared a break at 8:16 pm.

RECONVENE FROM BREAK

Mayor Hinesly reconvened the meeting at 8:29 pm.

- b. West El Monte Way/Arkona, APN 014-063-021, 022, 023, 024, 026, 028

Assistant City Manager Anderson reported that the next parcels of real property are located at West El Monte Way/Arkona, APN 014-063-021, 022, 023, 024, 026, 028.

All three interested parties have indicated interest in rezoning the property to commercial. The three parties were: Dr. Mariya Grigoryan; Angel Speed LP; and, Josh Culley. Dr. Grigoryan has withdrawn her offer. The real property for sale is six parcels for one development.

Angel Speed LP is a dental / orthodontics company known commonly as Western Dental. They estimate job creation for 12 to 17 employees.

Joshua Culley, State Farm Insurance is interested in buying one lot and he was present at the meeting.

Anderson recommended that the City Council sell the property to Angel Speed LP as it is staff's intention to sell the entire 6 parcels as one piece.

Neil Angelillo, Fresno CA, real estate developer was present representing one of his clients, Western Dental Services. The client has made a determination that Dinuba would be a good location. Western Dental would like to build part for Western Dental and the other part of the site for another business when the time comes. Angel Speed offered to purchase the property for \$7.28 per square foot.

Joshua Culley said he heard that someone else was interested in purchasing the property he was also interested in purchasing. He said as the city grows we need additional higher paying jobs. He stated that he has contributed to the city in several ways through community activities and other ways. His goal is to employ 12 individuals. He said his office is a very productive office, a local business, local owner and his children go to school here. He questioned whether or not there is a need for another dental office in Dinuba. Joshua Culley offered to purchase the property for \$5.00 per square foot but he was interested only in purchasing one lot of the six parcel property.

Council discussion followed.

It was motioned by Council Member Smith, second by Council Member Morales to accept the offer made from Angel Speed for \$7.28 per square foot for the entire 6 parcel real property.

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

12.2. Authorization to Execute Sales Agreement and Development Agreement for City of Dinuba and California Gold for Real Property Located on the Southeast Corner of El Monte Way / Westgate Way, Dinuba, Resolution No 2013-36

Deputy City Manager Nunes reported that at the August 13, 2013 Council meeting it was reported that Scot Patterson, California Gold Development, approached City staff in regard to the purchase of 2.5 acres of real property owned by the City along El Monte Way and Westgate Way. Patterson has a client who is

interested in purchasing the property to build a 19,000 sq. ft. facility and the nature of the business would be a benefit to the community.

At the September 10, 2013 Council meeting, the City Council authorized staff to continue negotiations with California Gold Development to purchase the property for \$2.58 per sq. ft. City staff has negotiated accordingly and the Sales Agreement and Development Agreement have been drawn that meet the City's adopted Investment Policy.

The proposed business will bring approximately 20 new jobs and an additional \$330,000 in sales tax and \$240,000 in property tax over the next six year period.

Nunes requested that the Council authorize the City Manager adopt Resolution No 2013-36, authorizing the City Manager to execute the Sales and Development Agreements for the sale of real property located at the south east corner of El Monte Way and Westgate Way.

It was motioned by Council Member Smith, second by Council Member Harness, to adopt Resolution No 2013-36 as presented.

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

Council Member Harness asked how much acreage is left to sell. City Manager Todd said there are about 9 acres that run parallel to Best Buy on El Monte Way.

Deputy City Manager Nunes said the name of the buyer can be disclosed after the sales agreement has been signed.

### 12.3. Information Sharing

None

### FIRE SERVICES

#### 13.1. Fire Prevention Open House Event, Request for Street Closure October 12, 2013; Tulare Street Between I and H Streets

Chief Thompson said this is a request for a temporary closure in front of the fire station this Saturday to hold the annual Fire Prevention Open House.

It was motioned by Council Member Smith, second by Council Member Harness, to approve the request for street closure as proposed.

AYES: Harness, Smith, Hinesly, Morales, Gonzalez

NOES: None  
ABSTAIN: None  
ABSENT: None

Mayor Hinesly asked how many people are expected.

Chief Thompson said there will be many children there. The event will include a training trailer, bounce house, and extrication demonstration.

Mayor Hinesly asked that the City Manager talk about the Korean Delegation meeting.

Assistant City Manager Anderson shared there were 4 gentlemen, 3 from South Korea and one from Fresno. She said staff was formerly in the process of trying to form a sister city with a city in South Korea but it didn't work out. There is another city that is interested in becoming a sister city with us.

They have cattle in the area and they asked staff to help them find a way to export hay to South Korea. Anderson said she was in contact with many people associated with exporting hay. She was successful in connecting a grower and one of the Korean representatives to export the hay.

#### ENGINEERING AND PLANNING SERVICES

##### 14.1. Information Sharing

None

#### FINANCE SERVICES

##### 15.1. Information Sharing

None

#### PARKS & COMMUNITY SERVICES

##### 16.1. Naming of Dinuba Recreation Facilities

- a. 201 Uruapan
- b. 920 South College Avenue

Director Carrillo requested that Council consider names received from the Community Services Pro-Youth Commission received from the community, for the naming of the Recreation Activity Center at 201 Uruapan formally known as the Barker Building and the former Court House at 920 S. College Ave. He also said they could choose a different name for the project.

Council directed staff to seek input from the community through a community naming contest. The contest was publicized through the local newspaper media and electronic media.

Name recommendations were submitted directly to the Community Services Department through September 17th - 5 pm and the recommendations were presented to the Community Services Pro-Youth

The submitted names for the Recreation Activity Center at 201 Uruapan formally known as the Barker Building were:

- o Cat Hernandez Recreation Center (6 recommendations)
- o Patriots Sportsplex
- o Lou Mcavich Recreation Center
- o Ronald Hills Recreation Center
- o Dinuba Recreation Activity Center (3 recommendations )
- o Dinuba Sportsplex Recreation Center (Community Services Pro-Youth Commission recommendation)

The submitted names for the former Court House at 920 S. College Ave were:

- o Cat Hernandez Recreation Center
- o College Park Recreation Center (Community Services Pro-Youth Commission recommendation)

Carrillo requested that the City Council consider the names and approve official names for the two Recreation Activity Center facilities.

Council Member Harness said he liked both names recommended by commission.

Council Member Gonzalez agreed with Council Member Harness.

Vice Mayor Morales said he liked Dinuba Sportsplex and College Park Recreation Center.

a. 201 Uruapan

It was motioned by Council Member Gonzalez, second by Council Member Harness, to officially name the facility at 201 Uruapan the "Dinuba Sportsplex."

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

b. 920 South College Avenue

It was motioned by Council Member Gonzalez, second by Council Member Harness, to officially name the facility at 920 South College Avenue the College Park Recreation Center.

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

ABSTAIN: None

ABSENT: None

Council Member Harness stepped down from the dais at 9:00 pm.

## 16.2. Information Sharing

Director Carrillo reported the financial report for Raisin Day Carnival ticket sales. He said it was a record-breaking year. The Advanced sales were \$54,200, the onsite ticket sales were \$1,832; Friday sales were \$9,200; Saturday sales over \$30,000; and Sunday sales a little over \$16000; the grand total was \$110,090.

Council Member Harness returned to the dais at 9:02 pm.

## POLICE SERVICES

### 17.1. Request Authorization to Purchase K-9 Service Dog and Associated Equipment

Police Sgt. Robison reported that staff is seeking authorization to purchase one trained service dog and associated equipment associated with the dog. The dog in place now is soon to be retired due to age.

The total cost to replace the service dog is \$12,200. Funds will be allocated from Measure F

The cost breakdown was presented:

- |    |                         |                    |
|----|-------------------------|--------------------|
| 1. | One trained service dog | \$6,500 (Plus tax) |
| 2. | Patrol training         | \$3,000            |
| 3. | Narcotics training      | \$2,700            |

Sgt. Robison was asked if the K-9 officer has been identified. Robison said not yet but there will be interviews for the replacement officer soon.

Council Member Smith asked what Robison's thoughts are on the dog program. Robison conveyed it is a favorable program.

It was motioned by Council Member Smith, second by Vice Mayor Morales, to authorize staff to move forward with the purchase as presented.

AYES: Harness, Smith, Hinesly, Morales, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: None

Council Member Smith asked who will take the retired dog and Robison said the handler has the first option to purchase the dog.

## 17.2. Information Sharing

### PUBLIC WORKS

#### 18.1. Utility Rate Re-notification

- a. Resolution No 2013-34 – Rescinding Resolution No 2013-13, Water Rates
- b. Resolution No 2013-35 – Rescinding Resolution No 2013-14, Sewer Rates
- c. Set Hearing Date – December 10, 2013

Director Beltran presented information in regard to rate increases for water and sewer services imposed as of July 1, 2013. In 2010 the City Council committed to not increasing utility rates for 3 years in response to the increasing cost of everyday living expenses as a result of the economic recession. The commitment was manageable for the past 3 years but the cost of providing services continues to increase. Our City Charter and the Council's policy, stipulates that costs must be financed or recovered primarily through user charges. Revenues received can only be used for costs associated with providing services related to these enterprises. User charges must be established and maintained at proper levels to assure adequate income to pay for current services and to maintain reserves to allow for adequate cash on hand at all times to pay bills, meet emergencies and provide for operating capital needs.

A work session was held on May 13, 2013 and subsequently a public hearing was held on June 11, 2013, prior to the July 1, 2013 inception date. On June 11, 2013, the City Council held a public hearing in regard to water, sewer and disposal enterprise funds. After receiving supportive public comment requesting that the rates be applied to water quality programs and a three-can disposal system, the City Council adopted Resolution 2013-13 adjusting rates for water services and Resolution 213-14 adjusting rates for sewer services. They were imposed effective July 1, 2013.

In order to impose rate increases, public notification of the public hearing must be mailed to each record owner of parcel. The City notified the customer of record (recipients of services). This may have excluded property owners that are not responsible for paying the monthly utility bill. Public notification was also made on the monthly utility bill as well as a public notice in the Dinuba Sentinel, 45 days in advance of the public hearing.

Beltran pointed out that this procedural oversight with the public notification does not change the need to adjust water and sewer rates as presented in May 2013 to the City Council. Staff, in order to rectify the issue of "record owner of parcel" versus "customer of record" is recommending that the Council take action to rescind Resolution Nos. 2013-34 and 2013-35 adjusting water and sewer rates; that the City Council order that a credit be issued to customers; that a re-notification of the proposed rate increases be mailed to record owner of parcel(s) and customer of record regarding the public hearing; and that the City Council set a public hearing for December 10, 2013 to accept public testimony in regard to the need to adjust water and sewer rates effective January 1, 2014.

Beltran pointed out that the credit to be issued per customer is approximately \$6.25. Industrial and commercial customer rates vary.

Mayor Hinesly asked if the two require separate motions. City Attorney said they do because they are two separate resolutions.

Attorney McCloskey said the refund does not hurt the City badly; to go back and refund the money now at a cost of \$1200. He said other cities have standby charges but we don't. He advised that it is more prudent to correct it now.

It was motioned by Council Member Harness, second by Vice Mayor Morales, to adopt Resolution No 2013-34 as presented.

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

It was motioned by Council Member Harness, second by Vice Mayor Morales, to adopt Resolution No 2013-35 as presented.

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

It was motioned by Council Member Harness, second by Council Member Smith to set the hearing date for December 10, 2013.

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

#### 18.2. 2013 Fall Cleanup Event, October 26, 2013

Director Beltran said the fall event is no different than we've had for several years other than the event is moving to a new site directly behind the Public Works facility. She said we had been using the Gas Company site but the last event was a little challenging and it's more convenient to have it on City property. Pena's staff has already looked at the site and the event is scheduled for Saturday, October 26.

Beltran said the Police Department is also going to be participating in a drug take back program. The same day. She reported that advertising will be extended.

It was motioned by Council Member Harness, second by Vice Mayor Morales, to authorize the Fall Clean-up event as presented.

AYES: Harness, Smith, Hinesly, Morales, Gonzalez

NOES: None  
ABSTAIN: None  
ABSENT: None

### 18.3. Planning Commission Action, October 1, 2013

Director Beltran shared information about the Planning Commission meeting.

### 18.4. Information Sharing

Director Beltran reported that for the last few weeks, staff has been trying to collect delinquent business licenses. To date there are about 120 accounts that are delinquent; penalties will begin to be assessed. Staff has been focused last week and this week on making contact with those accounts. A City staff member and Sandy Sills will be doing site visits. They will be given a letter from our city attorney explaining they have been asked to pay the license and there will be penalties imposed.

Mayor Hinesly said it seems to her we spend so much time with the delinquent licenses. She asked if our fees are higher than other cities.

Director Beltran said no they aren't but we see the same people become delinquent year

Bev Worrell returned to the podium and asked that the Council revisit item 10.1. Worrell stated that she doesn't feel it's appropriate to put the Chevron item on the joint City / School agenda. Worrell said she came to the Council as a private citizen and not a school board member.

Discussion followed as to the appropriateness of discussing the matter with the school board.

### ADJOURNMENT

Mayor Hinesly adjourned the meeting at 9:32 pm.

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Janet C. Hinesly, Mayor

ATTEST:

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Linda Barkley, Deputy City Clerk