

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

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

CALL TO ORDER

The meeting was called to order at 6:30 pm.

INVOCATION

The invocation was led by Chaplain Susee.

FLAG SALUTE

The flag salute was led by Dan Meinert.

PRESENTATION TO RETIRING CITY MANAGER ED TODD

4.1. Nick Pavlovich – League of California Cities and International City Managers Association Service Awards

Nick Pavlovich was present representing the League of California Cities ICMA to give Ed Todd an award from the ICMA. He explained it is a group of retired city managers. He presented the award to Todd.

Ed Todd, City Manager, said 25 years is a long time in one town, normal life is generally 7-8 years so 25 years is unusual. Many people ask what allows one to stay in one place for 25 years. He said one needs to be in a town where you want to stay in one town for 25 years. He said his original plan was to stay and gain experience and move up the ladder. He said he felt it was a good value fit for the family and they felt welcome and comfortable here; he said he plans to stay in the community. He said one also has to have a Council one could work with and he said he has worked with 11 or 12 City Councils. The important part of that is to have a Council that shared a vision and worked well with the Council to attain the vision. All Councils were different but they all wanted to do the right things to move Dinuba forward and make it a place where people would want to stay and make it a good place.

Council Member Smith arrived at 6:37 pm.

City Manager Todd said he could not do it all himself and he commended the Council for doing a good job and urged them to keep it up. Todd said it's important to have the support, shared vision and people that can get the work done. He said he is blessed with having had the staff and combination of employees that would take the goals and make them a part of their commitment to the community, him and themselves to get them done. Todd said most of the current staff has been here a long time and have been responsible for getting things done. These are all a part of getting things done.

He thanked the council for the opportunity to serve for 25 years.

RECEPTION

Mayor Hinesly declared a break at 6:40 pm.

RECONVENE

Mayor Hinesly reconvened the meeting at 7:00 pm.

PUBLIC COMMENT

7.1. Unscheduled Items

Robert Cervantes, 1365 W Kelly Drive, asked a clarifying question about the agenda.

CONSENT CALENDAR

- 8.1. Acceptance of Other Agency Meeting Minutes
 - a. Community Services & Dinuba Pro-Youth Commission, September 17, 2013
 - b. Historic Preservation Commission Meeting,
 - b. Planning Commission, November 19, 2013
 - d. Police Advisory Commission,
- 8.2. Master Development Schedule
- 8.3. Retiring City Employee Equipment Award

It was motioned by Vice Mayor Morales, second by Council Member Harness to pull items b. Historic Preservation Commission Meeting and d. Police Advisory Commission, and to approve the remainder of the consent calendar.

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

WARRANT REGISTER

9.1. Approval – November 22, 27; December 6, 2013

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

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

MAYOR'S MINUTE

10.1. Information Sharing

Mayor Hinesly attended the LAFCo commission meeting. Issue was that over the past 40 years, less than 700 acres have been removed from our agricultural land and used for urban use. Their goal is to control urban sprawl, protect ag land and other areas. Mayor Hinesly said she is proud that our County has done such a good job for the valley.

COUNCIL / FINANCING AUTHORITY COMMENTS

11.1. Appointment of City Manager – Beth Nunes

Mayor Hinesly asked the Council Members for their comments in regard to the appointment of Beth Nunes to the office of City Manager.

Council discussion followed.

It was motioned by Council Member Smith, second by Council Member Gonzalez, to appoint Beth Nunes as City Manager effective December 31, 2013.

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

Deputy City Manager Nunes thanked the City Council for the opportunity and thanked City Manager Todd for the training she's received over the past 15 years.

11.2. Reminder – Surabian Drive Sign Dedication, December 17, 2013; 10:30 am

Mayor Hinesly said the sign dedication for Surabian Drive will be held at the site December 17 at 10:30 am and Vice Mayor Morales will represent her at the ceremony.

11.3. Reminder – City Employee Christmas Luncheon, December 19, 2013; 11:30 am, Dinuba Community Center

City Manager Todd shared information about the upcoming employees' Christmas luncheon on December 19 and invited the City Council.

11.4. Reminder –City Council Meeting December 24, 2013 - Cancelled

Mayor Hinesly reminded everyone that the City Council meeting for December 24 was cancelled at a previous Council meeting.

11.5. Reminder – Retirement Celebration for Retiring City Manager Ed Todd, January 17, 2013

Mayor Hinesly reminded everyone that there will be a retirement celebration for City Manager Todd on January 17 at the Ridge Creek Golf Course.

11.6. Tentative Date - Transit Center Ribbon-Cutting Event, January 16, 2014

Director Beltran said the January date is tentative because construction progress keeps changing.

11.7. Reminder – Annual Chamber of Commerce Dinner, January 31, 2014

City Manager Todd said this is a reminder of the annual Chamber of Commerce awards dinner.

11.8. Consideration of Reappointment to Dinuba Planning Commission

- a. Fernando Munoz, District 1

It was motioned by Vice Mayor Morales, second by Council Member Gonzalez, to reappoint Commissioner Munoz as Planning Commissioner, District 1.

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

- b. Terry McKittrick, District 5

It was motioned by Council Member Smith, second by Vice Mayor Morales, to reappoint Commissioner McKittrick, as Planning Commissioner, District 5.

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

11.9. Information Sharing

Council Member Smith said he attended the City's Christmas festivities on Saturday and the event went well.

The Council Members wished everyone a safe and Merry Christmas.

ENGINEERING AND PLANNING SERVICES

12.1. Award of Contract – Avenue 416 Improvements Project Construction Manager

Associate City Engineer Aguirre reported that a Construction Management consultant is needed in order to successfully deliver construction management, quality assurance, safety, partnering, claims mitigation and document control for the Ave 416/EMW Widening Project during construction. A full-time Construction Manager is needed due to the number of businesses along El Monte Way that must be maintained during the Project. The Construction Manager will be assigned to the Project to assure that the community and businesses receive effective coordination and communication throughout the life of the Project to minimize impacts to businesses.

Proposals were requested on September 4 and on October 4 proposals from six Construction Management consultants were received and screened by the City Manager, the Public Works Director, the Associate Engineer and the City Engineer. Four of the six firms were selected for interviews which were in turn held on November 22nd and 25th.

The four firms included in the interviews were:

Hill International Inc.
Griffin Structures Inc.
SGI Construction Management
MNS Engineers Inc.

The Interview panel consisted of the Deputy City Manager, the Public Works Director, the Associate Engineer, and the City Engineer. As a result of the interviews, SGI Construction Management was selected as the appropriate firm to meet the City's needs for the Project.

Additionally, as a result of the screening, the interviews and determination of the best qualified firm, staff recommended SGI Construction Management be selected to provide the Construction Management services for the Project. Aguirre reported the services will be funded by Measure R, the County-wide ½ cent sales tax.

Kelly Riddle, SGI Construction Management, gave "a shout out to Ed Todd." She said she was introduced to him when the City constructed the golf course.

Riddle said SGI was happy to have been selected as the Construction Management team. Riddle provided a brief history of SGI's track record.

Council Member Smith asked about the potential construction issues such as traffic flow and businesses that might be affected with the project.

Discussion followed.

It was motioned by Council Member Gonzalez, second by Vice Mayor Morales, to select SGI Construction Management to manage the Avenue 416 Improvements Project for the City of Dinuba.

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

Mayor Hinesly asked Riddle to introduce her companions. She introduced SGI staff John Morris and Walt Paccia who accompanied her to the Council meeting.

12.2. 2013 Dinuba Street Improvements Project

a. Rejection of Bids

Associate Engineer Aguirre reported that this item is a request to the Council to reject the bids previously received for the 2013 Dinuba Street Improvements Project.

During the 2011-2012 City Council Goal Setting, the City Council listed "Key Capital Investment Projects" as one of its goals, identifying various City streets in need of reconstruction.

The list includes:

- Kamm Ave (Alta Ave to RD 72)
- Kamm Ave (RD 72 to RD 70)
- Nebraska Ave (Euclid Ave to Alta Ave)
- El Monte Way (Perry Ave to Nichols Ave)
- Sierra Way (RD 72 to Arkona)
- Sierra Way (RD 70 to WWRF)
- Kamm Ave & College Ave intersection
- RD 74 (Kamm Ave to Sierra Way)

The Project Plans and Specifications were ready for bid advertisement in November 2013; bid date opened on November 7, 2013 and closed on November 27, 2013.

The City's funding source for the project is bond proceeds from the 2007 Street Bond. It was recently discovered this project is subject to State Wage/Benefits Determinations due to the debt service payments on the bond are partially funded by the 35% local agency share of the Measure R Sales Tax. The Department of Industrial Relations has determined that Measure R funds do not fit the definition of local funds and do not exempt a Charter City from paying prevailing wage. As a result of the determination, it's staff's recommendation that the City Council to reject the previous proposals and authorize staff to rebid the 2013 City Street Improvement Projects to include State Prevailing Wage/Benefits Determinations.

Of the recent bids received, the low base bid was approximately \$1.2 million. Staff estimated that prevailing wages could increase the project base bid price to about \$1.5 - \$1.6 million. There are approximately \$1,100,000 available in the Transportation Construction Fund for the project.

Aguirre requested that the City Council reject the proposals received on November 27, 2013 pursuant to the Request of Proposals (RFP) for the 2013 City Street Improvement Projects and, grant authorization to rebid the Project.

It was motioned by Council Member Harness, second by Vice Mayor Morales, to reject the proposals received on November 27, 2013 pursuant to the Request of Proposals (RFP) for the 2013 City Street Improvement Projects.

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

b. Authorization to Re-bid

It was motioned by Council Member Harness, second by Vice Mayor Morales, to authorize staff to rebid the 2013 Dinuba Street Improvements Project as proposed.

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

12.3. Information Sharing

None

Council Member Harness stepped down from the dais at 7:38 pm.

PUBLIC HEARING

13.1. City of Dinuba Fees, Charges and Fines

Director Beltran reported that the City Council consider information presented during previous budget discussions, the utility rate review work session, and the Utility Rates Public Hearing regarding the need to adjust utility rates and then adopt the enclosed resolutions making the necessary adjustments.

Council Member Harness returned to the dais at 7:39 pm.

In 2010 the City Council committed to not increase utility rates for three (3) years in response to the increasing cost of everyday living expenses, as a result of the recent economic recession. While the commitment has been manageable over the last three (3) years, we are unable to continue the level of service without additional income to the enterprise funds. The City Charter and Council policies stipulate that costs of providing goods or services to the general public through enterprise funds must be financed or recovered primarily through user charges. Additionally, 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.

As shown in the budget presentations and the utility rate review work session, expenditures will not match revenues and operating reserves will not be met if rates are not adjusted. The major cost components of the water and sewer enterprises are capital, utilities or power, and cost of doing business, which account for 80% of the costs of running these enterprises. The cost of each of these components escalates each year due to inflation. Last year, the Consumer Price Index increased 1.7%. The proposed utility rate increases include the annual Consumer Price Index (CPI) adjustment as well as additional needs to each fund as discussed below:

Water Fund – The proposed increase to the Water Fund is 3.2% which consists of 1.7% CPI and an additional 1.5% for operating capital improvements necessary to deliver essential services and meet water service demands. FY 2013 plans for required funding of proposed Well #21 necessary to meet peak day water demands for adequate public safety, fire protection, and meet water demand obligations. Additionally, the Water Fund will not meet its two-month required operating reserve of approximately \$400,000 in FY 14/15. A rate increase in the water fund for FY 13/14 reduces the impact of higher rate increases in future years.

Sewer Fund – The proposed increase to the Sewer Fund is 8.17% which consists of the 1.7% CPI, 2.17% for bond commitments and an additional 4.3% increase for future operating capital improvements. When the state dissolved redevelopment agencies, it took away the funding source that was to pay for the 2010 notes required for Phase I of the WWRF Improvements project. FY 2013 reflects the impact of losing that revenue source. In addition, the sewer fund is legally obligated to meet bond covenants requiring revenues equal to 120% of the total debt. Not meeting covenants affects the City's credit rating and results in higher interest rates for future financing needs. This budget year also plans for a 5-year

commitment for funding Phase II of the WWRF Improvements project. Phase II is vital to the continued economic stability of the City. Available wastewater treatment capacity is legally committed to serving approximately 1500 existing approved tentative map lots. This means, we have the ability to serve approximately 100 new residential units per year for the next 5 to 8 years and possibly 1 new industry. Additionally, the State Regional Water Quality Control Board requires agencies to begin planning for increased capacity at 75% of the agency’s current waste discharge permit. Dinuba is currently at approximately 80% capacity. Not planning for Phase II could put the City at risk of a State issued moratorium. Unfortunately, moving into Phase II of the WWRF Improvements will require the City to apply for a new Waste Discharge Permit triggering new wastewater treatment and disposal regulations that to date have not been imposed on the City. Phase II is estimated at \$18m. Financing an important major project such as this will require a minimum of \$1m annual debt service. The 4.3% rate increase allows for an annual set aside in anticipation of the required annual debt payment. This major project will help our community remain economically viable, provide for continued housing opportunities for families, meet anticipated new treatment standards, regulation, and capacity requirements. The alternative to this plan could mean large rate increases in one year if we were to wait until the City is forced to proceed with the Phase II project.

Disposal Fund – For FY 2013/14 no rate increases are proposed for the Disposal Fund and fund balances allow for purchase of one-half the needed containers for implementation of the 3-can disposal system in FY 14/15.

The impact of the rate adjustments on a typical residential bill is shown below:

Monthly Service	Current Charge	Proposed Charges FY 2013-2014	Change	Percent Change
Water	\$20.20	\$20.85	\$ 0.65	3.2%
Sewer	\$22.63	\$24.48	\$ 1.85	8.17%
Disposal	\$29.53	\$29.53	\$ 0.00	0.00%
TOTAL	\$72.36	\$74.86	\$ 2.50	3.45%

In FY 2009/10, a senior discount was implemented to reduce the impact of the rate increases to eligible senior customers. The senior discount is a 5% reduction on the base utility bill.

The graph shows how Dinuba’s typical bill will compare to other cities after the adjustments. (The comparison is adjusted to a comparable 20.00 cu. ft. for equitable comparison of water delivery at proposed FY 13/14 utility rates. Dinuba’s rates will be well below the mid-range of the comparator cities.)

The required 45-day notification of the public hearing was mailed to property owners of parcels and customers of record upon which the increases are proposed to be imposed upon. Property owners of parcels may submit written protests to the rate increases, either singularly or protest both. Only one protest will be counted per identified parcel. Protests received must identify the property owner is in opposition to the proposed water fees, sewer fees, or both; provide location of the identified parcel by APN or street address; and include name and signature of the person, and when applicable, the title of the

person submitting the protest. Written protests may be submitted by mail, in person, or prior to the conclusion of the public comment portion of the public hearing to the City Clerk. Protests submitted via e-mail or other electronic means will not be accepted. City Council may consider all written and oral protests to the proposed rate increases; however oral comments will not qualify as a formal protest unless accompanied by a written protest from the property owner of record. Written protests must be presented by a majority of property owners of parcels, as identified by the most current Tulare County Secured Tax Roll otherwise City Council is authorized to impose the proposed rates.

Director Beltran requested that the City Council conduct a public hearing regarding the proposed utility rate adjustments then take action to adopt resolutions imposing the rate adjustments to become effective January 1, 2014:

- Resolution 2013-40, adjusting water charges; and
- Resolution 2013-41, adjusting sewer charges.

Mayor Hinesly opened the public hearing.

Robert Cervantes, 1365 W Kelly, presented written information. He asked the members if they understand what the information said. The information was written in Spanish and he asked the Mayor to read it which she did.

He threatened litigation if the Council does not stop now and resend the hearing notice in Spanish.

Nathaniel D. Mendoza, 1021 E Whittaker, asked that the items to be offered in Spanish for the benefit of non-English speakers.

Dolores Cervantes, 1365 W Kelly Drive, was present she said to represent females, especially Spanish-speaking females.

Bev Worrell, 1080 Lincoln Avenue, asked for clarification on two charts presented for the public works utility funds.

Deputy City Manager Nunes explained the charts and answered Worrell's questions.

Roy Orosco, 1806 Asa Gray Way, asked why the projection numbers aren't projected further out and why the numbers can't show exactly what the residents will have to pay in the out years.

Carol Knoy, 1055 Arno Rd, said that as a senior citizen she doesn't qualify for the senior discount; and added that not everyone qualifies.

Ruth Padilla, 620 W North Way, asked a question about the 25% reduction of water rates to long-standing staff members.

Attorney McCloskey said the 25% reduction was a benefit offered to staff many years ago and Beltran is the last person to receive the discount. He also reported that Beltran has voluntarily given up the 25% reduction in her water rates.

Norma Mendoza, 1250 E El Monte Way, said she received a letter about the public hearing and said she has not attended the Council meetings in the past. Mendoza asked questions about recycling containers. She asked if the city gets kick-backs from development. She said residents can't afford to send kids to college if the utilities are increased.

Cesar Mendoza, 920 Lincoln Avenue, said there is no need to raise the rates now. Now is not the time to spend money.

Council Member Harness stepped down from the dais at 9:14 pm and returned at 9:15 pm.

Robert Cervantes, 1365 W Kelley Drive, cited Prop 218, and threatened litigation.

Correspondence was read into the record concerning utility rates.

Mayor Hinesly closed the public hearing.

Council Member Smith asked City Attorney McCloskey about the Dumally Act that was cited to the Council earlier in the meeting.

Attorney McCloskey said he disagrees with having to send out information in Spanish. He said staff routinely translates in Spanish. He noted the different items that are circulated from the City. He said he does not agree with the speakers' contention that City material must be sent out in Spanish.

Council Member Harness said he has concerns with 4 years of sewer rate increases.

Discussion followed.

Council Member Smith asked if we are audited annually. He asked Cook if the city's utility rates can arbitrarily be doubled without detection.

Director Cook said the auditors would catch and ask about it. The auditors will make a presentation to Council in January on our activities. Cook said there is a governmental standard called GASB which are specific and stringent. We have to follow them and if not, we receive findings by the auditors.

Vice Mayor Morales asked how many more years the City's sewer plant will last before we have to expand it.

Director Beltran restated as she did earlier that we must begin planning expansion when we are at 75% of capacity. We are currently at 80% and if you put that into years that could mean the plant could not

service the currently approved subdivisions so they may not be built as quickly as they could be built; or if a new industry comes in, it's hard to say how many years. We started discussion about expansion of phase I in 2002 and it was completed in 2012 because it was so expensive and as a result, we went out and got a grant as well as scaled it back as much as possible. The RDA took on part of the project but RDA went away. Let's start planning for it so we are ready for it when it has to be built. In answer to the question she said it could be as much as five years.

a. City Water Rates, Resolution No 2013-40

It was motioned by Council Member Smith, second by Council Member Gonzalez, to adopt Resolution No 2013-40 as presented.

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

b. City Sewer Rates, Resolution No 2013-41

It was motioned by Council Member Smith, second by Council Member Gonzalez, to adopt Resolution No 2013-41 as presented.

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

13.2. FY 2012-2013 Impact Fee Report

Fiscal Analyst Patino reviewed the City Council the Development Impact Fee Revenues and Expenditures for fiscal year 2012-13 pursuant to Government Code §66006 and requested that following the information, a public hearing be held to take testimony from any interested persons regarding the matter.

Pursuant to Government Code §66006 the City of Dinuba must prepare an impact fee report on an annual basis. This report must be made available to the public 180 days from the last day of the fiscal year. Included in this report is the beginning and ending balances of all impact fee funds. The referenced Government Code further requires that the City Council review the information contained in this report no sooner than 15 days from when the report is made available to the public. This review must take place at a regularly scheduled public meeting.

Each year the City of Dinuba holds a public hearing to accept comments from any interested persons. An announcement of said hearing was published in the Dinuba Sentinel on November 21, 2013. The report

was available to the public on November 20, 2013.

Patino referred to Exhibit "A" which serves as the required report. The figures in Exhibit "A" represent the activity of the City's impact fee funds for fiscal year 2012-2013.

The report included the following funds:

- Parks Reserve Fees - Fund 013
- Storm Drain System Development Fees - Fund 038
- Water System Development Charges - Fund 311
- Sewer System Development Charges - Fund 312
- Transportation System Development Charges - Fund 313
- Fire Impact Fees – Fund 332

Mayor Hinesly opened the public hearing.

There were no comments from the public on this matter.

Mayor Hinesly closed the public hearing.

Fiscal Analyst Patino requested that the City Council accept the report and authorize staff to file a copy with the office of the City Clerk.

It was motioned by Council Member Smith, second by Council Member Harness, to accept the report and authorize staff to file a copy with the office of the City Clerk.

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

CITY ATTORNEY

14.1. Conference with Legal Counsel –Anticipated Litigation

Significant exposure to litigation pursuant to paragraph (4) of Subdivision (d) of Section 54956.9
(One (1) case)

This item was discussed in Closed Session.

14.2. Information Sharing

None

CITY MANAGER

15.1. Information Sharing

Deputy City Manager Nunes shared the following information:

The Senior Center will hold its annual Christmas luncheon on December 20, 2013.
She shared a reminder of the monthly Good Morning Dinuba meeting on Wednesday morning.
Nunes thanked the Council for the opportunity to serve as the next City Manager and wished everyone a Merry Christmas.

FINANCE SERVICES

16.1. Information Sharing

Interim Finance Manager Cook congratulated retiring City Manager Todd and offered condolences with tongue in cheek to Nunes on her appointment.

FIRE SERVICES

17.1. Information Sharing

Chief Thompson reported that there were two recent local fires both insignificant.

PARKS AND COMMUNITY SERVICES

18.1. Information Sharing

Interim Parks and Community Services Director Carrillo said the Christmas parade was held last Saturday and there were 28 entries. Carrillo said it was well attended.

POLICE SERVICES

19.1. Information Sharing

Chief Popovich offered congratulations to outgoing City Manager Todd and incoming City Manager Nunes.
Chief Popovich reported there's been a recent increase in commercial burglaries.

PUBLIC WORKS

20.1. Appointment of Transit Development Plan Committee

Director Beltran requested that the City Council review and consider the proposed Transit Development Plan Committee members; appoint a City Council member to the committee representing the Dinuba City Council, then take action to approve and finalize the committee.

The Federal Transit Administration requires public transit agencies to prepare Short Range Transit Plans (SRTP) to receive federal funding for transit capital projects. The SRTP serves as an agency’s “blueprint” for the delivery of public transportation (transit) services. The plan analyzes an agency’s current operations and establishes goals for improving transit services over a five-year planning period, including operational and capital needs.

The City’s 2009 SRTP is due to expire in June 2014. To prepare the 2014 SRTP, Tulare County Association of Government (TCAG) has employed Jennie Miller, Associate Regional Planner (formerly with TPG Consulting). Miller conducted the analysis, surveys, and data gathering for the preparation of the City’s 2009 SRTP.

The Community and stakeholder input were an important part of preparing the 2004 TDP. On August 13, 2013, the City Council approved the formation of a Short Range Transit Development Plan Committee to provide stakeholder input.

Beltran reported a list of stakeholders that have agreed to serve on the committee:

<u>Affiliation</u>	<u>Quantity</u>	<u>Suggested Participants</u>
City Council	1	To be determined
Dinuba Chamber	1	Sandy Sills
Planning Commission	1	Rick Olesky
Dinuba Schools	1	Enrique Moreno, Transportation
Senior Center	1	Ann Day, President DSCI
ADA/Disabled	1	Ray Millard
Vocational Training	1	Michael White, Reedley College
Social Services	1	Angelina Stanfill, Tulare HHSA
Transit Users	1	Melissa Acuna, Rider
<u>Staff</u>	<u>Quantity</u>	<u>Suggested Participants</u>
City Staff	1	Roy Ramirez, Management Analyst
TCAG	1	Christine Chavez, Planner
TCAG	1	Jennie Miller, Planner
Transit Contractor	1	Dave Nave, General Manager

Beltran reported that along with the proposed list, a member representing the City Council needs to be appointed. She added that due to the holidays the Committee’s first meeting will held in January 2014.

Council discussion followed.

Council Member Harness volunteered to be placed on the Committee and his name was added to the proposed list.

It was motioned by Vice Mayor Morales, second by Council Member Gonzalez, to approve the proposed list of Committee members along with Council Member Harness as the City Council representative to serve on the Committee.

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

20.2. Planning Commission Action, December 3, 2013

Beltran reported the action of the Planning Commission taken at the December 2013 meeting.

20.3. Information Sharing

Director Beltran reported that she attended the TCAG Board meeting yesterday and an update on Measure R activities was reported to the members.

Approximately 16 bus shelters are getting grant-funded solar lights.

Beltran reported that a call for projects was issued for CMAQ projects. She explained that over the years the projects we've submitted include a trolley and a street sweeper purchase, and two shoulder stabilization projects. She reminded the Council that the trolley is being purchased from the City of Visalia.

Director Beltran reported that the highest scoring CMAQ projects are roundabouts. She said she would like to discuss the subject to come up with a proposed list of projects for CMAQ funding. She added staff was encouraged by TCAG staff to consider roundabouts along the Avenue 416 corridor.

Mayor Hinesly dismissed those who were not included in Closed Session discussions at 10:20 pm.

CLOSED SESSION ACTION

21.1. Conference with Legal Counsel –Anticipated Litigation Significant exposure to litigation pursuant to paragraph (4) of Subdivision (d) of Section 54956.9 (One (1) case)

Mayor Hinesly reconvened the meeting in open session at 11:12 p.m.

It was motioned by Council Member Smith, second by Council Member Harness, to authorize City funded Counsel representation for City Manager Ed Todd in regard to pending litigation under Gov. Code 825.

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

City Attorney McCloskey recommended that Attorney Mike Woods be retained for the purpose of representing Todd in this matter.

The motioned was made by Council Member Gonzalez, second by Council Member Harness, to retain Attorney Mike Woods to represent Ed Todd in this matter.

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

No further action resulted from Closed Session discussion.

ADJOURNMENT

The meeting was adjourned at 11:14 p.m.

Janet C. Hinesly, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk