

COUNCIL MEMBERS PRESENT: Harness, Smith, Gonzalez

COUNCIL MEMBERS ABSENT: Hinesly, Morales

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

WORK SESSION

The work session was called to order at 5:37 pm.

It was motioned by Council Member Harness, second by Council Member Gonzalez, to appoint Council Member Smith to run the City Council meeting in the absence of Mayor Hinesly and Vice Mayor Morales.

AYES: Harness, Smith, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: Hinesly, Morales

1.1. Area Ground Water Levels

Engineer Uota introduced Steve Stadler, Deputy General Manager of the Kings River Conservation District (KRCD). Stadler gave an overview of the district and its history. He said the district covers rural areas but not cities and, works closely with water irrigation districts.

Stadler shared maps of water table depth for the district. He explained where the water is replenished and recharged, and where in the area the water is not readily replenished.

Council Member Gonzalez asked how long it will take to get the groundwater recharged.

Stadler said it's declining at 100 to 150 acre feet per year and water authorities are trying to change that number.

Council Member Smith asked if a building moratorium is advised.

Stadler said KRCD General Manager Dave Orth said there are currently 2 bills to regulate building. Many pros and cons to that. Kings County decided to oppose the proposed bills because of their effect on agriculture.

Council Member Smith asked about the plans for additional water storage.

Stadler said the water bond on the ballot has money for storage but the closest it could bring is in Temperance Flat. As far as the Kings it's likely not in the foreseeable future. One such effort met with resistance in the 1980's. Legislation was passed restricting storage unless congress approves.

Council Member Smith asked what makes a bigger impact on recharging, runoff or storage.

Stadler explained some of the efforts toward making an impact.

1.2. Water Conservation Stage II Implementation

Director Beltran shared information in regard to water conservation implementation affecting the City.

Enforcement is left to the local agencies. For those who do not comply, civil liability of up to \$10,000 per day can be enforced.

We are currently at stage I which is voluntary compliance. The level of mandatory compliance is recommended.

She reviewed the State's mandate. She relayed that City employees are authorized to issue warnings but not to cite. Peace officers and persons authorized by law to issue cites within the city's enforcement laws will issue cites.

There are exceptions as granted by the Public Works Director.

She explained we have been in a conservation mode for many years. She pointed out that wells just outside the city are going dry and she went on to explain the City's conservation measures taken since March.

Council Member Harness asked if merchants maintaining their storefronts are excepted from conserving. Beltran said she would suggest an application process for those that would want to wash down their storefront property.

The work session ended at 6:14 pm.

CALL TO ORDER

The regular meeting was called to order at 6:14 pm.

INVOCATION

The invocation was led by Council Member Harness.

FLAG SALUTE

The flag salute was led by Chief Thompson.

CONSENT CALENDAR

- 8.1. Approval of Minutes – City Council Meeting, July 22, 2014
- 8.2. Acceptance of Other Agency Minutes
 - a. Citizens Oversight Committee, April 25, 2014
 - b. Dinuba Economic Development Commission, July 3, 2014
 - c. Historic Preservation Commission, July 14, 2014
 - d. Planning Commission, July 1, 2014
- 8.3. Master Development Schedule
- 8.5. Set Hearing – Fire Master Plan, September 9, 2014
- 8.6. Set Hearing – Standard Agreement Amendment 2012 CDBG-8382, September 9, 2014
- 8.7. Rights-of-Way Dedication and Acceptance – Adelaide Way / Lincoln Avenue, APN 014-153-001
- 8.8. Parkside Village Unit No 2, Rights-of-Way and Grant of Easement Acquisition, a Portion of the Remainder of Parkside Village Unit No. 2.
- 8.9. Claim for Consideration – Janiece Bolin

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

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

WARRANT REGISTER

9.1. Warrant Registers – July 25, 2014; August 1, 8, 15, 22, 2014

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

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

MAYOR'S MINUTE

10.1. Resolution of Support – Drought Legislation, Resolution No 2014-40

It was motioned by Council Member Harness, second by Council Member Gonzalez, to adopt Resolution 2014-40 as presented.

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

10.2. Information Sharing

City Manager Nunes said Mayor Hinesly is unavailable this evening due to family obligations and she's sorry to miss the meeting. Mayor Hinesly is reachable by phone and City Manager Nunes said Mayor Hinesly is thankful of the support she's received and will continue to work hard to support the city.

Council Member Smith shared an early photo of himself and his wife Jenny and announced it is their 37th wedding anniversary. Mrs. Smith was present in the audience and surprised by the photo and the announcement.

BREAK

A break was declared at 6:29 pm.

RECONVENE

The meeting was reconvened at 6:35 pm.

NEW EMPLOYEES AND PROMOTIONS

5.1. Parks & Community Services - Cynthia Cisneros, Accounting Tech I

Assistant City Manager Anderson introduced Cynthia Cisneros who was welcomed by the Council Members.

5.2. Finance Services - Judy Estala, Billing Clerk

Director Cook introduced Judy Estala who was recently promoted to Billing Clerk and she was congratulated by the City Council.

5.3. Fire Department - Paid-call Firefighters

- Rosamber Ambriz
- Amanda Barbosa
- Emmanuel Garza
- Perla Malagon
- Jose Porras

Chief Thompson introduced the 5 paid-call firefighters recently hired and the Council welcomed them.

They were presented with City Tumblers and the Council Members welcomed them.

Council Member Harness stepped off the dais at 6:43 pm and returned to the dais at 6:46 pm.

PRESENTATIONS

6.1. Police Sgt. Bissett – Law Enforcement Day Camp

Sgt. Bissett presented an update of the Law Enforcement Day Camp to the City Council. The camp was hosted August 4,5,6 and twenty (20) youth participated in the program. The first day the youth had several tasks to give them an idea of police work. The second day they spent at the police academy where they experienced a force options simulator. The next day they had an exercise in distracted driving. The students were given shirts, and other items to commemorate the camp. Upon completion, they were presented with backpacks filled with school supplies and certificates of completion. There were several sponsors who donated toward the camp and made it possible and successful. Police officers donated 69 hours of their time for the academy.

Council Member Smith asked Sgt. Bissett what is the best thing he took away from the. He said it was the caliber of the youth. After the camp several of the youth signed up to be police explorers.

Council Member Harness asked if it will be done next year.

Bissett said yes they want to grow the camp next year in terms of the number of participants and the length of the program.

Council Member Gonzalez thanked those who made it possible.

6.2. Kaweah Delta Bailoton, September 18, 2014, Vuich Park – Request for Co-sponsorship

Stephanie Hurtado introduced Alma Torres-Nguyen and Eustolia Zamora-Bonilla from Kaweah Delta-s Community Outreach Department, Vision y Compromiso (Promotoras Network), who played a key to bringing the Farmers’

Market to Dinuba who are associated with Kaweah Delta District Hospital. She thanked them for their efforts with the Farmers' Market.

Hurtado said Vision y Compromiso is a non-profit organization that promotes community health in Tulare County by supporting and integrating the work of community health works and promoters in California.

Hurtado explained that Bailoterapia is a new way of reaching wellness and finding balance through dance. Bailoterapia is practiced in groups and is a mix of aerobic exercise and dance steps to Latin-style music. It is considered an anti-stress therapy that helps to improve physical fitness by toning the legs and increases cardio in a progressive manner.

Hurtado said Kaweah Delta wants to hold a Bailoton on Thursday, September 18. The two-hour event is free of charge but donations will be accepted. She requested waiver of the fees for use of the band shell and co-sponsorship of the event. Participants will be asked to make donations but it is not required for participation. The goal is to reach 300 people throughout the event.

Hurtado requested on behalf of Vision y Compromiso and Kaweah Delta that the event be cosponsored by the City of Dinuba and that the fees be waived for use of the Rose Ann Vuich Band Shell.

It was motioned by Council Member Gonzalez, second by Council Member Harness to approve the request to hold the Bailoton and to cosponsor the event with a waiver of fees for use of the Rose Ann Vuich Bandshell.

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

6.3. Sandy Sills, Executive Director, Dinuba Chamber of Commerce – Raisin Day Event, Request for Co-sponsorship and Exclusive Use of Vuich Park; Request for Street Closure for Parade Route, September 26-27, 2014

Sandy Sills, Executive Director Dinuba Chamber of Commerce was present to request cosponsorship and exclusive use of Vuich Park along with a request for street closure for the parade route during the Raisin Day Festival.

It was motioned by Council Member Gonzalez, second by Council Member Harness, to authorize the cosponsorship and exclusive use of Vuich Park for the event including the street closure and parade route as requested.

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

6.4. Historic Preservation Commission - Request for Co-sponsorship for Pioneer Day, November 11, 2014

Planning Tech Carrillo requested that the City Council authorize City co-sponsorship of the Pioneer Day (Armistice Day) event in an amount up to \$1,000; and, requested waiver of rental fees for use of the Entertainment Plaza. The event is proposed by the Historic Preservation Commission.

Carrillo explained that in the early 1900's Dinuba regularly observed Armistice Day and in time Armistice Day would become Veteran's Day, but the foundation behind the celebration remains.

Pioneer Day is an effort to continue to remember the sacrifices of our veterans as well as to celebrate Dinuba's past. The event is planned to take place in conjunction with other functions held in recent years by the Alta District Historical Society around the time of Veteran's Day.

The origin of Pioneer Day is tied to the Dinuba Historic Preservation Commission which recently developed a Historic Walking Tour and in seeking a way to unveil the Walking Tour, soon realized that a multi-faceted event celebrating Dinuba's history would be beneficial to the larger community. Recognizing that the Alta District Historical Society already conducts events with a similar scope around Veteran's Day, the Commission moved to incorporate "Pioneer Day" into the pre-existing activities.

The proposed event is scheduled for November 11, 2014, to be held at the Downtown Entertainment Plaza and the Alta District Historical Society Museum. It will include a number of activities, including guided tours of the Historic Walking Tour and ADHS Museum, vintage car and tractor displays, and outhouse races.

Council Member Harness asked what time the event will be held.

Sandy Sills shared some of the planned activities and explained the schedule of events should begin at 10:00 am and end by 3:00 pm.

It was motioned by Council Member Harness, second by Council Member Gonzalez, to authorize co-sponsorship of the Pioneer Day event and waive the rental fees for use of the Entertainment Plaza for the event.

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

6.5. Matrix Consulting - Fire Master Plan

Chief Thompson introduced Richard Brady, President of Matrix Consulting Group. Brady said he's worked with the City of Dinuba for 22 years and thanked the Council for a great working relationship.

Brady reviewed the following in regard to the Master Plan:

- Study Objectives
- Project Approach
- Strengths of the Current Approach to Service Delivery
- Administrative Recommendations
- ISO Improvement Opportunities
- Current Fire Response
- Recommended Fire Response
- Emergency Operations Recommendations

The Council Members thanked him for the information.

Chief Thompson encouraged the Council to read through the Fire Master Plan document as it will come back for a public hearing soon.

POLICE SERVICES

19.1. Request for Authorization to Purchase New Police Vehicles

Chief Popovich presented a request to purchase 5 new police vehicles. He explained that the Dinuba Police Department has 23 marked patrol vehicles; 3 are assigned as take home units. Of the 23 vehicles patrol fleet, 17 are over 5 years old. The department will soon retire (3) three marked patrol vehicles this year. The patrol vehicle is the officer's office and life line when performing their duties. Police vehicles are required to respond quickly and safely to high risk situations and pursue offenders which pose a direct threat to life and property. Due to the state of the Police Departments aging fleet, the approval of this request comes a year early, in year (4) of the current fleet replacement plan.

The program would allow the department to purchase and outfit five (5) new police vehicles from Folsom Lake Ford, utilizing a Municipal Lease-Purchase Program, at the State of California's contracted Fleet Price. The Municipal Lease-Purchase Program allows us to make an annual payment for one vehicle, per year, for five years with a \$1.00 buy back at the end of the contract. This process meets the City of Dinuba Purchasing Policy requirements.

If approved, funding will be provided through Rabobank Tax-Exempt Lease Purchase Financing at an interest Rate of 2.66%. The total amount to be financed is \$259,282.20 and will be paid over 5 years with annual payments of \$54,614.25.

Rabobank Vice President, Mike Bodourian, Dinuba branch, was present to talk about the lease to own program.

It was motioned by Council Member Gonzalez, second by Council Member Harness, to authorize staff to purchase 5 new police vehicles as proposed.

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

PUBLIC COMMENT

7.1. Emiliano Treviño, 231 Perry Zoning

Emiliano Trevino, 231 Perry Avenue was present with realtor Linda Launer. Launer spoke for Trevino in regard to zoning of his real property. Launer said her fact finding made it evident that his property was zoned as park zoning. She said in discussions with City Engineer Uota, the property is not zoned for residential use. If Trevino sold the property the purchaser of the property could not inhabit the home. Launer said there are three homes on Perry and three homes on El Monte in the same situation. It has been rezoned for public use and limits the owners to enjoy their homes in the future, to revise their loans or sell the properties. She said she was told by staff that since Redevelopment Agencies were dissolved, there are no monies to purchase the properties as initially intended.

Council Member Smith asked for clarification on the matter.

City Manager Nunes said staff would like to talk to Mr. Trevino in regard to the sale of his house.

Council Member Smith said on behalf of Council, they don't want to see anyone get hurt.

7.2. Unscheduled Items

Linda Launer suggested make Adelaide a one-way street during Raisin Day. She explained the parking benefits.

Sandy Sills said she sent out an e-mail blast to several people. The Chamber is planning a "Smart Mob" and she explained that it means showing up in a group and supporting local businesses. She explained that the first one will be held tomorrow at "D's" downtown.

COUNCIL COMMENTS

11.1. Request for Excused Absence – Council Member Emilio Morales, July 22, 2014

It was motioned by Council Member Harness, second by Council member Gonzalez, to approve the request for excused absence by Council Member Morales.

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

11.2. Request for Excused Absence – Council Member Aldo Gonzalez, July 22, 2014

It was motioned by Council Member Harness, second by Council member Smith, to approve the request for excused absence by Council Member Gonzalez.

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

11.3. Reminder - Oliver Bridge Dedication, 3646 Avenue 416, Reedley; August 29, 2014

City Manager Nunes said the Oliver Bridge Dedication will occur on Friday August 29 for those who can attend.

11.4. Reminder - League of California Cities Annual Conference, September 3-5, 2014

City Manager Nunes said some staff and Vice Mayor Morales plan to attend the annual League Conference in early September.

11.5. Reminder - Alta Historical Society District Annual Harvest Dinner & Auction, September 6, 2014

City Manager Nunes said the Alta Historical Society District annual harvest dinner and auction will be held on September 6.

11.6. Information Sharing

Council Member Harness shared concerns regarding cats on Millard Avenue.

He shared in reference to the closed gas station at Alta / El Monte Way that gas stations normally have abandonment rules and said he would like to know what is happening with that property in this regard.

Engineer Uota said staff has repeatedly tried to get the property cleaned up. Unfortunately, the property is privately owned but the gasoline equipment and tanks are owned by Chevron and there is no urgency with Chevron.

Harness said he's observed panhandling along the area where the road widening is taking place on El Monte Way. He asked what can be done and what are other cities doing about similar problems. He said he recognizes that some of it is for good causes but he feels it's very dangerous.

Chief Popovich said the law is specific about how it can be handled. Panhandlers can stand along the public right-of-way as long as they don't create a hazard or road blocks.

Panhandling was discussed. Chief Popovich said many are not soliciting for good intentions—he urged everyone to be careful when they are solicited by panhandlers.

Attorney McCloskey said the City of Fresno regulates it by allowing a person to stand in the center median twice a year. The four corners are not regulated—they cannot be. The worse act is giving the donation thus creating the problem. If they don't have the application, the panhandler is kicked off the median. Fresno regulates the median at the left turn lane.

Council Member Gonzalez shared that said he has been very busy during fire season.

Council Member Smith stated that in light of 2 members of the Council being absent, he doesn't feel comfortable with 40% of the community not being represented regarding the closed session item about the vocational center.

Council Member Harness said that time is of the essence.

PUBLIC HEARING

12.1. Adoption of Transit Development Plan 2014-2019, Resolution 2014-39

Jenny Miller, TCAG made the presentation.

Council Member Smith opened the public hearing but no comments were brought forward and he closed the hearing.

Director Beltran asked that the City Council adopt the instrument as a planning document.

It was motioned by Council Member Harness, second by Council Member Gonzalez, to adopt Resolution 2014-39 concerning the adoption of the Transit Development Plan 2014-2019.

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

CITY ATTORNEY

13.1. Closed Session Action - Conference with Legal Counsel: Real Property Negotiations

It was motioned by Council Member Gonzalez, second by Council Member Smith, to reject the Dinuba Unified School District's revised offer dated August 19, 2014 and directed staff to inform the Dinuba Unified School District that the building is not for sale.

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

13.2. Closed Session Action – Conference with Legal Counsel: Existing Litigation

No action was taken as a result of the closed session discussion.

13.3. Information Sharing

None

CITY MANAGER

14.1. Declaration of Water Conservation Stage II “Mandatory Compliance” Conservation Water Alert

City Manager Nunes reported that Governor Brown proclaimed a State of Emergency and directed state officials to take action to prepare for drought conditions due to extremely low water storage in major reservoirs and the lack of Sierra snowpack.

As a result, the state of emergency declaration called for a statewide water conservation campaign and encouraged personal actions to reduce water usage by 20 percent. In addition, local water suppliers were encouraged to implement their local water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season.

The City Council reviewed information in March about the City's water system and received public comment in regard to the proposed drought response plan. The Council directed staff to increase marketing efforts and outreach for water conservation with voluntary compliance encouraging the Stage II watering schedule and restrictions.

The State Water Resources Control Board approved an emergency regulation to increase conservation practices for all Californians. The regulation establishes the minimum level of activity that residents, businesses, and water suppliers must meet as the drought deepens and will be in effect for 270 days unless extended or repealed. Effective August 1, 2014, local agencies are required to implement Water Conservation Plans to a level that imposes mandatory compliance and report to the State monthly water production beginning August 15th. An estimate of gallons per capita per day used by residential customers will be required beginning October 15, 2014.

To comply with this new State mandate, Dinuba must implement Stage II Mandatory Compliance – Water Alert of its Water Conservation Ordinance effective immediately. As of March 2014, water conservation marketing and outreach efforts have encouraged outdoor watering restrictions in Stage II but on a voluntary basis. The Dinuba Municipal Code, Section 13.05.070 authorizes the City Manager to implement the appropriate stage of water

conservation with public notification. Public notification was made to all Dinuba residents via the AlertTC notification system, as well as published in the August 14, 2014 edition of the Dinuba Sentinel.

Dinuba's Stage II Restrictions:

- Irrigation permitted only on designated days, 7pm to 10am, or anytime if:
 - Using handheld hose with shut off nozzle
 - Handheld bucket is used
 - Drip irrigation system is usedException: Commercial nurseries, commercial sod farmers, and similar are exempted but requested to curtail non-essential water use.
- Washing of automobiles and other types of mobile equipment is permitted only between 7pm and 10am. Washing shall be done with handheld bucket or hose with shut off nozzle. Exception: Commercial car washes or service stations, and washing of vehicles used for health and safety (i.e. emergency vehicles, garbage trucks, etc.).
- Refilling or adding of water to swimming pools, wading pools and/or spas is permitted only between 7pm-10am.
- Ornamental fountains or other structures making similar use of water are prohibited unless using a recycling system.
- Washing of sidewalks, driveways, parking areas, courts, patios or other paved areas are absolutely prohibited.
- Restaurants are requested to serve water to customers only when specifically requested by customers.

City Manager Nunes said that decreased water usage results in decreased water revenues. Public Works is supported largely by water and sewer enterprise funds and the impact may have a negative financial effect which may result in the need to increase utility rates. The real impact will be determined when the results of the conservation efforts can be measured.

City Manager Nunes requested that the City Council take action to affirm the City Manager's decision to implement Stage II Mandatory Compliance—Water Alert in response to the State's drought emergency regulation. The regulation will be in effect for 270 days unless extended or repealed. Staff will continue to provide water supply updates.

It was motioned by Council Member Gonzalez, second by Council Member Harness, to affirm the City Manager's decision to implement Stage II Mandatory Compliance—Water Alert in response to the State's drought emergency regulation.

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

14.2. Information Sharing

None

Council Member Gonzalez stepped off the dais at 8:13 pm.

ENGINEERING & PLANNING

15.1. Planning Commission Action, August 5, 2014

Engineer Uota shared information in regard to the Planning Commission action at the August 5, 2014 meeting.

Council Member Gonzalez returned to the dais at 8:15 pm.

15.2. Authorization to Proceed – Storm Drain Master Plan, AECOM

City Engineer Uota shared information in regard to the Storm Drain Master Plan. He said engineering efforts require a unique skill set which, AECOM clearly has. The City Council, in 2011, authorized staff to execute contracts with various firms based upon their demonstrated expertise in areas of professional engineering and planning services. Proposals were sent to five pre-qualified firms and in turn, four firms submitted proposals.

AECOM was found to be the best qualified “Specialty Civil Engineering Design” firm. Our experience with their performance continues to be positive and excellent. They are uniquely qualified and experienced for complex infrastructure master planning, including preparation of storm drain master plans.

The 2014 Storm Drain Master Plan Update will be prepared for a fixed fee of \$99,500, plus \$42,000 for Aerial Photo Survey (including ground control surveys) and base mapping for a total Project cost of \$141,500.

Engineer Uota shared that AECOM recently completed the design of the CNG Fueling Facility Phase II Improvements Project.

Council Member Harness said the storm drain topic has been discussed at length already, and he asked the purpose of the update.

Engineer Uota said we must go beyond and include a significantly larger area that is defined by the general plan.

It was motioned by Council Member Gonzalez, second by Council Member Harness, to approve an addendum to the Professional Services Agreement with AECOM for the preparation of the Dinuba 2014 Storm Drain Master Plan Update and authorize the City Manager to execute the agreement.

AYES: Harness, Smith, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: Hinesly, Morales

15.3. Authorization to Bid Shoulder Stabilization Projects

- a. Englehart (Road 72) between Saginaw Avenue and Nebraska Avenue
- b. Sierra Way between Road 70 and Road 72

Engineer Uota presented information in regard to the projects on Nebraska Avenue and on Sierra Way between Englehart (Rd 72) and Road 70. Both Projects include full depth grinding and recycling of existing pavement. A new asphalt concrete overlay will be placed on the existing 11' wide travel lanes (in each direction) in addition to the construction of new 4' wide shoulders on each side of the streets. He said the projects have been identified as committed in the 2014-2018 City Council goals.

Engineer Uota explained that In August 2012, the City of Dinuba received confirmation from Department of Transportation's Local Assistance that the Projects were Congestion Management and Air Quality (CMAQ) Federal Program eligible. In September 2013, environmental documents submitted to Caltrans determined the Projects were Categorical Exempt (CE). In May 2014, Caltrans Local Assistance approved the Request for Authorization packages for Design for each Project.

Plans and Specifications for the Sierra Way and Englehart(Road 72) Shoulder Stabilization Projects were completed and ready for bid advertisement in June 2014. The Engineer's Preliminary Opinion of Probable Construction Costs are: Sierra Way - \$175,100; Road 72 - \$345,400

The Sierra Way and Englehart(Road 72) Shoulder Stabilization Projects will be fully funded by CMAQ and Prop 1B transportation funds.

Engineer Uota requested that the City Council authorize staff to bid the Englehart (Road 72) and Sierra Way Shoulder Stabilization Projects.

It was motioned by Council Member Harness, second by Council Member Gonzalez, to authorize staff to bid the Englehart (Road 72) and Sierra Way Shoulder Stabilization Projects.

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

15.4. Information Sharing

Uota shared information in regard to the El Monte Way widening project specifically the area where the gas main leak occurred recently. He explained that there is a concrete slab that will go over the gas main then a slightly thinner layer of asphalt in order to complete the street. He explained the design.

BREAK

Council Member Smith declared a break at 8:29 pm.

RECONVENE FROM BREAK

Council Member Smith reconvened the meeting 8:39 pm.

FINANCE SERVICES

16.1. 2013-14 Investment Report

Finance Director Cook presented the 2013-14 Investment Report for the Council's consideration. He said there is not much change but he noted there are low investment returns. He added that it appears as though they will be stable and rising in the second half of the year.

Cook requested that the City Council accept the Investment Report as presented.

It was motioned by Council Member Harness, second by Council Member Gonzalez, to accept the 2013-14 Investment Report.

AYES: Harness, Smith, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: Hinesly, Morales

16.2. Authorization to sign a Memorandum of Understanding re Drought Water Assistance Program

Finance Director Cook presented a request for authorization to sign an MOU with C-SET. He explained C-SET will partner with the City of Dinuba and other Cities in the County of Tulare to coordinate payment of 450 customer's past due and/or disconnected water utility bills. In an effort to assist those affected by the drought, the Department of Community Services and Development (CSD) has initiated a pilot program for drought water assistance for 10 counties in the State of California. The county of Tulare was selected as one of the counties with adverse effects of the severe drought in the state. The Department of Community Services and Development awarded the grant to C-SET (Community Services Employment Training) to administer and disburse the funds. Eligible households will be asked to self-certify that they were impacted by the drought. There are income eligibility guidelines which must also be met.

As of August 1, 2014 the City of Dinuba had 4,946 residential customers, 751 of those accounts were delinquent. It may be that the drought affected a portion of these accounts. The program, if approved, would allow CSET to make payments directly to the City on behalf of those customers with past due balances. Those customer accounts will be brought to a current status, decreasing the past due or shut off accounts.

Cook requested that the City Council authorize staff to execute a Memorandum of Understanding with C-SET's Drought Water Assistance Program.

It was motioned by Council Member Harness, second by Council Member Gonzalez, to authorize staff to execute a Memorandum of Understanding with C-SET's Drought Water Assistance Program.

AYES: Harness, Smith, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: Hinesly, Morales

16.3. Information Sharing

None

FIRE SERVICES

17.1. Request for Authorization to Accept the Heritage Grant from the Fireman's Fund

Fire Chief Thompson requested authorization to accept the Heritage Grant from the Fireman's Fund. He explained the Fireman's Fund Insurance provides a grant program called The Heritage Program. The purpose of the program is to provide grant funds to local fire departments, nominated by local insurance agencies, to aid in the purchase of equipment, training, and community education programs. For the fourth time, Mr. David Ysusi of Dibudo & Defendis Insurance has nominated the City of Dinuba Fire Department as a recipient of \$5,144 to be utilized for a community education Program. Matching funds are not required.

Chief Thompson requested authorization to accept the Heritage Program funds to provide training for two firefighters to become CPR and First Aid instructors. The Fire Department currently has one CPR/First Aid instructor and this grant would provide funding to increase the number to 3 or 1 per shift. The remainder of the funds will be used to offer free CPR classes to citizens who live within the City.

The American Heart Association states that, anyone can learn CPR – and everyone should! Sadly, 70 percent of Americans may feel helpless to act during a cardiac emergency because they either do not know how to administer CPR or their training has significantly lapsed. This grant will allow the Fire Department to instruct an estimated 400 individuals in CPR with virtually no direct financial impact.

It was motioned by Council Member Harness, second by Council Member Gonzalez, to authorize staff to accept the Heritage Grant from the Fireman's Fund.

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

17.2. Request for Authorization to Execute the Mutual Aid Agreement - City of Dinuba and City of Reedley

Chief Thompson requested authorization for staff to execute a mutual aid agreement with the City of Reedley. It's an agreement identical to one we have with the County of Tulare. The Dinuba Fire Department and the Reedley Fire Department have been sharing such resources over the past few years without an official agreement. Formalizing the agreement will allow the Dinuba Fire Department to add the Reedley Fire Department to our initial dispatch for structure fires within the City. Doing so would reduce the delay in requesting resources and benefit the City by adding additional equipment and resources, ultimately reducing risk and increasing safety. The Fire Department Master Plan recommends mutual aid agreements. It will help us obtain additional points on an Insurance Services Office (ISO) Classification.

At current daily staffing levels, the Fire Department has seven personnel available for immediate response to all emergencies. If fully staffed, the daily workforce can be as high as nine personnel, including the Chief and Fire Marshal. This is not adequate staffing to deploy an effective response force for the typical risk found in Dinuba, nor the more complex risks in the community. It is not fiscally possible or responsible to staff for the worst-case scenarios, which is why Dinuba, like most communities, has mutual aid agreements in place with surrounding

jurisdictions. Dinuba continues to make use of paid call firefighters to boost staffing during critical incidents and ensure an effective response force can be deployed.

Tulare County Fire Department is the agency with the closest proximity to Dinuba. The typical staffing at their stations is three personnel, which means it will take a minimum of two mutual aid units to ensure an effective response force for the typical risk in Dinuba.”

The addition of Reedley City Fire would provide the fire department with the needed minimum two mutual aid units required to ensure an effective response force for the typical risk in Dinuba.

If authorized to execute a mutual aid agreement with the City of Reedley Fire Department, there will be no direct financial impact to either city.

It was motioned by Council Member Harness, second by Council Member Gonzalez, to authorize the mutual aid agreement between Dinuba Fire and Reedley Fire Departments.

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

17.3. Information Sharing

Chief Thompson reported that over the last month there were at least 5 mutual aid responses and there have been 13 since the start of fire season. Six staff members have been sent out and all but one has returned to date.

Chief Thompson reported there were 140 applicants for the firefighter position and 120 qualified for the written exam which will take place tomorrow.

Thompson reported that the legislation for GEMT reimbursement for ambulance transports only provided for some medical patients. Legislation is being considered to reimburse all Medi-Cal calls for service.

PARKS AND COMMUNITY SERVICES

18.1. Information Sharing

Assistant City Manager Anderson shared that John Carrillo is out on medical leave and will be out until September 23 but he is staying in touch. Stephanie Hurtado is keeping up with the day to day activities and Anderson informed the Council that she is AIC for the department until Carrillo’s return.

Anderson reported that the Fun Color Run event hosted about 80 participants. The Community Services Department is busy with Hot Summer Night events, Raisin Day preparation, and soccer will begin the first Saturday in October. Soccer clinics are held every other year so we won’t have one this year. Staff is painting the band shell to prep for Raisin Day.

POLICE SERVICES

19.2. Information Sharing

Chief Popovich reported that there was an incident on Thomas Court in north Dinuba involving several people and shots fired in the early hours of the morning.

Chief Popovich reported a traffic officer was involved in a pursuit and a wanted suspect was arrested.
Chief Popovich reported that he received a resignation from one of the dispatchers so recruitment will begin for a police / fire dispatcher.

PUBLIC WORKS

20.1. Authorization to Execute College of the Sequoias Student Transit Pass Program Agreement, City of Dinuba and TCAG

Business Manager Avila reported that in September 2010 the COS student body voted in favor of a Student Transit Pass Program that provides students unlimited fixed route transit services throughout Tulare County. It is funded by a transportation fee collected from enrolled students and contributions from the COS Board of Trustees. Later that year, the City executed an agreement with TCAG to formalize participation in the program and to identify TCAG as the program's coordinator. The agreement has been extended annually and the current one will expire July 31, 2014.

Most of Dinuba's participants in the program attend Reedley College instead of COS but COS ridership on Dinuba's transit system appears to increase annually. Due to these facts, staff feels that our continued participation in the program is warranted.

There is no fiscal impact and the City recovers farebox revenue due to the agreement with TCAG.

Avila requested that the Council authorize the City Manager to execute the STPP agreement between Dinuba and TCAG for the term of August 1, 2014 through December 31, 2020.

It was motioned by Council Member Gonzalez, second by Council Member Harness, to authorize staff to execute the agreement as presented.

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

20.2. Authorization to Approve Amendment No. 1 to the Grant Writing, Housing Programs Administration and Implementation Agreement with Self-Help Enterprises

Business Manager Avila requested Council's authorization to approve Amendment No 1 to the Grant-Writing, Housing Programs Administration and Implementation Agreement with Self-Help Enterprises.

He explained On May 13, 2014 the City Council authorized the award of a three year contract agreement with Self Help Enterprises (SHE) to perform Grant Writing, Administration and Implementation Services for the City's Housing Programs. The Agreement was executed by the City and SHE on May 18, 2014. The bid solicitation documents identified the following scope of work:

Grant writing, administration and implementation of the City of Dinuba's Housing Programs including but not limited to: First-Time Homebuyer Program and/or Housing Rehabilitation Program over a three year period using funds secured through Federal, State, and Local funding sources such as the Community Development Block Grant (CDBG) Program, HOME Investment Partnerships (HOME) Program, CalHome

Program, CDBG or HOME Program Income, and any other housing-related funding that may become available.

In June the City Council confirmed staff's action to apply for a Tenant-Based Rental Assistance (TBRA) grant through the State of California's Department of Housing and Community Development (HCD). The grant offers assistance to tenants who have fallen behind on their rent payments due to loss of income as a result of the existing drought conditions. On June 30, 2014 the City of Dinuba was notified that it had been awarded a \$200,000 grant to be used on TBRA. Shortly thereafter the City executed the required Standard Agreement with the State of California.

The City of Dinuba has not previously received a TBRA grant and has no experience with implementing this type of assistance. A large part of implementing this assistance requires income qualification and Self Help Enterprises is familiar with that process since they income qualify applicants for the Homebuyer and Housing Rehabilitation Programs. However, the TBRA activity (or program) is not specifically identified in the May 18, 2014 Agreement. Nevertheless, given the scope of work identified above, the intent of the bid solicitation was to procure the services of a consultant that would implement "the City of Dinuba's Housing Programs including but not limited to" First-Time Homebuyer and Housing Rehabilitation. Upon consultation with HCD, Staff received authorization to add the TBRA activity to SHE's existing contract.

The terms and conditions of the May 18, 2014 Agreement with SHE will remain in full force and effect but will add the following through the execution of Amendment No. 1:

1. Paragraph 2.d. shall be added as follows:

SHE RESPONSIBILITY – HOUSING ACTIVITY IMPLEMENTATION:

d. Tenant-Based Rental Assistance (TBRA):

- (1) Inspect rental units for compliance with Housing Quality Standards;
- (2) Verify ownership of rental properties and a letter of Transfer of Authority if a management agent manages the property (this does not apply for apartments/multi-family units).
- (3) Determine rent reasonableness;
- (4) Review lease agreements for compliance with Program requirements; and
- (5) Make rental assistance payments and any security deposit payment, on a case-by-case basis, directly to the landlord or property management company
- (6) Determine income and drought eligibility
- (7) Calculate tenant share of rent
- (8) Market the program and select tenants who qualify for the drought preference and the City's resident/employment preference
- (9) Such other tasks reasonably required by HCD to implement this program

2. Paragraph 5.h. shall be added as follows:

COMPENSATION

h. Tenant-Based Rental Assistance (TBRA) Administration and Implementation:

- (1) \$5,000 for General Administration;

- (2) Up to \$5,000 for direct charges related to program marketing; and
- (3) 5% of each HOME TBRA payment for income determination and unit inspection (Activity Delivery).

Discussion followed.

It was motioned by Council Member Harness, second by Council Member Gonzalez, to approve Amendment No. 1 to the Grant Writing, Housing Programs Administration and Implementation Agreement with Self Help Enterprises (SHE).

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

20.3. Authorization to Bid – DART Services

Business Manager Avila reported the City of Dinuba has been providing public transit services to its community since the early 1990's. At the time the City contracted with Dinuba Transit Inc., a local taxi service operator that provided fixed route and dial-a-ride services. In May 2006 the City started the operation of a free circulator service (now known as the Jolly Trolley route) to provide access to popular shopping destinations and other locations throughout the City. In August 2008 the City launched a new intercity service, the Dinuba Connection. That route provides service between Dinuba and the neighboring City of Reedley and is funded in partnership with the Fresno County Rural Transit Agency (FCRTA).

Demand for transit services has steadily increased with total ridership at just fewer than 160,000 during fiscal year 2013-2014. It is very clear that transit services have become an essential City service. Many people rely on the DART as their main mode of transportation to access shopping, healthcare, and other essential services.

In May 2006 the City began working with MV Transportation to operate the new Jolly Trolley Route alongside the services offered by Dinuba Transit Inc. Then in January 2007 the City executed an agreement with MV Transportation to operate the entire DART system. Since that time, MV Transportation has been responsible for the day-to-day operations management; the hiring, testing, training and supervision of all drivers and dispatch staff; ridership data collection; and the operation of DART vehicles in accordance with City policies and all State and Federal regulations.

In April 2009 and in collaboration with other Tulare County transit providers, the City solicited bids for a five year service contract for the management and operation of the DART system. Upon completion of the evaluation process, the City Council authorized staff to execute a contract agreement with MV Transportation. That agreement terminates on December 31, 2014.

The City also funds a large part of transit operations through state and federal grants. In order to continue using grant funds for these operations, the transit services contractor must be procured through a competitive bid process. Upon authorization from the City Council, Staff will solicit bids for the management and operations of the DART system. It is anticipated that Staff will present a recommendation for the award of subject contract at the regularly scheduled City Council meeting of December 9, 2014.

The scope of work of the contract will include the entire DART system, namely: Flexroute Service (fixed route with deviated service on an as-needed basis for Dial-A-Ride), Fixed Route Service (for the Jolley Trolley) and Regional Fixed Route Service (Dinuba Connection). Staff wishes to again request proposals for a five year contract term and this time include the option for five (5) one (1) year extensions. The awarded contractor will be allowed to adjust their contract price annually commensurate with the Consumer Price Index (CPI). The awarded contract is expected to range between \$450,000 and \$550,000 annually. In an effort to reduce operating costs, the City will once again offer the option of paying for fuel expense and transit bus repairs independent of the awarded contract.

DART operations are funded through a combination of fare revenues, the Transportation Development Act (TDA), Federal Transit Administration (FTA) Section 5311 Funds, Measure R, and Measure C and potentially a limited amount of General Fund money. The cost to administer the RFP process is estimated at about \$500 to pay for advertising, postage and office supplies. That expense will be paid for out of the Transit Fund.

Avila requested that the City Council authorize staff to issue a Request for Proposals for the Management and Operation of the Dinuba Area Regional Transit (DART) System.

It was motioned by Council Member Gonzalez, second by Council Member Harness, to authorize staff to issue a Request for Proposals for the Management and Operation of the Dinuba Area Regional Transit (DART) System.

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

20.4. Information Sharing

Director Beltran said she received an email that the LED replacement contractor will come Friday to change out the remainder of the lights throughout the city which are between 60 to 70 lights.

The meeting was adjourned to closed session at 9:08 pm.

CLOSED SESSION

21.1. CONFERENCE WITH LEGAL COUNSEL: REAL PROPERTY NEGOTIATIONS

(Paragraph (b) of Section 54954.5)

Agency designated representative(s): City Manager Nunes

Dinuba Unified School Board representative(s): Superintendent Hernandez

Property Location: 199 North L Street, Dinuba

Under negotiation: price

CLOSED SESSION

21.2. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Number of Cases: (ONE (1) CASE)
Name of case: City of Dinuba v. Thusu

ADJOURNMENT

The meeting was adjourned at 10:06 pm.

Janet C. Hinesly, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk