

COUNCIL MEMBERS PRESENT: Hinesly, Morales, Smith, Gonzalez

COUNCIL MEMBERS ABSENT: Harness

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

CALL TO ORDER

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

INVOCATION

The invocation was led by Chaplain Garcia.

FLAG SALUTE

The flag salute was led by City Engineer Uota.

PRESENTATIONS

- 4.1. Nunes Family
 - City Council

The City Council shared fond memories of City Manager Nunes.

City Manager Nunes' husband Joel thanked the Council and staff for the tribute and the love and support for City Manager Nunes over the years.

- Senator Vidak

Brittney Watson, Senator Vidak's representative, was present to present a memorial resolution to Mr. Nunes after she read it into the record.

BREAK

Mayor Hinesly declared a break at 6:45 pm.

RECONVENE

Mayor Hinesly reconvened the meeting at 6:50 pm.

- 4.2. Veterans Day Proclamation 2014-17

Mayor Hinesly read the proclamation into the record.

PUBLIC COMMENT

- 5.1. Robert Cervantes – Wilson School

Robert Cervantes spoke concerning the crosswalk at Kamm and Greene Street near Wilson School. Mayor Hinesly requested that Cervantes be seated because he had more than exceeded 3 minutes at the podium stating his views on the matter. Upon his resistance to comply he was then asked by Chief Popovich to be seated.

5.2. Maria Estrada – Kamm Avenue / Greene Street

Maria Estrada was present to find out what has happened with the four-way stop sign that she requested at the last Council meeting.

5.3. Unscheduled Items

None

CONSENT CALENDAR

- 6.1. City Council Meeting Minutes, October 14, 2014
- 6.2. Ordinance 2014-06 Amending Title 17, Chapter 17.72 of the Dinuba Municipal Code
Regarding Regulation of Political Signs within the City, Second Reading, Waive Reading in Full
- 6.3. Notice of Completion – Sportsplex Courts & Greens
- 6.4. Notice of Completion – Parkside Village Unit #2
- 6.5. Certificate of Acceptance-Ave 416/El Monte Way Project, Property Acquisition Grant Deed, APN
014-033-034

It was motioned by Vice Mayor Morales, second by Council Member Gonzalez, to approve the Consent Calendar as presented.

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

WARRANT REGISTER

7.1. Warrant Register – October 10, 17, 2014

Motion was made by Council Member Gonzalez, second by Vice Mayor Morales, to approve the warrant register as presented.

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

MAYOR’S MINUTE

8.1. Information Sharing

Mayor Hinesly said Mr. Webb was present two weeks ago to discuss information about the traffic study on Kamm Avenue at Greene Street.

She reminded Maria Estrada that she commented that she, Mayor Hinesly ,didn’t care if the drivers were inconvenienced with the proposed traffic controls.

Webb said his concern with a 4-way stop sign is that it could create a more hazardous condition for children crossing the street at that location.

Mayor Hinesly said, “we are not engaging over stop signs.” Maria said she wanted the City to take control and Mayor Hinesly said she wishes the City could take control. She wished that we have the power to make people drive correctly but people make their own dumb decisions. Before we jump and make decisions about the safety of our children we need to make sure we have all the facts.

COUNCIL COMMENTS

9.1. Request for Excused Absence – Council Member, Aldo Gonzalez

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

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

9.2. Resignation – Roy Orosco, Historic Preservation Commission; and, Police Advisory Commission

It was motioned by Council Member Smith, second by Vice Mayor Morales, to accept the resignation of Roy Orosco from both the Historic Preservation Commission and the Police Advisory Commission.

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

9.3. Resignation – Keith Meyers, Pro Youth & Parks and Community Services Commission

It was motioned by Council Member Smith, second by Council Member Gonzalez, to accept the resignation of Keith Meyers from the Pro Youth & Parks and Community Services Commission.

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

9.4. Set Joint Meeting – Dinuba City Council and Dinuba Unified School Board (Spring 2015)

City Manager AIC Anderson reported that the Dinuba Unified School Board would like to schedule a joint meeting for March 2015. They selected two dates, March 12 or 26 and they will host the meeting.

Council discussion followed.

The City Council agreed that the matter should be agendaized for the Council meeting on December 9, 2014.

- 9.5. Reminder – Fall Harvest Fling, 6-8 pm, October 31, 2014; Dinuba Community Center
- 9.6. Reminder – Battle of the Badges, 3-7 pm, November 10, 2014; Big 5 parking lot

- 9.7. Reminder – Pioneer Day & Veterans Day Parade, November 11, 2014; Alta District Historical Society
- 9.8. Reminder – Ruiz 4 Kids Fundraiser Event; 6:00 pm, November 11, 2014; Visalia Convention Center
- 9.9. Reminder – November 11, 2014 City Council Meeting Cancelled

Anderson shared the various reminders of upcoming events with the City Council.

9.10. Information Sharing

Council Member Smith reported that he attended both the dog days event and candle light vigil for Elijah Villarreal.

Vice Mayor Morales shared he attended the Red Ribbon Event at the high school and many youth attended. He attended the Dinuba/Selma football game.

CITY ATTORNEY

10.1. Conflict of Interest Code Update, Resolution 2014-47

City Attorney McCloskey reported that the Conflict of Interest Code required some changes because various positions were added and deleted. He requested that the Council consider the modifications to the current Code and adopt the resolution as presented.

Discussion followed.

It was motioned by Council Member Smith, second by Vice Mayor Morales, to adopt Resolution 2014-47 as presented.

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

10.2. Closed Session Action – Conference with Legal Counsel: Real Property Negotiations, A portion of APN 017-29-010

It was motioned by Council Member Smith, second by Vice Mayor Morales, to authorize the City Manager to execute the Purchase and Sale Agreement with Farm Credit West for the sale of a portion of APN 017-29-010.

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

10.3. Closed Session Action – Conference with Legal Counsel: Real Property Negotiations, APN’S 014-064-022; 014-064-018; 014-064-017; 014-064-019; 014-064-016; 014-064-020

No action was taken.

10.4. Information Sharing

None

CITY MANAGER

11.1. Authorization to Initiate the Recruitment Process for a City Manager

A request that the City Council authorize staff to initiate a recruitment for the position of City Manager; and, it is further recommended that Council appoint an ad hoc committee for selection of recruiting agency services.

City Manager, AIC Anderson requested that the City Council consider appointment of an ad hoc committee to select recruitment agencies to help with finding a City Manager. The action is requested due to the recent passing of City Manager Nunes. Anderson suggested if the Council chooses, the committee could include herself, City Attorney McCloskey and perhaps one Council Member. Once a firm is ultimately approved and selected, the Council would work with the firm to hire a City Manager.

Council Member Smith asked if it would be better to wait for the newly elected Council to initiate the process.

Mayor Hinesly said we should start the process now to begin the process because the new Council will be heavily involved in hiring the City Manager anyway.

Anderson explained that the process from start to finish will take several months and appointing the ad hoc committee will only begin the process.

It was motioned by Council Member Gonzalez, second by Vice Mayor Morales to authorize staff to initiate recruitment for a City Manager and appointed the ad hoc committee consisting of Vice Mayor Morales, City Manager AIC Anderson and Attorney McCloskey.

AYES: Smith, Hinesly, Morales, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: Harness

11.2. Information Sharing

City Manager AIC Anderson said she met with Armondo Apodaca of the Tulare Kings Hispanic Chamber of Commerce. The meeting was called by Apodaca to make new friendships and restore relationships with businesses. Anderson reported that the meeting went well and she was glad to have met Apodaca.

ENGINEERING & PLANNING SERVICES

12.1. Information Sharing

City Engineer Uota shared that the contractor on the Avenue 416 project once again impacted a critical utility line in the project although, not to the extent of the gas line a few weeks ago. He explained what happened in the incident.

Uota shared that the Alta Heritage project is nearing completion.

Bid opening for both shoulder stabilization projects recently took place and many bids were received. He shared that they were very competitive and all were substantially lower than the engineer's projected bid.

FINANCE SERVICES

13.1. Information Sharing

Director Cook reported that the auditors were here this week reviewing the City's financials and they will return in December to present their findings to the Council.

FIRE SERVICES

14.1. Authorization to Purchase Cardiac Monitor

Chief Thompson requested authorization to purchase a new Physiocontrol Life Pak 15 Cardiac Monitor/Defibrillator. The current 2014-15 budget authorized the purchase utilizing Ambulance funds. Zoll Medical and Physiocontrol each returned bids. Physiocontrol is the brand currently used by the department and added the brand is easy to use and reliable. Thompson said the monitors currently used by our paramedics are between 9-11 years old and are becoming obsolete and outdated. The department currently has four cardiac monitors.

Council Member Smith asked if the units will hold out much longer.

Chief Thompson explained they are expected to hold out but if not staff could borrow a unit.

It was motioned by Council Member Gonzalez, second by Council Member Smith, to authorize staff to purchase a new Physiocontrol Life Pak 15 Cardiac Monitor/Defibrillator.

AYES: Smith, Hinesly, Morales, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: Harness

14.2. Information Sharing

Chief Thompson said he and Chief Popovich attended the Red Ribbon event and the two chiefs were coaxed into dancing.

PARKS AND COMMUNITY SERVICES

15.1. Sportsplex Activities Pricing Proposal

A request that the City Council approve the proposed Dinuba Sportsplex fee pricing.

Director Carrillo presented proposed activities pricing for the Council's consideration. He explained the fees are necessary to support the facility and to provide over-all service to the community.

Council discussion followed in regard to Sunday activities at the Sportsplex. Carrillo said the Council would decide whether or not to stay open on Sundays.

It was motioned by Council Member Smith, second by Vice Mayor Morales approve the proposed fee pricing.

AYES: Smith, Hinesly, Morales, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: Harness

15.2. Information Sharing

Staff has been very busy with events and this used to be the slow season. If we need to take the event indoors it will be the first time in about 13 years. The Christmas Parade will be held on the first Saturday in December.

POLICE SERVICES

16.1. Information Sharing

Chief Popovich said he attended the recent annual Dog Days event. Traffic event with the parents of Elijah Villarreal and he said he explained the process to them. He conveyed that it is at times frustrating staff continues to work hard on that case and put everything they can into it. They are working with the DA and Coroner’s Office to get the investigation moving along. It’s been difficult for everyone involved; they hope to get through this quickly and get justice for the victim and the family.

BREAK

Mayor Hinesly declared a break at 7:48 pm.

RECONVENE FROM BREAK

The meeting was reconvened at 7:55 pm.

Chief Popovich said two Dinuba officers were awarded for their participation and enforcement efforts with the DUI AVOID campaign at the Law Enforcement Recognition and Training Seminar recently held in Fresno.

Chief Popovich said he and Public Works Director Beltran met with the family of the 3 year-old child victim today to update them on the process of the investigation.

PUBLIC WORKS

17.1. Authorization to Request Proposals – Street Sweeper

Director Beltran presented a request to purchase a new CNG Street Sweeper. She stated the City does not have a back-up sweeper at this time and it is important to have one. The funding source is the Congestive Mitigation and Air Quality Improvement (CMAQ) Program.

Tulare County Association of Governments (TCAG) issued a call for projects inviting member agencies to submit projects for inclusion in the Federal Transportation Improvement Program (FTIP). The City of Dinuba submitted a number of projects for consideration and received an allocation for several of them including a CNG Street Sweeper. The amount allocated for the sweeper was \$251,000.

The City did have one back-up sweeper but it is no longer in working condition. The cost to repair it exceeds the value of the unit so it is not believed that incurring this expense would be a good use of public funds. The current sweeper is over 2 years old and has already had some operational issues. In order to keep offering the level of service the community has grown accustomed to, it is necessary to look into purchasing a new sweeper. Since the unit would have to be procured through a formal bid process and would also have to be converted to operate on CNG, delivery could take up to 12 months.

the CMAQ grant that the City was awarded for this purchase is in the amount of \$251,000. Generally, grants awarded through the State’s Department of Transportation require an 11.47% local match. However, the City has been awarded supplemental funds (or “toll credits”) to satisfy this match requirement. Based on current market value, a new Street Sweeper is estimated to cost about \$320,000. The balance not covered by the grant of approximately \$69,000 will have to be funded out of the City’s Disposal Fund.

Beltran requested that the Council authorize staff to go out to bid for the CNG Street Sweeper.

Council Member Smith asked if they want to bid or piggyback.

Director Beltran shared that staff tried that but CalTrans would not allow it.

It was motioned by Council Member Smith, second by Council Member Gonzalez, to authorize staff to bid the project as proposed.

AYES: Smith, Hinesly, Morales, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: Harness

17.2. Information Sharing

Director Beltran shared the fall clean-up event yielded about 1000 vehicles making it the largest clean-up event to date.

Beltran reported that October 31 is the deadline to renew City-issued business licenses. Currently there are about 30 site visits planned.

Beltran reported that at the last meeting, she reported to the Council some options for the Kamm / Greene crossing. Last week Beltran said she met with City Manager AIC Anderson, Lt’s Son and Iriarte, along with Superintendent Hernandez and another School District employee She reported that Hernandez was going to share the information discussed with the School Board. School staff asked that the City install an additional sign on Alta Avenue to make people aware that there is a school zone ahead. She said she is waiting to get the feedback back from school district staff.

She explained that the family of the victim is very understanding and reasonable. They understand the process of the speed control plans. Beltran reported that it was a good meeting and they said they want no part of conflicts but they only want to work with the City to make it work for everyone. She said she will get back to the family within a month to give them an update.

The Council went into Closed session at 8:06 pm.

CLOSED SESSION

18.1. CONFERENCE WITH LEGAL COUNSEL: REAL PROPERTY NEGOTIATIONS

(Paragraph (b) of Section 54954.5)

Agency designated representative(s): City Manager, AIC Anderson

Property Location: A portion of APN 017-29-010

Under Negotiation: Price

18.2. CONFERENCE WITH LEGAL COUNSEL: REAL PROPERTY NEGOTIATIONS

(Paragraph (b) of Section 54954.5)

Agency designated representative(s): City Manager, AIC Anderson

Property Location: APN’S 014-064-022; 014-064-018; 014-064-017; 014-064-019; 014-064-016; 014-064-020

Under Negotiation: Price

Mayor Hinesly reconvened the meeting in open session at 8:21 pm and shared the closed session outcome.

ADJOURNMENT

The meeting was adjourned at 8:23 pm.

Janet C. Hinesly, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk