

**COUNCIL MEMBERS PRESENT:** Harness, Smith, Hinesly, Morales, Gonzalez, Reynosa, Thusu

**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 Susee.

**FLAG SALUTE**

The flag salute was led by Yolanda Valdez.

**2014 GENERAL ELECTION OFFICIAL CANVASS OF VOTES – Ratification of 2014 General Election**

Acting City Manager Anderson requested that the City Council review and ratify the official certified Tulare County Clerk-Recorder’s 2014 General Election results and, direct staff to enter the certified results of the election into the official City Council meeting minutes.

It was motioned by Vice Mayor Morales, second by Gonzalez to ratify the Official Canvass of Votes.

AYES: Harness, Smith, Hinesly, Morales, Gonzalez

NOES: None

ABSTAIN: None

ABSENT: None

Acting City Manager Anderson read into the record a list of accomplishments that were completed by the City Council over the past four years.

4.1. Recognition of Outgoing Council Members

- Janet C. Hinesly, District 2
- Aldo Gonzalez, District 4

City Manager Anderson presented Mayor Hinesly and Council Member Gonzalez plaques for their diligent work while on the City Council.

Mayor Hinesly commented that four years went by so quickly and she said it’s a good testament to enjoying her time serving on the Council. She said it has been a privilege and honor to have represented District 2 and have worked with City staff of whom she spoke fondly.

At that time Mayor Hinesly and Council Member Gonzalez stepped off the dais and the newly elected Council Members Reynosa and Thusu approached the dais.

4.2. Oath of Office for Newly Elected Council Members

Council Members Reynosa and Thusu were sworn in by Acting City Manager Anderson.

- Election of Mayor and Vice Mayor

Deputy City Clerk Barkley conducted the election of Mayor.

Council Member Reynosa nominated Council Member Smith for Mayor; Council Member Smith made the second.

ROLL CALL VOTE

Harness	Nay
Smith	Aye
Reynosa	Aye
Morales	Nay
Thusu	Nay

The motion to elect Council Member Smith as Mayor failed; three opposed two in favor.

Council Member Harness nominated Council Member Morales for Mayor, Council Member Thusu seconded the motion.

ROLL CALL VOTE

Harness	Aye
Smith	Nay
Reynosa	Nay
Morales	Aye
Thusu	Aye

The motion to elect Council Member Morales as Mayor passed; three in favor two opposed.

Deputy City Clerk Barkley conducted the election of Vice Mayor.

Council Member Smith motioned to elect Council Member Reynosa as Vice Mayor; the motion died for lack of a second.

Council Member Morales nominated Council Member Harness; Council Member Thusu made the second.

ROLL CALL VOTE

Harness	Aye
Smith	Nay
Reynosa	Aye
Morales	Aye
Thusu	Aye

The motion to elect Council Member Harness as Mayor passed; four in favor one opposed.

#### **RECEPTION**

Mayor Morales declared a break at 6:52 pm for the reception.

#### **RECONVENE**

The meeting reconvened at 7:15 pm.

#### **PRESENTATIONS**

6.1. Terry McKittrick, Planning Commissioner, District 5

Mayor Morales read a certificate of appreciation for Commissioner McKittrick into the record. McKittrick thanked the City Council for the opportunity to serve.

Mayor Morales presented the certificate to McKittrick. The Council thanked McKittrick for his work in the community.

#### **NEW EMPLOYEES AND PROMOTIONS**

7.1. Police Services – Oath of Office  
Edgar Martinez

Chief Popovich presented Edgar Martinez, Reserve Police Officer, who was hired November 25, 2014.

Officer Martinez' young son pinned his badge on him. The City Council congratulated and welcomed the officer.

#### **PUBLIC COMMENT**

8.1. Unscheduled Items

None

#### **CONSENT CALENDAR**

- 9.1. Acceptance - Other Agency Minutes
  - a. Planning Commission Meeting, November 4, 2014
  - b. Police Advisory Commission Meeting, October 7, 2014
- 9.2. Master Development Schedule
- 9.3. SB-7 Charter Cities Litigation/Prevailing Wages, Ordinance 2014-07, Second Reading, Waive Reading in Full
- 9.4. Notice of Completion, Solar Project, Phase II
- 9.5. Acceptance of Final Parcel Map Right-of-Way, Application 2014-17; APN 013-050-039, Resolution 2014-52

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

AYES: Reynosa, Smith, Morales, Harness, Thusu  
NOES: None  
ABSTAIN: None  
ABSENT: None

**WARRANT REGISTER**

10.1. Warrant Register – November 26; December 5, 2014

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

AYES: Reynosa, Smith, Morales, Harness, Thusu  
NOES: None  
ABSTAIN: None  
ABSENT: None

**MAYOR’S MINUTE**

11.1. Information Sharing

Mayor Morales said he attended Christmas Parade this weekend and commended staff on a great event.

**COUNCIL COMMENTS**

12.10. Information Sharing

The Council Members lauded the Christmas Parade.

Discussion followed.

Vice Mayor Harness stepped off the dais at 7:34 pm and returned at 7:38 pm.

12.1. Appointment to Outside Boards:

- a. League of California Cities South San Joaquin Valley Division Executive Board

It was motioned by Vice Mayor Harness, second by Council Member Reynosa to appoint Council Member Thusu as the City’s representative to the League of California Cities South San Joaquin Valley Division Executive Board.

AYES: Reynosa, Smith, Morales, Harness, Thusu  
NOES: None  
ABSTAIN: None  
ABSENT: None

- b. Appointment to TCAG Board - City Council Member

It was motioned by Vice Mayor Harness, second by Council Member Smith to appoint Council Member Reynosa, as the City’s representative to the TCAG Board.

AYES: Reynosa, Smith, Morales, Harness, Thusu  
NOES: None  
ABSTAIN: None  
ABSENT: None

12.2. Acceptance of Resignation from Historic Preservation Commission - Sandy Sills

It was motioned by Vice Mayor Harness, second by Council Member Smith, to accept the resignation of Sandy Sills from the Historic Preservation Commission.

AYES: Reynosa, Smith, Morales, Harness, Thusu  
NOES: None  
ABSTAIN: None  
ABSENT: None

12.3. Set Date - City Council Goal Setting

After discussion of several potential dates, the City Council set the Goal Setting meetings for January 23 and 24 at 6:00 pm.

Acting City Manager Anderson provided the following names as possible facilitators for the meeting. The Council gave her direction to contact them to see who is available to provide facilitation.

1. Vicky Stasch,
2. Gary Pokorny
3. Ruth Medlin

12.4. Reminder – Employee Christmas Luncheon, December 12, 2014

Acting City Manager Anderson shared information about the upcoming event and invited the City Council to attend.

12.5. Reminder – Ethics Training, 3:00 and 5:30 pm; City Council Chambers, December 18, 2014

Acting City Manager Anderson shared information about the mandatory Ethics Training scheduled on December 18, 2014 to be facilitated by City Attorney McCloskey.

12.6. Reminder – Sportsplex Ribbon-Cutting, 10:00 am; December 19, 2014

Director Carrillo reported that the Sportsplex ribbon-cutting ceremony will be held on December 19, 2014 and invited the Council to attend the event.

12.7. Reminder – Sportsplex Grand Opening, 10:00 am; December 20, 2014

Director Carrillo said the official grand opening of the Center will be held on December 20, 2014.

Discussion followed.

12.8. Reminder – Cancelled City Council Meeting, December 23, 2014

Acting City Manager Anderson reminded the City Council that the December 23, 2014 was cancelled at a previous meeting.

12.9. Reminder – New Mayors and City Council Members Conference, January 14-16, 2014

Acting City Manager Anderson shared information about the New Mayors and City Council Members Conference which will be held in Sacramento in January. She said that she will attend along with Council Members Reynosa and Thusu as well as City Engineer Uota.

12.10. Information Sharing

None

**PUBLIC HEARING**

13.1. Annual Impact Fee Report

Fiscal Analyst Patino shared the information about the Annual Impact Fee Report for the City Council. Government Code §66006 mandates 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. The Government Code further requires that the City Council review the information in the report no sooner than 15 days from when the report is made available to the public. Review must take place at a regularly scheduled public meeting.

The report includes 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

Patino requested that the Council open the public hearing to gather public testimony in regard to the report. Upon conclusion of the public hearing. Following the hearing, staff recommends that the City Council accept the report and file a copy with the office of the City Clerk.

Mayor Morales opened the public hearing.

No comments were brought forward so Mayor Morales closed the hearing.

Council Member Smith asked what housing growth numbers are right now.

It was motioned by Vice Mayor Harness, second by Council Member Thusu to accept the Fiscal Year 2013-14 Development Impact Fee Report, pursuant to Government Code §66006.

AYES: Reynosa, Smith, Morales, Harness, Thusu  
NOES: None  
ABSTAIN: None  
ABSENT: None

**CITY ATTORNEY**

14.1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Sale of Property, Ridge Creek Ranch Homes, El Monte Way, Dinuba

It was motioned by Council Member Smith, second by Vice Mayor Harness, to direct the City Attorney to withdraw the offer/acceptance and communicate the Council’s action to Ridge Creek Partners LLC.

AYES: Reynosa, Smith, Morales, Harness, Thusu  
NOES: None  
ABSTAIN: None  
ABSENT: None

14.2. Information Sharing

City Attorney McCloskey congratulated the incoming City Council members.

**CITY MANAGER**

15.1. Information Sharing

Acting City Manager Anderson said staff sent a Connect City message to all residents about the impending storm and where to get sand bags should residents need them.

Vice Mayor Harness stepped off the dais at 8:13 pm and returned at 8:14 pm.

Anderson reported tha the Good Morning Dinuba meeting will be at the Christian Church tomorrow morning at 8:00 am.

Anderson reported that escrow will soon be opened with Farm Credit West likely tomorrow.

**ENGINEERING & PLANNING SERVICES**

16.1. Planning Commission Action, December 2, 2014

Engineer Uota reported on the action the Planning Commission took at their December meeting.

16.2. Information Sharing

Engineer Uota shared an update in regard to Avenue 416. The contractor is making slow but steady progress on the large storm drain. The project speed is affected due to the proximity of the sidewalk adjacent to the project.

**FINANCE SERVICES**

17.1. Fiscal Year 2015-2016 City Budget Calendar

Finance Director Cook presented the FY 2015-2016 City Budget Calendar. He explained the fiscal year begins in July and ends in June. He requested that the Council review and adopt the FY 2015-2016 Budget Schedule.



It was motioned by Vice Mayor Harness, second by Council Member Thusu, to adopt the Fiscal Year 2015-2016 Budget Calendar.

AYES: Reynosa, Smith, Morales, Harness, Thusu  
NOES: None  
ABSTAIN: None  
ABSENT: None

17.2. Information Sharing

None

**FIRE SERVICES**

18.1. Information Sharing

Chief Thompson shared information about a recent fire. He said a private citizen was instrumental in keeping the fire from spreading.

**PARKS AND COMMUNITY SERVICES**

19.1. Award of 2015-2017 Carnival Contract

Director Carrillo reported that the City contracts with a carnival company to provide services for the annual Cinco De Mayo Celebration and Raisin Festival Events. The current 3-year contract expires December 31, 2014.

RFP's were requested and sent to three (3) different companies that provide this type of service. We received one proposal from California Carnival Company by the RFP deadline of November 25, 2014. California Carnival Company has been the company we have contracted with for the past two decades. They are a reputable company, have good management and staff, and have provided profit sharing that meets the City's standards and requirements.

California Carnival Company has established relationships with the local business and utilizes Candy's Diesel Repair for service and repair of their trucks and equipment; utilizes a local church as their bunk trailer site for staff lodging; and, utilize local laundro-mats and resturants for the 5-6 days the carnival company is in Dinuba.

If approved, staff will contact California Carnival to discuss the proposal in detail and to enter into a formal agreement that spells out the specific requirements for their operation as well as the details of the agreement.

It was motioned by Vice Mayor Harness, second by Council Member Reynosa, to award the 3-year contract to California Carnival Company and authorize staff to meet with California Carnival Company to finalize an agreement for services.

AYES: Reynosa, Smith, Morales, Harness, Thusu  
NOES: None  
ABSTAIN: None  
ABSENT: None

19.2. Information Sharing

None

## **POLICE SERVICES**

### 20.1. Information Sharing

None

## **PUBLIC WORKS**

### 21.1. Authorization to Execute Service Agreement Amendment No. 1 – City of Dinuba and MV Transportation

Business Manager Avila reported that the City of Dinuba has been providing public transit services since the early 1990's. At that time the City contracted with Dinuba Transit Inc., a local taxi service operator that provided fixed route and dial-a-ride services. The City began working with MV Transportation in 2006 to operate the newly established free circulator service (now known as the Jolly Trolley route). In January 2007, the City executed an agreement with MV Transportation to operate the entire DART system. MV Transportation's scope of work includes the management of day-to-day transit operations; 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 the City collaborated with other Tulare County transit providers to solicit bids for a five year transit service contract. 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. On August 26, 2014 the City Council authorized staff to request proposals for the management and operation of the DART system. However, shortly thereafter, staff was authorized by the State to forego the full proposal solicitation process and instead exercise the one year extension option that was included in the 2009 proposal specifications.

Staff secured the consultant services of Ellen Moy, with Moy and Associates and developed a proposed amendment that has been reviewed and approved by the State. Representatives from MV Transportation have also reviewed the amendment and have indicated they are agreeable to the terms. Approval of this amendment by the City Council will allow the City to continue offering transit services to Dinuba residents.

The goal of the DART system is to provide affordable, reliable and efficient transit services that Dinuba residents can count on to get to school, jobs, medical appointments, shopping and entertainment. The City's contractor, MV Transportation, has satisfactorily provided this service for over seven years; however, their contract term will expire on December 31, 2014. In order to continue meeting the growing transit service demands and to avoid a lapse in contract effective dates, Staff recommends that the City Council authorize the execution of the subject amendment.

The contract scope of work will once again include the entire DART system, namely: Flex-route Service (fixed route with deviated service on an as-needed basis for Dial-A-Ride), Fixed Route Service (for the Jolly Trolley) and Regional Fixed Route Service (Dinuba Connection) and a dedicated Dial-A- Ride route. The proposed amendment contains the following:

- Contract term is extended through December 31, 2015 with one-year extension options through December 31, 2020
- Indemnity language has been modified to provide additional protection to the City and to make the City's agreement language consistent with neighboring service providers

- A Consumer Price Index (CPI) of 1.9% has been added to the following:
  - o Revenue vehicle hour increased to \$19.27
  - o Monthly administrative cost increased to \$14,716.55
- Added a dedicated Dial-A-Ride route from 7:00 AM to 5:00 PM
  - o Currently runs from 7:00 AM to 11:30 AM and from 1:30 PM to 4:30 PM
- Added a supplementary Dial-A-Ride route from 2:00 PM to 4:00 PM
- Added a third Dial-A-Ride service for 6 hours on the first Saturday of the month

"Dial-A-Ride Passenger loads" was identified as a key operating issue in the recently adopted Transit Development Plan. Since the City runs a flex-route system, buses running on a fixed route are expected to deviate from their identified route and respond to Dial-A-Ride requests. This arrangement worked fairly well when the City's transit system was smaller but at this point, that is no longer the case. The additional Dial-A-Ride hours proposed in this amendment will help the City in its efforts to respond to the Dial-A-Ride demand without compromising on-time performance.

Given the City's projected revenue miles of 15,123 for the 2015 calendar year, the anticipated value of this contract is \$468,018.81. DART operations are funded through a combination of fare revenues, the Transportation Development Act (TOA), Federal Transit Administration (FTA) Section 5311 Funds, Measure R, and Measure C and the General Fund if needed. The proposed modifications to the MV Transportation contract will cost approximately \$30,000. Avila requested that the City Council authorize staff to Execute Amendment No 1 to the Service Agreement between the City of Dinuba and MV Transportation

It was motioned by Vice Mayor Harness, second by Council Member Thusu, to authorize the Acting City Manager to execute Amendment No 1 to the Service Agreement between the City of Dinuba and MV Transportation for the DART fixed-route and demand-response services.

AYES: Reynosa, Smith, Morales, Harness, Thusu  
NOES: None  
ABSTAIN: None  
ABSENT: None

#### 21.2. Information Sharing

Public Works Director Beltran reported staff is preparing for the impending storm as reported by media.

Beltran shared that at the last meeting the Council heard a request from Abel Magallanes about a request to be connected to city water service. She met with him and advised him that county staff has scheduled a meeting to discuss the matter with him. Beltrainsaid she will bring the information to the council in January.

Vice Mayor Harness stepped off the dais at 8:40 pm and returned at 8:43 pm.

Mayor Morales declared a break at 8:44 pm.

**CLOSED SESSION**

**22.1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: Ridge Creek Ranch Homes, El Monte Way, Dinuba  
City Negotiators: Jayne Anderson, City Manager AIC  
Dan McCloskey, City Attorney  
Under negotiation: Sale of Real Property

**ADJOURNMENT**

The meeting was adjourned at 9:14 pm.

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Emilio Morales, Mayor

ATTEST:

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Linda Barkley, Deputy City Clerk