

**COUNCIL MEMBERS PRESENT:** Reynosa, Smith, Harness, Thusu

**COUNCIL MEMBERS ABSENT:** Morales

### **OPENING CEREMONIES**

1.1. Welcome & Call to Order – Mayor

Vice Mayor Harness called the meeting to order at 6:30 pm.

1.2. Invocation

The invocation was led by Vice Mayor Harness.

1.3. Pledge of Allegiance

The pledge of allegiance was led by Chief Popovich.

### **AGENDA CHANGES OR DELETIONS**

None.

### **PRESENTATIONS/CEREMONIAL MATTERS**

3.1. Cecilia Gonzalez, Reach the Streets Tour Event, Entertainment Plaza, Oct 11; Request for Waiver of Fees

Cecilia Gonzalez was present to request waiver of fees to hold a Christian Rock Concert at the Entertainment Plaza. Gonzalez said the event is hosted by a non-profit church organization and therefore she requested a waiver of facility use fees. She also requested a street closure for activities during the event.

Vice Mayor Harness said he spoke with Gonzalez during the break earlier in the evening before the meeting when she revised the request to include the street closure and, she also requested authorization to have food booths at the event.

It was motioned by Council Member Smith, second by Council Member Thusu, to approve the request to waive the fees conditioned upon staff's approval and surrounding businesses' approval.

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

## REQUEST TO ADDRESS COUNCIL

Linda Conklin, Dinuba Woman's Club was present to extend an invitation to the City Council for the October 15 event celebrating 120 years of being a service club. Conklin gave a brief history of the Club's community service since 1895 when it was organized.

## CONSENT CALENDAR

- 5.1. **SUBJECT:** Meeting Minutes for September 8, 2015 (LB)

**RECOMMENDATION:** City Council to review draft minutes and adopt as final.

- 5.2. **SUBJECT:** Second Reading of Ordinance 2015-08 Amending Title 17 of the Dinuba Municipal Code to streamline the application of the Zoning Ordinance (JA)

**RECOMMENDATION:** City Council to conduct second reading of Ordinance 2015-08 by title only, waiving full reading, and adopting Ordinance 2015-08, of the Dinuba Municipal Code.

- 5.3. **SUBJECT:** Notice of Completion Demolition of Building for Police Facility Parking Lot (DU)

**RECOMMENDATION:** Council to accept the demolition of building for Police Department Parking Lot as complete and authorize the City Engineer to file a Notice of Completion.

- 5.4. **SUBJECT:** Bi-weekly update of West El Monte Widening Project (DU)

**RECOMMENDATION:** Information item only.

- 5.5. **SUBJECT:** Proclamation 2015-15 – Red Ribbon Week (LB)

**RECOMMENDATION:** Council to adopt Proclamation 2015-15 recognizing October 23-31 as Red Ribbon Week.

- 5.6. **SUBJECT:** 2015 Fall Clean-up Event (BB)

**RECOMMENDATION:** Council to approve the 2015 Fall Clean-up Event to be held on Saturday, October 24, 2015.

- 5.7. **SUBJECT:** Application for Leave to Present a Late Claim by Christine Dall (JA)

**RECOMMENDATION:** Council to deny the application for leave to present a late claim filed by Christine Dall.

5.8. **SUBJECT:** City of Dinuba Fire Department Fire Prevention Open House Event, October 10, 2015 and Request for Street Closure (CT)

**RECOMMENDATION:** Council to approve street closure for the Fire Department's annual Fire Prevention Open House Event.

5.9. **SUBJECT:** Certificate of Acceptance for a Grant of Easement for Onsite Water Purposes for the benefit of a portion of APN 017-290-010 (DU)

**RECOMMENDATION:** Council approve acceptance of the subject Grant of Easement from Farm Credit West (FCW), FCLA and authorize the City Clerk to sign the Certificate of Acceptance.

A motion was made by Council Member Smith, second by Council Member Reynosa, to approve the consent calendar as presented.

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

#### **WARRANT REGISTER**

6.1. **SUBJECT:** Approval of Warrants for September 11 and 18, 2015 (CC)

**RECOMMENDATION:** Council to review and approve warrants as presented.

A motion was made by Council Member Thusu, second by Council Member Smith, to approve the warrant register as presented.

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

#### **PUBLIC HEARING**

7.1. **SUBJECT:** Public Hearing and Adoption of Resolution No. 2015-39 for 2015 Citizens Option for Public Safety (COPS) Grant (DP)

**RECOMMENDATION:** Council to conduct a public hearing to receive input on the expenditure of the 2015 Citizens Option for Public Safety (COPS) Grant funds and adopt Resolution 2015-39 approving the use of grant funds to fund one (1) full-time police officer.

Chief Popovich said this is our annual COPS grant funding that goes towards funding a full-time police officer. The rest of the funding comes from the general fund.

Vice Mayor Harness opened public hearing. No comments brought forward. Closed hearing.

A motion was made by Council Member Smith, second by Council Member Reynosa, to adopt Resolution 2015-39 as presented.

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

**7.2. SUBJECT:** Public Hearing on Appeal of Conditional Use Permit No. 2015-09 (Jesus Pelayo) (BB)

**RECOMMENDATION:** Council conducts a public hearing, receive public testimony, close public hearing and take the following separate actions:

1. Adopt Resolution No. 2015-40 amending Conditional Use Permit Application No. 2015-09 for the Alta Historic Event Venue located at 118 S. "K" Street (Jesus Pelayo); and
2. Amend "Findings, Decision, and Order Granting a Conditional Use Permit" for Application No. 2015-09 dated August 4, 2015.

Planning Tech Carrillo stated this item is an appeal to action taken by the Planning Commission. He reported that staff recommends amending the Conditional Use for the application and he went on to describe the recommendation.

Vice Mayor Harness opened the public hearing.

Jesus Pelayo, applicant, said he believes that buildings like his should be preserved and made viable for reuse. Pelayo said his intent is to have events and conferences or meetings in the proposed building.

Deborah Newton-Johnston, real estate broker whose offices are located directly across the street from the project location, said she is excited about Pelayo's building and the plans for its reuse. She said both Memorial Hall and The Island have their own off-street parking but this building does not. She is also concerned about the size of the sign that is going up on the building. She said she reviewed the city's sign ordinance. She repeated, it's a great project and she is not against it but wants her concerns addressed.

No other public comment was brought forward and the hearing was closed.

Vice Mayor Harness asked if the hearing is specific to the proposed 12 events and /or does it include the concerns brought forward.

Attorney McCloskey said it's the total use of the property.

Vice Mayor Harness asked if the DRC and Planning Commission findings would still be in effect.

Planning Tech Carrillo said in either case the applicant will still be required to comply with all other requirements.

Vice Mayor Harness said the point was made that some of the other businesses have their own onsite parking. He asked Planner Carrillo how that was decided and will our 2-hour parking be enforced.

Chief Popovich replied it is not currently enforced in that particular block.

Planner Carrillo said because of the hours of operation for the project, parking should not impact the other businesses.

Council Member Thusu asked if we accept the recommendations, how it would affect the other businesses.

Discussion followed in regard to making the conditions for those businesses consistent.

A motion was made by Council Member Smith, second by Council Member Thusu to amend the findings and direct staff to amend the other two businesses' CUPS which are currently restricted within their CUPS.

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

## **MAYOR/COUNCIL REPORTS**

### **8.1. Request for Excused Absence – Mayor Emilio Morales, September 8, 2015 (Mayor)**

A motion was made by Council Member Smith, second by Council Member Thusu, to approve the request for excused absence by Mayor Morales.

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

### **8.2. Annual League Conference, Sept. 30 – Oct. 2, San Jose (Mayor)**

Vice Mayor Harness announced the reminder of the annual League Conference. Harness asked how he could get a consensus on voting at the League Conference in regard to the resolutions that will be presented there.

Harness said there is a resolution to be considered regarding rehabilitation homes located within residential areas. He said we have had similar items come before the Council in the past. He said he doesn't see any problem approving the resolution.

### **8.3. Items from Council Members**

Council Member Thusu reported what was discussed at the last LOCC SSJVD Board meeting. The League has invited Chris Kapheim, General Manager of Alta Irrigation to speak at the October 8 division meeting regarding ground water. Thusu stated that lack of water for lime and lemon trees may hurt the trees and our economy as well.

Council Member Smith said he will be in Germany on business and will return October 4. Smith said he will be the MC at the annual Bark for Life event on October 10.

Council Member Reynosa said she attended the Miss Dinuba Pageant.

Vice Mayor Harness announced tomorrow morning is the TCEDC meeting. He said they will talk about certified sites. He said their big marketing strategy is tourism and he doesn't feel Dinuba is getting a fair share. He said he is interested in the certified sites.

Vice Mayor Harness said he discussed with the City Manager if there's a way to be notified of crime occurring in his neighborhood while still respecting his constituents' privacy. He shared concern that if crime is occurring within his neighborhood that could potentially affect the rest of the neighborhood he would like to be made aware of those situations.

Discussion followed.

## **CITY MANAGER/STAFF COMMUNICATIONS**

### **9.1. Tulare County Workforce Investment Board Annual Meeting, Oct. 7, Visalia Convention Center (JA)**

Assistant City Manager Anderson shared a reminder with the Council of the October 7 WIB meeting.

### **9.2. CDBG Grant Award in the amount of \$2.0 million (BB)**

Director Beltran reported that there was a letter in the council packet in regard to a grant award of \$2 million. She explained that staff has tried to find funding for the east El Monte Way improvements. The area addressed is Crawford to Rd 92 on El Monte Way. She explained the general construction improvements. It would include curbs, gutters, sidewalks, piping of ditch, includes sewer, water main to support that entire area and to support land uses in that area. She said she wanted to acknowledge Business Manager George Avila who worked closely with Self Help in gathering the information and writing the grant to get it done. The city was

one of 19 agencies that were awarded grant funds totaling \$25 million. Beltran said when we get the award package we can begin the process per the requirements.

**9.3. Items from staff**

City Manager Patlan said Foote Consulting Group will be in Dinuba next Tuesday to discuss the east side project.

Patlan said he attended the Council of Cities meeting last week with Council Member Thusu and it was revealed that the Board voted 5-0 against the County's proposed Transportation Impact Fee. Staff thinks it might be a dead issue but not sure how it will play out yet.

**ADJOURNMENT**

The meeting adjourned at 7:25 pm.

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Emilio Morales, Mayor

ATTEST:

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Linda Barkley, Deputy City Clerk