



**June 27, 2023
MINUTES**

COUNCIL MEMBERS PRESENT:

Prado, Reynosa, Launer, Thusu via-Zoom

COUNCIL MEMBERS ABSENT:

Nerio-Guerrero

STAFF MEMBERS PRESENT:

Alaniz, Avila, Hurtado, Iriarte, James, Montejano, Patlan, Solis, Watts, Webster, Yanez

1. Remote Attendance

Thusu

1.1. Click for remote access options via zoom per AB 2449

2. OPENING CEREMONIES

2.1. Welcome and Call to Order

Mayor Reynosa called the meeting to order at 6:30 p.m.

2.2. Invocation

The invocation was led by Chaplain Susee.

2.3. Pledge of Allegiance

The pledge of allegiance was led by Council Member Prado.

3. AGENDA CHANGES OR DELETIONS

To better accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed. Additions to Agenda may be added only pursuant to California Government Code section 54954.2(b).

3.1. Leadership Class of Northern Tulare County Report of 2023 Cinco de Mayo Event (MA)

The Leadership Northern Tulare County participants Joanne Bear and Anna Santillan presented the 2023 Cinco de Mayo event report. They reported that the event was a success.

The Council gave words of appreciation.

4. REQUEST TO ADDRESS COUNCIL

This portion of the meeting is reserved for any person who would like to address the Council on any item that is not on the agenda. Please be advised that State law does not allow the City Council to discuss or take any action on any issue not on the agenda. The City Council may direct staff to follow up on such item(s). Speakers are limited to three (3) minutes. If there is any person wishing to address the City Council at this time please approach the podium and state your name and nature of the request.

None.

5. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Council Member may request an item be removed from the Consent Calendar and it will be considered separately.

5.1. SUBJECT

Second Reading of Ordinance 2023-05 Related to Prohibited Activities in Parks and Recreational Facilities (DY)

RECOMMENDATION

City Council to take the following action by one motion:

Conduct second reading of Ordinance No. 2023-05 by title "Adding Chapter 49 'Unauthorized Encampments and Prohibited Activities on Public Property' to Title 9 of the Dinuba Municipal Code"; Waive further reading of Ordinance 2023-05 and adopt Ordinance 2023-05 either as drafted or subject to any revisions agreed to by the Dinuba City Council; and authorize the repeal of Ordinance 2023-04 on the effective date of Ordinance No. 2023-05.

5.2. SUBJECT

Approval of Agreement Between the City of Dinuba and the Dinuba Unified School District for the School Resource Officer for FY 2023-24 (AI)

RECOMMENDATION

Council to approve the School Resource Officer (SRO) Agreement with the Dinuba Unified School District for the 2023-24 school year and authorize the City Manager or designee to execute the agreement.

5.3. SUBJECT

Approval of City Council Meeting Minutes (MA)

RECOMMENDATION

Council to review and approve the City Council meeting of June 13, 2023 as presented.

5.4. SUBJECT

Cancellation of City Council Meeting Scheduled on August 8, 2023 & September 12, 2023 (MA)

RECOMMENDATION

Council to approve cancellation of the City Council meetings of August 8, 2023 and September 12, 2023.

A motion was made by Council Member Prado , second by Council Member Launer, to review and approve Consent Calendar as presented.

Ayes: Launer, Prado , Reynosa, Thusu
Absent: Nerio-Guerrero

6. WARRANT REGISTER

6.1. SUBJECT

Warrant Register June 16 & 23, 2023 (KS)

RECOMMENDATION

Council to review and approve the Warrant Register as presented.

A motion was made by Council Member Launer, second by Council Member Prado , to review and approve Warrant Register as presented.

Ayes: Launer, Prado , Reynosa, Thusu
Absent: Nerio-Guerrero

7. PUBLIC HEARING

7.1. SUBJECT

Extension of Urgency Ordinance No. 2032-04 Regarding “Prohibited Activities in Public Parks and Recreation Facilities” (DY)

RECOMMENDATION

City Council to receive staff report, open and close a public hearing, and vote, by a 4/5 majority to extend Urgency Ordinance No. 2023-04 related to “Prohibited Activities in Public Parks and Recreation Facilities”.

City Attorney Yanez presented an extension of the current Urgency Ordinance NO. 2023-04 related to “Prohibited Activities in Public Parks and Recreation Facilities”.

Mayor Reynosa opened the public hearing.

There was no public comment.

Mayor Reynosa closed the public hearing.

A motion was made by Council Member Launer, second by Council Member Prado , to receive staff report, open, and close a public hearing, and vote, by a 4/5 majority to extend Urgency Ordinance No. 2023-04 related to “Prohibited Activities in Public Parks and Recreation Facilities”.

Ayes: Launer, Prado , Reynosa, Thusu
Absent: Nerio-Guerrero

7.2. SUBJECT

Resolution No. 2023-35 Adopting FY 2023/24 Operating Budget and Capital Improvement Program and Adjustments to the FY 2022/23 Budget; and Resolution 2023-36 Adopting the FY 2023/24 GANN Appropriations Limit (KS)

RECOMMENDATION

Council to conduct a public hearing and take the following actions by separate motions:

1. Adopt Resolution No. 2023-35 approving the Fiscal Year 2023/24 Operating Budget and Capital Improvement Program and adjustments to the Fiscal Year 2022/23 budget;
2. Adopt Resolution No. 2023-36 establishing the Appropriations (GANN) Limit for Fiscal Year 2023/24.

Administrative Services Director Solis presented the Fiscal Year 2023/24 Operating Budget and Capital Improvement Program and adjustments to the Fiscal Year 2022/23 budget. Solis reported that the CDTFA will complete their audit by the end of 2023, until then a conservative approach has been taken. Solis advised that some of the vacancies that will be filled this year include three Firefighter Paramedics, Code Enforcement Officer, Part time Ambulance Billing Clerk, Building Official, and Permit Technician. Solis advised that if funding from Alta District is unavailable the Firefighter Paramedic positions would be covered by general fund and Ambulance.

Patlan advised that he has spoken with Alta District attorney and funding still looks promising.

Council expressed their satisfaction with the budget and staff's attention.

Mayor Reynosa opened the public hearing.

No comment were made.

Mayor Reynosa closed the public hearing.

A motion was made by Council Member Launer, second by Council Member Thusu, to adopt Resolution No. 2023-35 approving the Fiscal Year 2023/24 Operating Budget and Capital Improvement Program and adjustments to the Fiscal Year 2022/23 budget, and adopt Resolution No. 2023-36 establishing the Appropriations (GANN) Limit for Fiscal Year 2023/24.

Ayes: Launer, Prado , Reynosa, Thusu
Absent: Nerio-Guerrero

8. DEPARTMENT REPORTS

8.1. SUBJECT

Award of Contract to Avison Construction, Inc. for the Safety Improvements at Various Locations; Federal Project No. HSIPL 5143(034) (JW)

RECOMMENDATION

Council to award the contract for the Safety Improvements at Various Locations to Avison Construction, Inc. in the amount of \$2,057,721.00 and authorize the City Manager or designee to execute the contract documents.

City Engineer Watts presented the Safety Improvements Contract for various locations. Watts requested that the Council award the contract to Avison Construction, Inc. in the amount of \$2,057,721.00.

A motion was made by Council Member Launer, second by Council Member Prado , to award the contract for the Safety Improvements at Various Locations to Avison Construction, Inc. in the amount of \$2,057,721.00 and authorize the City Manager or designee to execute the contract documents.

Ayes: Launer, Prado , Reynosa, Thusu
Absent: Nerio-Guerrero

8.2. SUBJECT

Award of Contract to Avison Construction, Inc. for the FY 22/23 Street Reconstruction Projects (JW)

RECOMMENDATION

Council to award the contract for the FY 22/23 Street Reconstruction Projects to Avison Construction, Inc. in the amount of \$2,088,095.00 and authorize the City Manager or designee to execute the contract documents.

City Engineer Watts presented the FY 22/23 Street Reconstruction Project. Watts requested that the Council award the contract to Avison Construction, Inc. in the amount of \$2,088,095.00.

A motion was made by Council Member Prado , second by Council Member Launer, to award the contract for the FY 22/23 Street Reconstruction Projects to Avison Construction, Inc. in the amount of \$2,088,095.00 and authorize the City Manager or designee to execute the contract documents.

Ayes: Launer, Prado , Reynosa, Thusu
Absent: Nerio-Guerrero

8.3. SUBJECT

Award of Contract to Pavement Coatings Company for the FY 22/23 Street Rehabilitation Project (JW)

RECOMMENDATION

Council to award the contract for the FY 22/23 Street Rehabilitation Project to Pavement Coatings Company in the amount of \$536,342.85 and authorize the City Manager or designee to execute the contract documents.

City Engineer Watts presented the FY 22/23 Street Rehabilitation Project. Watts requested that the Council award the contract to Pavement Coating Company in the amount of \$536,342.85. Watts advised that the rehabilitation areas were identified during the pavement management program.

Patlan recommended the approval of Add Alt. #5 for the bid submitted by Pavement Coatings Company.

A motion was made by Council Member Thusu, second by Council Member Prado , to award the contract for the FY 22/23 Street Rehabilitation Project to Pavement Coatings Company in the amount of \$536,342.85 and authorize the City Manager or designee to execute the contract documents.

Ayes: Launer, Prado , Reynosa, Thusu
Absent: Nerio-Guerrero

8.4. SUBJECT

Award of Contract to JT2, Inc. DBA Todd Companies for the Nebraska Park Improvements Project (JW)

RECOMMENDATION

Council to award the contract for the Nebraska Park Improvements Project to JT2, Inc. DBA Todd Companies in the amount of \$225,000.00 and authorize the City Manager or designee to execute the contract documents.

City Engineer Watts presented the contract for the Nebraska Park Improvements. Watts requested that the Council award the contract to JT2, Inc. DBA Todd Companies in the amount of \$225,000.00. Watts advised that the Nebraska Park improvement will double the ponding basin capacity.

A motion was made by Council Member Thusu, second by Council Member Launer, to award the contract for the Nebraska Park Improvements Project to JT2, Inc. DBA Todd Companies in the amount of \$225,000.00 and authorize the City Manager or designee to execute the contract documents.

Ayes: Launer, Prado , Reynosa, Thusu
Absent: Nerio-Guerrero

8.5. SUBJECT

2023 Water and Sewer Utility Rate Study - Rate Option Selection (GA)

RECOMMENDATION

Council to receive information regarding the 2023 Water and Sewer Utility Rate Study, selected a preferred option, and direct staff to prepare the required Proposition 218 notice to utility customers.

Interim Public Works Director Avila presented information on the 2023 Water and Sewer Utility Rate Study for the Council to select the preferred option.

Avila advised that staff has worked with Willdan Financial Services on the 2023 water and sewer rate study. The research confirmed rate adjustments are

necessary to maintain service levels.

Avila reviewed the three rate study tiers and advised that all three tiers would include a 90-day operating cash reserve. Avila advised that once the council made a recommendation there would be a public hearing with an estimated implementation date of October 1st.

The council selected tier option 3A.

9. MAYOR/COUNCIL REPORTS

Council Member Thusu reported attending a policy meeting in Pomona. Thusu advised that the TCRTA executive committee passed the budget for the year. TCAG has not made a decision on Porterville's withdrawal from the organization and has placed it back for Porterville to decide.

Council Member Launer attended the Fire department luncheon for the three probationary Firefighters. Launer asked for the city attorney to look into 9A72 and how it will impact the community. Launer reported attending various meetings.

Council member Prado reported attending the Ridge Creek Friday evening event and the EDC meeting.

Mayor Reynosa reported attending the Kiwanis Award dinner and the Fire department luncheon. Reynosa shared that it was a pleasure working with youth from city summer fun program who visited the Alta Historical Society event. Reynosa attended the Friday Concert at the park and the Ridge Creek Friday evening event both were well attended.

10. CITY MANAGER COMMUNICATIONS

City Manager Patlan reported that the former Rite Aide building is in the process of being split for a Ross and a second tenant. Patlan reported that Superior Grocers is making renovations and will soon be moving in. Patlan advised that a second Starbucks will be moving into the Mercantile Row area by fall.

11. CITY STAFF COMMUNICATIONS

Assistant City Manager James reported meeting with Interim Public Works Director Avila and Chief Iriarte regarding the industries for service program and will soon be coming up with a draft program.

Director Solis reported the current recruitment for a Part-Time and Full Time Billing clerk. Solis advised there will be interviews on Thursday for the Full Time Accounting Technician II vacancy. Solis advised that the interim audit was conducted last week with the new Auditor, and the fiscal year end is June 30th. Staff is currently working on closing year-end.

City Attorney Yanez is presenting the permanent camping ordinance on consent for approval. Yanez has made the revisions requested by the council. Yanez reported that city staff has been working on implementation. Yanez is working on a shopping cart ordinance that will be presented to the council in July.

Police Chief Iriarte reported his department has been busy with interviews for Reserve Officers and the Police Department participated in the torch run on Thursday for Special Olympics.

Fire Chief Webster reported that four Firefighter Paramedics just completed the academy and two more firefighter EMT are attending the academy at the end of July. Webster reported that his department along with Police will have an illegal fireworks enforcement detail Friday, Saturday Sunday, and Tuesday.

Interim Public Works Director Avila reported conducting final interviews for Utility Workers. Avila reminded staff and the council that the Summer Clean up is July 8th from 7 a.m. to 3 p.m.

City Engineer Watts reported that he has several projects going to bid and that Caltrans gave the green light for the Kamm roundabout. Watts will continue to provide updates to the council on all projects.

Parks and Community Service Director Hurtado reported that the department is busy getting ready for events on Friday and Monday. Hurtado reported that the upcoming BBQ event has 12 competitors signed up so far.

12. CLOSED SESSION

12.1. Liability Claim (MA)

Pursuant to GC 54956.95; Claimant(s): Alejandro Jacobo.
Agency claimed against: City of Dinuba.

Claim was rejected.

12.2. Liability Claim (MA)

Pursuant to GC 54956.95; Claimant(s): Bertha Yepez.
Agency Claimed Against: City of Dinuba.

Claim was rejected.

13. ADJOURNMENT

Mayor Reynosa adjourned the meeting at 8:43 p.m.