



**May 9, 2023
MINUTES**

COUNCIL MEMBERS PRESENT:

Nerio-Guerrero, Thusu, Launer, Reynosa

COUNCIL MEMBERS ABSENT:

Prado

STAFF MEMBERS PRESENT:

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

1. Work Session - 5:30 PM

1.1. Utility Rates Study (GA)

Mayor Reynosa opened the work session at 5:31 p.m.

Interim Public Works Director Avila introduced Chris Fisher with Wildan Financial Services who presented the Water & Sewer Rate Study. Fisher advised that the presentation will only include water and sewer and that the disposal study will be presented at another meeting. Fisher advised that the presentation includes three options and the council is asked to give their recommendation for the option they feel is best.

Fisher provided an overview of the study's goals and objectives that include a five-year financial plan that ensures funding for current and future obligations while complying with Prop 218. Fisher reported that the last rate study was conducted 10 years ago and the last increase in water rates was 4 years ago and the last sewer rate increase was 5 years ago.

Tier 1 includes only maintaining the current service levels. Tier 2 includes maintaining the current service levels, additional employees, and capital maintenance. Tier 3 includes maintaining the current service levels, additional employees, capital maintenance, and new CIP projects. All tiers include 90 days of operating cash reserve, the current policy only includes a 60 day reserve.

Fisher asked for the council's direction on which tier to proceed with. If there is no written protest council can move forward with the rate increase. Fisher advised that the council can also implement its own rates using the three options as a guide.

City Manager Patlan advised that all new subdivisions pay impact fees upfront to offset the impact on water and sewer.

Council Member Launer asked if refilling a pool has a cost. Interim Public Works Director Avila advised that there is not but they pay based on water consumption.

Launer asked if a fee could be created for refilling pools. Patlan advised that can be an option.

Reynosa adjourned the work session at 6:03 p.m.

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 Police Chief Iriarte.

2.3. Pledge of Allegiance

The pledge of allegiance was led by Director Solis.

3. NEW EMPLOYEES AND PROMOTIONS

3.1. Introduction and Oath of Office for Police Officer Andrew Escovedo (AI)

Chief Iriarte introduced Police Officer Andrew Escovedo. Escovedo was joined by his wife Gabriella, his parents, and siblings. Escovedo was raised in Fresno and has a Bachelor's Degree in Criminology from Fresno State. Escovedo's father is a retired Madera County Sherriff.

Mayor Reynosa administered the Oath of Office and Escovedo was pinned by his wife Gabriella.

Escovedo thanked his family for their support and expressed excitement about the opportunity to serve the community of Dinuba.

The Council shared words of encouragement and congratulations.

3.2. Introduction and Oath of Office for Police Officer Jose Magana (AI)

Chief Iriarte introduced Police Officer Jose Magana. Magana was joined by his wife Elisa and their children. Magana is from Porterville and attended Porterville College where he obtained an Associate's Degree. Magana graduated from the Tulare County Police Academy.

Mayor Reynosa administered the Oath of Office and Magana was pinned by his wife Elisa and their children.

Magana expressed his appreciation to the council and to his family for their support.

The council shared words of encouragement and congratulations.

3.3. Introduction and Oath of Office for Police Officer Julian Hernandez (AI)

Chief Iriarte introduced Police Officer Julian Hernandez. Hernandez was joined

by his wife Courtney, his daughters, his parents, siblings, mother-in-law, and father-in-law. Hernandez was raised in Fresno where he attended Clovis City College and Fresno City College. Hernandez earned his Bachelor's Degree and attended the Fresno City Police Academy.

Mayor Reynosa administered the Oath of Office. Hernandez was pinned by his father Alfred.

Hernandez shared words of appreciation and gratitude.

The Council shared words of encouragement and congratulations.

4. 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).

None.

5. 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.

Annette Carrion HOA president for Ridge Creek Estates approached the podium to ask to be placed on the agenda to address safety issues and traffic control.

6. 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.

6.1. SUBJECT

Approval of City Council Meeting Minutes (MA)

RECOMMENDATION

Council to review and approve the City Council meeting minutes of April 11, 2023, as presented.

6.2. SUBJECT

Request for Excused Absence Council Member Kuldip Thusu (MA)

RECOMMENDATION

Council to excuse the absence of Council Member Kuldip Thusu from the City Council meeting of April 11, 2023.

6.3. SUBJECT

Request for Excused Absence Council Member Linda Launer (MA)

RECOMMENDATION

Council to excuse the absence of Council Member Linda Launer from the City Council meeting of April 11, 2023.

6.4. SUBJECT

**Resolution No. 2023-25 Road Repair and Accountability Act (SB1)
Proposed Project List (JW)**

RECOMMENDATION

Council adopt Resolution No. 2023-25 approving the SB1 proposed project list to be included in the Capital Improvement Program (CIP), as prescribed, to satisfy the program objectives and statutory requirements of the Road Repair and Accountability Act of 2017 (SB1).

6.5. SUBJECT

Resolution No. 2023-24 Authorizing Submittal of a Regional Surface Transportation Exchange Program Claim for FY 22-23 (GA)

RECOMMENDATION

Council adopt Resolution No. 2023-24 authorizing the Public Works Director to submit a claim to the Tulare County Association of Governments (TCAG) to exchange the City's Fiscal Year 2022-2023 Regional Surface Transportation Program (RSTP) funds for State Highway Account Funds in the estimated amount of \$325,359.

6.6. SUBJECT

Professional Services Agreement with Townsend Public Affairs, Inc. for Legislative Advocacy and Grant Writing Services (DJ)

RECOMMENDATION

Council approve a Professional Services Agreement with Townsend Public Affairs, Inc. from July 1, 2023 through June 30, 2026, in the amount not-to-exceed \$5,500 per month, and authorize the City Manager or designee to execute the agreement.

6.7. SUBJECT

Initiation of Proceedings and Intent for the Annual Levy of Landscape and Lighting Districts Annual Assessments for Fiscal Year 2023/24. (KS)

RECOMMENDATION

City take the following action by one motion:

1. Adopt Resolution No. 2023-27 initiating proceedings for annual levy and collection of assessments and ordering the preparation of the Annual Report for Landscaping and Lighting Assessment Districts for Fiscal Year 2023/24; and
2. Adopt Resolution No. 2023-28 preliminarily approving the Annual Report for the City's Landscaping and Lighting Assessment Districts for Fiscal Year 2023/24; and
3. Adopt Resolution No. 2023-29 declaring intention to levy and collect assessments within the City's Landscaping and Lighting Assessment Districts for Fiscal Year 2023/24 and setting the time and the place for the public hearing on the levy of the proposed assessments.

6.8. SUBJECT

Approve Second Amendment to the Tulare County Probation Department Non-Custody Intake Program Agreement for FY 2023-24 (AI)

RECOMMENDATION

Council approve the Second Amendment with the Tulare County Probation Department for the Non-Custody Intake Program for fiscal year 2023-24 and authorize the Chief of Police or designee to execute the agreement.

6.9. SUBJECT

Professional Services Agreement with Collins & Schoettler for General Planning Services (DJ)

RECOMMENDATION

Council to approve a professional services agreement with Collins & Schoettler for general planning services.

6.10. SUBJECT

Proclamation No. 2023-01 National Public Works Week (MA)

RECOMMENDATION

Council to adopt Proclamation No. 2023-01 proclaiming the week of May 21-27, 2023 as National Public Works Week.

6.11. SUBJECT

Temporary use of the Transit Center Conference Room by the Dinuba Branch Library (SH)

RECOMMENDATION

Council to approve temporary use of the Transit Center Conference Room by the Dinuba Branch Library from May 10, 2023, through February 29, 2024.

6.12. SUBJECT

Award of Contract to On Top Roofing for repairs to roof at the Sportsplex (SH)

RECOMMENDATION

Council to award a contract to On Top Roofing for repairs to the roof at the Sportsplex in the amount of \$50,000 and authorize the City Manager or designee to execute the contract documents.

6.13. SUBJECT

Pyrotechnics Contract for the 2023 Dinuba Independence Day Celebration (SH)

RECOMMENDATION

Council to approve the Pyrotechnics Contract with Fireworks America in the amount of \$20,000 for pyrotechnics services for the July 3, 2023 Independence Day Celebration and authorize the City Manager or designee to execute the agreement.

A motion was made by Vice Mayor Nerio-Guerrero, second by Council Member Thusu, to review and approve the Consent Calendar as presented.

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

7. WARRANT REGISTER

7.1. SUBJECT

Warrant Register April 7, 14, 21, 28 and May 5, 2023 (KS)

RECOMMENDATION

Council to review and approve the Warrant Register as presented.

A motion was made by Council Member Launer, second by Vice Mayor Nerio-Guerrero, to review and approve the Warrant Register as presented.

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

8. PUBLIC HEARING

8.1. SUBJECT

Continued public hearing for Montebella Phase 2/3 Tentative Subdivision Map

RECOMMENDATION

City Council conduct a public hearing and adopt the following:

1. Resolution No. 2023-15 (Attachment "A") approving an amendment to the site's General Plan land use designation.
2. Introduce and conduct the first reading, waive reading in full, of the Ordinance No. 2023-03 (Attachment "B") approving a zone change to adjust existing zoning designations on the site.
3. Resolution No. 2023-16 (Attachment "C") approving an amendment for the design of the Tentative Subdivision Map to adjust the number of single family lots to 121 and revise the size and provide a 1.6-acre neighborhood park and also a temporary stormwater ponding basin.
4. Set May 23, 2023 for the second reading of Ordinance No. 2023-15 and 2023-16.

City Planner Schoettler presented the revised tentative subdivision map for Montebella Phase 2/3. Schoettler reported that the previous subdivision map went back to the developer where changes were made to accommodate the council's request by revising a 1.6-acre park on the southwest side of the subdivision next to the temporary stormwater ponding basin. The basin can be filled and added to the park in the future.

Schoettler reported that the revised tentative map includes a revision to street patterns for traffic calming and may include a traffic circle in the future to slow traffic. Bulbouts have been added at key intersections as well as a neck-down option to slow traffic. The subdivision has been revised from 123 single-family lots to 121 single-family lots. Schoettler advised the council that the ponding basin's capacity is adequate and can accommodate this subdivision and the one to the south.

Schoettler advised that the current street names are temporary and that permanent street names will be assigned once the subdivision is completed.

Council Member Thusu and Council Member Launer are happy with the changes.

Mayor Reynosa asked if Apricot Street dead ends or connects to Saginaw. Schoettler advised that it will connect. Reynosa expressed concern about there not being enough parking on Apricot. Schoettler will confirm there is enough parking for each lot.

Mayor Reynosa opened the public hearing.

Nick Peters the developer approached the podium to advise he was available for any questions that the council may have.

Wyatte Thomason approached the podium and shared that he lives about six miles outside Dinuba and has a question about the development's walkability, such as sidewalks, how wide they will be, and how many people they can accommodate. Schoettler advised that they are set to the city standard of 5 feet wide, enough for two people to walk side by side. Thomason asked if the subdivision plans and map are available. Schoettler advised that they are

available on the city website.

Mayor Reynosa closed the public hearing.

A motion was made by Council Member Thusu, second by Council Member Launer, to adopt Resolution No. 2023-15 approving an amendment to the site's General Plan land use designation, to approve Ordinance No. 2023-03, approving a zone change to adjust existing zoning designations on the site, and to approve Resolution No. 2023-16 approving an amendment for the design of the Tentative Subdivision Map to adjust the number of single family lots to 121 and revise the size and provide a 1.6-acre neighborhood park and also a temporary stormwater ponding basin, and set May 23, 2023 for the second reading of Ordinance No. 2023-03.

Ayes: Launer, Nerio-Guerrero, Reynosa, Thusu

Absent: Prado

9. DEPARTMENT REPORTS

9.1. SUBJECT

Delgado Park and Downtown Area Lighting Study (JW)

RECOMMENDATION

Council to receive report on lighting study and authorize the use of solar streetlights in lieu of the typical hardwired streetlights in neighborhood around Delgado Park and in the downtown area.

City Engineer Watts reported that 4Creeks performed a lighting study of Delgado Park and the Downtown area. The analysis of the existing conditions determined that additional lighting is needed. The research found lighting deficiencies at night, including six street lights at Delgado Park that are not working. Staff is now aware and are working on a resolution. The study found that there is not enough light between streets on O Street and Kamm Ave, and discovered that there are a few lights not working downtown, which are now being resolved.

Watts reported that the pros of using solar lighting are many. Including the ability to use them anywhere and they would be city-owned and maintained. Solar lighting has a lifespan of 20 years on average and is extremely simple to replace. The cost is cheaper than hardwire lighting at 14k vs 33k.

The study determined that 52 lights are needed at Delgado Park and the downtown needs more pedestrian lighting. Watts asked the council to consider using solar instead of wired street lights for this project and for future residential areas.

Council member Launer asked about solar panel upkeep. Watts advised that there is minimal maintenance required for solar panels.

Watts shared that cons include that panels are battery-operated and placement must be considered away from trees.

Patlan shared that the goal is a 5-year implementation for Delgado Park and the

downtown.

Council Member Thusu suggested revising the scope of need to include the whole city.

9.2. SUBJECT

Fiscal Year 2022/23 Financial Report for the Quarter Ending March 31, 2023 (KS)

RECOMMENDATION

Council to accept the financial report for the third quarter ending March 31, 2023 for the 2022/2023 fiscal year.

Director Solis presented the fiscal year 2022/23 third-quarter financials that reflect the city's financial position as of March 31, 2023, for the budget year that begins July 1, 2022, and ends June 30, 2023.

Solis provided a summary of General Fund revenues that include services such as Police, Fire, Planning and Development, and Parks and Community Services. Solis reported that the General Fund Revenues are at 77% and expenditures are at 60%. Solis reported that Enterprise Funds, Internal Service Funds, Special Revenues, and Capital Funds are all expected to be on target and any necessary budget amendments will be made and presented at the end of the fiscal year. Solis advised that the Golf Course had a few one-time expenses which are reflected in the report, but revenues are above what was budgeted.

9.3. SUBJECT

Fiscal Year 2022/23 Cash Investment Report for the Quarter Ending March 31, 2023 (KS)

RECOMMENDATION

Council accept the City of Dinuba Cash and Investment report for the third quarter of fiscal year 2022/23.

Director Solis presented a summary of the city's cash and rates of return on investments. The cash investment report presented focuses on the first three quarters of the 2022/23 fiscal year for July 2022- March 2023. Solis reported that as of March 31, 2023, total cash investments total \$58.28 million of which \$997,642 is in combined pool interest earnings. Investment types include Bank & Deposits, Trustee Cash and Investments, Local Agency Investment Fund (LAIF), Money Market Deposit (PIMMA), California Asset Management Program (CAMP), and Tulare County Investment Pool.

Solis reported that all investments are liquid for flexibility, and can be easily converted into cash without a significant impact on value. Solis is confident that the investment restructuring provides more options for safe investment and can result in larger returns.

City Manager Patlan praised Solis for working on investment gains. Solis thanked staff for their support and hard work.

10. MAYOR/COUNCIL REPORTS

Vice Mayor Nerio-Guerrero reported attending the Cinco de Mayo Pageant where she presented the outgoing queen a certificate from the city. Nerio-Guerrero attended the Historical Society event and the Baseball season opening day for Parks and Recreation. Nero-Guerrero attended the San Joaquin Valley Policy Conference in Manteca.

Council Member Launer reported going to Sacramento for the Valley Voice where there were concerns about roads and water, attended the San Joaquin Valley Policy Conference in Manteca and has been busy. Launer reported the clearing of weeds at Nebraska Park pond where there was a goose's nest and now they are gone.

Council Member Thusu reported attending the Leaders Summit addressing issues about internet sales tax. Thusu attended the Air Board meeting where someone from Avenal was selected as the small city representative. Thusu advised that the City of Porterville has given notice of withdrawal from TCRTA. The next board meeting is on Monday. Thusu reported that TCRTA needs to work on its financials.

Mayor Reynosa shared that Dr. Joe Hernandez has invited the Council to a midday walk-through of the new High School site. Reynosa reported attending the San Joaquin Valley Policy conference, the Lions event, the Alta Historical event, and the Cinco de Mayo event. Reynosa thanked all city staff, including Parks, Police, and Public Works for their hard work during the event. Reynosa thanked Anna Santillan and Joanne Bear for their hard work on the Leadership Northern Tulare County committee.

11. CITY MANAGER COMMUNICATIONS

City Manager Patlan shared that the South San Joaquin League meets next Thursday if anyone is interested in attending. There is a vacancy in the Measure R committee the vacancy seat is through June 30, 2024. Patlan reported participating in the City Manager sales tax working group last Friday. Patlan gave an update that the repaving projects of Road 74 and the restrooms at the Entertainment Plaza are in progress.

12. CITY STAFF COMMUNICATIONS

Assistant City Manager James reported circulating flyers for the housing workshop this week. The virtual meeting is set for May 30th from 6:00 p.m. - 7:00 p.m.

City Attorney Yanez reported that for the Ordinance for Military Equipment Use Policy, legislation requires Police to submit a yearly report that will be coming to Council in June. Yanez reported that he will be attending the Cal Cities Attorney Conference in Monterey.

Director Solis reported that finance is preparing the 2023/2024 budget that will soon be presented to the council.

Interim Public Works Director Avila reported that his department hired a Clerical Assistant I who came from Utility Billing division and advised that his department will be sending out business license renewals for next year.

City Engineer Watts reported that Road 74 will be fully paved by Friday and that the Entertainment Plaza is currently ripped up for the installation of underground utilities. The restroom project should be completed in 2 weeks. The KC Vista court project will be out

for rebidding due to the first bids coming in high.

Parks and Community Service Director Hurtado reported that there is an RFP out for a landscape project. Hurtado reported a small fire at Parks and Recreation that was minimal, and the Fire Department responded quickly.

Fire Chief Webster reported that fire season is upon us. They have been several fires behind The Island, and high temperatures are contributing to the fire season. Staff is busy with weed abatement. The department has worked on 10 fires in the last 15 days and is currently working with the county on an investigation. Flood season is approaching with the anticipated flows in rivers peaking in the next 4 weeks. Webster is working on Firefighter recruitment and has been working with City Engineer Watts on the new Valley ROP facility. Webster reported that his staff is conducting an ongoing Arson investigation.

Chief Iriarte appreciated the kind words given by Council to the new officers. Iriarte shared that his department is working on new hires including new Reserve Officers and a pending conditional offer for Evidence Technician. Iriarte reported his department collected thirty-eight pounds of prescription drugs during the drug takeback. Iriarte reported recently participating in community-oriented events with schools with more events in the coming month.

13. CLOSED SESSION

13.1. Conference with Legal Counsel - Anticipated Litigation (DJ)

Discuss threat of litigation, pursuant to subdivision (b) of Government Code Section 54956.9; One (1) case.

Informational item only. No action was taken.

13.2. Liability Claim (MA)

Pursuant to Government Code Section 54956.95; Claimant(s) Maria Loera. Agency Claimed Against: City of Dinuba.

Council rejected the claim.

13.3. Liability Claim (MA)

Pursuant to Government Code Section 54956.95; Claimant(s) Juan Quezada Jr. Agency Claimed Against: City of Dinuba.

Council rejected the claim.

13.4. Liability Claim (MA)

Pursuant to Government Code Section 54956.95; Claimant(s) Michael Carrasco. Agency Claimed Against: City of Dinuba.

Council rejected the claim.

14. ADJOURNMENT

The meeting was adjourned at 9:02 p.m.