



**February 28, 2023  
MINUTES**

**COUNCIL MEMBERS PRESENT:**

Launer, Nerio-Guerrero, Prado, Reynosa, Thusu

**COUNCIL MEMBERS ABSENT:**

None.

**STAFF MEMBERS PRESENT:**

Alaniz, Hernandez, Hurtado, Iriarte, James, Montejano, Solis, Watts, Yanez

**1. OPENING CEREMONIES**

**1.1. Welcome and Call to Order**

Mayor Reynosa called the meeting to order at 6:31 p.m.

**1.2. Invocation**

The invocation was led by Chaplain Susee.

**1.3. Pledge of Allegiance**

The pledge of allegiance was led by Council Member Prado.

**2. 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.

**3. PRESENTATIONS/CEREMONIAL MATTERS**

**3.1. Police Community Volunteers In-Kind Service Check Presentation to City Council (AI)**

Police Chief Iriarte introduced Interim Lieutenant Ashford along with the Police Community Volunteers. Ashford reported that there are a total of 15 volunteer members that participate in many community functions such as the World Ag Expo, Raisin Day Celebration, and Cinco de Mayo Celebration. Ashford stated that the Police Community Volunteers have been led by Lieutenant Son for the past 15 years and have had a total of 1.6 million in-kind service hours during this period.

The Police Community Volunteers presented the city with a check in the amount

of \$63,520 which represents the value of 1,588 in-kind hours. The Volunteers thanked the Council for their support.

The Council offered words of appreciation and support.

#### **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**

**Resolution No. 2023-11 Acquisition of Right of Way for the Kamm/Alta Avenue Roundabout (JW)**

##### **RECOMMENDATION**

Council adopt Resolution No. 2023-11 by one motion for the following action:

1. Approves the Right-of-Way agreement with Edward A. Davidian and Georgia A. Davidian, Trustees of the Davidian Family Revocable Trust; and,
2. Authorizes the City Manager or designee to sign agreement on behalf of the City for acquisition of property in fee and for a temporary construction easement for public street purposes; and,
3. Accepts the Right-of-Way dedication for Public Street Purposes and Temporary Construction Easement.

##### **5.2. SUBJECT**

**Approval of City Council Meeting Minutes (MA)**

##### **RECOMMENDATION**

Council to review and approve City Council meeting minutes of February 14, 2023 as presented.

##### **5.3. SUBJECT**

**Resolution No. 2023-12 Authorization to Approve Final Map, Subdivision Development Agreement, and Reimbursement Agreement for Vineyard Estates Subdivision (JW)**

**RECOMMENDATION**

Council by one motion take the following actions:

1. Adopt Resolution No. 2023-12 approving the Final Map for the Vineyard Estates Subdivision consisting of 63 residential lots and authorize City staff to record said map; and,
2. Approve the Subdivision Development and Reimbursement Agreement for Vineyard Estates Subdivision and authorize the City Manager or designee to execute the agreement.

**5.4. SUBJECT**

**Request for Excused Absence for Council Member Kuldip Thusu (MA)**

**RECOMMENDATION**

Council to excuse the absence of Council Member Kuldip Thusu from the City Council meeting of February 14, 2023.

**5.5. SUBJECT**

**Request for Excused Absence for Council Member Linda Launer (MA)**

**RECOMMENDATION**

Council to excuse the absence of Council Member Linda Launer from the City Council meeting of February 14, 2023.

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

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

**6. WARRANT REGISTER**

**6.1. SUBJECT**

**Warrant Register February 17 & 24 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, Nerio-Guerrero, Prado , Reynosa, Thusu

**7. PUBLIC HEARING**

## **7.1. SUBJECT**

**Public Hearing to Consider Adopting Resolution No. 2023-10 Approving the Final Negative Declaration (SCH 2023010340) for the Alta Avenue (Road 80) and Kamm Avenue (Avenue 408) Roundabout Project (JW)**

### **RECOMMENDATION**

Council to conduct a public hearing and adopt Resolution No. 2023-10 adopting a Mitigated Negative Declaration (State Clearing House No. 2023010340) for the Alta Avenue and Kamm Avenue Roundabout Project.

Engineer Watts presented the environmental study to support the Alta Avenue and Kamm Avenue Roundabout Project.

Mayor Reynosa asked if it would be best for Council Member Prado to exclude himself from this item due to his employment with the Dinuba Unified School District. City Attorney Yanez recommended that Prado exclude himself from any action on this matter.

Prado chose to abstain from this item.

Mayor Reynosa opened the public hearing.

Dinuba Unified School District Superintendent Hernandez approached the podium to express his concern regarding insufficient notice. Hernandez stated that under Government Code 15072 he should have received a notice in the mail. Hernandez advised that he had only just received the Environmental report that afternoon and that he has some safety concerns to address. Hernandez asked for additional time to properly review the document before any action is taken by the council and for proper notice to be given to the School District for any future notices.

Council Member Launer asked Superintendent Hernandez about his safety concerns. Hernandez mentioned pedestrian safety and that he would also like supporting documentation for comments made in the report. Launer expressed that the Alta and Kamm Roundabout Project has been in process since March 2016 and any delay in schedule may reflect in the loss of funding due to time constraints. Launer advised Hernandez that safety is the city's priority and that the roundabout is the best choice for pedestrian safety. Hernandez asked to have until the next council meeting to process and read the safety report and clear any questions regarding safety.

Launer asked City Engineer Watts how long it would take to provide the safety report information. Watts advised it would be about a week and that this hearing is a separate item from the safety report. Watts shared that the request for authorization to Caltrans is due 4/1/23. Public Works Director Hernandez advised that if the Council does not approve the Resolution today funds may be lost if reports are not submitted by the deadline.

Mayor Reynosa advised that the loss of funds could be detrimental to the project.

Superintendent Hernandez advises that they do not want to slow the project but want more time to review the safety report. Hernandez advised that he is ok with

the council approving the hearing as long as they have an open dialog moving forward.

Dinuba Unified District School Board Member Mary Villareal approached the podium and advised that she only had a few minutes to review the Environmental Report and wants to be ensured that the Dinuba School District is notified 30 days in advance for any future notices.

Mayor Reynosa closed the public hearing.

A motion was made by Council Member Launer, second by Council Member Thusu, to adopt Resolution No. 2023-10 adopting a Mitigated Negative Declaration (State Clearing House No. 2023010340) for the Alta Avenue and Kamm Avenue Roundabout Project.

Ayes: Launer, Nerio-Guerrero, Reynosa, Thusu

Abstain: Prado

## **8. DEPARTMENT REPORTS**

### **8.1. SUBJECT**

**Mid-year Budget Report and Budget Amendments for Fiscal Year 2022/2023 (KS)**

### **RECOMMENDATION**

Council to take the following action by one motion:

1. Accept the Fiscal Year 2022/23 Mid-Year Financial Report and Second Quarter Financials; and,
2. Adopt Resolution No. 2023-09 approving budget amendments for Fiscal Year 2022/23.

Administrative Services Director Solis reported the Second Quarter Mid-Year report. Solis provided a summary of funds including Revenues and Expenditures ending in December 31, 2022. Solis presented the First Quarter Fund Analysis of all funds, consisting of the General Fund, Enterprise Funds, Special Revenue Funds, Internal Services Funds, Capital Funds, and Debt Service Funds for the period ending December 31, 2022. Solis reported that all funds are as expected and at target for year-end.

Council Member Thusu asked how much more sales tax revenue has been received and asked if we were on track. Solis advised that we have received January's allocation and anticipates meeting the expected revenues. Solis reported that revenues are at the level they were prior to the pandemic.

Council Member Launer asked about business licenses and if we could require a sticker to be displayed to help identify businesses in compliance with their license. City Attorney Yanez advised there could be an amendment to include a requirement to display a notice.

A motion was made by Council Member Prado , second by Council Member

Thusu, to accept the Fiscal Year 2022/23 Mid-Year Financial Report and Second Quarter Financials, and adopt Resolution No. 2023-09 approving budget amendments for Fiscal Year 2022/23.

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

## **8.2. SUBJECT**

### **Mid-year Cash and Investment Report for Fiscal Year 2022/23 (KS)**

#### **RECOMMENDATION**

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

Administrative Service Director Solis presented the Cash and Investment Summary ending December 31, 2022. Solis reported on Cash Deposits, Trustee Deposits, Portfolio Investments, and Managed Investments. Solis advised that the Tulare County Investment and CAMP earnings will be included in the next reporting period. Solis reported that earnings reflect an increase of 97% over the same period last year and that the first half of fiscal year 2022/23 is a period of restructuring. Solis advised that Portfolio investment money was moved slowly so earnings varied and she is confident of future investments.

A motion was made by Council Member Thusu, second by Council Member Launer, to accept the City of Dinuba Mid-year Cash and Investment report for the fiscal year 2022/23.

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

## **8.3. SUBJECT**

### **Dinuba Housing Element Update (KSch)**

#### **RECOMMENDATION**

Council to receive information on the status of the Dinuba Housing Element update.

City Planning Consultant Karl Schoettler presented the overview of the ongoing preparation of the Dinuba Housing Element a component of the City's General Plan that analyzes conditions and establishes action plans for the housing needs of the City over the next 8 years.

Schoettler advised that the City of Dinuba is participating along with six other Tulare County cities in a Multi-Jurisdictional Housing Element, being prepared by a Consultant team. Schoettler advised that not complying with the plan can put the city in danger of litigation and loss of funds. Schoettler reported that for the 2023-2031 planning period, the city must demonstrate the ability to accommodate 1,588 dwelling units in four income categories, very low income, low income, moderate income, and above-moderate income. Schoettler shared that the Consultants will be soliciting public involvement in form of workshops and online surveys. Schoettler stated that once the Consultants have completed the draft Housing Element, it will be presented to the Council for adoption.

Council Member Launer asked what zones would be reviewed. Schoettler

advised that all zones will be identified including Williamson zones.

## **9. MAYOR/COUNCIL REPORTS**

Council Member Prado shared that the summit he attended exceeded sponsorship goals. Prado thanked Ismael for his department's hard work.

Vice Mayor Nerio-Guerrero shared that she attended the Rosary for fallen Selma Police Officer Carrasco. Nerio-Guerrero attended the Starbucks event featuring the Dinuba Fire Department and thanked the Parks Department for placing a trash receptacle at the pickleball courts.

Council Member Thusu expressed his appreciation for the condolences and well wishes he received after his father's passing. Thusu thanked the Public Works staff for their hard work during the storms. Thusu advised that he attended the TCRTA meeting where they discussed Visalia and Porterville's use of the agency's fleet. Thusu reported that the Executive meeting for South San Joaquin is scheduled for March 9th in Bakersfield. Thusu asked if the City had any liability for ponding basin recreational use during floods.

Council Member Launer thanked staff for their hard work during the storm and their fast action to remove downed trees. Launer reported attending TCAG training and shared that another training is scheduled for Thursday. Launer will be attending the San Joaquin Regional Policy meeting on the March 29th. Launer will be absent for the March 28th Council Meeting.

Mayor Reynosa shared that she attended the Rosary for the fallen Selma Police Officer.

## **10. CITY MANAGER COMMUNICATIONS**

Assistant City Manager James thanked all city staff for their work during the storm. James congratulated Finance for their CSFMO budget award. James reminded the Council of the required Ethics training and that City Engineer Watts will soon be out on paternity leave.

## **11. CITY STAFF COMMUNICATIONS**

City Attorney Yanez reported that he will be conducting in-person Ethics training on March 14th at 3:00 p.m. at City Hall. Yanez reported that he is in the process of reviewing agreements that will soon be on the consent calendar.

Police Chief Iriarte reported attending the Rosary and service for the fallen Selma Police Officer and attended the California Highway Patrol Academy graduation of a former Dinuba Police Officer. Iriarte reported the promotion of Sergeant Ashford to Lieutenant and the pending conditional offers of employment to four Reserve Officers. One dispatch candidate is in the background process, Robin Galvan has begun her position as a full-time dispatcher and Sam Harra is the new full-time Animal Control Officer.

Public Works Director Hernandez shared that staff worked long hours during the storm and received relief from the Parks department.

Parks and Community Services Director Hurtado will advise the parks crew of the Council's gratitude for their hard work.

Engineer Watts shared he has been plan checking construction projects that will be moving forward this summer. Watts thanked Public Works Director Hernandez for being proactive and slowly resolving flooding issues around town.

Human Resources Director/City Clerk Alaniz reminded the Council of the mandated training.

## **12. CLOSED SESSION**

### **12.1. Liability Claim (MA)**

Pursuant to Government Code Section 54956.95; Claimant(s) Edit Valero-Rodriguez. Agency Claimed Against: City of Dinuba.

The claim was rejected.

### **12.2. Liability Claim (MA)**

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

The claim was rejected.

## **13. ADJOURNMENT**

The meeting was adjourned at 8:18 p.m.