



**January 9, 2024
MINUTES**

COUNCIL MEMBERS PRESENT:

Nerio-Guerrero, Launer, Prado, Reynosa, Thusu

COUNCIL MEMBERS ABSENT:

None.

STAFF MEMBERS PRESENT:

Alaniz, Avila, Chastain, Hurtado, James, Iriarte, Lew, Montejano, Solis, Watts

1. OPENING CEREMONIES

1.1. Welcome and Call to Order

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

1.2. Invocation

The invocation was led by Chaplain Garcia.

1.3. Pledge of Allegiance

The pledge of allegiance was led by Vice Mayor Nerio-Guerrero.

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. 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.

4. 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.

4.1. SUBJECT

Notice of Completion - KC Vista Park Improvements Project (JW)

RECOMMENDATION

Council to accept the KC Vista Park Improvements Project as complete and authorize the City Engineer to file a Notice of Completion with the Tulare County Recorder's Office.

4.2. SUBJECT

Resolution Number 2024-02, Adoption of Chapter 10 of California Department of Transportation (Caltrans) Local Assistance Procedures Manual for Consultant Selection

RECOMMENDATION

Council adopt Resolution No. 2024-02 authorizing the adoption of the California Department of Transportation (Caltrans) Local Assistance Procedures Manual Chapter 10 setting forth the selection process for selecting consultants to work on state or federal funded projects.

4.3. SUBJECT

Resolution No. 2024-05 Amending the Fiscal Year 2023-24 Salary Schedule to Reflect Minimum Wage Adjustments (MA)

RECOMMENDATION

Council adopt Resolution No. 2024-05 amending the FY 2023/24 salary schedule to reflect increase in the minimum wage as required by law.

4.4. SUBJECT

Ordinance No. 2023-09 - Second reading and Adoption to change the zoning for the Los Proados Residential Subdivision (KSch)

RECOMMENDATION

Council to conduct the second reading, waive reading in full, and adopt Ordinance 2023-09 pertaining to an amendment of the zoning on a 27± acre parcel on the north side of E. El Monte Way and the east side of Crawford Avenue.

4.5. SUBJECT

Resolution No. 2024-03 Authorizing City Manager to Execute a Master Agreement with the California Department of Transportation for State Funded Projects (GA)

RECOMMENDATION

Council to adopt Resolution No. 2024-03 authorizing the City Manager to execute a Master Agreement with the California Department of Transportation for current and future state or federal funded projects.

4.6. SUBJECT

Resolution No. 2024-06 Approving Amercian Rescue Act Funds for the Downtown Clock Restoration Project (DJ)

RECOMMENDATION

Council to adopt Resolution No. 2024-06 authorizing the use of up to \$12,000 of American Rescue Plan Act Funds for the maintenance and restoration of the historic Downtown clock.

4.7. SUBJECT

Approval of City Council Meeting Minutes (MA)

RECOMMENDATION

Council to review and approve the City Council meeting of December 12, 2023 as presented.

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

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

5. WARRANT REGISTER

5.1. SUBJECT

Warrant Register December 27, 2023 & January 5, 2024 (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 the Warrant Register is presented.

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

6. PUBLIC HEARING

6.1. SUBJECT

Public Hearing and Adoption of Resolution No. 2024-01 Approving a Mitigated Negative Declaration (SCH No. 2023120125) for the El Monte Way/Road 56 Roundabout Project (JW)

RECOMMENDATION

Council to conduct a public hearing and adopt Resolution No. 2024-01 adopting a Mitigated Negative Declaration for the El Monte/Road 56 Roundabout Project.

City Engineer Watts presented information about Resolution 2024-01 for the

adoption of a Mitigated Negative Declaration for the El Monte and Road 56 Roundabout project. Watts reported that an environmental review was conducted by 4Creeks, as required under the California Environmental Quality Act (CEQA), and determined that the project would cause no significant impact on the environment.

The roundabout will replace a four-way signalized intersection and will include curb and gutter, landscaping, and sidewalks. Under CEQA requirements, the public hearing was noticed in the Mid Valley Times and State clearinghouses with no opposing comments received.

Council Member Luaner noted that the sidewalk was listed as parallel to the property. Watts advised the roundabout was shifted to the north to avoid a negative impact on the large canal on El Monte Way.

Mayor Reynosa opened the public hearing.

No comments were made.

Mayor Reynosa closed the public hearing.

Council Member Thusu asked about the traffic count. Watts advised that 90%-95% of traffic is on El Monte with very little traffic on Road 56. Thusu asked what impact would it have on Best Buy, Patterson, and Walmart. Watts advised that he has spoken to Best Buy, Patterson, and Walmart, and the impact will be minimal. Watts advised that there will be minimum impact on big rigs and fire/EMS traffic.

Launer asked if foggy days had been taken into consideration. Watts advised that the roundabout would include additional signs ahead of it and will look into additional light features, such as rumble stripes.

A motion was made by Council Member Prado , second by Council Member Thusu, to adopt Resolution No. 2024-01 adopting a Mitigated Negative Declaration for the El Monte/Road 56 Roundabout Project.

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

6.2. SUBJECT

Development Impact Fee Annual Report for FY 2022/23 (GA)

RECOMMENDATION

Council to conduct a public hearing on the Fiscal Year 2022/23 Development Impact Fee Annual Report and file the report with the Office of the City Clerk.

Business Manager Patino presented the Development Impact Fees Annual report for the Fiscal Year 2022/2023 which is collected on all new developments to help offset city costs. Patino reported on the seven development impact fees, including Water, Sewer, Transportation, Fire, Parks Facilities, Storm Drain, and Police. Patino advised that the City has made the report available to the public and the Public Hearing notice has been published in Mid Valley Times as required by the Mitigation Fee Act.

Mayor Reynosa opened the public hearing.

No comments were made.

Mayor Reynosa closed the public hearing.

A motion was made by Council Member Launer, second by Council Member Thusu, to approve the Fiscal Year 2022/2023 Development Impact Fee Annual Report and file the report with the Office of the City Clerk.

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

6.3. SUBJECT

Ordinance No. 2024-01 Approving Zone Change for 1225 Euclid Avenue (Nieblas) KSch

RECOMMENDATION

Introduce and conduct the first reading, waive reading in full, of Ordinance No. 2024-01, amending the City of Dinuba Zoning Map from "RA" (Residential Acreage) to "R-1-7.5" (Single Family Residential) for a 2.3-acre parcel (1225 Euclide Avenue).

City Planning Consultant Karl Schoettler presented information on the zoning change for 1225 Euclid Avenue from Residential Acreage to Single Family Residential. The request includes changing the zone from RA, Residential Acreage to R-1-7.5 Single Family Residential, creating four parcels and a remainder area, and allowing three of the parcels to have a narrower width than required by R-1-7.5 zoning. Schoettler advised that the R-1-7.5 zoning allows parcels as small as 7,500 square feet. The proposed lot sizes are 7,519 square feet to 9,620 square feet in size, with the remainder parcel at 64,408 square feet.

Schoettler reported that staff has sent notices of interest to five neighboring RA-zoned lot owners and received two written responses, one in support and one in opposition to having their property rezoned. Schoettler advised that the Planning Commission approved the rezoning at their December 5, 2023 meeting.

Council Member Thusu asked City Attorney Lew if he was allowed to vote since he previously lived near the area. Lew advised there was no conflict of interest, but Thusu could remove himself from the vote if he wished.

Council Member Prado asked if all rules have been met for the rezoning, and asked if there would be additional requests for rezoning in the future. Schoettler advised that staff does not anticipate future requests.

Council Member Launer asked what future restrictions would the owner have. Schoettler advised that the entire parcel would become R-1-7.5, and each lot developed will be required to install a curb, gutter, sidewalk, and lighting. Due to the small lot size, the builder would have to configure the build to the lot size. All new builds will have city utility services.

Mayor Reynosa asked about the size of the lot and what the normal widths are.

Karl advised that the lots are narrow, but the lot size is sufficient. Schoettler advised that the lots on Timothy are the same width 62 feet wide. Schoettler advised that a standard lot width is 70 feet.

Mayor Reynosa opened the public hearing.

City resident Mike Gomez approached the podium to advise that the lot sizes in this area were developed within Tulare County and later annexed into the City. Mr. Gomez shared that lots in this area vary in size. Mr. Gomez shared that the Euclid area has a curb and gutter and is hooked up to city services.

Mayor Reynosa closed the public hearing.

A motion was made by Council Member Launer, second by Council Member Prado , to approve Ordinance No. 2024-01, amending the City of Dinuba Zoning Map from "RA", Residential Acreage to "R-1-7.5", Single Family Residential for a 2.3-acre parcel located at 1225 Euclid Avenue.

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

7. DEPARTMENT REPORTS

7.1. SUBJECT

Authorization to Request Proposals for Franchise Agreement for Solid Waste, Recycling and Organics Collection (GA)

RECOMMENDATION

Council authorize staff to request proposals for solid waste, recycling and organics collection services.

Public Works Director Avila asked the Council to approve the authorization to request Proposals for Franchise Agreement for Solid Waste, Recycling, and Organic Collection due to the current contract with Pena's Disposal is due to expire on June 30, 2025.

Avila reported that the current contract has been in place since 1981 and has been extended for 44 years. Avila reported that staff believes formal bids for disposal services are necessary to ensure that customers are receiving competitive rates and service levels. Avila would like to hire a third-party consultant who is familiar with the requirements to help with the process.

Council Member Prado asked how our fees compare to other cities. Avila advised fees are consistent with other neighboring cities. Avila advised that the goal is to ensure that the contract meets industry standards

City Council Member Launer asked what the cost would be for the consultant. Avila advised that the consultant's cost is about \$80,000 and would be covered by the vendor. Launer asked if 44 years was too long for a service contract. City Attorney Lew advised that it's a good idea to see what's changed and what can be offered. Launer asked if bids were accepted during the previous contract extensions. Avila advised that there were no bids collected during the previous extension.

Thusu asked if a comparative analysis of service can be performed by staff. Avila advised that it's complex and a consultant who is an expert in the area of new regulations and knows the language is needed. Thusu asked if a cost analysis had been made. Avila advised that the consultant will put all that information together along with a rate study.

Prado shared his concerns about another increase after the recent water and sewer increase. Lew advised that an RFP is a fair analysis of bids and that the contract will provide standards. Assistant City Manager James advised that all communities go through RFP and the consultant's cost will not be a burden to customers.

Art Pena from Pena's Disposal approached the podium and shared that Pena's Disposal has serviced the community for the last 44 years. Pena provided a brief history of Pena's recycling journey. Pena advised that he built a recycling facility to meet state mandates and provided service to Dinuba at no additional cost. Pena advised that Pena's Disposal has kept the city in compliance without a rate increase. Pena advised that he is willing to work with the city on amending the current contract and is asking for the current contract to be extended.

Mr. Gomez a Dinuba resident approached the podium to ask that the council postpone the RFP and keep the contract with Pena's Disposal. Gomez believes that Pena's Disposal is meeting standards.

Avila advised that RFP's are conducted on all contracts and ultimately, it is up to the Council to decide. Avila recommends that the current contract be revised, at the very least, and engage a consultant to provide options.

Felipe Martinez a Dinuba resident approached the podium to ask if the city has someone in mind as a consultant and how the city knows the cost. Martinez advised that he is a lifelong resident and has never had a complaint about Pena's Disposal.

Solis advised that the city does not have a consultant but for a fair comparison, one should be acquired. The RFP is meant to answer the questions from the Council.

Council would like a work session to discuss this topic further. The council would like to see surrounding communities' comparative disposal rates, State mandates, the cost of maintaining compliance, and a list of subcontractors.

7.2. SUBJECT

Resolution No. 2024-04 Nominating Elizabeth Wynn, City of Visalia Councilmember for the Appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District - Large City Representative (MA)

RECOMMENDATION

Council to adopt Resolution No. 2024-04 nominating Elizabeth Wynn, City of Visalia Councilmember for the appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District as large city representative.

City Clerk/Human Resources Director Alaniz reported on Resolution No. 2024-04 nominating Elizabeth Wynn, City of Visalia Councilmember to be appointed to the Governing Board of the San Joaquin Valley Air Pollution Control District as the large city representative.

A motion was made by Council Member Launer, second by Council Member Thusu, to adopt Resolution No. 2024-04 nominating Elizabeth Wynn, City of Visalia Councilmember for the appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District as the large city representative.

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

8. MAYOR/COUNCIL REPORTS

Council Member Thusu expressed concern about the State budget deficit. Thusu advised that the State interim budget will be coming out this month. Thusu reported that former Mayor McKittrick passed away.

Council Member Launer reported attending the Annual League Christmas party and the Environmental Policy meeting.

Council Member Prado reported attending the Viscaya Neighborhood Cake Walk, where he was a judge. Prado would like to see the event citywide. Prado shared attending the first day of basketball season and thanked Director Hurtado for doing a great job on the new basketball courts.

Vice Mayor Nerio-Guerrero reported attending the Casino Night event at the golf course and going on a ride along with the Police Department where she had an opportunity to have lunch with police officers.

Mayor Reynosa wished staff a Happy New Year.

9. CITY MANAGER COMMUNICATIONS

Assistant City Manager James reported that the landscaping along the golf course and restaurant renovations began today. Everything is moving along well. James advised that during the renovation a water leak was found that may delay the progress, for now, the estimated renovation duration is two weeks. James will keep the council updated. James shared that Superior Grocers will be open by February 1, 2024, and a fentanyl Town Hall will be held on Saturday, January 13, 2024. James shared that staff is looking into sidewalks around the basketball courts and the graffiti volunteer program is underway, anyone interested should contact Public Works.

10. CITY STAFF COMMUNICATIONS

Parks and Community Director Hurtado reported presenting a plaque to the Dall family for their donation to the Senior Center. Hurtado shared that Libby Montes was promoted to Parks Supervisor.

City Engineer Watts reported that underground work is being completed at Kamm and Alta for future development. Watts shared that the median island on El Monte is moving forward and Viscaya Park is on pace.

Public Works Director Avila reported that Code Enforcement Officers are working on Saturday, focusing on code violations and food vendors. Avila reported that the Fiscal Analyst position has been offered to an internal candidate. Avila shared that the Building Official vacancy is currently open until filled and one candidate will be interviewed on Friday. Avila advised meeting with the new Executive Director of TCRTA.

Fire Chief Chastain reported two Firefighter/Paramedics accepted a job offer and two Firefighter/EMTs cleared their background. Chastain shared that staff is currently screening Fire Inspector applications. Chastain reported that as of January, fire engines are staffed with two persons. The goal is to eventually have three persons on an engine.

Police Chief Iriarte reported that the fentanyl Town Hall will be held on Saturday, January 13, 2024, at New Life Community Church.

Administrative Services Director Solis reported that staff is working on the projected year-end budget, and will start the upcoming budget soon. Solis reported that she will be taking Debt Service information to Tulare County and will be participating in regular meetings going forward.

City Clerk/Human Resources Director Alaniz shared that the 700 Forms have been emailed and are due by April 1st.

11. ADJOURNMENT

Mayor Reynosa adjourned the meeting at 8:32 p.m.