

COUNCIL / BOARD MEMBERS PRESENT: Payan, Smith, Wallace, McKittrick

COUNCIL / BOARD MEMBERS ABSENT: Morales

CALL TO ORDER

Mayor / Chair Wallace called the meeting to order at 6:03 pm.

CITY COUNCIL / REDEVELOPMENT AGENCY WORK SESSION (CLOSED SESSION)

2.1. Avenue 416 Project Property Acquisition, 597 West El Monte Way, Dinuba

Pursuant to Government Code Section 54956.8, the City Council / Agency met in closed session with the City Attorney to discuss property acquisition of 597 West El Monte Way, Dinuba.

RECONVENE

Mayor / Chair Wallace reconvened from closed session at 7:09 pm.

INVOCATION

The invocation was led by Council Member McKittrick.

FLAG SALUTE

The flag salute was led by Council Member Smith.

EMPLOYEE SERVICE AWARDS

- 5.1. Frank Guerra, 25 Years
- 5.2. Richard Marquez, 25 Years
- 5.3. Dan Meinert, 20 Years
- 5.4. Patty Hartman, 15 Years
- 5.5. James Buford, 5 Years
- 5.6. Marcos Nunez, 5 Years
- 5.7. Mayra Sanchez, 5 Years

Mayor Wallace presented the employees with service awards and Richard Marquez was also introduced as a newly promoted Fire Captain.

NEW EMPLOYEES AND PROMOTIONS

6.1. Richard Marquez, Promotion, Fire Captain

Done in item 5.

PUBLIC COMMENT

7.1.1. *Unscheduled. At this time, the public wishing to address the City Council on any matter should approach the podium and state their name, address and the nature of their request.*

Deby Sano, 1088 E Kamm Avenue, was present and thanked the City Council and staff for the opportunity of working here the last 29 years.

CONSENT CALENDAR

- 8.1. City Council Meeting Minutes, March 9, 2010
- 8.2. Redevelopment Agency Meeting Minutes, March 9, 2010
- 8.3. Retiring City Employee(s) Equipment Award

8.4. Final Agreement - City of Dinuba and Scot Patterson re Big 5 Sporting Goods Store

It was moved by Council / Board Member McKittrick, second by Council / Board Member Smith, to approve the consent calendar as presented.

AYES: Payan, Smith, Wallace, McKittrick
NOES: None
ABSTAIN: None
ABSENT: Morales

WARRANT REGISTER

- 9.1. Approval – City Council Warrant Register, March 18, 25, 2010
- 9.2. Approval – Redevelopment Agency Warrant Register, March 18, 25, 2010

It was moved by Council / Board Member Smith, second by Council / Board Member McKittrick to approve the warrant register as presented.

AYES: Payan, Smith, Wallace, McKittrick
NOES: None
ABSTAIN: None
ABSENT: Morales

MAYOR’S / CHAIR’S MINUTE

10.1. Dinuba Lanes’ Proposal, Sale of Lot and Refinancing of Loan

Director Nunes provided a report on the proposed loan for Dinuba Lanes. The loan of \$415,000 at 1.5 percent amortized over 30 years with a balloon payment in the 8th year and the deed for the empty lot (adjacent to Dinuba Lanes) given to the City. Nunes explained the bank must sign off on the lot prior to entering into the agreement.

City Manager Todd said the proposal contains a caveat--it won’t go into effect until the bank releases the loan.

Council comments followed.

Mayor / Chair Wallace asked Majarian if he feels the bank will be in accord with the proposal.

Majarian said he feels the bank will accept the proposal and explained the details of the current loan on the bowling center.

It was moved by Council / Board Member McKittrick, second by Council / Board Member Smith to direct the City Manager / Executive Director to put together effective paper work for Majarian.

AYES: Payan, Smith, Wallace, McKittrick
NOES: None
ABSTAIN: None
ABSENT: Morales

10.2. Information Sharing

Wallace said he had opportunity to share with the lunch rotary and enjoyed his time there.

COUNCIL / BOARD COMMENTS

- 11.1. Community Choice Aggregation, a Resolution in Protest of Prop 16, Resolution No 2010-14

Deputy City Manager Meinert requested the Council consider a resolution opposing the Prop 16 ballot measure. He explained that the prop is misleading and would limit cities to make choices on matters of community choice aggregation. Independent of those efforts, the city has been exploring ways to become less independent from PG&E and many cities have taken the same actions.

Meinert referred to the information about PG&E's historic actions in regard to community choice aggregation.

PG&E representative Janet Koontz was present to take questions from the Council in regard to Prop 16. The Council had no questions for Koontz.

It was moved by Council Member Smith, second by Council Member McKittrick, to adopt Resolution No 2010-14, opposing Prop 16 as presented.

AYES: Payan, Smith, Wallace, McKittrick
NOES: None
ABSTAIN: None
ABSENT: Morales

11.2. Avenue 416 Project Property Acquisition, 597 West El Monte Way, Dinuba

Mayor Wallace struck item 16.1. from the agenda as it is a duplicate agenda item.

City Attorney McCloskey said this was a closed session continued from earlier in the evening and requested Council go back into closed session after taking comments from the public and they will also be meeting with property purchasing agent.

Reda Benanni, 597 W El Monte Way property owner, stated he approached the Council three months ago in response to the City's contact about purchasing the property. He referred to property appraisals that have been done on the property since the initiation of acquisition that are markedly different from the City's offer.

The City Council adjourned into closed session to discuss the matter.

RECONVENED FROM CLOSED SESSION

CLOSED SESSION ACTION

Mayor Wallace said the Council's direction is to continue negotiations with the subject property owner, Bennani, with the intent to arrive at a settlement amount up to a maximum of \$260,000.

11.3. Information Sharing

None

OFFICE OF THE CITY MANAGER / EXECUTIVE DIRECTOR

12.1. Council of Cities Update

Deputy City Manager Meinert talked about the council of cities meeting. He referred to a letter received from Tulare County in regard to the County's general plan update and MOU negotiations with Council of Cities.

Cities have an agreement with the County on how pass through is returned to the city. The County has a conservative view of what they can charge cities that are on the other side of the spectrum. Cities are being charged three or more times the actual cost. The Council of Cities suggested hiring the same attorney that Fresno County used to win a lawsuit along the same lines. The Council may want to consider participating in a lawsuit of this nature.

Director Nunes said before the new triple flip formula was put into effect, we were paying the County about \$9,000 to the County we currently pay \$52,000.

No action is required but Meinert asked the Council to consider directing a representative of Council of Cities, Council Member McKittrick, accordingly.

Council Member McKittrick said he will do his best to represent the City's position on this matter.

Council discussion followed.

12.2. Information Sharing

City Manager Todd said staff has begun working on budget and Director Nunes started on negotiations with employee groups. Todd reported that the General Fund and Measure F funds are not in good shape. Staff will be bringing the proposed budget next month. City Manager Todd reported that the principal planner was laid-off in Development and Engineering Services as there is not a lot of planning happening right now. Affordability is going to be a big issue in the budget process.

Elizabeth Villalobos has submitted her resignation from the police department as well.

City Manager Todd reported that the next San Joaquin Valley Division General Membership meeting will be held in Fowler on April 15.

ADMINISTRATIVE SERVICES

13.1. Information Sharing

Administrative Services Director Nunes reported to the Council on the CRA Lawsuit status. The Judge has taken testimony under consideration and the court will decide in April when the money will be paid to cities.

Nunes reported on the success of the new process for delinquent notices in utility billing. She said staff mailed out less notices and we are paying less in postage as a result.

CITY ATTORNEY

14.1. Information Sharing

None

COMMUNITY SERVICES

15.1. Information Sharing

Opening day of baseball is April 24.

DEVELOPMENT & ENGINEERING SERVICES

16.1. ~~Avenue 416 Project Property Acquisition, 597 West El Monte Way, Dinuba~~ (this item was struck from the agenda as it is a duplication of item 11.2.)

16.2. Information Sharing

Building Official Hartley presented a building update.

Hartley said Big 5 is still planning to build as plans are currently being drawn.

The AM/PM Market engineer has indicated that the second review plans should be in Hartley's office by the end of the week.
El Progreso is silent for now.
West El Monte Car Wash structural plans have been approved and will issue a permit to them on Thursday.
Viscaya I has pulled 10 permits in two weeks.
Muirfield I lots are all sold except for 6 which will be left empty for cleaning purposes.
The owners of Exxon next to Foster's Freeze have started a remodel which includes a mini-mart.
Sonic Restaurant is silent.

FIRE SERVICES

17.1. Information Sharing

None

POLICE SERVICES

18.1. Information Sharing

Chief Olvera said Villalobos last day is this Friday in the department. She will be missed in the department.

On March 19, the Explorers attended a competition, 24 agencies represented in the challenge, out of the 24 there are 20 events and our Explorers took fourth place in the obstacle place, third in vehicle search and first place in tug of war.

Council discussion followed.

PUBLIC WORKS

19.1. Annual Spring Clean-up, April 24, 2010

Whitfield talked about event and requested action authorizing the city manager to enter into an agreement with the Gas Company for the Spring Clean-up and the Fall Clean-up events which will occur later in the year.

It was moved by Council Member McKittrick, second by Council Member Smith, to approve the agreement with The Gas Company for the 2010 Spring Clean-up and Fall Clean-up events.

AYES: Payan, Smith, Wallace, McKittrick
NOES: None
ABSTAIN: None
ABSENT: Morales

19.2. Information Sharing

Assistant Public Works Director Whitfield said that staff was successful in obtaining a grant for bike racks.

ADJOURNMENT

Mayor / Chair Wallace adjourned the meeting at 8:47 pm.

Mark Wallace, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk / Secretary