

MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

February 27, 2018

Meeting called to order by Mayor Castro at 6:00 p.m.

Flag salute led by Mayor Castro.

Roll Call

Council Members Present: Mayor Rolando Castro, Mayor Pro Tem Victor Martinez, Councilors Jesse Mendoza, Oscar Rosales, and Robert Silva.

Council Members Absent: None.

FINALIZE THE AGENDA

1. Adjustments to Agenda.
2. Adoption of final Agenda.

City Manager DiMaggio requested that an item related to real property negotiations be added to the Closed Session section of the agenda.

City Attorney Kinsey summarized the requirements to add an emergency item to the agenda.

A motion was made by Councilor Silva to add the item to the Closed Session section of the agenda, seconded by Mayor Castro; unanimously approved (5 ayes).

Mayor Castro requested that an item be added to the Business section of the agenda for Council to consider signing a letter related to immigration.

City Attorney Kinsey summarized the requirements to add an emergency item to the agenda.

A motion was made by Councilor Mendoza to add the item to the Business section of the agenda, seconded by Councilor Rosales; unanimously approved (5 ayes).

A motion was made by Mayor Pro Tem Martinez to adopt the agenda as requested by staff and Mayor Castro, seconded by Councilor Rosales; unanimously approved (5 ayes).

PROCLAMATION

1. Proposed adoption of **Proclamation No. 18-01**, recognizing The United Way of Fresno and Madera Counties Free Tax Preparation Service (VITA).

Mayor Castro introduced them item.

President and CEO Lindsay Callahan with The United Way Fresno and Madera Counties stated that she is excited to partner with the City; stated that the organization has been meeting with key people in Mendota, and is looking forward to working with the entire Council; spoke on the upcoming free tax preparation services through the VITA program that will be provided in Mendota on March 10th; stated that the organization has arranged with the State's Franchise Tax Board to have the equipment and personnel needed in Mendota to carry out the event; and reported on the qualifications that need to be met in order to utilize the services.

Discussion was held on the location and time of the event.

Council welcomed and thanked Ms. Callahan and her staff for their involvement in the community, and for providing the upcoming tax preparation event.

Mayor Castro read the proclamation into the record.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Sir Dean Murphy (Order of the Million Elephant & White Parasol) – stated that his organization is looking for a significant amount of property for a large project, and provided Council and staff with the proposed plan for the project.

Discussion was held on the need for the organization to meet with staff; the amount of land that the organization needs; what would be included in the proposed project; the possibility of needing to look at the annexation of additional land, as well as a sphere of influence amendment to acquire the amount of land that the organization needs; and the inability for the current water and sewer infrastructure to support such a large project.

Discussion was held on the size of property that the organization needs, and their staff meeting with City staff.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

- 1. Minutes of the regular City Council meeting of February 13, 2018.
- 2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

A motion was made by Councilor Silva to approve items 1 and 2, seconded by Councilor Mendoza; unanimously approved (5 ayes).

CONSENT CALENDAR

- 1. FEBRUARY 13, 2018 THROUGH FEBRUARY 20, 2018
WARRANT LIST CHECKS NO. 043576 THRU 043622
TOTAL FOR COUNCIL APPROVAL = \$217,748.71
- 2. Proposed adoption of **Resolution No. 18-12**, adopting the Street Standard Drawings ST-1 through ST-21, as revised in February 2018
- 3. Proposed adoption of **Resolution No. 18-15**, authorizing the execution of an engineering services agreement for the purpose of extending the useful life of various streets in the City of Mendota in need of maintenance and/or repair.

A motion was made by Mayor Pro Tem Martinez to adopt items 1 through 3 of the Consent Calendar, seconded by Councilor Silva; unanimously approved (5 ayes).

BUSINESS

- 1. Appointment of a Mendota resident to the Mendota Recreation Commission.

Mayor Castro introduced the item and Economic Development Manager Flood reported that there are two vacancies on the Recreation Commission; stated that staff received an application from Ms. Angela Gonzalez; and recommended that the Council appoint Ms. Gonzalez to the Recreation Commission.

A motion was made by Councilor Silva to appoint Angela Gonzalez to the Recreation Commission, seconded by Councilor Mendoza; unanimously approved (5 ayes).

- 2. Proposed adoption of **Resolution No. 18-16**, directing the Mendota Joint Powers Authority to transfer residual funds to the City for placement in the General Fund Reserve.

Mayor Castro introduced the report and City Attorney Kinsey summarized the report including that the City has already paid off the Mendota Joint Powers Authority 1989 Series A Revenue Bonds; the City being unable to locate records regarding the funds; the amount of remaining funds; allocating the remaining funds since they are not bond

proceeds; utilizing the remaining funds to replenish the City's General Fund Reserve; legal counsel ensuring that it is acceptable to transfer the funds; and stated that the resolution effectuates the transfer of the funds to the General Fund Reserve.

City Manager DiMaggio reported on the dissolution of the Redevelopment Agency; staff acquiring opinions from legal counsel regarding the transfer of the funds; the amount of funds that will be transferred to the General Fund Reserve; and stated that he appreciated City Attorney Kinsey's assistance and that of the special counsel.

Discussion was held on whether the funds are restricted; whether it is appropriate to transfer the funds to the General Fund Reserve; and whether the City would be able to restore positions.

A motion was made by Councilor Rosales to adopt Resolution No. 18-16, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

PUBLIC HEARING

1. Introduction of **Ordinance No. 18-01**, approving a development agreement between the City of Mendota and Marie Street Development, LLC for the development of the property located at 1269 Marie Street in the City of Mendota, County of Fresno, California (Assessor's Parcel Number 013-280-15).

Mayor Castro introduced the item and City Manager DiMaggio reported that the council recently adopted a resolution to approve the Development Agreement, but that an ordinance also needed to be considered and adopted to formalize the agreement.

City Attorney Kinsey reported that staff and Canna-Hub have essentially the finalized agreement, but that Canna-Hub recently requested to modify the agreement so that the amount of city tax that Canna-Hub would pay would depend on actual occupancy; stated that Canna-Hub's recent request was not incorporated into the agreement; it being the Council's discretion as to whether they want to consider the request; and shared staff's recommendation to hold the public hearing and waive the first reading of the ordinance.

Discussion was held on not incorporating Canna-Hub's recent request into the agreement.

At 6:41 p.m. Mayor Castro opened the hearing to the public and, seeing no one present wishing to comment, closed it in that same minute.

A motion was made by Mayor Castro to perform the first reading of Ordinance No. 18-01, seconded by Mayor Pro Tem Martinez; approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

- 1. Administrative Services
 - a) Monthly Report

Administrative Services Director Lekumberry summarized report including the special project management that she performed for the 7th and Derrick Beautification project; trainings that were conducted for City Hall staff and the Public Works and Public Utilities Departments; workers compensation claims; and the amount of Senior Center attendees.

Discussion was held on the aviation project, including a press event that will take place on March 20th; and City Manager DiMaggio provided an overview of the project.

- 2. Public Works
 - a) Monthly Report

Planning & Public Works Director Gonzalez provided an update on the Lozano Lift Station Improvement project, including that the construction will not begin until April due to one of the vendors; and stated that the City had purchased additional fuel.

Discussion was held on the good work that the Adult Offender Work Program individuals do; the street sweeper schedule; and the possibility of having a tow truck tow vehicles that are parked on the street on the scheduled street sweeping day.

- 3. City Attorney
 - a) Update

Nothing to report.

The Council thanked City Attorney Kinsey for his work.

- 4. City Manager

City Manager DiMaggio reported that he and Mayor Castro have been working on their committees at Fresno Council of Governments (FCOG) to add immigration to the One Voice trip agenda, and provided an update on the DACA legal situation.

Discussion was held on President Trump’s opinion of Mendota, and the possibility of the City selling the 100 acres of land near the solar farm.

The Council thanked City Manager DiMaggio for his work.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Mendoza thanked staff and encouraged the members to continue attending meetings.

Councilor Rosales thanked staff, and reported on the Coffee with a Cop and Council Member event that was held recently.

Mayor Pro Tem Martinez reported that the Salvadoran Consulate will be providing their services at Gonzalez Hall on March 11th.

Councilor Silva reported on a significant amount of federal funding that the City of Selma recently received, and the need to speak with Congressman Valadao on acquiring funding.

2. Mayor

Mayor Castro reported that he recently attended a FCOG meeting and pushed to add immigration to the One Voice trip agenda, and that Mr. Moses Stites provided him with information regarding possible grants that the City may be eligible for under AB 134.

Discussion was held on whether the City was still under contract with Townsend Public Affairs.

BUSINESS

3. Council discussion and consideration to execute a letter regarding immigration.

Mayor Castro introduced the item and reported that he and Councilor Silva recently attended a Latino Mayors and City Elected Officials Coalition meeting; reported that a letter was created by Latino Mayors and City Elected Officials Coalition staff member Brenda Quintana; that the letter urges the adoption of immigration reform legislation; and requested that the Council consider signing a letter.

Mayor Castro read the letter into the record.

Discussion was held on who the letter would be sent to.

A motion was made by Councilor Rosales to approve that the Council sign the letter; seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
CA Government Code § 54956.8
Properties: 1084 Oller Street in Mendota, CA, identified as APN 013-153-08
Agency Negotiator: Vince DiMaggio, City of Mendota
Negotiating Parties: City of Mendota and the County of Fresno
Under Negotiation: the price and terms of payment.

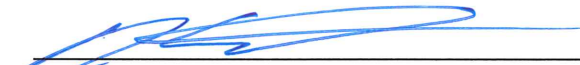
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
CA Government Code § 54956.8
Properties: 1748 7th Street in Mendota, CA, identified as APN 013-221-07
Agency Negotiator: Vince DiMaggio, City of Mendota
Negotiating Parties: City of Mendota and the County of Fresno
Under Negotiation: the price and terms of payment.

At 7:09 p.m. the Council moved into closed session.

At 7:24 p.m. the Council reconvened in open session and City Attorney Kinsey stated that in regards to items 1 and 2 of the closed session, there was no reportable action.


ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 7:24 p.m. by Councilor Silva, seconded by Councilor Mendoza; unanimously approved (5 ayes).



Rolando Castro, Mayor

ATTEST:



Matt Flood, City Clerk

