

MINUTES OF MENDOTA SPECIAL CITY COUNCIL MEETING

Special Meeting

February 28, 2017

Meeting called to order by Mayor Castro at 5:01 p.m.

Roll Call

Council Members Present: Mayor Rolando Castro, Mayor Pro Tem Victor Martinez, and Councilor Robert Silva.

Council Members Absent: Councilor Oscar Rosales.

Flag salute led by Director of Administrative Services Lekumberry.

Invocation led by Pastor John Flores from the Rivers of Living Waters Christian Church.

City Manager DiMaggio introduced Director of Administrative Services Lekumberry.

FINALIZE THE AGENDA

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

A motion was made by Councilor Silva to adopt the agenda, seconded by Mayor Pro Tem Martinez; unanimously approved (3 ayes, absent: Rosales).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the special City Council meetings of January 18, 2017, February 7, 2017, and February 15, 2017.
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 Mayor Pro Tem Martinez to approve items 1 and 2, seconded by Councilor Silva; unanimously approved (3 ayes, absent: Rosales).

CONSENT CALENDAR

1. FEBRUARY 22, 2017 THROUGH FEBRUARY 24, 2017
WARRANT LIST CHECKS NO. 042133 THRU 042184
TOTAL FOR COUNCIL APPROVAL = \$241,565.75
2. Proposed adoption of **Resolution No. 17-11**, approving the Final Map of Tract No. 6148, and entering into a subdivision agreement therefor.
3. Proposed adoption of **Resolution No. 17-17**, allowing Mendota Police Personnel to utilize the Federal Correctional Institution-Mendota firing range.
4. Proposed adoption of **Resolution No. 17-20 and an accompanying reimbursement resolution**, authorizing the City Manager to perform various actions related to obtaining funds from the State Water Resources Control Board.

A motion was made by Councilor Silva to adopt items 1 through 4 of the Consent Calendar, seconded by Mayor Pro Tem Martinez; unanimously approved (3 ayes, absent: Rosales).

BUSINESS

1. Discussion and consideration on filling the City Council Member vacancy.

Mayor Castro introduced the item and Economic Development Manager Flood reported that Mr. Joseph Amador resigned from the Council; the Council requesting to appointment an individual to fill the vacancy until the end of its term; staff noticing the vacancy in compliance with the Maddy Act; the number of applications that were received; and shared staff's recommendation to appoint an applicant to the position and that Council allow the candidates introduce themselves.

Ramiro Espinoza (837 Stamoules Street) – introduced himself and shared his vision for the community; shared his goals and priorities for the community; and discussed the importance of being business friendly.

John Flores (615 J Street) – introduced himself and summarized his participation in the reestablishment of the police department; discussed the importance of improving roads and parks; emphasized the importance of meeting with elected officials in order to acquire funding; and shared his experience as a former Council Member.

Martin Gamez III (680 Divisadero Street) – introduced himself and stated that Mendota needs to move forward; stated that city needs to continue to attract businesses; and explained the benefits of the community uniting in order to address various issues adequately.

Jonathan Leiva (638 N. Juanita Street) – introduced himself and stated that he has great work ethic; explained that he wants to continue to contribute to the community; and thanked the public for attending the meeting.

Albert Escobedo (807 Kate Street) – introduced himself and stated that he wants to keep the community safe; summarized his goals for the community; and attract additional businesses; and shared that he wants to build relationships with other community organizations and agencies.

Liberty Lopez (431 Lolita Street) – introduced herself and summarized her goals for the community, and discussed the importance of working together with other community organizations and agencies in order to prosper.

Jesse Mendoza (631 Pucheu Street) – introduced himself and shared his qualities; summarized his goals for the community; and stated that he wants to see Mendota thrive.

Joseph Riofrio (730 Stamoules Street) – introduced himself and thanked the council for their consideration; shared his experience in public service; and summarized his involvement in the community.

Council thanked the applicants for their interest in the position and discussion was held on achieving the numerous goals that were mentioned by the applicants; the difficulty of making the decision on who to appoint to fill the vacancy; the qualifications of the candidates; the public respecting the action that the Council takes; and the qualities that the new councilor should have.

Flor Larreynaga – stated that all candidates are qualified for the position; stated that she would like to have a female Council Member; and explained that she was in favor of Ms. Liberty Lopez being appointed to fill the position.

Teresa Ayala – stated that she is in favor of Ms. Liberty Lopez being appointed to fill the position; commended Ms. Lopez for her involvement in the community; and urged the Council to appoint Ms. Lopez.

At 5:45 p.m. Mayor Castro requested that the Council take a recess.

At 5:59 p.m. the Council reconvened in open session.

The Council thanked all applicants for applying for the position and requested that the members of the public request the decision of the Council.

A motion was made by Mayor Castro to appoint Jesse Mendoza to the City Council, seconded by Councilor Silva; approved (2 ayes, no: Martinez, absent: Rosales).

Joseph Riofrio (730 Stamoules Street) – congratulated Mr. Mendoza.

Mayor Pro Tem Martinez shared his disapproval of the Council's action.

Joseph Amador (1890 7th Street) – stated that didn't want division in the community and requested that the community unifies to achieve goals.

The Council congratulated Mr. Mendoza.

Jesse Mendoza (631 Pucheu Street) - thanked the Council and members of the public.

2. Discussion and consideration of the composition of the Public Safety Sub-Committee.

Mayor Castro introduced the item and Economic Development Manager Flood summarized the report including that Mr. Joseph Amador was the Chairperson of the sub-committee and requested that the Council reassess the position.

Discussion was held on Councilor Rosales remaining as Vice-Chairperson of the sub-committee and appointing Councilor Silva as the Chairperson.

A motion was made by Mayor Castro to appoint Councilor Silva as the Chairperson of the Public Safety Sub-Committee, seconded by Mayor Pro Tem Martinez; unanimously approved (3 ayes, absent: Rosales).

3. Proposed Adoption of **Resolution No. 17-21**, approving Mendota Designated Local Agency Promissory Note.

Mayor Castro introduced the item and City Attorney Kinsey reported that the city received funds from the Mendota Redevelopment Agency in 2008; the city has not made payments on the principal or interest of the loan; the city needing to meet its legal obligations relating to the loan; and summarized the city's obligations listed in the proposed Mendota Designated Local Authority Promissory Note.

Discussion was held on background of the loan; the city being required to repay the loan; and the terms of the promissory note.

A motion was made by Councilor Silva to adopt Resolution No. 17-21, seconded by Mayor Castro; unanimously approved (3 ayes, absent: Rosales).

4. Proposed Adoption of **Resolution No. 17-22**, Approving Second Amendment to Solar Power Services Agreement.

Mayor Castro introduced the item and City Attorney Kinsey summarized the report including that the City entered into a solar power services agreement with Borrego Solar in 2015; Borrego Solar's due diligence on the project discovered that the city does not own the mineral rights of the property that the solar project will be developed on; Borrego Solar requesting an amendment to the agreement as a result of the issue; and the various options that the city has.

Discussion was held on tabling the item so that staff can further investigate the issue; the low risk of issue; the various options that the Council has; and the benefits of developing the solar farm.

A motion was made by Councilor Silva to adopt Resolution No. 17-22, seconded by Mayor Castro; approved (2 ayes, no: Martinez, absent: Rosales).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

Planning & Public Works Director Gonzalez reported on the various projects that the department is working on.

Discussion was held on possible causes for water leaks and staff filling potholes throughout the city.

2. City Attorney
 - a) Update

Nothing to report.

Discussion was held on the progress of the tertiary treatment project.

3. City Manager

City Manager DiMaggio reported that he was notified that the County's Office of Emergency Services Activated their operation center; reported on the issues that the City is facing due to impact of recent rains; repairing the city's grader in order to prevent flooding of waste water treatment ponds; and the upcoming lobbying trip to Washington D.C.

Discussion was held on staff addressing the issues that have risen from recent rains efficiently; the costs associated with repairing the grader; the possibility of acquiring a surplused grader from Caltrans; Mayor Castro not being able to attend the lobbying trip; and the importance of an elected official attending the trip.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Silva reported on the WELL roundtable meeting that he recently attended.

Mayor Pro Tem Martinez reported on community concerns regarding immigration and requested that a town hall forum be held to discuss the issue with community members.

Discussion was held on the importance of providing appropriate information regarding the issue.

2. Mayor

Mayor Castro reported on the assembly that Assemblymember Joaquin Arambula hosted at Mendota High School.

Mayra (647 Perez) – spoke on incidences that occurred involving police officers.

CLOSED SESSION


1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
CA Government Code § 54956.8
Property: Approximately 2,000 acres within Westlands Water District in the County of Fresno located south of the Ashlan Avenue alignment, west of Dos Palos Road/State Highway 33 (Derrick Avenue), north of Belmont Avenue, and east of Douglas Avenue
Agency Negotiator: Vince DiMaggio, City of Mendota
Negotiating Parties: Westlands Water District

At 7:14 p.m. the Council moved into closed session.

At 7:41 p.m. the Council reconvened in open session and City Attorney Kinsey reported that in regards to item 1 of the closed session, there was nothing to report.


ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 7:41 p.m. by Councilor Silva, seconded by Mayor Pro Tem Martinez; unanimously approved (3 ayes, absent: Rosales).



Rolando Castro, Mayor

ATTEST:



Matt Flood, City Clerk

