

## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

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**Regular Meeting**

**April 24, 2018**

**Meeting called to order by Mayor Pro Tem Martinez at 6:00 p.m.**

**Flag salute led by Sergio Valdez.**

### **Roll Call**

**Council Members Present:** Mayor Rolando Castro (at 8:27 p.m.), 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 Business item #1, Council consideration of a facility-use application to hold a circus on a City property, be removed due to the applicant withdrawing the application.

A motion was made by Councilor Silva to adopt the agenda as requested by staff, seconded by Councilor Rosales; unanimously approved (4 ayes, absent: Castro).

### **PROCLAMATION**

1. Proposed adoption of **Proclamation No. 18-03**, recognizing and celebrating the Westside Youth Center for its 40<sup>th</sup> Anniversary.

Economic Development Manager Flood read the proclamation into the record.

**Dino Perez (Westside Youth, Inc.)** – shared the history of Westside Youth, Inc.

Discussion was held on history of the organization; the personal memories that they have when they participated in the programs that the organization offers; the various programs and services that the organization currently offers; and the Council thanked the staff and Board Members of Westside Youth, Inc. for their work.

### **CITIZENS ORAL AND WRITTEN PRESENTATIONS**

**Juan Luna (1648 10<sup>th</sup> Street)** – stated that he is upset with the accusations that were made on social media about Westside Youth, Inc. by Council Members regarding the purpose of the fees charged to enter the organization’s Spring Carnival.

Discussion was held on the answer that the organization provided on the facility-use application for the Spring Carnival regarding whether there would be an admissions charge; the purpose of the citizens oral and written presentations section of the agenda; and placing the issue for discussion on the May 8<sup>th</sup> City Council meeting agenda.

**Leslie Ruiz (437 L Street)** - stated that she felt it was unfair for Westside Youth, Inc. organization to charge to enter a public park; the reasons their volunteers gave her when she asked why the organization was charging an admissions fee; commented on the amount of fees that the organization charges parents so that children can participate in their programs; and commented that the organization answered that there would not be a charge for admission on the facility-use application for the Spring Carnival.

**Dino Perez (Westside Youth, Inc.)** – stated that the goal of the organization is to help children; that the organization did not want to charge an admission fee, but decided to in order to cover the fees that the City was charging to use the facilities; stated that he was unaware of what the exact amount of the fees were until City staff emailed him the total amount two weeks before the event; and shared a conversation that he had with the Mayor.

City Manager DiMaggio explained that City fees were listed on the conditions of approval for the facility-use application and that some of the fees of which he was speaking are charged to Westside Youth, Inc. by another entity, not the City, and the need for Mendota Youth Recreation and Westside Youth, Inc. to determine the costs of holding events prior to moving forward with them.

**Valerie Gonzalez (260 Fleming Avenue)** – stated that Fleming Avenue was in very poor condition; that vehicles speed through the street; and requested that the City install a speed bump at Fleming Avenue.

Discussion was held on Fleming Avenue being on the list to be reconstructed in the future; the budget process; and installing a speed bump on the street.

**David Keyes (Clovis, CA)** – explained that he is a candidate for Fresno County Auditor-Controller; that he is visiting each City that the office serves to introduce himself; and shared his background.

Discussion was held on the reasons that Mr. Keyes decided to seek the office of the Fresno County Auditor-Controller.

### **APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING**

1. Minutes of the regular City Council meeting of April 10, 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 Rosales to approve items 1 and 2, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Castro).

### **CONSENT CALENDAR**

1. APRIL 11, 2018 THROUGH APRIL 17, 2018  
WARRANT LIST CHECKS NO. 043739 THRU 043831  
TOTAL FOR COUNCIL APPROVAL = \$354,144.91
2. Proposed adoption of **Resolution No. 18-22**, adopting the list of street projects proposed for SB 1 (Road Maintenance and Rehabilitation Account) funding.
3. Proposed adoption of **Resolution No. 18-23**, adopting the negative declaration for the Fresno County Regional Active Transportation Plan.
4. Proposed adoption of **Resolution No. 18-24**, approving the Fresno County Regional Active Transportation Plan.
5. Proposed adoption of **Resolution No. 18-25**, awarding the bid for the 2018 pavement seal project to Avison Construction, Inc.

Discussion was held the possibility of speeding up road projects.

A motion was made by Councilor Rosales to adopt items 1 through 5 of the Consent Calendar, seconded by Councilor Silva; unanimously approved (4 ayes, absent:Castro).

### **BUSINESS**

1. Council discussion and consideration of a facility use application to hold a circus on the City's property on 7<sup>th</sup> Street and Riofrio Street.  
*(Removed from the agenda)*



## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Administrative Services
  - a) Monthly Report

Administrative Services Director Lekumberry summarized her report for the month of April including that she submitted the close out documents for the Derrick Avenue and 7<sup>th</sup> Street Beautification Project; worker's compensation claims; recruitment efforts; a reimbursement request that was submitted to the CSJVRMA's Sidewalk Liability Program; a claim that was filed regarding a vehicle accident that occurred in February involving a Public Works employee; a dog bite hearing; and the average number of attendees at the Senior Center.

Discussion was held on the status of the recruitment for the part-time code enforcement officer position.

2. Public Works
  - a) Monthly Report

Planning & Public Works Director Gonzalez reported that Taco Bell will open on April 30<sup>th</sup>.

Discussion was held on how members of the public can report street lights that are not working; the progress of the new subdivision; whether there is interest in the commercial section at the new subdivision; and the status of the new soccer field.

3. City Attorney
  - a) Update

City Attorney Kinsey reported that they are nearing completion of the development agreement with Mr. Hair.

4. City Manager

City Manager DiMaggio reminded the Council and the public that the goal setting meeting will be held on May 1<sup>st</sup> from 3 pm – 5 pm, and that staff will be presenting the proposed enhanced economic incentive area at the May 8<sup>th</sup> City Council meeting.

Discussion was held on the purpose of the goal setting meeting.

## **MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)

Councilor Mendoza thanked the public for attending the meeting; thanked the youth organizations for the work that they do for the community; and personally apologized for comments that were made to them.

Councilor Rosales commented on the discussion that was held earlier in the meeting regarding the Spring Carnival.

Councilor Silva explained the importance of the public attending meetings and voicing their opinions.

Mayor Pro Tem Martinez commented on the importance of the public voicing their opinions.

### **CLOSED SESSION**

1. CONFERENCE WITH LABOR NEGOTIATORS  
CA Government Code 54957.6  
Agency designated representatives: City Manager Vince DiMaggio  
Employee organization: Mendota Police Officers Association
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
CA Government Code § 54957(b)  
Title: City Manager
3. PUBLIC EMPLOYMENT  
CA Government Code § 54957.6  
Title: Unrepresented Management MOU  
Designated Representative and Negotiator: Vince DiMaggio

### **CLOSED SESSION**

1. PUBLIC EMPLOYMENT  
CA Government Code § 54957.6  
Title: Unrepresented Management MOU  
Designated Representative and Negotiator: Vince DiMaggio

At 6:45 p.m. the Council moved into closed session.

At 8:27 p.m. the Council reconvened in open session (with Mayor Castro present) and City Attorney Kinsey stated that in regards to items 1, 2, and 3 of the closed session, there was no reportable action.

### **BUSINESS (CONTINUED)**

2. Council consideration of **Resolution No. 18-26**, amending the management benefit resolution.

Mayor Castro introduced the item and City Attorney Kinsey provided an explanation of the item, and reported the Council's recommendation was that unrepresented management employees receive a 3% cost-of-living adjustment for Fiscal Year 2018-19.

A motion was made by Councilor Silva to adopt Resolution No. 18-26 with the inclusion that unrepresented management employees receive a 3% cost-of-living adjustment for Fiscal Year 2018-19, seconded by Councilor Mendoza; approved (4 ayes, no: Castro).


3. Council consideration of **Resolution No. 18-27**, approving an amendment to the employment contract of the City Manager.

Mayor Castro introduced the item and City Attorney Kinsey reported that the Council proposed to increase the City Manager's salary to \$157,000 annually.

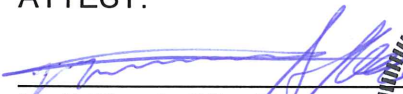
A motion was made by Councilor Rosales to adopt Resolution No. 18-27 with the inclusion of \$157,000 as salary, seconded by Councilor Silva; approved (4 ayes, no: Castro).

### ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:30 p.m. by Councilor Silva, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

  
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Rolando Castro, Mayor

ATTEST:

  
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Matt Flood, City Clerk

