

MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

May 23, 2017

Meeting called to order by Mayor Castro at 6:01 p.m.

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.

Flag salute led by Planning & Public Works Gonzalez.

FINALIZE THE AGENDA

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

City Manager DiMaggio requested that Consent Calendar item #2 be removed from the agenda.

A motion was made by Councilor Silva to adopt the agenda as modified by staff, seconded by Councilor Mendoza; unanimously approved (5 ayes).

PRESENTATION

1. Council to recognize Mike Martinez Sr. for holding the Exceptional Needs Football & Cheer Camp.

Mr. Mike Martinez Sr. provided details on the football and cheer camp that he organized for special needs children in Mendota and surrounding communities.

Adrian Chapman - spoke on how they participated in the camp and the positive effect it had on the children and their families.

2. Commission on POST Assistant Executive Director Alvarez to present the POST Executive Certificate to Police Chief Andreotti.

Manny Alvarez (POST Assistance Executive Director) – introduced Jeff Dunn and reported on what the POST Commission does; that he is here to recognize Chief Andreotti with the last honor that he can receive from the POST Commission; that Chief has obtained all of the POST Certificates and taken all of the optional courses; Chief Andreotti's history in law enforcement; and commended the Chief for his achievements.

The Mayor and Council commended Mr. Alvarez, Mr. Dunn, and the POST Commission on their efforts.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of May 9, 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 Councilor Rosales to approve items 1 and 2, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

CONSENT CALENDAR

1. MAY 10, 2017 THROUGH MAY 18, 2017
WARRANT LIST CHECKS NO. 042489 THRU 042548
TOTAL FOR COUNCIL APPROVAL = \$295,420.02
2. *Proposed adoption of **Resolution No. 17-30**, opposing Senate Bill 54 – The California Values Act. [Removed from the agenda]*
3. Proposed adoption of **Resolution No. 17-39**, scheduling two Special City Council Meetings to consider the budget for Fiscal Year 2017-2018.
4. Proposed adoption of **Resolution No. 17-40**, authorizing the execution of two professional services agreements for the reconstruction of a portion of 8th Street.
5. Proposed adoption of Supplement to Contract for Consulting Services #1 between the City of Mendota and Townsend Public Affairs, Inc.

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

BUSINESS

1. Council discussion and consideration to adopt **Resolution No. 17-37**, appointing voting delegates for the League of California Cities' annual business meeting.

Mayor Castro introduced the item and Economic Development Manager Flood reported on the purpose of the LOCC business meeting; the role of the delegates, and the process to select delegates.

A motion was made to appoint Mayor Castro as the voting delegate and Mayor Pro Tem Martinez and Councilors Silva as alternate voting delegates by Councilor Rosales, seconded by Councilor Silva; unanimously approved (5 ayes).

2. Council discussion and consideration on **Resolution No. 17-38**, modifying Mendota Youth Recreation's Red Ribbon Exclusive Use Application.

Mayor Castro introduced the item and Economic Development Manager Flood reported that staff received a request by Mendota Youth Recreation to extend the amount of days they hold the Red Ribbon Carnival and that it is up to the Council to approve it with any applicable and appropriate conditions.

Corina Banuelos (Mendota Youth Recreation) – stated that parents requested to elongate the event by making it a three-day carnival and requested to have the fees related to the carnival waived.

A motion was made to adopt Resolution No. 17-38 and waiving all fees associated with holding the event by Mayor Castro, seconded by Councilor Silva; unanimously approved (5 ayes).

3. Proposed adoption of modifications to **Resolution No. 17-31**, ordering a special all mail ballot election to be conducted August 29, 2017, to adopt an ordinance establishing a special parcel tax for public safety; and modifications to **Resolution No. 17-32**, requesting that the Fresno County Board of Supervisors render specified services to the City relating to the conduct of the August 29, 2017, election; and rescinding **Resolution No. 17-33**, establishing drop off centers for the mail ballot election.
4. Proposed adoption of modifications to **Resolution No. 17-34**, ordering a special all mail ballot election to be conducted August 29, 2017, to adopt an ordinance increasing the sales and use tax for public safety; and modifications to **Resolution No. 17-35**, requesting that the Fresno County Board of Supervisors

render specified services to the City relating to the conduct of the August 29, 2017, election; and rescinding **Resolution No. 17-36**, establishing drop off centers for the mail ballot election.

Mayor Castro introduced items 3 and 4, and City Manager DiMaggio introduced the item, with City Attorney Kinsey reporting that these resolutions were passed at the previous meeting and they have been brought back for modification due to input by the Fresno County Clerk, who will be running the election, and reported on the nature of the amendments.

Discussion was held on the fiscal state of the City, especially as it pertains to the funding of the Police Department; the importance of maintaining proprietary police services within the City; the senior discount that can be received by those that qualify and the reduction that those living in Las Palmas would have if the tax passed; Mendota being one of the very few cities in Fresno County that does not have a public safety tax; the revenue challenges that Mendota faces; all of the advantages that would come if the taxes were approved; how many properties are delinquent on their taxes and pointed out that some residents may have issues paying their taxes as it is; and the manner of promoting the issue and letting the public know.

Felipe Gonzalez (Gonzalez Towing) – asked why he is not allowed to do business with the City anymore.

City Attorney Kinsey advised the Council that they need to adhere to the agenda and that they cannot discuss an item that is not agendized.

Ramon Gonzalez (297 Oller Street) - Requested that his Uncle's question be put on a future agenda.

Council directed staff to put the Gonzalez item on the agenda for the June 13th City Council meeting.

A motion was made by Councilor Mendoza to adopt Resolution Nos. 17-31, 17-32, 17-34, and 17-35, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

PUBLIC HEARING

1. Second reading and proposed adoption of **Ordinance No. 17-09**, adding Chapter 8.28 to the Mendota Municipal Code, "The Landlord Accountability Act".

Mayor Castro introduced the item and Economic Development Manager Flood reported that this is the second reading and public hearing for this ordinance and summarized the different provisions contained therein; the process for residents and others to file a complaint; the inspection process; and penalties for non-compliance.

At 7:24 p.m. Mayor Castro opened the hearing to the public.

Joe Gomez (2067 7th Street) - asked if the ordinance would apply to everyone in the City; showed some advertisements from people renting rooms or houses; and the original purpose and proponents of this ordinance.

At 7:31pm Mayor Castro closed the hearing to the public.

A motion was made by Councilor Silva to adopt Ordinance No. 17-09, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

Planning & Public Works Director Gonzalez summarized his report and discussion was held on bringing Pool Park back to full use; the resources that would be needed to do that; and the lights at the baseball field.

2. City Attorney
 - a) Update
 - b) Discussion regarding permissible activities for election

City Attorney Kinsey reported on what the Council can and cannot do referent to the ballot measures, including the ability to advocate on your own time with your own resources; not wearing City uniforms or clothes with City logos while advocating; contributions can be made for any campaign that would advocate for it; not being able to ask members of staff or ask elected and appointed officials to support the issues; and not being able to ask people for support that have pending business with the City.

4. City Manager

City Manager DiMaggio brought up a concern over the gathering of people for parties in places not permitted for such, and reported on the enforcement action that has been taken against such parties.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Rosales reported on some educational boards he serves on and complaints he has received due to there being no park on the side of the City Mendota Elementary is on.

Councilor Silva brought up landscaping issues related to the library and the fundraiser car wash that the Recreation Commission held.

2. Mayor

Mayor Castro reported on complaints received due to a lack of speed bumps.

CLOSED SESSION


1. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION
Pursuant to Paragraph (4) of subdivision (d) of Section 54956.9 ([1] potential case).

At 8:15 p.m. the Council moved into closed session.

At 8:36 p.m. the Council reconvened in open session and City Attorney Kinsey stated that in regards to item 1 of the closed session, there was nothing to report.

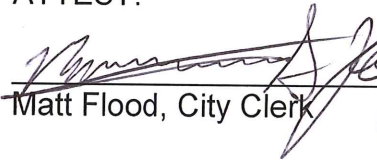
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:37 p.m. by Councilor Silva, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).



Rolando Castro, Mayor

ATTEST:



Matt Flood, City Clerk

