



**MINUTES OF MENDOTA  
REGULAR CITY COUNCIL MEETING**

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**Regular Meeting**

**July 11, 2017**

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

**Invocation led by Jesus Sanchez from the Mendota First Baptist Church.**

**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 (5 ayes).

**CITIZENS ORAL AND WRITTEN PRESENTATIONS**

**Chabelli Perez (436 Riofrio Street)** – stated that she would not be able to accomplish her goals without the support of her parents, and requested that Council make Mendota a sanctuary city.

**Bertha Tarelo and daughter (33171 W. El Progreso Street)** – requested that Council adopt a resolution that declares the city a sanctuary city; stated that families fear that police officers are against them; requested that officers focus on making the community

safe instead of focusing on immigration related issues; and explained that she does not want funding to be used for efforts that are against the residents.

**Cecilia Torres (260 Tuft Street)** – stated that she is disappointed that the Council considered a resolution that opposes SB 54, but that she appreciates the decision to not take action; requested that the council draft a resolution that is in favor of SB 54; and explained that a large amount of residents are from other countries and their representatives should be doing things that favor the individuals that they represent.

**Ilda Rivas (647 Perez Street)** – requested that the Council follow the steps of other cities in California and adopt a resolution that declares the city a sanctuary city; the adoption of such a resolution would make residents feel at ease; and requested that police funding be used for other purposes not for immigration-related issues.

**Aida Martinez (501 Oxnard Street)** – stated that she has been living in Mendota for many years; she wants to unite with others on the issue, and wants members of the Council to unite with them as well; mentioned a significant case in Mendota relating to immigration; and stated that she understands the city's fear about having funds taken away.

**Gabriela Lopez (405 Martinez Court)** - requested that the adopt a sanctuary city resolution; stated that resources should be used to serve the community in a beneficial way; stated she voted for the members of the Council so that they can best represent residents; and stated that it is sad when families are torn apart due to deportation.

**Tomas Perez (436 Riofrio Street)** – requested that the Council adopt a sanctuary city resolution; stated that he sees on television that many parents are separated from their families; and stated that he is sometimes scared to return home from school when he hears that immigration enforcement is in town.

**Angelina Saldana (300 Rios Street)** – said that she was thankful that the members of the public could share their concerns with the Council; stated that they were there out of necessity; stated that the Council was elected so that they can serve the community; and she urged the Council to take the comments and concerns of the public into consideration.

Mayor Castro stated that he appreciated their comments, shared that he has had experiences similar to those that they have had, and stated that the Council would take their comments and concerns into consideration.

## **PRESENTATION**

1. Council to honor the Mendota High School Girls Varsity Softball Team for winning the Division VI Valley Championship.

The Council congratulated the Mendota High School Girls Varsity Softball Team for

winning the Division VI Valley Championship.

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

1. Minutes of the special City Council meetings of June 6, 2017 and June 15, 2017 and regular City Council meeting of June 13, 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. JUNE 13, 2017 THROUGH JUNE 20, 2017  
WARRANT LIST CHECKS NO. 042611 THRU 042664  
TOTAL FOR COUNCIL APPROVAL = \$239,068.39
2. JUNE 26, 2017 THROUGH JULY 07, 2017  
WARRANT LIST CHECKS NO. 042665 THRU 042746  
TOTAL FOR COUNCIL APPROVAL = \$353,416.36
3. Proposed approval of an agreement with Price, Paige, & Company for audit services.
4. Proposed adoption of **Resolution No. 17-42**, claiming Measure C Extension Local Transportation Pass-Through Revenues for Fiscal Year 2017-2018.
5. Proposed adoption of **Resolution No. 17-43**, Resolution of Intention to Initiate an Amendment to the Mendota Municipal Code Relating to the Commercial Growing, Production, and Processing of Cannabis Products
6. Proposed adoption of **Resolution No. 17-44**, awarding the bid for the Derrick & 7<sup>th</sup> Intersection Beautification & Reconstruction Project to Avison Construction, Inc.
7. Proposed adoption of **Resolution No. 17-45**, authorizing the City Manager to sign a letter of authorization allowing Fresno County to submit a regional application for the Oil Payment Program, Cycle 8 (OPP8).

A request was made to pull item 5 for discussion.

A motion was made by Councilor Rosales adopt items 1 thru 4, 6, and 7 of the Consent Calendar, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

5. Proposed adoption of **Resolution No. 17-43**, Resolution of Intention to Initiate an Amendment to the Mendota Municipal Code Relating to the Commercial

## Growing, Production, and Processing of Cannabis Products

Discussion was held on the stance that the council has taken in this past on the issue; what the city's intentions are in regards to the issue; and the purpose of the resolution of intention.

A motion was made by Councilor Silva adopt item 2 of the Consent Calendar, seconded by Councilor Rosales; unanimously approved (5 ayes).

### **BUSINESS**

1. Council discussion and consideration on the fiscal authority of the Recreation Commission.

Mayor Castro introduced the item and City Manager DiMaggio summarized the report including the lack of fiscal authority of the Recreation Commission, and recommended that the Council reaffirm its position that Commissions should not have fiscal authority and should only be able to make expenditure recommendations to the City Council.

Discussion was held on the Recreation Commission fundraising for recreational activities, Council reaffirming its position that Commissions should not have fiscal authority, and that they should make expenditure recommendations to the City Council.

### **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Code Enforcement
  - a) Monthly Report

Economic Development Manager Flood reported that the Code Enforcement Department has transferred to the police department; provided and update on the weed abatement process; and stated that the water conservation measures are still in place.

Discussion was held on the importance of conserving water.

2. Police Department
  - a) Monthly Report

Police Chief Andreotti stated that he is the new Code Enforcement Department supervisor; thanked the Council for entrusting him with the responsibility; the ongoing duties of the Code Enforcement Department; provided a personnel update; and reported on significant cases.

The Council thanked Economic Development Manager Flood for his work as the Code Enforcement Department supervisor.

Discussion was held on sending a card to Sergeant Renteria and ensuring that the Noise Ordinance is enforced.

3. City Attorney
  - a) Update

City Attorney Kinsey reported on working with staff on ongoing issues; introduced Nicolas Cardella; and stated that Deputy City Attorney Helsley will be attending the August 8<sup>th</sup> City Council Meeting.

4. City Manager

City Manager DiMaggio stated that the FCI-Mendota participated in an annual tour around the city; provided an update on the flood threat; provided an update on SB 54; provided an update on the waste water tertiary treatment project; and provided an explanation for the transition of the Code Enforcement Department to the police department.

Discussion was held on why certain fire hydrants are covered.

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

1. Council Member(s)

Councilor Silva reported on the League of California Cities Mayor and Council Members Executive Forum event that he recently attended.

2. Mayor

Mayor Castro reported on a meeting he had with Assembly member Arambula and Congressman Costa, and reminded everyone about the upcoming Appointed and Elected Officials charitable softball game that will be held on July 12<sup>th</sup>.

### **CLOSED SESSION**


1. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION  
*Pursuant to Paragraph (4) of subdivision (d) of Section 54956.9 ([1] potential case).*
2. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION  
*Pursuant to Paragraph (1) of subdivision (d) of Govt. Code Section 54956.9; City of Mendota v. Villa, Fresno County Superior Court, Case No. 17 CE CL 04704.*

At 7:19 p.m. the Council moved into closed session.

At 7:57 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 7:57 p.m. by Councilor Rosales, 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

