



## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

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**Regular Meeting**

**September 11, 2018**

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

**A moment of silence was held for those who lost their lives on September 11, 2001.**

**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 Fresno County Sheriff Margaret Mims.**

### **FINALIZE THE AGENDA**

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

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

### **PRESENTATION**

1. Fresno County Sheriff Margaret Mims to report on the ongoing cooperation between the Fresno County Sheriff's Office and the Mendota Police Department.

Chief of Police Andreotti provided a brief introduction on a recent investigation and consequent operation that took place in the City.

Fresno County Sheriff Margaret Mims provided a report including the 14 murders that were perpetrated by the street gang MS-13 that took place in and around Mendota from 2015 to 2017; the other organizations and operatives involved in the operation; the causes of the violent crime committed by MS-13 being tied to drug trafficking and violation of MS-13 codes of conduct; various subjects being charged for these crimes; the illegal activity being tied to different places in the state and country; some of the undercover and other interfering activity undertaken to stifle the crime; the violent manner by which the gang attacks and murders their victims; thanked the Mendota Police Department for the information shared and cooperation which allowed the operation to be successful; the need to ensure that the vacuum in gang leadership is not filled; the importance of ensuring then Mendota's youth do not get involved in this gang; and stated that those that wish to come to Mendota to participate in this gang activity are not welcome.

Discussion was held on the importance of not living in fear; the hard work done by the various law enforcement agencies in carrying out this operation; and the qualities of a community that make gang-related individuals choose to operate there.

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

**Oscar Garcia (Fresno County Auditor-Controller)** - introduced himself; explained his current position as auditor-controller/treasurer-tax collector for Fresno County; and requested the support of the Mendota City Council in his bid for election.

**Raul Varela (263 J Street)** - expressed his support for Westside Youth, Inc. and its programs; expressed support for the City's upcoming sales and use tax measure; and commented on the importance of youth programs providing recreational opportunities for youth which help them stay out of trouble.

**Ashley Chanthaphuang (United Health Centers [UHC])** - invited the community to an event that the Center is having on Saturday, September 15<sup>th</sup> from 1 p.m.-3 p.m.; and reported that UHC offers urgent care services.

**Augie Perez (Fresno, Ca)** - spoke on the positive impact that programs have on youth and children, and encouraged the Council to support such programs.

**Victor Lopez and Alfredo Torres (Firebaugh Fury Youth Soccer Team)** - explained the competitive soccer program they run in Firebaugh, and stated that they would like to bring the program to Mendota.

Discussion was held on the limited facilities the City has for soccer programs, and the Council recommended that they also communicate with the Mendota Unified School District.

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

1. Minutes of the regular City Council meeting of August 28, 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 Mayor Pro Tem Martinez; unanimously approved (5 ayes).

**CONSENT CALENDAR**

1. AUGUST 28, 2018 THROUGH SEPTEMBER 5, 2018  
WARRANT LIST CHECKS NO. 44361 THRU 44410  
TOTAL FOR COUNCIL APPROVAL = \$240,695.57

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

**PUBLIC HEARING**

1. Council discussion on options for assisting Non-Profit Corporations in the City of Mendota.

Mayor Castro introduced the item and City Attorney John Kinsey reported that it is his job to advise the Council as to what it can and cannot do in regards to assisting non-profit organizations from a financial perspective; the various non-profit organizations within Mendota and the great work they do; the question that arose concerning whether the City can provide financial assistance to a non-profit organization; the gift of public funds doctrine in the State's Constitution that prohibits the giving of public funds for private use; that the City can enter into certain contracts as long as the City received value commensurate with the expenditure; and provided hypothetical examples of what would be appropriate and inappropriate expenditures of public funds.

Discussion was held on the phraseology related to a service being of "equal value in return", and the nature of the gray area that would delineate such an issue.

**Fresno County Supervisor Brian Pacheco** - stated that if the City Council wants to provide funds to non-profit organizations, they can; the history on the grant

funding that Westside Youth, Inc. (WSY) received from Fresno County; and the timeline in which the County withdrew the grant funds from WSY.

Members of the Fresno County Planning Department provided information on why the funding was pulled and when Mendota can participate in the County's Community Development Block Grant (CDBG) program once again.

Discussion was held on how the funding that was pulled from Westside Youth was from Fresno County and not the City; the steps that need to be taken to move forward; and that nobody is at fault for the lack of funding.

**Raul Varela (263 J Street)** - stated that Mendota residents need to come together to pass the one percent tax to be able to support future programs.

City Attorney Kinsey stated that if the Council wishes to consider going back into the CDBG program the item could be placed on the agenda for a future meeting; the difference between charter cities and general law cities; and advised the Council that they could provide direction to staff on possibly determining a mechanism to provide funds that would not constitute a gift of public funds.

Discussion was held on the Council's unanimous support of youth programs.

**Fresno County Supervisor Brian Pacheco** - stated that Fresno County is a Charter organization, but that they do give funds to non-profit organizations in ways that may create issues with equality.

Discussion was held on from which funds such a donation would come from; the amount of CDBG funds the City would receive from the States as opposed to partnering with the County; and the increased quantity of money that can be received from the State if Mendota applies and is awarded.

**Dino Perez (Westside Youth, Inc. [WSY])** - reported on the different programs WSY provides; the amount of funding that the organization lost; and the programs that the organization wishes to have.

Discussion was held on funds that WSY is going to receive through grants.

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Code Enforcement & Police Department
  - a) Monthly Report

Chief of Police Andreotti provided his report including staffing levels, recent events, equipment and inventory updates; the funding received from grants for the acquisition of three new vehicles; the leadership vacuum that was caused by

the arrest of a lot of the local MS-13 leaders; the importance of contacting dispatch with information on suspicious or criminal activity; and the code enforcement activity for the month of August.

Discussion was held on the all-terrain vehicles that are illegally driven on public streets; and the increase in that amount of fines that have been issued.

2. Economic Development
  - a) Monthly Report

Economic Development Manager Flood reported on the Enhanced Economic Incentive Areas program, and the façade improvement program.

3. City Attorney
  - a) Update

City Attorney Kinsey reported that attorney Nic Cardella will be filling in for him when he will potentially be out of town at trial.

4. City Manager

Interim City Manager Gonzalez provided updates on the Mowry Bridge project and the Alliance for Medical Outreach & Relief project; stated that there be a report on how to curtail the all-terrain vehicles issue on the agenda at a future Council meeting; and that he will be attending the League of California Cities Annual Conference this week.

Discussion was held on the good work that is being done in the City.

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

1. Council Member(s)

Mayor Pro Tem Martinez reminded the public that the Salvadoran Consulate will be providing their services on November 4<sup>th</sup> at Gonzalez Hall.

Councilor Silva commended those that participated in the recent charity softball fundraiser; and asked that there be a consideration to allow more yard sales per year.

Councilor Mendoza talked about the importance of supporting youth programs and thanked the public for its attendance.

Councilor Rosales stated the importance of supporting community initiatives and thanked the public for their participation.


2. Mayor

Mayor Castro talked about the importance of helping community organizations; the importance of all of the organizations supporting each other; and thanked the public for its support and attendance.

**Raul Varela (263 J Street)** - stated that the children are tearing up the splash park and the City has to repair it; and that there is a pigeon problem at the parks.

**ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 7:45 p.m. by Councilor Rosales, seconded by Councilor Mendoza; unanimously approved (5 ayes).

  
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Rolando Castro, Mayor

ATTEST:

  
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Matt Flood, City Clerk

