



CITY OF MENDOTA

"Cantaloupe Center Of The World"

ROBERT SILVA
Mayor
SERGIO VALDEZ
Mayor Pro Tempore
JOSEPH AMADOR
ROLANDO CASTRO
JOSEPH RIOFRIO

AGENDA MENDOTA CITY COUNCIL Regular City Council Meeting CITY COUNCIL CHAMBERS 643 QUINCE STREET November 22, 2016 6:00 PM

VINCE DiMAGGIO
City Manager
JOHN KINSEY
City Attorney

The Mendota City Council welcomes you to its meetings, which are scheduled for the 2nd and 4th Tuesday of every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Council may discuss and/or take action on any or all of the items listed on this agenda. **Please turn your cell phones on vibrate/off while in the council chambers.**

Any public writings distributed by the City of Mendota to at least a majority of the City Council regarding any item on this regular meeting agenda will be made available at the front counter at City Hall located at 643 Quince Street Mendota, CA 93640, during normal business hours, 8 AM - 5 PM.

CALL TO ORDER

ROLL CALL

FLAG SALUTE

INVOCATION

FINALIZE THE AGENDA

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

CITIZENS ORAL AND WRITTEN PRESENTATIONS

At this time members of the public may address the City Council on any matter not listed on the agenda involving matters within the jurisdiction of the City Council. Please complete a "request to speak" form and limit your comments to THREE (3) MINUTES. Please give the completed form to City Clerk prior to the start of the meeting. All speakers shall observe proper decorum. The Mendota Municipal Code prohibits the use of boisterous, slanderous, or profane language. All speakers must step to the podium, state their names and addresses for the record. Please watch the time.

NOTICE OF WAIVING OF READING

1. Minutes of the special City Council meetings of November 1, 2016 and November 9, 2016.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

City Council Agenda

1

11/22/2016

CONSENT CALENDAR

Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

1. NOVEMBER 03, 2016 THROUGH NOVEMBER 16, 2016
WARRANT LIST CHECKS NO. 041704 THRU 041785
TOTAL FOR COUNCIL APPROVAL = \$355,551.90
2. Proposed adoption of **Resolution No. 16-86**, approving the cancellation of the December 27, 2016 regular City Council meeting due to the holiday season.

BUSINESS

1. Council discussion and consideration on using the city's general fund reserve to fund the hiring of three new police officer positions.
 - a. *Receive report from City Manager DiMaggio*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens floor to receive any comment from the public*
 - d. *Council provide direction to staff on how to proceed*
2. Proposed adoption of **Resolution No. 16-87**, opposing the proposed solar facility on 2,000 acres adjacent to and immediately west of the City of Mendota.
 - a. *Receive report from City Manager DiMaggio*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens floor to receive any comment from the public*
 - d. *Council take action as appropriate*
3. Introduction and first reading of **Ordinance No. 16-10**, removing the 48 hour requirement for a Noise Permit.
 - a. *Receive report from Economic Development Manager Flood*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens floor to receive any comment from the public*
 - d. *Council provide any input and waive the first reading of Ordinance No. 16-10, setting the public hearing for December 13th.*

4. Introduction and first reading of **Ordinance No. 16-11**, modifying Section 3.20.040 of the Mendota Municipal Code (Administration of surplus and conduct of sale).
 - a. *Receive report from City Manager Vince DiMaggio*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens floor to receive any comment from the public*
 - d. *Council provide any input and waive the first reading of Ordinance No. 16-11, setting the public hearing for December 13th.*

5. Adoption of **Ordinance No. 16-12**, an Interim Urgency Ordinance Enacting a Temporary Moratorium on New and Relocated Wireless Telecommunications Facilities Within Public Right-of-Ways, Pursuant to Government Code Section 65858.
 - a. *Receive report from City Manager Vince DiMaggio*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens floor to receive any comment from the public*
 - d. *Council take action on Ordinance No. 16-12 as appropriate.*
 - e. *Direct Secretary to schedule a public hearing on the proposed Interim Urgency Ordinance within 45-days, and provide notice as required under Section 65860 of the Government Code.*
 - f. *Potential direction to staff to prepare proposed amendments to the Ordinance that include reasonable restrictions on the construction and placement of Wireless Telecommunications Facilities.*

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

2. City Attorney
 - a) Update

3. City Manager

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

2. Mayor

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code section 54956.9(d)(1))
Case Name Unspecified (Disclosure would jeopardize settlement negotiation).

ADJOURNMENT

CERTIFICATION OF POSTING

I, Celeste Cabrera, Deputy City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota City Council Regular Meeting of November 22, 2016, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, November 18, 2016 at 4:45 p.m.



Celeste Cabrera, Deputy City Clerk



MINUTES OF MENDOTA SPECIAL CITY COUNCIL MEETING

Special Meeting

November 1, 2016

Meeting called to order by Mayor Silva at 3:04 p.m.

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Valdez, Councilors Joseph Amador, Rolando Castro (at 3:06 p.m.), and Joseph Riofrio.

Council Members Absent: None.

Flag salute led by Mayor Silva.

A moment of silence was held in honor of Deputy Sergeant Rod Lucas who had recently passed away.

FINALIZE THE AGENDA

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

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

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

BUSINESS

1. Council discussion and consideration on enhancing public safety efforts.

Mayor Silva introduced the item and City Manager DiMaggio deferred to Police Chief

Andreotti.

Police Chief Andreotti reported that the Mendota Police Department was re-established in 2009; the increase in the amount of police officers since the department's re-establishment; improving the way that the department handles investigations; the amount of duties that the current officers have; current personnel structure of the department; and requested the addition of three police officers to the department.

Discussion was held on whether the Fresno County Multi-Agency Gang Enforcement Consortium (MAGEC) has operated within the City; the duties that the proposed police officers would perform; the costs associated with creating the positions and hiring the officers; holding a special election in June 2017 for a tax measure that would create additional police department revenues; the possibility of utilizing the city's general fund reserve to fund the positions until the city holds the special election (3:37 p.m. Councilor Amador left the Council Chambers and returned at 3:38 p.m.); ensuring that the grant writers are searching and applying for police-related funding; meeting with elected officials in order to request funding; the hiring process for the requested addition positions; whether the community would support a tax measure to fund the police department (3:53 p.m. Councilor Amador left the Council Chambers and returned in that same minute); expanding the Community Facilities District to city-wide; whether the city had received the redevelopment agency bond funds; the possibility of having a city-wide utility tax; the impacts that the minimum wage increase will have on the city; allowing the police department to create the three positions, hire the officers, and allow the budget to run a deficit in order to determine actual costs for the positions.

Council consensus was reached to direct staff to formalize a plan via a resolution that would create the additional police positions, and to direct the City Attorney to create a timeline for a special election that will be held in 2017.

Discussion was held on the importance of determining the costs associated with adding three positions to the Mendota Police Department.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 4:09 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Amador; unanimously approved (5 ayes).

Robert Silva, Mayor

ATTEST:

Matt Flood, City Clerk



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Special Meeting

November 9, 2016

Meeting called to order by Mayor Silva at 5:58 p.m.

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Sergio Valdez, Councilors Joseph Amador, and Rolando Castro.

Council Members Absent: Councilor Joseph Riofrio.

Flag salute led by Mayor Silva.

Invocation led by Carina Rivas.

FINALIZE THE AGENDA

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

City Attorney Kinsey reported that item 4 of the Consent Calendar be removed from the agenda and requested that items 3 and 5 of the Consent Calendar be moved to the Business section of the agenda.

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

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Ivett Rodriguez (Mid Valley Disposal) – introduced Kacey Auston, Government & Public Relations Director; reported on the results of the residential waste assessment (residential audit program); provided the results for the commercial site visits; reported on various events that Mid Valley Disposal has attended and will attend within the community; and provided statistics on the turnout of the Spring 2016 Community Clean-

Up event.

Discussion was held on where residents can dispose of large amounts of green waste and where residents may dispose of other large household items.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting October 25, 2016.
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 Valdez to approve items 1 and 2, seconded by Councilor Amador; unanimously approved (4 ayes, absent: Riofrio).

CONSENT CALENDAR

1. OCTOBER 24, 2016 THROUGH NOVEMBER 3, 2016
WARRANT LIST CHECKS NO. 041655 THRU 041703
TOTAL FOR COUNCIL APPROVAL = \$183,473.57
2. Proposed adoption of **Proclamation No. 16-04**, commemorating Veterans Day and honoring the men and women that have served our country.
3. *Proposed adoption of **Resolution No. 16-81**, authorizing the use of \$22,000 from the Mendota Emergency Fund. [Removed from Consent Calendar and placed under Business]*
4. *Proposed adoption of **Resolution No. 16-82**, designating additional positions within the Mendota Police Department. [Removed from agenda]*
5. *Proposed adoption of **Resolution No. 16-85**, approving modified schedule of administrative fees for services charged by the Mendota Police Department. [Removed from Consent Calendar and placed under Business]*

A motion was made to adopt items 1 and 2 of the Consent Calendar by Councilor Amador, seconded by Councilor Castro, unanimously approved (4 ayes, absent: Riofrio).

BUSINESS

1. Proposed adoption of **Resolution No. 16-81**, authorizing the use of \$22,000 from the Mendota Emergency Fund.

Mayor Silva introduced the item and City Attorney Kinsey reported that the city had received the Mendota Joint Powers Financing Authority's (MJPFA) 1989 Series A revenue bonds funds and requested that the Council provide direction to staff to utilize

the bond funds for the police officer bonus program instead of the city's emergency funds.

Discussion was held on the total amount of bond funds that the city received.

A motion was made to direct staff to utilize the 1989 Series A revenue bonds funds to fund the officer bonus program by Councilor Castro, seconded by Councilor Amador; unanimously approved (4 ayes, absent: Riofrio).

2. Proposed adoption of **Resolution No. 16-85**, approving modified schedule of administrative fees for services charged by the Mendota Police Department.

Mayor Silva introduced the item and City Attorney Kinsey reported that a copy of the modified Exhibit A had been placed on the dais for the Council.

Discussion was held on which fees have been modified and added to the fee schedule and whether the fees were compared to those of other similar police departments.

A motion was made to adopt Resolution No. 16-85 by Mayor Pro Tem Valdez, seconded by Councilor Amador; unanimously approved (4 ayes, absent: Riofrio).

PUBLIC HEARING

1. Proposed adoption of **Resolution No. 16-83**, authorizing staff to submit a Community Development Block Grant for the Fiscal Year of 2017-2018.

Mayor Silva introduced the item and Director of Administrative Services Johnson reported on the process of applying for CDBG funds and the requested funds being utilized for the expansion of Rojas-Pierce Park.

Discussion was held on the amount of CDBG funds that are being requested

At 6:48 p.m. Mayor Silva opened the hearing to the public and, seeing no one present wishing to comment, closed it in that same minute.

A motion was made to adopt Resolution No. 16-83 by Mayor Pro Tem Valdez, seconded by Councilor Amador; unanimously approved (4 ayes).

2. Proposed adoption of **Resolution No. 16-84**, requesting to utilize CDBG funds for the Derrick Avenue and 7th Street Reconstruction project.

Mayor Silva introduced the item and Director of Administrative Services Johnson reported on utilizing the CDBG funds for the Derrick Avenue and 7th Street Reconstruction project.

Discussion was held on how the project will be funded; removing the Food Center sign from its current location; and honoring the Young family.

At 6:57 p.m. Mayor Silva opened the hearing to the public and, seeing no one present wishing to comment, closed it in that same minute.

A motion was made to adopt Resolution No. 16-84 by Mayor Pro Tem Valdez, seconded by Councilor Amador; unanimously approved (4 ayes, absent: Riofrio).

Discussion was held staff providing clarification to Council on moving the Food Center sign from its current location at a future meeting.

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report

Economic Development Manager Flood summarized the report including the focus on addressing public nuisances and thanked the Council for their support with the 2016 Mendota Business Summit.

Discussion was held on whether the enforcement of the sign ordinance was suspended; businesses operating within the city without the proper permits; the location of a sober living residence within the city; and bed bug issues throughout the city.

2. Police Department
 - a) Monthly Report

Police Chief Andreotti summarized the report including significant cases; provided an update on personnel levels and the up-fitting of police vehicles; and reported on the Coffee with a Cop event that will be held on November 15th.

Discussion was held on the cooperation between the Mendota Police Department and Fresno Sheriff's Office in the aftermath of the double homicide.

3. City Attorney
 - a) Update

City Attorney Kinsey reported on municipal code amendments that will be coming forth in the next few months, and his upcoming absence from a Council Meeting.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Mayor Pro Tem Valdez inquired as to the lighting at Rojas-Pierce Park that was not included in the city-wide lighting retrofit.

Councilor Amador reported on some safety issues related to the Open Market and preparing for flooding issues in the winter.

Councilor Castro asked about Mendota Youth Recreation's upcoming Senior Thanksgiving Lunch; inquired on staff fixing potholes throughout the city; and reported on a fundraising event for Westside Youth Inc. involving an amateur boxer.

2. Mayor

Mayor Silva reported on the 2016 Mendota Business Summit.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 ([1] potential matter)

At 7:48 p.m. the Council moved into closed session.

At 8:25 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 8:25 p.m. by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (4 ayes, absent: Riofrio).

Robert Silva, Mayor

ATTEST:

Matt Flood, City Clerk

CITY OF MENDOTA
CASH DISBURSEMENTS
11/03/2016 -11/16/2016
Check #041704 -041785

Date	Check #	Amount	Vendor	Department	Description
November 3, 2016	41704	\$40,816.00	FIDELITY NATIONAL TITLE	GENERAL	3RD AMENDMENT TO CITY MANAGER EMPLOYMENT CONTRACT (CITY MANAGER LOAN)
November 3, 2016	41705	\$1,492.50	KEVIN SMITH	GENERAL	CATERING FOR BUSINESS SUMMIT (LUNCH)
November 7, 2016	41706	\$414.90	AT&T MOBILITY	GENERAL	AIRCARDS FOR 9/20/2016 - 10/19/2016 (PD)
November 7, 2016	41707	\$499.89	CAPITAL ONE COMMERCIAL	GENERAL	(8) PEDIGREE #55 DOG FOOD (2) CITY HALL PHONES RETURN FOR STORE CREDIT
November 7, 2016	41708	\$1,542.84	BANKCARD CENTER	GENERAL-WATER-SEWER	CREDIT CARD EXPENSES 9/27/2016 - 10/20/2016, CITY OF FRESNO PARKING, BATTERIES + BULBS, AMAZON, BANNERS ON THE CHEAP.COM, DISCOUNT
November 7, 2016	41709	\$75.00	TRANSUNION RISK AND ALTERNATIVE	GENERAL	TLOXP TRANSACTIONAL SEARCH - OCTOBER 2016 & NOVEMBER 2016 (PD)
November 7, 2016	41710	\$27.02	WALMART COMMUNITY	GENERAL	BR TWIN AB BELL QTY DOOR KNOBS (PD)
November 8, 2016	41711	\$15,621.75	GUTHRIE PETROLEUM INC.	GENERAL-WATER-SEWER-STREETS	(994) GALLON DIESEL FUEL PURCHASE (6934) GALLON UNLEADED FUEL PURCHASE
November 8, 2016	41712	\$4,000.00	MOUNTAIN VALLEY ENVIROMENTAL	WATER	REISSUE INV 1203 WWT & CPO SERVICES
November 9, 2016	41713	\$9,807.00	STATE OF CALIFORNIA	GENERAL	UNEMPLOYMENT INSURANCE FOR JULY 1 - SEPTEMBER 30, 2016
November 9, 2016	41714	\$690.00	ADMINISTRATIVE SOLUTIONS INC.	GENERAL	MEDICAL ADMINISTRATION FEES - NOVEMBER 2016
November 9, 2016	41715	\$2,030.78	ADT SECURITY SERVICES	GENERAL-WATER-SEWER	NEW CAMERA INSTALLATION (CITY HALL), SECURITY SREVICES 11/03/2016-12-02/2016, MONTHLY SECURITY SERVICES 11/13/2016-12/12/2016
November 9, 2016	41716	\$233.17	ALERT-O-LITE	WATER	(6) KRAIL 6"X42" RENTALS BASS AVE. 10/28/2016
November 9, 2016	41717	\$1,158.87	AUTOMATED OFFICE SYSTEMS	GENERAL-WATER-SEWER	MAINTENANCE CONTRACT COLOR/B&W COPIES CITY HALL, MAINTENENACE CONTRACT POLICE DEPT COLOR/B&W COPIES
November 9, 2016	41718	\$393.50	BSK & ASSOCIATES	WATER-SEWER	WEEKLY TREATMENT AND DISTRIBUTION 10/24/2016, WEEKLY WASTEWATER TREATMENT ANALYSES 10/26/2016
November 9, 2016	41719	\$85.66	COMCAST	GENERAL-WATER-SEWER	XFINITY CABLE FOR OCTOBER 24 - NOVEMBER 25, 2016
November 9, 2016	41720	\$258.66	CROWN SHORTLAND CONCRETE	STREETS	CONCRETE DELIVERY 1 1/2 YARDS DELIVERY 10/17/2016
November 9, 2016	41721	\$81.17	EINERSON'S PREPRESS	GENERAL	1000 BUSINESS CARDS 16PT MATTE FINISH, REVISE ARTWORK (CITY MANAGER)
November 9, 2016	41722	\$10,833.33	FIREBAUGH POLICE DEPARTMENT	GENERAL	POLICE DISPATCH SERVICES 10/01/2016 - 10/31/2016
November 9, 2016	41723	\$85.00	CITY OF FRESNO POLICE DEPRTMENT	GENERAL	PERISHABLE SKILLS CLASS DECEMBER 22, 2016 (O. RIVAS) - PD
November 9, 2016	41724	\$434.00	FRESNO MOBILE RADIO	GENERAL	31 TELEPHONE RADIOS FOR OCTOBER 2016 (PD)
November 9, 2016	41725	\$8,665.50	GIERSCH & ASSOCIATES INC.	WATER-SEWER	PROFESSIONAL SERVICES WTP CHEM FEED MODIFICATION, PROFESSIONAL SERVICES - LOZANO LIFT STATION
November 9, 2016	41726	\$97.29	JORGENSEN BATTERIES INC	GENERAL	(1) BATTERY M#88 (PD)
November 9, 2016	41727	\$639.00	KERWEST NEWSPAPER	GENERAL	LEGAL NOTICE PROPOSALS FOR CDBG 10/26/2016, LEGAL NOTICE - LOCAL CDBG FUNDS PEOPOSAL, LEGAL NOTICE CONSIDERATION FOR PROPSALS

CITY OF MENDOTA
CASH DISBURSEMENTS
11/03/2016 -11/16/2016
Check #041704 -041785

November 9, 2016	41728	\$78.00	LOU'S GLOVES INC.	WATER-SEWER	(10) NITRILE EXAM POWDER FREE BLACK GLOVE
November 9, 2016	41729	\$877.66	MEMPHIS EQUIPMENT COMPANY	GENERAL	(2) SEALED BEAM VOLT (10) BULB 24 V (1) FLASHER, SWITCH TURN SIGNAL EARLY STYLE (PD)
November 9, 2016	41730	\$1,910.25	MUNICIPAL MAINTENANCE EQUIPMENT	STREETS	REPAIR AUX ENGINE (STREET SWEEPER), (1) CLINDER 1-1/2 X 3 3/4 HYD (STREET SWEEPER)
November 9, 2016	41731	\$327.99	NISSAN MOTOR ACCEPTANCE CORP.	GENERAL-WATER-SEWER	2015 NISSAN PAYMENT - NOVEMBER 2016
November 9, 2016	41732	\$2,019.13	NORTHSTAR CHEMICAL	WATER	SODIUM HYPOCHLORITE 12.5% MEETS NSF/ANSI, SODIUM HYPOCHORITE 12.5% MEETS NSF FEES
November 9, 2016	41733	\$397.94	OFFICE DEPOT	GENERAL-WATER-SEWER	TICKET ROLL DOUBLE, TISSUE, NOTE PADS, POST IT'S, COPY PAPER 3 BOXES FOR CITY HALL 4 BOXES FOR (PD)
November 9, 2016	41734	\$6,377.09	PG&E	GENERAL-WATER-SEWER-STREETS	CITY WIDE UTILITIES - WATER WELLS 9/13/2016
November 9, 2016	41735	\$53,284.64	PROVOST & PRITCHARD	GENERAL-STREETS	MUSD PASS THRU AUGUST 2016 - WASHINGTON, PASS THRU LAS PALMAS 9/16/2016, CITY ENGINEERING SERVICES, DOLLER TREE PASS THRU,
November 9, 2016	41736	\$779.58	RAMON'S TIRE & AUTO SERVICE	GENERAL-WATER-STREETS	BIAS FARM TUBE, BACKHOE TIRE REPAIR, TIRE DISMOUNT AND MOUNT (REAR TIRE) FORD EXPLORER, TIRE REPAIR INSIDE PATCH UNIT #M80
November 9, 2016	41737	\$195.30	TCM INVESTEMENTS	GENERAL	MPC COPY MACHINE LEASE PAYMENT - OCTOBER 2016
November 9, 2016	41738	\$415.00	TECH MASTER	GENERAL-WATER-SEWER	ONE-TIME SERVICE AT ROJAS-PIERCE PARK-RODENTS, MONTHLY AMBULANCE STORAGE PEST CONTROL SERVICE , MONTHLY PEST CONTROL
November 9, 2016	41739	\$274.47	THE GOODYEAR TIRE & RUBBER COMPANY	GENERAL	245/55R 103 V EAGLE RS-A-VSB TL (PD)
November 9, 2016	41740	\$75.00	UNITED HEALTH CENTERS	WATER-SEWER	PRE-EMPLOYMENT FOR M. GARCIA
November 9, 2016	41741	\$80.18	UNIFIRST CORPORATION	GENERAL-WATER-SEWER	WET/DRY MOPS 36" LARGE RUGS CITY HALL
November 9, 2016	41742	\$368.19	USA BLUEBOOK	WATER	MICROBE LIFT NATURAL POND CLARIFIER 1 GALLON, CHLORINE PUMP, WATER SHUT OFF TOOL
November 9, 2016	41743	\$190.00	VERIZON WIRELESS	GENERAL-WATER-SEWER	MONTHLY SERVICE AUGUST 2016 GPS
November 9, 2016	41744	\$951.73	VETERINARY MEDICAL CENTER	GENERAL	(16) CITY EUTHANASIA (7) MEDICAL WASTE FEE 9/20/2016 THRU 11/02/2016
November 9, 2016	41745	\$28.00	VETERINARY EMERGENCY SERVICES	GENERAL	EUTHANASIA - SPCA MEDICAL WASTE FEE
November 9, 2016	41746	\$435.73	VULCAN MATERIALS COMPANY	STREETS	ST 3/8 CM SC 3000 ENVIROMENTAL FEE AGG & ASPHALT
November 9, 2016	41747	\$55.80	WECO	GENERAL-WATER-SEWER	(6) RENTALS ACETYLENE #4 - 2 OXYGENE
November 14, 2016	41748	\$4,184.00	VINCE DIMAGGIO	GENERAL	BALANCE ON 3RD AMENDMENT TO CITY MANAGER EMPLOYMENT CONTRACT
November 15, 2016	41749	\$96,348.00	WESTAMERICA BANK	GENERAL	PAYROLL TRANSFER 10/31/2016 - 11/13/2016
November 15, 2016	41750	\$90.00	ADMINISTRATIVE SOLUTIONS INC.	GENERAL	HRA ADMINISTRATION FEE FOR NOVEMBER 2016
November 15, 2016	41751	\$27.23	AIRGAS USA LLC.	GENERAL	CYL CARBON DIOXIDE FG/ IND 20LB
November 15, 2016	41752	\$170.00	BAKER MANOCK & JENSON PC	WATER	PROFESSIONAL SERVICES - DOMESTIC WATER SUPPLY

**CITY OF MENDOTA
CASH DISBURSEMENTS
11/03/2016 -11/16/2016
Check #041704 -041785**

November 15, 2016	41753	\$292.14	BEST UNIFORM	GENERAL	(2) SHIRT (2) PANTS (2) CHEVRON STRIPES C.TSARIS (PD)
November 15, 2016	41754	\$78.00	CENTERAL VALLEY TOXICOLOGY	GENERAL	1 ABUSE SCREEN, 1 DRUG CONFIRMATION LEVEL (PD)
November 15, 2016	41755	\$552.27	COOK'S COMMUNICATION	GENERAL	REPLACE BULB AND SOCKET, REPAIR CENTER SHAFT, 2007 CHEVY SILVERADO RE-WIRED AND RE-PROGRAMED
November 15, 2016	41756	\$88.82	CROWN SERVICES CO.	GENERAL-SEWER	TOILET 1XWK (PD), TOILET W/ SINK 1XWK WWTP
November 15, 2016	41757	\$296.00	DEPARTMENT OF JUSTICE	GENERAL	(3) FINGERPRINT APPS, (1) RECORD REVIEW, BLOOD ALCOHOL ANALYSIS QTY:5 (PD)
November 15, 2016	41758	\$150.00	DISCOUNT SHRED	GENERAL	ON-SITE DOCUMENT DISTRUCTION (1) 96 GALLON (PD)
November 15, 2016	41759	\$86.85	EMPLOYEE RELATIONS	GENERAL	PRE-EMPLOYMENT BACKGROUND INFORMATION,MVR
November 15, 2016	41760	\$475.08	EWING	GENERAL	2.5 GAL RANGER PRO LANDSCAPE MAINTENENACE - SPRINKLERS - PARKS
November 15, 2016	41761	\$69.79	MATTHEW FLOOD	GENERAL	COFFEE, WATER, PASTERIES FOR 2016 BUSINESS SUMMIT
November 15, 2016	41762	\$1,800.00	FORENSIC NURSE	GENERAL	FRESNO SART, GARCIA REYES A. TORRES K (PD)
November 15, 2016	41763	\$137.24	FRESNO COUNTY SHERIFF	GENERAL	RMS JMS ACCESS FEE FOR OCTOBER 2016 (PD)
November 15, 2016	41764	\$221.61	FUTURE FORD OF CLOVIS	GENERAL	WHEEL ASY DG1Z 2015 FORD EXPLORER(PD) CHANGE OIL FILTER, ROTATE TIRES, FULL INSPECTION (PD)
November 15, 2016	41765	\$420.00	GONZALEZ TRANSPORT	STREETS	BASEROCK FREIGHT CHARGE FROM FRESNO TO MENDOTA (STREETS)
November 15, 2016	41766	\$300.00	JUDICIAL DATA SYSTEMS	GENERAL	PARKING ACTIVITY OCTOBER-NOVEMBER-DECEMBER
November 15, 2016	41767	\$4,000.00	MOUNTAIN VALLEY ENVIROMENTAL	SEWER	DECEMBER 2016 CITY WASTEWATER AND CPO SERVICES
November 15, 2016	41768	\$195.00	ALEJANDRO NUNEZ	GENERAL	REIMBURSEMENT - RELEASE FEE FOR STORED VEHICLE (PD)
November 15, 2016	41769	\$9.00	O.C COMMUNICATIONS	GENERAL	REIMBURSEMENT FOR OVERPAYMENT ON BUSINESS LICENSE
November 15, 2016	41770	\$202.51	AT&T	GENERAL	TELEPHONE SERVICE FOR 559-266-6456 OCTOBER 26 - NOVEMBER 25TH
November 15, 2016	41771	\$3,500.00	PETER'S ENGINEERING	GENERAL	TRAFFIC ANALYSIS AT DERRICK AND OLLER
November 15, 2016	41772	\$79.36	SIRCHIE	GENERAL	(2) COMBINATION TAGS (1) CRIME SCENE LABEL (PD)
November 15, 2016	41773	\$1,599.74	SORENSEN MACHINE WORKS	GENERAL-WATER-SEWER-STREETS	PINE-SOL, LATEX POWDER GLOVES,THREADED COUPLINGS, KEYS, HAMMER, SHEET SAND PAPER,MIGHTY MARKER, TEFLON TAPE,ADAPTER
November 15, 2016	41774	\$311.36	UNION PACIFIC RAILROAD	STREETS	PUBLIC ENCROACHMENT PERMIT 12/1/2016 - 12/30/2016
November 15, 2016	41775	\$380.00	THE PIN CENTER	GENERAL	(250) CITY LAPEL PINS
November 15, 2016	41776	\$2,397.45	VULCAN MATERIALS COMPANY	STREETS	CHARGEBACK FOR INV 71123670(STREETS) (7.02) ST 3/8 CM SC3000 ASPHALT, (25.53) ST 1/2 IN HMA ASPHALT
November 15, 2016	41777	\$10,160.70	WAGNER JONES HELSLEY PC ATTORNEYS	GENERAL-WATER-SEWER	GENERAL LEGAL SERVICES - OCTOBER 2016, LEGAL SERVICES - OCTOBER 2016, LEGAL SERVICES:TERTIARY FACILITY

CITY OF MENDOTA
 CASH DISBURSEMENTS
 11/03/2016 -11/16/2016
 Check #041704 -041785

November 16, 2016	41778	\$707.52	AMERITAS GROUP	GENERAL	VISION INSURANCE FOR DECEMBER 2016
November 16, 2016	41779	\$26.58	GREGG ANDREOTTI	GENERAL	PAINT FOR VEHICLE #M84 - REIMBURSEMENT (PD)
November 16, 2016	41780	\$223.35	DATAMATIC INC	WATER-SEWER	MONTHLY MAINTENANCE SOFTWARE AND LECENSE - DECEMBER 2016
November 16, 2016	41781	VOID			
November 16, 2016	41782	\$53,043.77	MID VALLEY DISPOSAL	REFUSE-STREETS	40 YARD ROLLOFF EXCHANGE QTY:3.60, 30 YARD ROLL OFF EXCHANGE QTY 3.56, SANITATION CONTRACT SERVICES FOR OCTOBER 2016
November 16, 2016	41783	\$54.00	MARIA PEREZ	GENERAL	COFFEE & LUNCH FOR CENTRAL VALLEY ADMINISTRATIVE ASSISTANTS (MARIA WAS HOSTING MEETING)
November 16, 2016	41784	\$3,500.00	MICHAEL VASERMAN	GENERAL	RELEASE OF EVIDENCE - CASE#15-0621; CASE DISMISSED (PD)
November 16, 2016	41785	\$270.02	ZEE MEDICAL	GENERAL-WATER-SEWER	CLEAN WIPES, ANTISEPTIC SPRAY,BURN SPRAY(PD), CLEANSING TOWLETTES, EYE WASH, EYE DROPS, BAND AIDS (WTP)
		\$355,551.90			

**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA CANCELLING
THE DECEMBER 27, 2016 REGULAR
COUNCIL MEETING AND AUTHORIZING
THE CITY MANAGER TO EXECUTE ANY
NECESSARY WARRANTS**

RESOLUTION NO. 16-86

WHEREAS, the City of Mendota is dedicated to the business of the welfare and safety of its residents; and

WHEREAS, an integral part of that business is the management of assets and the care of those that work for the City, including members of the Council and various commissions of the City and its employees; and

WHEREAS, the holidays are a time for all individuals to spend with family and friends, providing a much needed respite.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Mendota approves the cancellation of the December 27th regular meeting of the City Council; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Mendota authorizes and directs the City Manager to execute all warrants necessary for the operation of the City during that time.

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 22nd day of November, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: CONSIDER USING THE CITY'S GENERAL FUND RESERVE TO FUND THE HIRING OF THREE NEW POLICE OFFICER POSITIONS.
DATE: NOVEMBER 22, 2016

ISSUE

Should the City Council approve the use of the General Fund reserve to hire three new police officers and fund those positions through the end of the fiscal year?

BACKGROUND

On November 1, 2016, the City Council convened a special meeting to discuss the recent uptick in gang-related violent crime in Mendota. The City Council heard a presentation from the Police Chief that included a proposal to hire three additional officers; one officer would be dedicated to the County-wide Multi-Agency Gang Enforcement Consortium (MAGEC) unit, and the other two officers would be designated Detective positions in an effort to quell gang related crimes. The officer designated to the MAGEC unit would work around the County and not full-time in Mendota, although Mendota would realize the benefit from intelligence sharing and occasional MAGEC unit operations would be conducted in town.

Discussion also centered on the need for a special election to raise revenue that would be specifically channeled to fund police department operations. The police department is funded entirely by the General Fund, unlike other city operations which can be partially apportioned to the Enterprise Fund. Possible revenue enhancing measures included an additional sales tax and a parcel tax. Direction was given to the City Attorney to prepare a "road map" explaining exactly how the City would need to proceed with a special election.

Further discussion took place on what source(s) could be used to hire new officers immediately, without waiting for a special election. The City Manager informed the Council that the cost of the additional officers for the remainder of the fiscal year would be about \$150,000. While the proposed new police officer positions could, theoretically, be funded through the City's General Fund reserve, an acute budget problem arises if/when the voters reject the proposed new revenue measure(s) in the special election. If the voters were to reject the special election measure(s), either the new officers would be

laid off, or the Council would direct the City Manager to cut \$150,000 (or more) from other General Fund expenditure areas.

The City Manager was initially in favor of using the reserve fund to fund the new police officer positions, as a “stop-gap” measure in order to attack the increasing gang problem immediately. However, the uncertainty of the voters’ acceptance of new revenue measures through additional taxes has led to a reevaluation of that earlier position. For this reason, the City Manager requested that the Council continue this item at the regular City Council agenda of November 9, in order to prepare a more comprehensive analysis for Council’s consideration.

ANALYSIS

There are several important budget issues, both directly and indirectly related to this issue, that are intersecting at this juncture. First, due to the scheduled increase in the state minimum wage from now until 2022, it becomes incumbent upon the City to conduct a comprehensive salary scale analysis and make changes across the board to ensure that all positions throughout the City remain proportionally above the minimum wage. The increase itself, rising to \$15.00 per hour in 2022, will put increased pressure on the General Fund as the City currently has more than a few positions that earn under this amount and many others that are only slightly higher than this amount. Employees will be adversely affected by a higher cost of living if their salaries are not raised proportionate with the increase in the minimum wage.

Secondly, the Police Compensation Committee has reviewed information showing that the Mendota police department is the lowest paid department in the tri-County region of departments of similar size. That is to say that with no increase in staffing levels, the City is confronted now, with the challenge of increasing police officer salaries across the board to bring them in line with their peer group. Without an additional source of General Fund revenue, this fact alone will place significant pressure on the General Fund.

While each of these issues by themselves place pressure on the General Fund revenue picture, they obviously do not exist in isolation and thus cannot be treated as such. Taken together, the dual issues of a mandatory minimum wage increase prescribed by law (affecting all positions funded by the General Fund) and the underpaying of Mendota police officers represent a critical threat to the financial stability of the City. Unlike other states that simply can raise property taxes to make up budgetary shortfalls or transfer in funds from the Enterprise Funds, these strategies are not permissible in California under Proposition 13 and Proposition 218.

A third issue is one of population. The 2010 Census shows Mendota with a population of approximately 11,400. However, over the last several years, the diversification and growth of the local economy through economic development and the unfortunate increase in overcrowding, seems to be clear indicators that more people are making Mendota their year-round home. While official government statistics tend to understate the population,

there seems to be anecdotal evidence to suggest a population nearer to 16,000 and possibly higher. This means that the police force in Mendota is at least 6 officers understaffed – if the City’s policy goal is to maintain the commonly accepted a ratio of 1 officer per 1,000 residents. Again, without considering the issue of wages, at present there is no identifiable source of General Fund revenue that would allow the hiring of 6 additional officers – even if hired at the current substandard salary schedule.

All of these factors combine to result in an acute staffing and salary problem at the police department that requires the City take steps to not only identify, but secure, additional revenue – and this can only occur through new tax measures in a special election.

Typically, a City’s reserve funds are not used to add or otherwise support staffing positions for the simple reason that staffing is a recurring budgetary expense. The reserve fund is appropriate to support Council initiatives that require a single expenditure or outlay of funds, but not recurring expenditures such as salary and benefits.

In this case, the reserve can be used to provide immediate impact to the short-staffing situation at the police department and to address increasing gang-related criminal activity, but only on the presumption that the voters will approve new revenue measures. Should voters reject new tax measures, significant cuts would need to be made that could include the layoff of the new, recently hired officers, or the layoff of other staff in other positions funded by the General Fund.

In order for a proposed new tax meant specifically to fund the police department to be successful, the voters need to understand the critical nature of the problem – as outlined in this report. Should the Council act now and use the reserve funds, the critical nature of the problem may be lost. The community would see the presence of new police officers, but they may not understand the temporary nature of the funding that made the hiring of the officers possible and thus may not assign the proper importance to the revenue measures presented to them in the special election.

Finally, it would be irresponsible of your City Manager to recommend the use of the City’s reserve funds for recurring expenditures, such as new employee positions, without being able to identify for the Council a reliable revenue stream that would fund these positions in future fiscal years. As this cannot be done, the staff recommendation must be in opposition to the use of the reserve in this case.

In conclusion, staff is suggesting that Council should focus its efforts on moving forward with a special election (with a June 2017 target) and communicating to the community the importance of the success of the measure(s) that are to be presented.

FISCAL IMPACT

Should the Council decide to use the reserve funds for the immediate hiring of additional police officers, the reserve would be reduced by an estimated \$150,000 in this fiscal year. In the event the community votes down the new revenue measure(s) in a special election, there are two possible alternatives: 1) layoff the recently hired police officer positions in order to restore revenue/expenditure balance to the General Fund; or 2) direct the City Manager to reduce General Fund expenditures in other areas of the budget by an amount equivalent to the total one-year expenditure required to retain the new police positions – approximately \$230,000 – which would, out of necessity, include staffing layoffs in other key service areas.

RECOMMENDATION

Staff recommends that the General Fund reserve *not be used* to hire additional police officer positions at this time, and that Council pursue a special election in June, 2017, to raise revenue specific to police department operations and proceed with the expansion of the police force *after* the successful passage of said revenue measure(s).

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: CONSIDER ADOPTING A RESOLUTION OPPOSING A PROPOSED SOLAR POWER FACILITY
DATE: NOVEMBER 22, 2016

ISSUE

Should the City Council approve a resolution opposing a 2,000 acre solar power generating facility west of the City of Mendota?

BACKGROUND

City staff received a letter from Westlands Water Company, dated October 20, 2016, that described a proposal by a solar power developer for a 2,000 acre solar power generation facility. While the map included in the letter (see attached) does not show precisely where the facility would be located relative to the current city limits, it appears on the map to include all property that is immediately adjacent to the city limits and inside the current Sphere of Influence generally from Bass Avenue in the north to Belmont Avenue in the south.

This development would essentially eliminate the potential of any future residential or commercial growth for Mendota to the west.

ANALYSIS

The growth of the City of Mendota has been predicated on a westward expansion. Constraints such as Williamson Act land and physical constraints such as the Covanta facility and the City's airport significantly limit the ability of the City to grow to the south or east.

The proposed solar facility will essentially consume all available land that would accommodate City growth over the next 50 + years; in essence, the project would effectively eliminate any City growth potential to the west. The effect of such a project would require the City to spend hundreds of thousands of dollars drafting a new General Plan and identifying a new path for future growth – which, upon further analysis, may be impossible.

In order to preserve the City's ability to grow, the project would need to be significantly revised so as to allow future westerly growth of the City. At this stage, the staff would oppose any project, or portion of the project, that extends any farther east than San Bernardino Avenue – approximately 2 miles west of the current City limits.

To date, staff has made numerous calls to Westlands seeking dialogue and to express concern, and has received little in the way of substantive response.

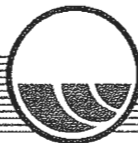
Staff believes it is appropriate at this juncture for the City Council to take a position formally opposing the proposal and encourages dialogue at both the staff and elected levels to redefine the project boundaries.

FISCAL IMPACT

The fiscal impact of such a project would be significantly adverse to the City, but at this time unquantifiable.

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution opposing the solar power facility as described in the letter from Westland Water Company dated October 20, 2016.



Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056, (559) 224-1523, FAX (559) 241-6277

October 20, 2016

MENDOTA, CITY OF
CITY MANAGER
643 QUINCE ST
MENDOTA, CA 93640

Subject: Land Owner Notice of Proposed Land Use Change

Dear Sir or Madam,

A solar developer has proposed to purchase approximately 2,000 acres from Westlands Water District (District) to install solar power generating facilities within one mile of your property(ies). The enclosed project map outlines the proposed facilities located south of Ashlan Avenue alignment, west of Dos Palos Road/ State Highway 33 (Derrick Avenue), north of Belmont Avenue, and east of Douglas Avenue alignment in Fresno County. The District's Land Disposition Policy provides adjacent land owners a 60 day review and comment period to notify the District regarding concerns associated with the proposed land use change. Additionally, if the District decides to sell the property for this purpose, the developer must obtain a Conditional Use Permit (CUP) from Fresno County. Issuance of a CUP will be accompanied by a California Environmental Quality Act review, which will identify specific issues and provide for mitigation if necessary.

Comments must be submitted, in writing, by 5:00 pm on 12/19/2016 and addressed to:

Israel Sanchez, EIT
Westlands Water District
P.O. Box 6056
Fresno, CA 93703

Or e-mail to: isanchez@westlandswater.org

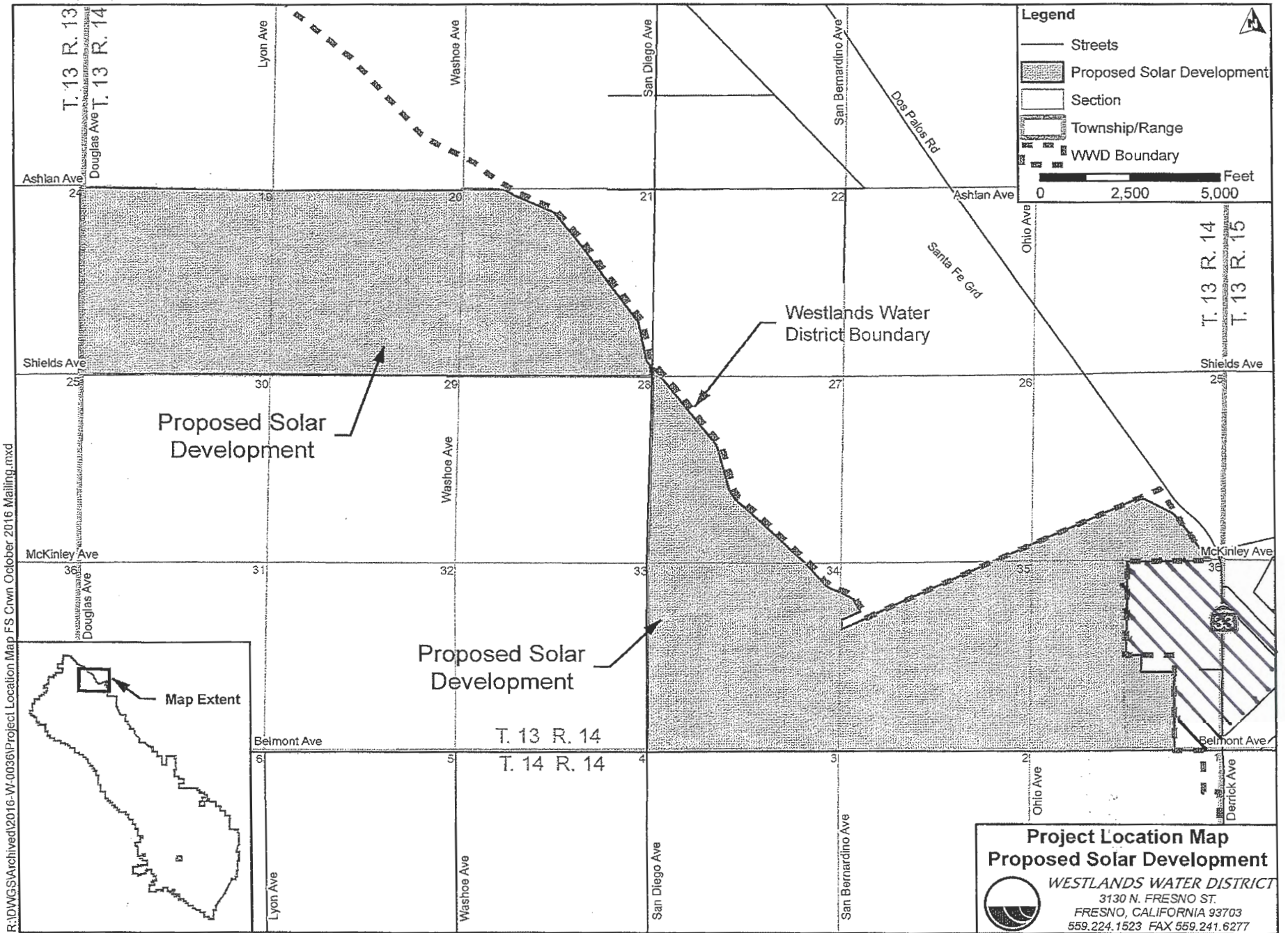
Sincerely,

Jose Gutierrez, P.E.
Deputy General Manager - Resources

Enclosures:

(1) Project Location Map

See Reverse for Project Location Map



R:\DWG\Archived\2016-W-0036\Project Location Map FS Crwn October 2016 Mailing.mxd

Date: 10/19/2016

See Reverse for Land Owner Notice

**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA OPPOSING
THE PROPOSED SOLAR FACILITY ON
2,000 ACRES ADJACENT TO AND
IMMEDIATELY WEST OF THE CITY OF
MENDOTA**

RESOLUTION NO. 16-87

WHEREAS, in a letter from Westlands Water District, dated October 20, 2016, and received by the City, information was conveyed of a planned solar power generating facility on 2,000 acres of land immediately adjacent to, and continuing west of, the current city limits and Sphere of Influence of the City of Mendota; and

WHEREAS, because of certain geographical, physical, and political constraints, Mendota's only feasible direction of future growth is in a westerly direction from the current city limits; and

WHEREAS, the City retains the authority to determine the types of development that are appropriate within its designated Sphere of Influence and has a vested interest in expressing its position relative to proposed projects in areas where the Sphere of Influence or City Limits can be reasonably projected to be located within a five to ten year time frame; and

WHEREAS, should such a large scale facility be approved and constructed in the location proposed, it would effectively prevent any and all new development and the growth of the City of Mendota.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota that the City Council, through this resolution, hereby expresses its strenuous opposition to the proposed development of the solar power generating facility as described in the aforementioned letter of October 20, 2016, and further directs the staff to communicate the City's opposition to this project to Westlands Water District and all land use regulatory agencies in the County, including but not limited to, Fresno County and the Fresno County Local Agency Formation Commission, among others, as appropriate.

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 22nd day of November, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MATT FLOOD, ECONOMIC DEVELOPMENT MANAGER
VIA: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: REMOVAL OF THE 48 HOUR REQUIREMENT FOR A NOISE PERMIT
DATE: NOVEMBER 22, 2016

ISSUE

Shall the City Council amend the Mendota Municipal Code (MMC) to take out the requirement that applicants apply for a Permit to Exceed Noise Levels (PENL) at least 48 hours before the event?

BACKGROUND

Since the MMC has required a permit of some kind to exceed the normal noise levels, one of the conditions has always been that they apply for it 48 hours before the event. Staff has concluded that this requirement is no longer necessary and simply creates a burden for applicants.

ANALYSIS

Neither the Mendota Police Department or Code Enforcement see any benefit in requiring that a PENL be requested 48 hours before the event. The front office staff has become adept at receiving and processing these requests and needs little to no turnaround time to process and approve them.

The attached proposed Ordinance No. 16-10 strikes the portion of the law that requires it, leaving the language only to require that the PENL be submitted before the event takes place.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 16-10.

**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MENDOTA, CALIFORNIA,
AMENDING SECTION 9.05.080(B) OF
THE MENDOTA MUNICIPAL CODE**

ORDINANCE NO. 16-10

WHEREAS, the City Council is duly authorized and obligated to formulate policy that protects the health, safety, and peace of the community; and

WHEREAS, the Council previously adopted an ordinance to establish limits on the production of noise within the City, and exceptions to such restrictions, in order to provide a clear and effective law that fulfills its obligation; and

WHEREAS, one provision of the law requiring that applicants request a Permit to Exceed Noise Levels (PENL) 48 hours before the event takes place has proven to be burdensome to the community, and does not significantly further the City's mandate to protect the community; and

NOW THEREFORE, the City Council of the City of Mendota does ordain as follows:

SECTION 1. ADOPTION OF AMENDMENTS to Section 9.05.080 of Chapter 9.05 (Noise Control). Subsection B of Section 9.05.080 of Chapter 9.05 (Noise Control) of the Mendota Municipal Code is hereby amended to read as follows:

B. Special events or circumstances, including but not limited to events or gatherings where amplified music will exceed the thresholds articulated in Section 9.05.040, may warrant temporary exception to noise levels established in this section. Such permit must be sought prior to the date and time of the event, circumstance, or gathering. In such cases application for a permit may be made to the director, stating in writing:

1. The name, address and telephone number of the property owner responsible for the activity;

2. If the event, circumstance, or gathering anticipates the use of a disk jockey (DJ), band, or other purveyor of music, the name, address, and telephone number of the contact person for such DJ, band, or purveyor of music; and

3. The purpose for which such permit is applied, the date and beginning and ending time thereof, and a description of the sound-producing or sound-amplifying device to be used, together with a full statement of reasons justifying noncompliance.

SECTION 2. The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act, Public Resources Code, § 21000, *et seq.* ("CEQA"), pursuant to Section 15060(c)(2) of the CEQA Guidelines, on the grounds that the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, and Section 15060(c)(3) of the CEQA Guidelines, on the grounds that the activity is not a project as defined in Section 15378 of the CEQA Guidelines, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under Section 15061(b)(3) of the CEQA Guidelines because it has no potential for causing a significant effect on the environment.

SECTION 3. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Mendota City Council hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional.

SECTION 4. The adoption of any provision of this Ordinance does not affect any prosecution, civil action or administrative proceeding for any ordinance violation committed prior to the effective date of this ordinance; does not waive any fee, penalty, license or permit requirement due or in effect on the date this ordinance is adopted; and does not affect the validity of any bond or cash deposit posted, filed or paid pursuant to the requirements of any Ordinance.

SECTION 5. Within fifteen (15) days of the adoption of this Ordinance, a summary thereof, including the names of the City Council Members voting for and against it, shall be prepared by the City Attorney for publication in the *Firebaugh-Mendota Journal*, and a certified copy of the Ordinance shall be posted in the office of the City Clerk.

SECTION 6. This ordinance shall become effective and in full force at 12:00 midnight on the 31st day following its adoption.

* * * * *

The foregoing ordinance was introduced on the 22nd day of November, 2016 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 13th day of December, 2016 by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

Robert Silva, Mayor

ATTEST:

Matt Flood, City Clerk

APPROVED AS TO FORM:

John Kinsey, City Attorney

**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MENDOTA, CALIFORNIA,
AMENDING SECTION 3.20.040 OF
THE MENDOTA MUNICIPAL CODE**

ORDINANCE NO. 16-11

WHEREAS, the City has developed comprehensive regulations concerning the disposition of personal property declared surplus by the City, which are contained at Section 3.20.010, *et seq.* of the Mendota Municipal Code; and

WHEREAS, California law does not directly provide any prohibitions or guidelines with respect to the disposition of surplus personal property; and

WHEREAS, the City's existing regulations concerning the disposition of surplus personal property require a public auction process for the disposition of such surplus property, even though a public auction process may not be the optimal method for disposing of such real property; and

WHEREAS, to provide greater flexibility to the City, staff has prepared recommended modifications to Section 3.20.040 to allow the direct sale of certain personal property, upon approval by the City Council.

NOW THEREFORE, the City Council of the City of Mendota does ordain as follows:

SECTION 1. ADOPTION OF AMENDMENTS to Section 3.20.040 of Chapter 3.20 ([x]). Section 3.20.040 of the Mendota Municipal Code is hereby amended to read as follows:

3.20.040 - Administration of surplus and conduct of sale.

The city manager shall provide, from time to time as needed, a list of surplus items, and their proposed means of removal from the possession of the city, to the city council. Items that fall under Section 3.20.030 of this chapter shall be listed as elimination. Items that are to be sold shall be listed as to be sold, and listed along with the valuation assigned per Section 3.20.020. Upon approval from the city council, the city clerk shall provide notice pursuant to Section 3.20.050. The conduct of the sale will vary based on the valuations:

- A. Property valued less than one hundred dollars (\$100.00) shall be placed in a location accessible to sale participants, and shall have the valuation amount placed upon or near the item. The item may be sold for less, as long as the price is deemed fair. Items under this valuation shall be sold at the time of

the acceptable offer and transaction. No items shall be placed on hold for payment at a later time. A report of all items sold in this manner shall be included with the bids presented to the city council pursuant to [subsection] (B) below.

- B. Property valued one hundred dollars (\$100.00) or more shall be sold via bids. Items within this valuation shall be made available, by appointment, for viewing by the public after noticing of the items is made pursuant to Section 3.20.050. On the date of the sale, bids shall be submitted, in writing, along with contact information, to the designated individual overseeing the sale. These items will not be sold that day, but will be presented to council, in order from highest to lowest bid, for approval to sell the item in that order of bids being submitted. Based upon approval, the city manager, or their designee, shall make contact with the first awarded bid for that item. The awarded party shall complete the transaction within three business days. If after said timeframe payment has not been made, then the awarded sale shall be deemed voided, and the next ranked bid shall be awarded with the same conditions.
- C. In the case where an item isn't sold during the sale for property under category (A), nor any item under subsection (B) that does not receive a bid, or not have a successful transaction pursuant to the process given, such items shall then be eligible to be scraped, discarded, or direct sale by the city manager to interested dealers, organizations, or other such interested persons not participating in the sale. Specific disposal of the property items shall be reported to the city council by the city manager that fall under this category.
- D. Notwithstanding any other provision of this Section, the City may enter into a contract for the direct sale of any item of personal property declared surplus under Section 3.20.020 with a fair market value of less than \$25,000, upon the approval of the City Council and a finding by the City Council that:**
 - 1. Such sale of personal property would result in consideration to the City in an amount greater than or equal to the fair market value of the personal property, and**
 - 2. (a) The recipient of such personal property under the contract would be for use by a federal, state, or local governmental agency; or (b) the sale of the personal property through a public bidding process is likely to result in substantially lower consideration to the City than a direct sale due to the unique nature of the personal property at issue.**

SECTION 2. The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act, Public Resources Code, § 21000, *et seq.* ("CEQA"), pursuant to Section 15060(c)(2) of the CEQA Guidelines, on the grounds that the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, and Section 15060(c)(3) of the CEQA Guidelines, on the grounds that the activity is not a project as defined in Section 15378 of the CEQA Guidelines, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under Section 15061(b)(3) of the CEQA Guidelines because it has no potential for causing a significant effect on the environment.

SECTION 3. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Mendota City Council hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional.

SECTION 4. The adoption of any provision of this Ordinance does not affect any prosecution, civil action or administrative proceeding for any ordinance violation committed prior to the effective date of this ordinance; does not waive any fee, penalty, license or permit requirement due or in effect on the date this ordinance is adopted; and does not affect the validity of any bond or cash deposit posted, filed or paid pursuant to the requirements of any Ordinance.

SECTION 5. Within fifteen (15) days of the adoption of this Ordinance, a summary thereof, including the names of the City Council Members voting for and against it, shall be prepared by the City Attorney for publication in the *Firebaugh-Mendota Journal*, and a certified copy of the Ordinance shall be posted in the office of the City Clerk.

SECTION 6. This ordinance shall become effective and in full force at 12:00 midnight on the 31st day following its adoption.

* * * * *

The foregoing ordinance was introduced on the 22nd day of November, 2016 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 13th day of December, 2016 by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

Robert Silva, Mayor

ATTEST:

Matt Flood, City Clerk

APPROVED AS TO FORM:

John Kinsey, City Attorney

A G E N D A I T E M - S T A F F R E P O R T

DATE: November 18, 2016

TO: Honorable Mayor and City Council Members

FROM: Vince DiMaggio, City Manager
John P. Kinsey, City Attorney

SUBJECT: Adoption of Interim Urgency Ordinance, Enacting a Temporary Moratorium on New and Relocated Wireless Telecommunications Facilities within Public Rights-of-Ways, Pursuant to Government Code Section 65858

RECOMMENDATION:

- A. Adopt an Interim Urgency Ordinance, Enacting a Temporary Moratorium on New and Relocated Wireless Telecommunications Facilities within Public Rights-of-Ways, Pursuant to Government Code Section 65858.
- B. Direct the Secretary to schedule a public hearing on the proposed Interim Urgency Ordinance within 45-days to consider the extension of said Interim Urgency Ordinance, and to provide notice as required under Section 65860 of the Government Code.
- C. Direct staff to commence the preparation of proposed amendments to the Ordinance that include reasonable restrictions on the construction and placement of Wireless Telecommunications Facilities.

BACKGROUND:

City Staff has been advised of recent incidents of telecommunications companies erecting wireless facilities within public rights-of-way without (i) notice to the local government(s) in question or (ii) engaging in any permitting process for the construction and placement of such facilities. In addition, area cities have all been approached by at least one company claiming to be a telecommunications company, and purporting to “inform” the local agencies that they are going to commence work on a telecommunications tower within a public right-of-way.

DISCUSSION:

The City presently does not have any provisions of its Ordinance that govern the erection of wireless facilities within the City. In light of the foregoing, City Staff believes it is important to consider reasonable restrictions on the permitting of wireless facilities within the City, including the

permitting of wireless facilities within public rights-of-way. The preparation and enactment of the Ordinance will take time, as City staff must take federal preemption issues into account when preparing the Ordinance, and the City must engage in the public process required under the Government Code to enact the Ordinance.

In the meantime, City staff wishes to prevent a circumstance under which a telecommunications company could seek to construct a wireless facility within a public right-of-way, without notice or permitting. As a result, City staff has prepared a proposed Interim Urgency Ordinance that would prohibit the issuance of any permits for new and relocated wireless telecommunications facilities within public rights of way.

CONCLUSION

Based on the foregoing, Staff recommends that the City Council adopt the proposed Interim Urgency Ordinance, Enacting a Temporary Moratorium on New and Relocated Wireless Telecommunications Facilities within Public Rights-of-Ways, Pursuant to Government Code Section 65858.

Because it will take the City several months to prepare a long-term Ordinance that addresses the above issues, the City Council should also direct the Secretary to schedule a public hearing on the proposed Interim Urgency Ordinance within 45-days to consider the extension of said Interim Urgency Ordinance, and to provide notice as required under Section 65860 of the Government Code. This will, among other things, require publication of notice of such meeting in the Firebaugh Mendota Journal.

The City Council should also direct staff to commence the preparation of proposed amendments to the Ordinance that include reasonable restrictions on the construction and placement of Wireless Telecommunications Facilities.

ATTACHMENTS

Ex. "A": [Proposed] Interim Urgency Ordinance, Enacting a Temporary Moratorium on New and Relocated Wireless Telecommunications Facilities within Public Rights-of-Ways, Pursuant to Government Code Section 65858

**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**AN INTERIM URGENCY ORDINANCE
OF THE CITY OF MENDOTA, ENACTING
A TEMPORARY MORATORIUM ON
NEW AND RELOCATED WIRELESS
TELECOMMUNICATIONS FACILITIES
WITHIN PUBLIC RIGHT-OF-WAYS,
PURSUANT TO GOVERNMENT CODE
SECTION 65858.**

ORDINANCE NO. 16-12

THE CITY COUNCIL OF THE CITY OF MENDOTA DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings.

The City Council finds and declares as follows:

- A. Under Public Utilities Code § 7901.1, a municipality can adopt reasonable time, place and manner regulations with respect to the manner in which public rights-of-way may be accessed by telephone companies, including wireless communication companies which have been granted state authorization permitting the construction of facilities in public rights-of-way.
- B. Title 47, United States Code § 332 appears to authorize municipalities to regulate the placement, construction and modification of wireless telecommunication facilities, subject to specified limitations.
- C. As used in this ordinance, “Wireless Facilities” means all equipment installed for the purpose of providing wireless transmission of voice, data, images or other information including, but not limited to, cellular telephone service, personal communications services and paging services, consisting of equipment and network components such as towers, utility poles, transmitters, base stations and emergency power systems. “Wireless Facilities” shall not be deemed to include facilities constructed by and operated by suppliers of electric, gas or water utilities.
- D. The Mendota Municipal Code (**MMC**) is silent with respect to the development, siting, installation, and operation of Wireless Facilities within City rights-of-way.
- E. State and federal law addressing the scope and manner of local regulation of Wireless Facilities continues to develop and evolve as evidenced by the following cases and rule changes:

1. In *Sprint Telephone PCS, L.P. v. County of San Diego* (2008) 543 F.3d 571 (“**Sprint Telephone**”), the Ninth Circuit Court of Appeals overruled seven years of Ninth Circuit jurisprudence relating to 47 U.S.C. § 253, a provision of Federal Telecommunications Act that, until this case was decided, had been interpreted to severely limit local authority to regulate Wireless Facilities.

2. In *Sprint PCS Assets, LLC v. City of Palos Verdes Estates* (2009) 583 F.3d 716 (“**Sprint PCS**”), the Ninth Circuit Court of Appeals set out significant new standards establishing how municipalities may consider and decide applications for Wireless Facilities to be located within the public right-of-way.

3. On February 22, 2012, section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (“**Act**”) was enacted and changed how co-located Wireless Facilities must be evaluated, and in some cases must be approved, changing more than a decade of national jurisprudence relating to 47 U.S.C. § 332 that, until the passage of the Act allowed local governments wide latitude and discretion in considering co-location of Wireless Facilities in the public right-of-way, and on public and private property.

4. On October 17, 2014, the Federal Communications Commission (“**FCC**”) issued a Report and Order updating its rules and procedures governing new and modified Wireless Facilities, which includes clarifications on local zoning powers with respect to Wireless Facilities and the procedures for the review of siting applications.

5. Presently, the case of *T-Mobile West, LLC et al. vs. City and County of San Francisco et al.* is pending in the California First District Court of Appeals (Case No. A144252) and involves a legal challenge to longstanding legal authority of municipalities to regulate timing, location and manner of construction of Wireless Facilities.

F. The City anticipates receiving requests by telecommunications providers to establish new or expanded Wireless Facilities within the City. However, as noted above, the existing provisions of the MMC are inadequate and time is needed to review, study and revise the MMC to fully take into account the impacts related to the timing, location and manner of construction of Wireless Facilities by multiple telecommunication providers within the public rights-of-way as well as other public and private property, including the public health, safety and welfare concerns of pedestrian and vehicular traffic.

G. In addition to detracting from public views and neighborhood character, unsightly Wireless Facilities and their related visual clutter can lead to or exacerbate public safety hazards such as distracted driving. This poses a safety concern in Mendota where members of the public, including children, commonly walk along public right-of-ways. For these reasons, the City Council finds that it must consider regulating the appearance and

location of Wireless Facilities within the public right-of-ways in order to promote the public health, safety and welfare.

H. The MMC must be updated in order to protect the public against the potential threats to the health, safety and welfare of the public arising from telecommunication providers constructing Wireless Facilities throughout the City. The City requires additional time to prepare, evaluate and adopt reasonable regulations regarding the use of the public rights-of-way and other public and private property within the City for Wireless Facilities.

I. The absence of this ordinance would impair the orderly and effective implementation of contemplated amendments to the MMC, and any further authorization to construct Wireless Facilities in the City's rights-of-way or other public or private property within the City during the period of this moratorium may be in conflict with or may frustrate the contemplated updates and revisions to the MMC.

J. Without the enactment of this ordinance, multiple telecommunication providers could quickly receive permits to install Wireless Facilities that pose a threat to the public health, safety and welfare. For example, without this ordinance, Wireless Facilities could:

1. Create land use conflicts and incompatibilities including excessive height of poles and towers;
2. Create visual and aesthetics blights and potential safety concerns arising from excessive size, heights, noise or lack of camouflaging of Wireless Facilities including the associated pedestals, meters, equipment boxes and power generators;
3. Create unnecessary visual and aesthetic blight by failing to utilize alternative technologies or capitalize on collocation opportunities;
4. Cause substantial disturbances to rights-of-way through the installation and maintenance of Wireless Facilities;
5. Create traffic and pedestrian safety hazards due to the unsafe location of Wireless Facilities; and
6. Negative impact the unique quality and character of the City.

K. The City Council further finds that this moratorium is a matter of local and citywide importance and is not directed towards any particular telecommunication provider that currently seeks to establish a Wireless Facility.

L. Government Code §§ 36937 and 65858 authorize the adoption of an urgency ordinance to protect the public health, safety and welfare, and to prohibit certain land uses

that may conflict with land use regulations that the City's legislative bodies are considering or intend to study within a reasonable time.

M. The City Council finds that there is a current and immediate threat to the public health, safety and welfare based on the above findings, and upon that basis has determined that an urgency ordinance prohibiting the issuance of new permits or approvals for new Wireless Facilities in public rights-of-way within the City is warranted.

SECTION 2. Applicability. This ordinance applies to all applications for the installation of new, and the relocation of existing, Wireless Facilities within any public right-of-way in any zone within the City of Mendota.

SECTION 3. Moratorium on New Wireless Facilities.

A. Except as provided in Section 4 below, for a period of forty-five (45) days from the date of adoption of this ordinance:

1. No person or entity shall install a new Wireless Facility in a public right-of-way or relocate an existing Wireless Facility in a public right-of-way; and
2. The City shall not issue any permits or other approvals for any installation of a new Wireless Facility in a public right-of-way or relocation of an existing Wireless Facility in a public right-of-way.

B. For new applications for Wireless Facility installations and relocations received after the effective date of this ordinance, any time limits or mandatory approval time frames relative to the processing or action upon permit applications for any Wireless Facilities described in Section 3(A) are tolled during the term of this moratorium. The City Council intends to terminate this moratorium as soon as reasonably feasible within a timeframe to allow the adoption of new local regulations with respect to Wireless Facilities, to the extent reasonably advisable by staff following its study. Notwithstanding the foregoing, City staff may deny any application for a permit, which prohibited from being issued under this ordinance.

SECTION 4. Exceptions. The provisions of this ordinance shall not be construed to prohibit the issuance of permits or approvals for the following:

- A. The collocation of new antennas and other equipment on an existing Wireless Facility, provided that the exterior physical dimensions of the existing Wireless Facility are not substantially changed or increased;
- B. The maintenance, updating, repair or improvement of an existing Wireless Facility, provided that the physical dimensions of the Wireless Facility are not substantially changed. The determination of whether the physical dimensions will be substantially changed shall be in accordance with criteria stated in the FCC Report and Order dated October 17, 2014.

SECTION 5. Report.

The City Manager or the appointed designee is authorized and directed to prepare and issue, on behalf of the City Council, a written report describing the measures taken by the City to alleviate the conditions which have led to the adoption of this ordinance, at least ten (10) days prior to the expiration of this ordinance. A copy of the same shall be subsequently provided to the City Council for review.

SECTION 6. CEQA Review. The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) [the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment], 15060(c)(3) [the activity is not a project as defined by CEQA], and 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. These findings are premised on the fact that the adoption of this urgency interim ordinance will maintain existing environmental conditions arising from the City's current land use regulations without significant change or alteration. The City Manager is hereby directed to ensure that a Notice of Exemption is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

SECTION 7. No Liability. The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Mendota, or any official, employee or agent thereof.

SECTION 8. Pending Actions. Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of the City of any character be lost, impaired or affected by this ordinance.

SECTION 9. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Mendota hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 10. Construction. The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent. To the extent, the provisions of the

Mendota Municipal Code as amended by this ordinance are substantially the same as provisions in the Mendota Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 11. Urgency; Effective Date; Duration and Publication.

This ordinance is adopted by the City Council pursuant to the California Constitution, article XI, section 7 and Government Code section 65858 by a four-fifths (4/5) or greater vote, as an urgency measure to protect the public health, safety and welfare, and shall take effect immediately. The reasons for such urgency are set forth in Section 1 above. This ordinance shall expire and be of no further force or effect forty-five (45) days after its adoption, unless it is extended pursuant to Government Code section 65858. Prior to the expiration of fifteen (15) days from the passage hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the Firebaugh-Mendota Journal, a newspaper printed and published in the City of Mendota, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Mendota, State of California, on the 22nd day of November, 2016, at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Robert Silva, Mayor

ATTEST:

Matt Flood, City Clerk

APPROVED AS TO FORM:

John Kinsey, City Attorney

PUBLIC WORKS REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CRISTIAN GONZALEZ, PUBLIC WORKS DIRECTOR
VIA: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: PUBLIC WORKS MONTHLY REPORT
DATE: NOVEMBER 22, 2016

STREETS AND ROADS

- Street sweeping continues as usual.
- The Marie and Divisadero Streets reconstruction project is underway. Assuming the weather stays favorable, paving will take place Tuesday, November the 22nd.

PARKS AND PUBLIC BUILDINGS

- Public Works continues to maintain the parks for the community, with limited staff.

DRINKING WATER

- Meter reads are complete.

WASTE WATER

- Monthly samples have been submitted.
- Aerator maintenance continues and will be ongoing.
- Crews have been transferring water from semi-full ponds to shallow empty ponds to build up capacity.

ANIMAL CONTROL

- Animals impounded: 44
- Animals euthanized: 43
- Animals redeemed by owner: 1

- Graffiti abated: 5
- Citations issued: 2

ADULT OFFENDER WORK PROGRAM

- AOWP continue working on public right of ways and alley weed abatement, including all tree-wells and City owned lots.
- The program also assists with maintenance of the Pool Park.

BUILDING PERMITS ISSUED

- A list of new permits is attached to the report.

PLANNING

- No significant planning updates.

STAFFING FOR PUBLIC WORKS

- 14 full time employees
- 4 part time employees

FUEL STOCK

- Unleaded: 7,094 gallons
- Diesel: 5,513 gallons