

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting

December 13, 2016

Meeting called to order by Mayor Silva at 5:59 p.m.

Roll Call

Council Members Present: Mayor Rolando Castro, Councilor Sergio Valdez (until 6:15 p.m.), Mayor Pro Tem Victor Martinez (seated at 6:25 p.m.), Councilors Joseph Amador, Oscar Rosales (seated at 6:25 p.m.), and Robert Silva.

Council Members Absent: Councilor Joseph Riofrio.

Flag salute led by Mayor Silva.

A moment of silence was held in honor of Anthony Martinez 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 Amador; unanimously approved (4 ayes, absent: Riofrio).

CONFIRMING THE ELECTION

1. Proposed adoption of **Resolution No. 16-88**, confirming the results of the election returns for the consolidated General Election held on November 8, 2016.

A motion was made to adopt Resolution No. 16-88 by Councilor Valdez, seconded by Councilor Castro; unanimously approved (4 ayes, absent: Riofrio).

2. City Clerk Flood to administer the Oath of Office to newly elected Council Members.

City Clerk Flood swore in Council Members Victor Martinez and Oscar Rosales.

Councilor Silva presented an award to Councilor Valdez and the Council thanked Councilor Valdez for his service.

Councilor Valdez thanked the public for their support and congratulated the newly elected Council Members.

At 6:15 p.m. Councilor Silva announced that there would be a recess.

At 6:25 p.m. the Council convened in open session (Councilors Martinez and Rosales took a seat on the dais).

REORGANIZATION OF COUNCIL

1. City Clerk to conduct City Council reorganization proceedings and accept nominations for the following offices:
 - a) Mayor
 - b) Mayor Pro Tem

City Clerk Flood explained to the public that he would be chairing the meeting until the election of a Mayor and Mayor Pro Tem by Council.

City Clerk Flood accepted nominations for the office of Mayor.

A motion was made to nominate Councilor Castro as Mayor by Councilor Amador, seconded by Councilor Martinez; unanimously approved (5 ayes).

City Clerk Flood accepted nominations for the office of Mayor Pro Tem.

A motion was made to nominate Councilor Martinez as Mayor Pro Tem by Mayor Castro, seconded by Councilor Amador; unanimously approved (5 ayes).

The Council thanked Councilor Silva for his service as Mayor.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Dino Perez (Westside Youth Inc.) – thanked the Council and staff for their hard work and assistance to Westside Youth and reported on various programs and upcoming events.

Discussion was held on the importance of local organizations coming together to serve

the community.

Raul Varela (263 J Street) – congratulated the newly elected Council Members and thanked Councilor Silva for his service a Mayor.

San Juana Prieto (583 L Street) – stated that there is an abundance of individuals conducting business within the City without the necessary permits.

Discussion was held on how the issue can be addressed and of staff meeting with Ms. Prieto in the future.

Alex Blanco – inquired on what is being done to address gang activity.

Discussion was held on increasing public safety funding and the issue being discussed in a later portion of agenda.

Angela Rivera – congratulated the new Council Members.

Oscar Rivas (Mendota Police Officers Association) – thanked the City Council for their support of the officers.

Flor Larreynaga – thanked the outgoing and newly elected Council Members.

Teresa Ayala – congratulated the newly elected Council Members.

Marc Banuelos (630 Gaxiola) – congratulated the newly elected Council Members and thanked the Council for their support.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of November 22, 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 Councilor Amador to approve items 1 and 2, seconded by Councilor Silva; unanimously approved (5 ayes).

CONSENT CALENDAR

1. NOVEMBER 18, 2016 THROUGH DECEMBER 08, 2016
WARRANT LIST CHECKS NO. 041786 THRU 041874
TOTAL FOR COUNCIL APPROVAL = \$366,035.53
2. Proposed adoption of **Resolution No. 16-89**, authorizing the disposition of remaining surplus items.

3. Proposed adoption of **Resolution No. 16-90**, approving the modified City of Mendota 401(K) Profit Sharing Plan to reflect CalPERS participants.

A request was made to pull item 3 for discussion.

A motion was made to adopt items 1 and 2 of the Consent Calendar by Councilor Amador, seconded by Councilor Silva; unanimously approved (5 ayes).

3. Proposed adoption of **Resolution No. 16-90**, approving the modified City of Mendota 401(K) Profit Sharing Plan to reflect CalPERS participants.

Discussion was held on the background of the item.

A motion was made to adopt item 3 of the Consent Calendar by Councilor Amador, seconded by Councilor Rosales; unanimously approved (5 ayes).

BUSINESS

1. Proposed adoption of **Resolution No. 16-91**, acknowledging receipt of the annual audit of city funds.

Mayor Castro introduced the item.

Fausto Hinojosa from Price, Paige, & Company congratulated the new Council and reported on the purpose of the audit; the result of the Fiscal Year 2015/2016 audit; described the audit process; reported on the status of the various revenue funds that the City has; and stated that the City received a clean audit result.

Discussion was held on the various types of opinions that an audit can have and the City receiving an unmodified opinion.

City Manager DiMaggio thanked Price, Paige, and Company for their work and thanked Finance Director Marquez for his work.

Discussion was held on the importance of transparency.

Raul Varela (263 J Street) – asked if the City could provide the information regarding the audit to the public in Spanish.

Sergio Valdez – inquired on the deficit in the General Fund.

A motion was made to adopt Resolution No. 16-91 by Councilor Amador, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

2. Council discussion and possible direction on presenting city employees with a \$25 voucher.

Mayor Castro introduced the item and City Manager DiMaggio thanked the Council for their consideration to appreciate staff in this form and reported on the concerns he has regarding the issue.

City Attorney Kinsey reported on the structural and legal issues concerning providing staff with vouchers and shared alternative ways that the Council could recognize staff.

Discussion was held on the upcoming Holiday potluck.

A motion was made to no longer pursue the item by Councilor Amador, seconded by Councilor Rosales; unanimously approved (5 ayes).

3. Council discussion and possible direction on mechanisms to increase funding for police department.

Mayor Castro introduced the item and City Attorney Kinsey reported on possible ways to increase public safety funding, such as a tax measure; the possibility of holding a Special Election in June 2017 for the measure; the amount of votes that are needed in order to pass the tax measure; the process of holding a Special Election; the available dates for the proposed election; the option to have a mail-in ballot election; and the purpose of the proposed tax measure being to increase funding for the police department.

Discussion was held on which election method to move forward with; other funding options that are available; and attracting businesses.

Council consensus was reached to move forward with a mail-in ballot election.

4. Proposed adoption of **Resolution No. 16-92**, approving Agreement for Preparation of an Environmental Document and Related City Services.

Mayor Castro introduced the item and City Attorney Kinsey summarized the report including that the purpose of the agreement is that the City will be reimbursed for expenses incurred in preparing environmental documents for the proposed Waste Water Treatment Plant project.

Discussion was held on the benefits of the project.

A motion was made to adopt Resolution No. 16-92 by Councilor Amador, seconded by Councilor Silva; unanimously approved (5 ayes).

PUBLIC HEARING

1. Proposed adoption of **Ordinance No. 16-11**, modifying Section 3.20.040 of the Mendota Municipal Code (Administration of surplus and conduct of sale).

Mayor Castro introduced the item and Economic Development Manager Flood reported that the ordinance would add provisions to the sale of personal property ordinance and shared the benefits of adding the proposed provisions.

Discussion was held on how the property would be sold under the new provisions.

At 8:16 p.m. Mayor Castro opened the hearing to the public.

Raul Varela (263 J Street) – shared other ways the City can advertise the surplus sales.

At 8:19 p.m. Mayor Castro closed the hearing to the public.

A motion was made to adopt Ordinance No. 16-11 by Councilor Rosales, seconded by Mayor Pro Tem Martinez; approved (4 ayes, abstain: Silva).

2. Proposed adoption of **Ordinance No. 16-10**, removing the 48 hour requirement for a Noise Permit.

Mayor Castro introduced the item and Economic Development Manager Flood reported that the ordinance would remove the 48 hour noise permit notice requirement and summarized the purpose of the Noise Ordinance.

At 8:26 p.m. Mayor Castro 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 Ordinance No. 16-10 by Councilor Silva, seconded by Councilor Amador; unanimously approved (5 ayes).

3. Consideration of extension 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.

Mayor Castro introduced the item and City Manager DiMaggio reported that the item would be extending an ordinance that will prevent wireless telecommunication facilities within public right-of-ways for a certain period of time.

Discussion was held on a meeting that was held with AT&T.

At 8:29 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 Ordinance No. 16-12 by Councilor Amador, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report

Economic Development Manager Flood summarized the report including the department's focus for the month of November; ensuring that businesses had business licenses; and stated the importance of having the public report violations.

2. Police Department
 - a) Monthly Report

Chief of Police Andreotti summarized the report including significant cases for the month of November and provided a personnel update.

Discussion was held on the good work that the police department does.

Teresa Ayala – stated that her husband caught someone looking inside their home but that they did not contact dispatch.

Flor Larreynaga – stated that some residents are not pleased with the service they received from an officer and inquired on when a police report should be created.

3. City Attorney
 - a) Update

City Attorney Kinsey reported on the items that his office is working on that are pertinent to the City.

4. City Manager

City Manager DiMaggio reported on the possibility of holding a Joint Meeting of the City Council and Mendota Unified School Board of Trustees in January and the City's participation in the upcoming Christmas Parade.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Mayor Pro Tem Martinez shared the benefits of the public attending City Council meetings.

Councilor Silva reported on various meetings he attended and the Tech Expo that was held at West Hills Community College in Coalinga.

Councilor Amador passed out a letter to the Council and staff that stated that he had recently purchased a home in Fresno and Councilor Amador requested that the Council allow him to complete his term on the Council.

Councilor Rosales thanked the Council for their work.

Discussion was held on whether Councilor Amador could legally continue to serve on the Council.


2. Mayor

Mayor Castro inquired on the status of the Marie and Divisadero streets reconstruction project and thanked the public for their attendance.

Discussion was held on the condition of Marie Street and the possibility of having a homeless shelter within the City.


ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 9:02 p.m. by Councilor Amador, seconded by Councilor Silva; unanimously approved (5 ayes).



Rolando Castro, Mayor

ATTEST:



Matt Flood, City Clerk

