

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting

April 12, 2016

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

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Sergio Valdez (at 6:09 p.m.), Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

Council Members Absent: None.

Flag salute led by Mayor Silva.

Invocation led by Ken Faulkner.

FINALIZE THE AGENDA

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

City Manager DiMaggio requested that item 2 of the consent calendar be removed from the agenda.

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

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Martin Gamez (680 Divisadero) – stated that he is a member of the Planning Commission and apologized for negative comments that he made on social media.

Council thanked Mr. Gamez for apologizing for the comments that he made on social media and discussion was held on the positive influence that elected and appointed

officials need to have on the community.

Dino Perez (Westside Youth Inc. [WSY]) – reported on various events that WSY will be having (6:09 p.m. Mayor Pro Tem Valdez entered the Council Chambers) and stated that WSY is accepting donations of various items that will go to those in need.

Discussion was held on requesting the collaboration of various agencies to assist the homeless in Mendota.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

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

CONSENT CALENDAR

1. MARCH 18, 2016 THROUGH APRIL 06, 2016
WARRANT LIST CHECKS NO. 40743 THRU 40824
TOTAL FOR COUNCIL APPROVAL = \$378,880.40
2. *Proposed adoption of **Resolution No. 16-25**, adopting a voluntary drug and alcohol testing policy for City elected and appointed officials.
[Removed from the agenda.]*
3. Proposed adoption of **Resolution No. 16-26**, approving the transfer of Fund 24 – Donation Fund [Explorers Program Funds] to the Mendota Community Corporation.
4. Proposed adoption of **Resolution No. 16-27**, authorizing the City Manager to execute a contract with Giersch and Associates for the design of the Lozano Lift Station modification.
5. Proposed adoption of **Resolution No. 16-28**, approving to hold two Special City Council meetings to consider the budget for Fiscal Year 2016-2017.

A request to pull item 3 for discussion was made.

3. Proposed adoption of **Resolution No. 16-26**, approving the transfer of Fund 24 – Donation Fund [Explorers Program Funds] to the Mendota Community Corporation.

Discussion was held on the amount of funds that will be transferred over to the Mendota Community Corporation.

A motion was made to approve items 1, 3, 4, and 5 of the Consent Calendar by Councilor Riofrio, seconded by Councilor Amador; unanimously approved (5 ayes).

BUSINESS

1. Council discussion and consideration of the membership and frequency of the Public Safety Sub-Committee meetings.

Mayor Silva introduced the item and Councilor Castro stated that he is unable to attend the Public Safety Sub-Committee meetings and wishes to resign from the Committee.

Discussion was held on reorganizing the Committee.

A motion was made to nominate Councilor Amador as Chairperson for the Public Safety Sub-Committee by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

A motion was made to nominate Councilor Riofrio as Vice-Chairperson for the Public Safety Sub-Committee by Mayor Pro Tem Valdez, seconded by Councilor Castro; unanimously approved (5 ayes).

Discussion was held on changing the frequency of the meetings to monthly and the various organizations that attend the meetings.

A motion was made to change the frequency of the Public Safety Sub-Committee meetings to monthly by Councilor Amador, seconded by Councilor Castro; approved (4 ayes, no: Valdez).

Discussion was held on the purpose of the Public Safety Sub-Committee meetings.

Teresa Ayala – stated that police officers are using radar and as a result are making frequent vehicle stops and explained that she witnessed an individual having their vehicle towed and she believed that it was unfair.

Discussion was held on when police officers have vehicles are towed as a result of a vehicle stop.

Victor Martinez – inquired as to how he can report officer misconduct and where he can acquire information regarding crime rates.

Discussion was held on ensuring that police officers follow the rules; information that is available to the public regarding crime rates; the procedure that exists for a member of the public to report officer misconduct; and ensuring that the City works with the

community.

2. Introduction of **Ordinance No. 16-04**: An Ordinance of the City Council of the City of Mendota, California, Amending Sections 13.32.020 and 13.32.050, and Adopting New Section 13.32.065 of the Mendota Municipal Code, and Give First Reading, by Title only, with Second Reading waived.

Mayor Silva introduced the item and City Attorney Kinsey summarized the report including that the State Water Resources Control Board (SWRCB) released regulations which includes that the City meets a 25% water reduction goal; SWRCB extending the emergency regulation until October 2016; the City is currently operating under a Stage II water reduction regulation which allows watering for three days a week; the water conservation measures in the proposed ordinance including the reduction of watering days to two days a week; and the proposed ordinance allowing Council to adopt temporary water measures as needed.

Discussion was held on whether the state will be more lenient in regards to water allocations; the benefits of the proposed ordinance allowing the Council to adopt temporary water regulation measures as needed; the spike in water usage; water conservation measures included in the proposed ordinance; educating the public on the importance of water conservation; promoting the conversion of green lawns to drought-friendly landscaping; and the importance of the City complying with state law.

A motion was made to perform the first reading of Ordinance No. 16-04, with the second reading waived, by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; approved (4 ayes, no: Castro).

3. Introduction of **Ordinance No. 16-05**: An Ordinance Amending Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operating of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana.

Mayor Silva introduced the item and City Attorney Kinsey requested that Council the item to the April 26th City Council meeting due to zoning code requirements that staff has to follow.

A motion was made to continue the item to the April 26th City Council meeting by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report

Economic Development Director Flood summarized the report including that the Code Enforcement Department is continuing to focus on the proliferation of substandard living

and weed abatement.

Discussion was held on the deadline that property owners have to clean their properties; the weed abatement process; courtesy notices that were mailed out to property owners regarding maintaining their properties; the possibility of having property owners accountable for maintaining the weeds on their property year-round; and ensuring that the City does not violate private property rights.

2. Police Department
 - a) Monthly Report

Chief of Police Andreotti summarized the report including a personnel update; various grants that the department is applying for, has received, or are currently pending; an award that Officer Hogan will be receiving; ongoing negotiations with the City of Firebaugh for dispatch services; and crime rates.

Discussion was held on various grants that have been received and are currently pending and the ongoing negotiations with the City of Firebaugh for dispatch services.

3. City Attorney
 - a) Update

City Attorney Kinsey reported on working with staff in improving the efficiency of the Mendota Municipal Code provisions.

Discussion was held on the City of Coalinga's position on medical marijuana.

4. City Manager

City Manager DiMaggio reported that the Fresno County Board of Supervisors voted in favor of placing a signal at the intersection of Oller/Derrick Avenues; various meeting that he has attended regarding implementing a signal at the intersection; and an item that will be on the April 26th City Council meeting regarding water and sewer rate increase.

Discussion was held on the possibility of implementing a system at City Hall to accept credit/debit card transactions and the costs associated with implementing the system.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Councilor Riofrio summarized an article by Sarah Horton regarding overtime pay for farm workers.

Councilor Castro thanked the public audience for attending the meeting (7:49 Councilor Amador left the Council Chambers and returned within the same minute).

Discussion was held on sending out flyers regarding the Driver Awareness event.

Mayor Pro Tem Valdez reported on Mendota Youth Recreation's (MYR) upcoming softball clinic; ongoing baseball league; and an upcoming Cinco de Mayo event.

2. Mayor

Mayor Silva reported on various that the San Joaquin Valley Water Infrastructure Authority attended in Sacramento and the proposed expansion of Rojas-Pierce Park.

Discussion was held on the proposed expansion of Rojas-Pierce Park and upcoming co-ed softball league.

CLOSED SESSION

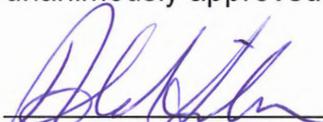
1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
CA Government Code § 54957(b)
Title: City Manager

At 8:01 p.m. the Council moved into closed session.

At 8:38 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.

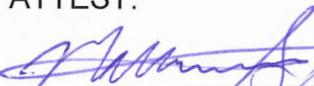
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:39 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Castro; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

