



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 May 10, 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

SWEARING IN

1. Deputy City Clerk Cabrera to swear in Sergeant Jose Arciga.

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.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of April 26, 2016.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

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. APRIL 21, 2016 THROUGH MAY 04, 2016
WARRANT LIST CHECKS NO. 040892 THRU 040947
TOTAL FOR COUNCIL APPROVAL = \$260,982.76
2. Proposed adoption of **Resolution No. 16-31**, establishing the fee for the Permit to Exceed Noise Levels (Noise Permit).
3. Proposed adoption of **Resolution No. 16-32**, requesting that the Fresno County Clerk provide election services.

BUSINESS

1. Council discussion and consideration of proposed **Resolution No. 16-33** Modifying the Mendota Emergency Stabilization Agreement and Setting Required Conditions Upon Ability to Use the Fund.
 - 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 any input and adopt Resolution No. 16-33*
2. Council discussion and consideration to adopt **Resolution No. 16-34** deferring previously-adopted future water rate increases by one-year; and **Resolution No. 16-35** loaning funds in the amount of \$88,000 from the Mendota Emergency Fund.
 - 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 any input and adopt Resolution No. 16-34*
 - e. *Council provide any input and adopt Resolution No. 16-35*

PUBLIC HEARING

1. Introduction of **Ordinance No. 16-05**: An Ordinance Amending Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operation of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana, and Give First Reading, by Title only, with Second Reading waived.
 - a. *Receive report from City Attorney Kinsey*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens the public hearing, accepting comments from the public*
 - d. *Mayor closes the public hearing*
 - e. *Council provide any input and motion to waive the first reading of Ordinance No. 16-05.*

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report
2. Police Department
 - a) Monthly Report
3. City Attorney
 - a) Update
4. City Manager

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
2. Mayor

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 May 10, 2016, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, May 6, 2016 at 4:15 p.m.


Celeste Cabrera, Deputy City Clerk



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

April 26, 2016

Meeting called to order by Mayor Silva at 6:02 p.m.

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Sergio Valdez (at 6:08 p.m.), Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

Council Members Absent: None.

Flag salute led by Councilor Amador.

Invocation led by John Flores of the Rivers of Living Waters Christian Church.

A moment of silence was held in honor of Lafayette Montgomery who had recently passed away.

FINALIZE THE AGENDA

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

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

SWEARING IN

1. Police Chief Andreotti to swear in new Lieutenant Kevin Smith.

Police Chief Andreotti shared Lieutenant Kevin Smith's background and experience in law enforcement (6:08 p.m. Mayor Pro Tem Valdez entered the Council Chambers).

Deputy City Clerk Cabrera swore in Lieutenant Kevin Smith.

Lieutenant Smith thanked Council for allowing him the opportunity to serve as Police Lieutenant for the City.

Council congratulated Lieutenant Smith.

PRESENTATION

1. Ivette Rodriguez from Mid Valley Disposal to present the 3rd and 4th quarter update.

Ivette Rodriguez from Mid Valley Disposal presented the 3rd and 4th quarter update including the purpose of AB 1826; upcoming residential assessments that will be conducted in the upcoming weeks; the results of the spring 2015 residential assessments; the importance of the City increasing recycling rates; the City's diversion rates; educational flyers that are given to the public; results of the commercial/multi-family visits; information regarding AB 341; the importance of educating the public on which trash items correspond to each bin; businesses with outstanding recycling efforts; various events that Mid Valley Disposal attends; and the various locations in which members of the public can take batteries and light-bulbs for proper disposal.

Discussion was held on the good job that residents are doing in regards to recycling and educating the public on which trash items correspond to each bin.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Joseph Oldham – provided information on the Chandler Challenge Air Rally event that will be held on May 28th; discussed details about the race course; stated the possibility of acquiring scholarships that will be given to individuals who want to enroll in flight training; the shortage of pilots; and different opportunities that are available in regards to aviation.

Discussion was held on aviation programs that are in the process of being implemented; the upcoming event at the William Robert Johnston Municipal Airport; and the various organizations and agencies that are participating in the event.

Raul Varela (263 J Street) – reported that the Annual Harvest Fiesta was held at the William Robert Johnston Municipal Airport a few years ago and inquired as to why it cannot be held there again.

Discussion was held on why the Annual Harvest Fiesta was allowed to be held at the airport a few years ago.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of April 12, 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 Riofrio to approve items 1 and 2, seconded by Councilor Amador; unanimously approved (5 ayes).

CONSENT CALENDAR

1. APRIL 19, 2016 THROUGH APRIL 20, 2016
WARRANT LIST CHECKS NO. 040825 THRU 040891
TOTAL FOR COUNCIL APPROVAL = \$369,973.61
2. Proposed adoption of **Resolution No. 16-29**, authorizing submittal of an application for the Department of Resources Recycling and Recovery (CalRecycle)'s payment programs and related authorizations.
3. Proposed adoption of **Resolution No. 16-30**, adding the position of Lieutenant to the list of employees that can travel to and from work in a City Vehicle.

A request to pull item 3 for discussion was made.

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

3. Proposed adoption of **Resolution No. 16-30**, adding the position of Lieutenant to the list of employees that can travel to and from work in a City Vehicle.

Discussion was held on the costs associated with allowing the Police Lieutenant to utilize a City vehicle to travel to and from work; the type of vehicle that the Lieutenant will be using; the need for the Lieutenant to have a vehicle so that he can respond to emergencies; the qualifications that the Lieutenant has; and the total amount of funds that were used to purchase the vehicle.

A motion was made to approve item 3 of the Consent Calendar by Councilor Riofrio, seconded by Councilor Amador; approved (4 ayes; no: Castro).

BUSINESS

1. Council Discussion and consideration on the water rate increase for July 1, 2016.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report including that the Council approved a multi-year water increase in November 2015; the last water rate increase that the City had was over eight years ago; the lack of funds that are available to make the necessary improvements to the water system; the State of California taking over the City's water system and making the necessary rate increases should the water fund become bankrupt; the water rate increases that are scheduled until 2021; the direction that staff has received from Council to look into available options to defer the water rate increase that is scheduled for July 2016; the three alternatives that are available for the scheduled rate increase for July; the importance of continuing to implement the scheduled water rate increases in order to fund the Capital Improvement Plan (CIP); the various projects that are included in the CIP; staff's recommendation to defer the scheduled water rate increase for July 2016 to July 1, 2017, Council to direct staff to transfer \$88,000 from the City's reserve fund to the water fund, and extending the rate increases to 2022; and repaying the loan from the Reserve Fund with the funds acquired from a future rate increase.

Discussion was held on whether the loan from the City's reserve fund to the City's water fund is legitimate; the alternatives that are available to the Council; the need to provide maintenance to the water system; the importance of avoiding bankruptcy in the water fund; the aging water system infrastructure; residents not being able to afford the scheduled water rate increase; projects that are included in the CIP; the possibility of cancelling the scheduled water rate increase for July 2016; water rates that neighboring cities charge; staff looking for grants that can fund CIP projects; why water rates were not raised in the past 8 years; various opinions that residents have regarding rate increases; the amount of funding that is needed to fund CIP projects; and deferring the scheduled water rate increase.

A motion was made to direct staff to prepare the necessary documents to defer the water rate increase for July 2016, extend the scheduled water rate increases to 2022, and to loan the water fund \$88,000 from the reserve fund by Councilor Riofrio, seconded by Councilor Amador; approved (4 ayes, no: Castro).

At 7:56 p.m. Mayor Silva announced there would be a recess.

At 8:13 p.m. the Council reconvened in open session.

2. 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

continue the item to the May 10th City Council meeting due to noticing requirements.

A motion was made to continue the item to the May 10th City Council meeting by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

PUBLIC HEARING

1. Proposed adoption 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 or to reduce watering days to two days a week; the City complying with the water regulation order; ensuring that the City facilities comply with water restrictions; 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.

At 8:26 p.m. Mayor Silva opened the hearing to the public and, seeing no one present willing to comment, closed it in that same minute.

A motion was made to waive the second reading of Ordinance No. 16-04 by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

A motion was made to adopt Ordinance No. 16-04 by Councilor Riofrio, seconded by Mayor Pro Tem; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

Discussion was held on potholes located throughout the City; the method of operation of the Animal Control Officer; the issues related to the buckling of Quince Street that was recently paved; the work that PG&E is performing in certain areas of the City; the personnel levels of the Public Works Department; the sign footing that was removed from a property near 6th and Oller Streets; the possibility of individuals living in a ponding basin near the Water Treatment Plant; the work that the Adult Offender Work Program does; and street lights that are not working correctly.

2. Public Utilities
 - a) Monthly Report

City Manager DiMaggio stated that he can answer any questions that Council may have.

Discussion was held on finding a cheaper solution for the SCADA system and the maintenance that the water system needs.

3. City Attorney
a) Update

City Attorney Kinsey reported on the JPA that was formed between the City and the former Mendota Designated Local Authority and a bond in 1989 that has \$425,000 in reserve, gaining interest; the amount that is due is \$165,000, which creates an excess that can be redeemed for revenue; contacting the appropriate individuals so that the City can get direction on how such revenue can be acquired; and providing further information to Council in the future.

4. City Manager

City Manager DiMaggio reported on the traffic study that was done near Perez Street and Bass Avenue with Mendota Unified School District (MUSD); the costs being divided between the City and MUSD; the results of the traffic study showed that the intersection does not meet the traffic demand to warrant a signal; holding a meeting between the MUSD School Board and the City Council to discuss the ownership of the Community Center; and discussions with developers in regards to developing the property on the southern corner of Bass Avenue and Highway 180.

Discussion was held on the development of the property on Belmont and Derrick Avenues.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Councilor Amador reported Caltrans employees working near Highway 180, southeast of Mendota; a religious non-profit organization that is selling food plates to raise money; and the trailer park on Oller Street.

Discussion was held on the possibility of improving the railroad at Highway 180 near Bass Avenue in the future; the difficulties of getting the railroad to cooperate; and infrastructure issues related to land subsidence.

Mayor Pro Tem Valdez reported on Mendota Youth Recreation's upcoming Cinco de Mayo event.

Councilor Castro reported on the issue related to the drive-thru at McDonald's and the patrons of Autozone and speaking with the Mayor of Firebaugh in regards to dispatch services.

Discussion was held on a future project at 7th Street and Derrick Avenue.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 9:16 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).

Robert Silva, Mayor

ATTEST:

Matt Flood, City Clerk

CITY OF MENDOTA
CASH DISBURSEMENTS
4/21/2016-5/4/2016
Check # 040892 - 040947

Date	Check #	Amount	Vendor	Department	Description
April 21, 2016	40892	\$49,000.00	BOBCAT OF FRESNO	WATER-SEWER	2013 BOBCAT MINI EXCAVATOR MODEL E32 WITH 450 HOURS ON IT
April 21, 2016	40893	\$6,009.73	THOMPSON MOTOR SALES/TRAILERS	WATER-SEWER	7'X18' TILTBED EQUIPMENT TRAILER FOR NEW MINI EXCAVATOR
April 26, 2016	40894	\$380.14	AFLAC	GENERAL	AFLAC INSURANCE FOR APRIL 2016
April 26, 2016	40895	\$23.00	JUAN ESTRADA	GENERAL	TRAINING FOR ANIMAL CONTROL - 4/28/2016
April 26, 2016	40896	\$1,324.34	MUTUAL OF OMAHA	GENERAL	LIFE/AD&D/LTD&STD FOR MAY 2016
April 26, 2016	40897	\$204.79	THE HOME DEPOT	GENERAL- WATER- SEWER	5 PIECE XL COMBO SET, 2 WAY RADIOS HUSKY 18"(SW) 3X5 NYLON FLAG(2) GORILLA TAPE, 14 PIECE SET BLACK (B&G) DRILL BIT FOR TILE (SW, WA)
April 28, 2016	40898	\$550.00	ADT SECURITY SERVICES	GENERAL- WATER- SEWER	INSTALLATION OF REPLACEMENT CAMERAS AT CITY HALL
April 28, 2016	40899	\$19.47	ALERT-O-LITE	GENERAL-STREETS	CONTRACTOR TRASH BAGS 3ML 42
April 28, 2016	40900	\$1,255.30	BEST UNIFORM	GENERAL	SHIRTS, PANT,BELT,NAME PLATE,EMB STAR & NAME BODY ARMOR FOR K.SMITH (PD)
April 28, 2016	40901	\$176.00	BSK ASSOCIATES	SEWER	WEEKLY WASTE WATER ANALYSES 4/12/2016, WEEKLY TREATMENT AND DISTRIBUTION (2)
April 28, 2016	40902	\$346.20	DIVISION OF THE STATE ARCHITECT	GENERAL	30% OF \$1.00 FEE COLLECTED FROM BUSINESS LICENSE SB1186
April 28, 2016	40903	\$80.13	COMCAST	GENERAL-WATER-SEWER	XFINITY TV FOR 4/26/2016 THRU 05/26/2016
April 28, 2016	40904	\$88.82	CROWN SERVICES CO.	GENERAL- SEWER	TOILET 1XWK ENV FEE (PD), TOILET WITH SINK 1XWK & RENT WASTE WATER TREATMENT PLANT
April 28, 2016	40905	\$2,801.73	FM CONTROLS	WATER-SEWER	REPROGRAMED EXTERNAL HARD DRIVES FOR WATER TREATMENT PLANT. WIRED CL2 PUMPS TO PLPC FOR OPERATION.DELIVERED PANEL
April 28, 2016	40906	\$24.00	FRESNO COUNTY SHERIFF	GENERAL	(1) PRISONER PROCESSING SERVICE FOR MARCH 2016
April 28, 2016	40907	\$225.00	GIERSCH & ASSOCIATES INC.	WATER	PROJECT 840W1301 WATER TREATMENT PLANT CHEM FEED MODIFICATION.
April 28, 2016	40908	\$430.72	HAVEN'S FOR TOTAL SECURITY	GENERAL	(1) ARROW GRADE 1 REVOLUTION LEVER (EDD OFFICE)
April 28, 2016	40909	\$144.00	KERWEST INC. DBA	WATER-SEWER	LEGAL NOTICE - COUNCIL MEETING APRIL 26,2016
April 28, 2016	40910	\$2,036.43	MENDOTA SMOG & REPAIR	GENERAL-WATER-SEWER-STREETS	SPARK PLUGS,IGNITION COILS,FUEL PUMP,MOTOR OIL, FILTER,ANTI FREEZE,HOSE,CLAMPS,CALIPERS,BRAKE FLUID,WATER PUMP
April 28, 2016	40911	\$6,000.00	MOUNTAIN VALLEY ENVIORNMENTAL	WATER-SEWER	MAY 2016 WATER TREATMENT AND DISTRIBUTION,WASTE WATER TREATMENT PLANT & CPO SERV.
April 28, 2016	40912	\$162.48	PITNEY BOWES INC.	WATER-SEWER	TAPE STRIPS 300 PER BOX (POSTAGE METER)
April 28, 2016	40913	\$991.99	PURCHASE POWER	GENERAL-WATER-SEWER	POSTAGE METER REFILL & TRANSACTION FEE
April 28, 2016	40914	\$1,551.62	R&B COMPANY	WATER & SEWER	(1) 6X1CC MULLER (5) FIBERLYTE BOX (5) FIBERLYTE BOX (5) FIBERLYTE LID (2) 1" SENSUS SR11 WATER METER
April 28, 2016	40915	\$299.78	RAMON'S TIRE	STREETS-WATER-SEWER	THICK VALVE STEM,TIRE MOUNT & DISMOUNT TRACTOR(MUSD)TIRE REPAIR F-250 SUPER DUTY XL, TIRE REPAIR LOCK TYPE-LOADER(WATER&STREETS)

**CITY OF MENDOTA
CASH DISBURSEMENTS
4/21/2016-5/4/2016
Check # 040892 - 040947**

April 28, 2016	40916	\$165.00	RED WING SHOE STORE	GENERAL	PECOS, BROWN, WATER PROOF BOOTS (REIMBURSABLE)
April 28, 2016	40917	\$58.00	RAUL SANDOVAL	GENERAL	REIMBURSEMENT FOR LIVE SCAN NOT PROCESSED.
April 28, 2016	40918	\$10,238.63	SEQUOIA BARK SALES	GENERAL	PLAYGROUND FIBER-CERTIFIED WOOD CHIPS 4 TRUCK LOADS FOR ROJAS-PIERCE PARK
April 28, 2016	40919	\$150.00	UNITED HEALTH CENTERS	GENERAL WATER	PRE-EMPLOYMENT EXAM FOR KEVIN SMITH & JOSE ARCIAGA (PD)
May 3, 2016	40920	\$85,450.00	WEST AMERICA BANK	GENERAL	PAYROLL TRANSFER 4/18/16 THRU 5/1/2016
May 4, 2016	40921	\$6,206.13	ACQUISITION PARTNERS OF AMERICA	GENERAL- WATER- SEWER	MONTHLY RETAINER FOR APRIL 2016, MONTHLY RETAINER FOR MAY 2016, MEETING WITH CHIEF(PD) REMAINDER OF RETAINER FOR MARCH 2016
May 4, 2016	40922	\$1,040.00	LORI ANN ADAMS	HOME/CDBG	PORTFOLIO MANAGEMENT MARCH 2016
May 4, 2016	40923	\$603.10	ADT SECURITY SERVICES	GENERAL-WATER-SEWER	SECURITY SERVICES FROM 5/13/2016-6/12/216
May 4, 2016	40924	\$423.20	AUTOMATED OFFICE SYSTEMS	GENERAL-WATER-SEWER	COLOR/BLACK AND WHITE COPIES USED FOR APRIL 2016 (PD&CH)
May 4, 2016	40925	\$309.42	COLONIAL LIFE	GENERAL	COLONIAL LIFE INSURANCE FOR APRIL 2016
May 4, 2016	40926	\$37.88	EINERSON'S PREPRESS	GENERAL	BUSINESS CARDS 250 MATTE FINISH - KEVIN SMITH
May 4, 2016	40927	\$604.50	DAVID FIKE	GENERAL	SPECIAL SERVICES - APRIL 2016
May 4, 2016	40928	\$112.50	FRESNO COUNTY AUDITOR'S OFFICE	GENERAL	PARKING CITATIONS FOR MARCH 2016
May 4, 2016	40929	\$100.00	JUDICIAL DATA SYSTEMS	GENERAL	PARKING ACTIVITY FOR MARCH 2016 TOTAL CITATIONS FILED: 24
May 4, 2016	40930	\$327.99	NISSAN MOTOR ACCEPTANCE CORPORATION	GENERAL-WATER-SEWER	MONTHLY LEASE PAYMENT - 2015 NISSAN FOR MAY 2016
May 4, 2016	40931	\$1,494.67	NORTHSTAR CHEMICAL	WATER	775 UNITS SODIUM HYPOCHLORITE - 12.25% ML 50513
May 4, 2016	40932	\$24,970.23	PG&E	GENERAL-WATER-SEWER-STREETS	CITY WIDE UTILITIES 3/17/2016 - 4/17/2016
May 4, 2016	40933	\$3,747.70	PREMIER ACCESS	GENERAL	DENTAL INSURANCE FOR MAY 2016
May 4, 2016	40934	\$29,073.89	PROVOST & PRITCHARD	GENERAL-WATER-SEWER-SEWER IMPACT FEES	CONTRACT SERVICES 2015-16 CDBG, WATER PLANT, MENDOTA ELEMENTARY PEDESTRIAN IMPROVEMENT,CITY ENGINEERING
May 4, 2016	40935	\$123.00	SAN JOAQUIN VALLEY AIR DISTRICT	WATER	16/17 ANNUAL PERMIT C7616-1-1 ELECTRICAL GENERATOR
May 4, 2016	40936	\$1,224.77	SL & DM WATER AUTHORITY	WATER	PROFESSIONAL SERVICES - BASIN BOUNDARY 2/1-29/2016
May 4, 2016	40937	\$2,054.15	SORENSEN MACHINE WORKS	GENERAL-WATER-SEWER-STREETS	LAMP,SPARK PLUGS,NAPA GOLD FUEL FILTER, LITHUM GRS CART,REPAIR ALUMINUM PIPE,LOCKNUTS,GLOVES,PVC ELBOW TWIST POLY ROPE
May 4, 2016	40938	\$5,299.00	EMPLOYMENT DEVELOPMENT DEPARTMENT	GENERAL- WATER	UNEMPLOYMENT INSURANCE JANUARY - MARCH 2016
May 4, 2016	40939	\$2,462.91	BANKCARD CENTER	GENERAL	CREDIT CARD EXPENSES FOR 3/24/2016 THRU 04/26/2016-AT SOLUTIONS,BADGE&WALLET,T&T LIBERTY SAFES(PD) SPIKE&RAIL,CITY OF
May 4, 2016	40940	\$575.00	TECH MASTER	GENERAL-WATER-SEWER	PEST CONTROL SERVICES- CITY HALL,DMV,YOUTH CENTER,CITY YARD,WATER DIVISION,SPECIAL SERVICES ROJAS-PIERCE PARK AND PD

CITY OF MENDOTA
 CASH DISBURSEMENTS
 4/21/2016-5/4/2016
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May 4, 2016	40941	\$143.78	THE GOOD YEAR TIRE & RUBBER COMPANY	GENERAL	4 TIRES FOR UNIT #M81 (PD)
May 4, 2016	40942	\$75.00	UNITED HEALTH CENTERS	WATER-SEWER	PRE-EMPLOYMENT EXAM-MARIA ALVAREZ
May 4, 2016	40943	\$72.18	UNIFIRST CORPORATION	GENERAL-WATER-SEWER	MONTHLY SERVICE-WET/DRY TOWEL CLOTHS, MOPS & RUGS - APRIL 2016
May 4, 2016	40944	\$128.56	USA BLUEBOOK	WATER	PURELL INSTANT HAND CLEANSER 12 OZ. (12) - WATER DEPT.
May 4, 2016	40945	\$9,514.80	WAGNER JONES HELSLEY PC ATTORNEYS	GENERAL-WATER-SEWER	GENERAL LEGAL SERVICES RETAINER APRIL 2016, SPECIAL SERVICES-APRIL 2016, LEGAL SERVICE:TERTIARY TREATMENT FACILITY
May 4, 2016	40946	\$17.36	LUIS ROBERTO ONTIVEROS	WATER	DEPOSIT REFUND FOR ONT0001
May 4, 2016	40947	\$53.74	REINA PINEDA	WATER	DEPOSIT REFUND FOR PIN0003
	TOTAL	\$260,982.76			

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MATT FLOOD, ECONOMIC DEVELOPMENT MANAGER
VIA: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: SETTING THE FEE FOR THE PERMIT TO EXCEED NOISE LEVELS
DATE: MAY 10, 2016

ISSUE

What fee will residents pay in order to apply for a Permit to Exceed Noise Levels (Noise Permit)?

BACKGROUND

Recently the City Council passed a new ordinance related to Noise Control. A major element of this ordinance is establishing levels of sound that cannot be exceeded. However, this ordinance also allows residents to apply for a permit to exceed these noise limits if they have a justifiable reason. Called a Permit to Exceed Noise Levels (also known informally as a Noise Permit), it is similar in process and function to the Amplified Music Permit.

ANALYSIS

Attached to this report is the application members of the public have to fill out in order to receive a Noise Permit. Staff recommends that the price of the Noise Permit be \$5.00 in order to offset the time staff spends with residents helping them fill out the permit as well as reviewing and verifying the information to make a determination of approval.

Consistent with the Fresno Housing Authority's wishes, Noise Permits will not be available to residents that live in their facilities.

FISCAL IMPACT

Fees collected will go towards the General Fund.

RECOMMENDATION

Staff recommends adopting Resolution No. 16-31 to establish the fee for the Noise Permit.



Noise Permit Application

Must be applied for at least 48 hours before the start of the event

The purpose of this permit is to exceed the lawful maximum noise limits, as contained in Mendota Municipal Code Chapter 9.05. According to this chapter, there are two limits:

For noises that contain “a steady, audible tone, such as a whine, beating, pulsating, throbbing, or hum”, which will generally apply to music and other such noises:

Daytime	7:00 a.m. – 7:00 p.m.	50 dBA
Evening	7:00 p.m. – 10:00 p.m.	45 dBA
Nighttime	10:00 p.m. – 7:00 a.m.	40 dBA

For all other noises the limits are as follows:

Daytime	7:00 a.m. – 7:00 p.m.	55 dBA
Evening	7:00 p.m. – 10:00 p.m.	50 dBA
Nighttime	10:00 p.m. – 7:00 a.m.	45 dBA

Information of the Owner on whose property the activity will take place:

Name: _____ Phone Number: _____

Address: _____

If your event will use a DJ, Band, or other purveyor of music, please provide their information:

Name: _____ Phone Number: _____

Address: _____

Date(s) of the event: _____

Time(s) of the event: _____

How many people will attend: _____

(Events where alcohol is provided and more than 50 people are present require a state-licensed security guard for every 50 people)

(Please complete the portion on the reverse side)

Please state the purpose for which you are applying for a Noise Permit:

What specific sound-producing or sound-amplifying devices will be used:

Please provide the justification for exceeding the limits of the noise ordinance:

By signing below I agree to comply with the requirements and restrictions of the Noise Permit and any other conditions of approval imposed by the Director (MMC9.05.080(f)).

I also acknowledge that I have received a copy of the applicable ordinance, contained in MMC 9.05.080 and acknowledge that violation of any of these regulations, including the playing of music past midnight and before 7am, will result in a fine and possible denial of future Noise Permits for me and/or the owner of the property on which the event takes place.

Applicant's name: _____ Phone: _____

Signature of Applicant: _____ Date: _____

For Staff Use Only

Received by _____ at _____
 Staff Initial Date and Time

Fee Paid:

Approved: Denied:

Conditions of approval or reason for denial: _____

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA ESTABLISHING
THE FEE FOR THE PERMIT TO EXCEED
NOISE LEVELS (NOISE PERMIT)**

RESOLUTION NO. 16-31

WHEREAS, the City of Mendota has found it beneficial and effective to establish fees via resolution; and

WHEREAS, in order to protect the health and safety of the residents within this community, the City Council revised its ordinance related to noise control, including the addition of a subsection to grant a Permit to Exceed Noise Levels (Noise Permit); and

WHEREAS, it is necessary to charge a fee in order to offset the cost of staff receiving and processing Noise Permit applications; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota that the fee charged for a Permit to Exceed Noise Levels be established as contained in Exhibit A, attached hereto.

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 10th day of May, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

Exhibit A

Fee for the Permit to Exceed Noise Levels (Noise Permit)	\$5.00
--	--------

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MATT FLOOD, ECONOMIC DEVELOPMENT MANAGER
VIA: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: REQUESTING THE FRESNO COUNTY CLERK PROVIDE ELECTION SERVICES
DATE: MAY 10, 2016

ISSUE

Shall the office of the Fresno County Clerk provide election services for the upcoming elections for City Council?

BACKGROUND

Due to the department size and consequent lack of resources smaller cities tend to have, many of them contract with the office of the County Clerk to provide the needed personnel, equipment, and other resources to manage, count votes for and report the results of the local elections. This has been what the City of Mendota has done for decades.

ANALYSIS

Without the help of the County Clerk, the City of Mendota would need to spent countless hours and resources to run our own local elections. The cost of providing this service to the City was \$1,214.21 in 2014 and \$2,088.88 in 2012.

FISCAL IMPACT

Expenditures consistent with what the City was charged in previous elections – General Fund.

RECOMMENDATION

Staff recommends adopting Resolution No. 16-32.

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA REQUESTING
THAT THE FRESNO COUNTY CLERK
PROVIDE ELECTION SERVICES**

RESOLUTION NO. 16-32

WHEREAS, Chapter 2.40 of the Municipal Code of the City of Mendota provides that the City's general municipal election shall be held on the same day as the statewide general election; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota does hereby request the Board of Supervisors of Fresno County to permit the Fresno County Clerk to render certain special services to the City of Mendota relating to conducting the November 8, 2016 election, which services are as follows:

1. Prepare all election materials, including ballots, voter pamphlets, candidate statements, measure statements, and other materials necessary to properly conduct the City's general election in conformance with the California Fair Political Practices Commission and any other applicable state or federal laws; and
2. Provide all polling staff and materials; and
3. Canvass all ballots; and
4. Report all election results to the City Clerk of the City of Mendota.

BE IT FURTHER RESOLVED, that the City Council of the City of Mendota does hereby approve the proportional reimbursement of the County Clerk's costs for providing such services; such costs to be paid from the City's General Fund.

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 special meeting of said Council, held at the Mendota City Hall on the 10th day of May, 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: CONSIDERATION OF A RESOLUTION AMENDING THE EMERGENCY FUND POLICY
DATE: MAY 10, 2016

ISSUE

Should the City Council adopt a resolution changing how the City’s emergency reserve funds may be used?

BACKGROUND

Presently, the City maintains an emergency reserve fund of approximately \$950,000 for the express purpose of dealing with unanticipated emergency funding situations. Recently, the Council has expressed interest in “loosening” the conditions under which these funds may be used.

At the Council meeting on April 26, 2016, the Council indicated a desire to use the reserve funds in order to loan the Enterprise Fund monies necessary to ensure that revenues projected for the water fund would, in fact, be met in the event the Council decided to defer the scheduled water rate increase for one year. While not an emergency situation, per se, the decision to use emergency fund reserves to ensure water fund revenues are met is a responsible policy decision of the Council.

Other discussions have occurred where Councilmembers have indicated an interest in using reserve funds as a means of “investing” in new initiatives around the City – such as new and/or expanded parks, for example. Again, these would not qualify as emergency items, but rather represent the policy direction of the Council in terms of pursuing investment in new initiatives.

ANALYSIS

The desire of the Council, in its policy making capacity, to use said reserve funds for issues such as water rate increase deferral or other non-emergency situations should be appropriately balanced with the need to hold funds in reserve for true emergency situations. It is the opinion of staff that the City needs to maintain a certain amount of money held in reserve and strictly for emergency situations.

In order to accomplish the Council's desire for greater flexibility in the use of the emergency reserve funds, the staff is proposing the following safeguard:

Use of the emergency funds for non-emergency items is permissible so long as the emergency fund balance remains above \$600,000 (or an average of two months of operating expenses, whichever is higher).

For example, at present there is approximately \$950,000 in the City's reserve funds. Under the proposed safeguard, the Council can expend up to \$350,000 for items the Council deems are an appropriate non-emergency use of the funds. Any expenditure that would cause the fund balance to fall below \$600,000 would require the Council to make a finding, via resolution, that an emergency situation exists.

FISCAL IMPACT

The principle purpose of establishing and maintaining a reserve fund is to deal with unanticipated and unexpected financial expenditures. This could include supplementing the City's budget, addressing emergency situations such as critical utility failures, or paying out legal judgments – to name only a few.

Over the years, Mendota has taken great responsibility in establishing such a healthy financial reserve – which, until very recently, was \$1.3 million. It is thus only natural that the Council would want to consider non-emergency related investments of these funds. Generally speaking, staff supports the Council's position in this regard. However, there must be the proverbial "line in the sand" where the Council ceases non-emergency expenditures from this fund, in order to hold back funds for true emergency purposes. In this respect, staff suggests the Council maintain at least \$600,000 as an emergency reserve and that such funds may only be spent once the Council declares by resolution that an emergency situation exists. To the extent the reserve fund balance exceeds this amount, spending from the fund can be entirely discretionary.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution amending the Emergency Fund Administrative Policy to allow the City Council to use the emergency reserve funds for non-emergency related expenses, so long as the fund balance remains in excess of \$600,000.

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA MODIFYING
THE MENDOTA EMERGENCY FUND
STABILIZATION AGREEMENT AND
SETTING REQUIRED CONDITIONS UPON
ABILITY TO USE THE FUND**

RESOLUTION NO. 16-33

WHEREAS, in 2010, the Mendota City Council enacted Resolution No. 10-25, setting aside \$1.3 million as a restricted cash asset to cover unfunded liabilities, including emergency expenditures due to unforeseen events and conditions; and

WHEREAS, in 2012, the Mendota City Council enacted Resolution No. 12-10, which rescinded Resolution No. 10-25, and established an Emergency Fund Stabilization Fund Agreement and Emergency Fund Policy governing the use of the \$1.3 million fund; and

WHEREAS, the Mendota City Council has determined that additional flexibility is needed to meet the needs of the City and its residents.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

SECTION 1. The Emergency Fund Policy is hereby modified with the revisions specified in Exhibit "A," which shall be implemented immediately, and which shall dictate the conditions to use said fund.

SECTION 2. The Emergency Fund Stabilization Agreement is hereby modified consistent with the terms of Exhibit "A."

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 10th day of May, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

EXHIBIT A

City of Mendota



Administrative Policy

Emergency Fund Policy

INTRODUCTION:

Emergency funds, also known as stabilization agreements, are implemented to utilize former surplus revenues in later years to cover unanticipated, emergency situations, including emergency revenue shortfalls, emergency purchases, and to cover the costs in addressing emergency situations that impact the health and safety of residents that may present themselves over the life of a government organization. In this case, the City of Mendota has established such an emergency fund through the adoption of Resolution No. 12-10, as modified by Resolution No. 16-33. Said fund is compliant with the Governmental Accounting Standards Board Statement 54(GASB 54).

PURPOSE:

The purpose of this Administrative Policy is intended to clarify the nature and operability of the Emergency Fund, and to set certain limitations on its use, pursuant to GASB 54.

POLICY:

The City of Mendota's Emergency Fund shall remain protected from general use as a funding source.

Qualifying Conditions

The Emergency Fund may only be utilized if one of the following conditions is present:

1. The fund balance maintained by the City of Mendota meets or falls below a 110% amount of unpaid obligations remaining within the

- same fund, in an individual fiscal year.
2. The Emergency Operations Center is activated at Level 2 or higher.
 3. So long as the fund balance is over (i) \$600,000 or (ii) an amount equal to two months of the City's average monthly operating expenses over the past five years, whichever is higher, an unanticipated non-emergency event or need requiring the use of said funds, determined by a supermajority (4/5) of the City Council.

Procedural Requirements

Use of the funds are made at the discretion of the City Manager, in keeping with the following requirements.

The conditions for granting access to the emergency fund stabilization agreement are automatic triggers. When these conditions are met, the City Manager is vested with the authority to make necessary purchases in keeping with the stated aims of the condition.

- For Qualifying Condition 1, funds are to be used only in meeting committed obligations already budgeted for, or contractually obligated.
- For Qualifying Condition 2, the funds may be used for emergency operations in protecting the health and safety of the public.
- For Qualifying Condition 3, (i) a supermajority (4/5) of the City Council must authorize the use of the funds for an unanticipated non-emergency event, and (ii) the City Council must identify and allocate a funding source to reconstitute the Emergency fund, as specified below, with interest.
- The City Manager, when expending resources from the Emergency Fund in keeping with these two conditions, shall provide an accounting within 10 business days to the City Council, including justification for the use of emergency funds. Prior approval of the expenditures are waived for the use of the emergency fund in keeping with the urgent procurement and distribution needs that may present themselves in these two situations.

Maintenance of the Emergency Fund

The Emergency Fund is to remain healthy, with ample funding to address monetary needs during emergency situations and fund balance shortfalls, ensuring the sustainability of the City. As such, the following requirements are in place to ensure that the Emergency Fund remain in a healthy fiscal state.

1. The Emergency Fund shall have a minimum maintenance level. Said level of funds shall be determined to be the greater of:
 - a. 50% of the average of the last three years' General Fund expenditures; or
 - b. The highest fund balance attained in the Emergency Fund to date.
2. The total use of funds from the Emergency Fund in a fiscal year shall be reconstituted within 5 years from the last emergency funds used for a particular incident.
3. Reconstitution shall be on a pro rata share from the department budgets that utilized emergency funds. These shall be handled as

a line item in each fiscal year budget, and may be amortized, at a minimum, over the 5 year restitution period. Such "payments" shall be transfers initiated immediately upon the adoption of the annual budget.

Enacted on: 3/27/2012 (as modified 5/10/2016)

Enacted by: The Mendota City Council
(Resolution No. 12-10, modified by Resolution
No. 16-33)

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: DEFERRAL OF THE JULY 1, 2016 WATER RATE INCREASE FOR ONE YEAR AND LOANING THE ENTERPRISE FUND \$88,000 FROM THE CITY'S RESERVE FUND
DATE: MAY 10, 2016

ISSUES

- 1) Should the City Council adopt a resolution deferring the water rate increase scheduled for July 1, 2016 for a period of one year; and
- 2) Should the City Council loan the Enterprise Fund \$88,000 from the City's reserve funds to cover lost revenue from said rate increase deferral?

BACKGROUND

At the Council meeting on April 26, the Council directed staff to prepare the enabling legislative documents that would delay the water rate increase scheduled to take effect on July 1, 2016 to July 1, 2017. The result of this deferral of the rate increase would add one year to the schedule of increases from 2021 to 2022.

Staff stressed the importance of ensuring that, in spite of the deferred rate increase, provisions had to be made to account for the planned revenue into the water fund. This was necessary in order to fund critical infrastructural improvements and maintenance to the system on an annual basis. The solution proposed and accepted by a majority of the Council was that the City's reserve fund would loan the Enterprise Fund \$88,000 – the amount of revenue projected to be generated by the July 1, 2016 water rate increase of \$4.00/month. The loan would be paid back to the reserve fund at the conclusion of the scheduled rate increases in 2022.

ANALYSIS

The Council's unanimous decision to adopt a comprehensive schedule of water and sewer rate increases in November 2015 was critically important to ensuring the on-going solvency, maintenance, and operation of the water and sewer utilities in the City. Rejecting or canceling any of the rate increases previously adopted leaves the utilities at critical risk for both insolvency and an inability to finance operations or capital expenditures.

It is understandable that Council would not want the public to experience two water rate increases within the span of six months. For that reason, the Council directed staff to defer the planned \$4.00/month increase scheduled to take effect on July 1, 2016 for a period of one year, which effectively extends the total number of increases out for an additional year, from 2021 to 2022.

The revenues expected from just the \$4.00/month increase that was to take effect in July amount to \$88,000. In order to preserve this revenue stream and ensure continued recovery of the water fund, the City's reserve fund will loan the water fund \$88,000. This loan will be repaid (with interest) at the conclusion of the rate increases in 2022.

By using this approach, the Council strikes the appropriate and responsible balance: provide some relief to the public and avoid two rate increases within the span of six months, while also ensuring that expected revenues into the water fund are provided by a loan from the city's reserve fund.

FISCAL IMPACT

The loan to the Enterprise Fund will (temporarily) decrease the fund balance of the City's reserve funds by \$88,000 to approximately \$862,000. The loan is scheduled to be paid back to the City's reserve fund in 2022, when all scheduled rate increases have taken effect.

By making provisions by the way of a loan, to ensure that the planned revenue is actually received by the water fund, the balance of the water fund will be as originally projected when Council approved the rate increases.

RECOMMENDATION

Staff recommends that the City Council approve Resolution 16-34, deferring the July 1, 2016, water rate increase to July 1, 2017, and approve Resolution 16-35, making a loan of \$88,000 from the City's reserve fund to the Enterprise Fund.

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA DEFERRING
FUTURE WATER RATE INCREASES BY
ONE-YEAR**

RESOLUTION NO. 16-34

WHEREAS, on November 10, 2015, the City Council adopted Resolution No. 15-83, which approved and instated new water and sewer rates, effective January 1, 2016; and

WHEREAS, the new water and sewer rate structure contemplates annual increases in water rates each year, with the next increase scheduled for July 1, 2016 (the 2016/17 water rate); and

WHEREAS, on April 26, 2016, the City Council heard testimony from the public concerning the new water and sewer rates, who expressed concern regarding the rate in which the new water and sewer rates increases; and

WHEREAS, the rate increases adopted in Resolution No. 15-83 continue to be necessary to cover the costs of providing utility services to the City's residents; and

WHEREAS, following the receipt of input from the public, the City Council directed staff to defer the water rate increases adopted in Resolution No. 15-83 by one-year.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota does hereby defer each of the future water rate increases adopted in Resolution No. 15-83 by one-year, as follows:

Table 1: Water Rates

	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Residential								
5/8 & 3/4	\$32.40	\$45.40	\$45.40	\$49.40	\$52.09	\$52.09	\$57.55	\$58.16
1"	\$34.45	\$48.27	\$48.27	\$52.53	\$55.39	\$55.39	\$61.42	\$61.84
1-1/2"	\$62.64	\$87.77	\$87.77	\$95.51	\$100.72	\$100.72	\$111.68	\$112.45
Commercial								
5/8 & 3/4	\$32.40	\$45.40	\$45.40	\$49.40	\$52.09	\$52.09	\$57.77	\$58.16
1-1/2"	\$62.64	\$87.77	\$87.77	\$95.51	\$100.72	\$100.72	\$111.68	\$112.45
2"	\$84.96	\$119.05	\$119.05	\$129.54	\$136.60	\$136.60	\$151.48	\$152.52
Larger	\$140.22	\$196.48	\$196.48	\$213.79	\$225.45	\$225.45	\$250.01	\$251.72
Flow Charge	\$0.14	\$0.18	\$0.18	\$0.18	\$0.18	\$0.20	\$0.20	\$0.20
(per 100 gal over 12,000 gallons)								

BE IT FURTHER RESOLVED that the sewer rates adopted in Resolution No. 15-83 (Table 2: Sewer Rates) remain unchanged. Turn-off fee and private fire connection fees are also unchanged.

BE IT FURTHER RESOLVED that in the event this resolution is determined to be invalid, or adjudicated void for any reason, the water rates established in No. 15-83 will remain in effect.

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 10th day of May, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA LOANING
FUNDS IN THE AMOUNT OF \$88,000 FROM
MENDOTA EMERGENCY FUND**

RESOLUTION NO. 16-35

WHEREAS, on November 10, 2015, the City Council adopted Resolution No. 15-83, which approved and instated new water and sewer rates, effective January 1, 2016; and

WHEREAS, the new water and sewer rate structure contemplates annual increases in water rates each year, with the next increase scheduled for July 1, 2016 (the 2016/17 water rate); and

WHEREAS, on April 26, 2016, the City Council heard testimony from the public concerning the new water and sewer rates, who expressed concern regarding the rate in which the new water and sewer rates increases; and

WHEREAS, the City, in Resolution No. 16-34 deferred future water rate increases by one-year to provide economic relief to the City's ratepayers; and

WHEREAS, the rate increases adopted in Resolution No. 15-83 continue to be necessary to cover the costs of providing utility services to the City's residents; and

WHEREAS, the City's Emergency Fund Stabilization Fund Agreement and Emergency Fund Policy govern the City's use of said funds; and

WHEREAS, under the Emergency Fund Policy, a "qualifying event" must exist for the use of said funds; and

WHEREAS, Qualifying Event No. 3 states, "[s]o long as the fund balance is over (i) \$750,000 or (ii) an amount equal to two months of the City's average monthly operating expenses over the past five years, whichever is greater, an unanticipated non-emergency event or need requiring the use of said funds, determined by the City Council"; and

WHEREAS, the deferred implementation of the planned water rate increases specified in Resolution No. 15-83 will result in a shortfall of \$88,000 that would otherwise be available for use to provide utility services to the City's customers; and

WHEREAS, the City Council finds that the need for such relief constitutes an unanticipated non-emergency event justifying the use of \$88,000 of the City's emergency funds; and

WHEREAS, the City Council finds that the use of such funds will not cause the Emergency Fund balance to decrease below \$750,000; and

WHEREAS, as a condition of the use of emergency funds for utility services by the City's Water Enterprise Fund, the City's Water Enterprise Fund must reconstitute the Emergency Fund in monthly payments consistent with the amortization schedule attached hereto as Exhibit "A."

NOW, THEREFORE, BE IT RESOLVED that the City Council for the City of Mendota hereby approves the transfer and loan of \$88,000 from the Emergency Fund to the Water Enterprise Fund.

BE IT FURTHER RESOLVED that the Water Enterprise Fund shall repay and reconstitute the Emergency Fund using the proceeds from future rate increases as specified in Resolutions Nos. 15-83 and 16-34, in monthly payments consistent with the amortization schedule attached hereto as Exhibit "A."

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 10th day of May, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

Exhibit “A”
(Amortization Schedule)

Due Date	Interest	Principal	Total Payment	Balance
7/1/2017	\$366.67	\$1,659.91	\$2,026.58	\$86,340.09
8/1/2017	\$359.75	\$1,666.83	\$2,026.58	\$84,673.26
9/1/2017	\$352.81	\$1,673.77	\$2,026.58	\$82,999.48
10/1/2017	\$345.83	\$1,680.75	\$2,026.58	\$81,318.73
11/1/2017	\$338.83	\$1,687.75	\$2,026.58	\$79,630.98
12/1/2017	\$331.80	\$1,694.78	\$2,026.58	\$77,936.20
1/1/2018	\$324.73	\$1,701.85	\$2,026.58	\$76,234.35
2/1/2018	\$317.64	\$1,708.94	\$2,026.58	\$74,525.41
3/1/2018	\$310.52	\$1,716.06	\$2,026.58	\$72,809.36
4/1/2018	\$303.37	\$1,723.21	\$2,026.58	\$71,086.15
5/1/2018	\$296.19	\$1,730.39	\$2,026.58	\$69,355.76
6/1/2018	\$288.98	\$1,737.60	\$2,026.58	\$67,618.16
7/1/2018	\$281.74	\$1,744.84	\$2,026.58	\$65,873.33
8/1/2018	\$274.47	\$1,752.11	\$2,026.58	\$64,121.22
9/1/2018	\$267.17	\$1,759.41	\$2,026.58	\$62,361.81
10/1/2018	\$259.84	\$1,766.74	\$2,026.58	\$60,595.07
11/1/2018	\$252.48	\$1,774.10	\$2,026.58	\$58,820.97
12/1/2018	\$245.09	\$1,781.49	\$2,026.58	\$57,039.48
1/1/2019	\$237.66	\$1,788.92	\$2,026.58	\$55,250.56
2/1/2019	\$230.21	\$1,796.37	\$2,026.58	\$53,454.19
3/1/2019	\$222.73	\$1,803.85	\$2,026.58	\$51,650.34
4/1/2019	\$215.21	\$1,811.37	\$2,026.58	\$49,838.97
5/1/2019	\$207.66	\$1,818.92	\$2,026.58	\$48,020.05
6/1/2019	\$200.08	\$1,826.50	\$2,026.58	\$46,193.55
7/1/2019	\$192.47	\$1,834.11	\$2,026.58	\$44,359.45
8/1/2019	\$184.83	\$1,841.75	\$2,026.58	\$42,517.70
9/1/2019	\$177.16	\$1,849.42	\$2,026.58	\$40,668.28
10/1/2019	\$169.45	\$1,857.13	\$2,026.58	\$38,811.15
11/1/2019	\$161.71	\$1,864.87	\$2,026.58	\$36,946.28
12/1/2019	\$153.94	\$1,872.64	\$2,026.58	\$35,073.64

1/1/2020	\$146.14	\$1,880.44	\$2,026.58	\$33,193.20
2/1/2020	\$138.31	\$1,888.27	\$2,026.58	\$31,304.93
3/1/2020	\$130.44	\$1,896.14	\$2,026.58	\$29,408.79
4/1/2020	\$122.54	\$1,904.04	\$2,026.58	\$27,504.74
5/1/2020	\$114.60	\$1,911.98	\$2,026.58	\$25,592.77
6/1/2020	\$106.64	\$1,919.94	\$2,026.58	\$23,672.82
7/1/2020	\$98.64	\$1,927.94	\$2,026.58	\$21,744.88
8/1/2020	\$90.60	\$1,935.98	\$2,026.58	\$19,808.90
9/1/2020	\$82.54	\$1,944.04	\$2,026.58	\$17,864.86
10/1/2020	\$74.44	\$1,952.14	\$2,026.58	\$15,912.72
11/1/2020	\$66.30	\$1,960.28	\$2,026.58	\$13,952.44
12/1/2020	\$58.14	\$1,968.44	\$2,026.58	\$11,983.99
1/1/2021	\$49.93	\$1,976.65	\$2,026.58	\$10,007.35
2/1/2021	\$41.70	\$1,984.88	\$2,026.58	\$8,022.46
3/1/2021	\$33.43	\$1,993.15	\$2,026.58	\$6,029.31
4/1/2021	\$25.12	\$2,001.46	\$2,026.58	\$4,027.85
5/1/2021	\$16.78	\$2,009.80	\$2,026.58	\$2,018.06
6/1/2021	\$8.30	\$2,018.17	\$2,026.47	\$0.00

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

DATE: May 6, 2016

TO: Honorable Mayor and City Council Members

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

SUBJECT: Introduction of Ordinance No. 16-05: An Ordinance Amending Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operation of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana, and Give First Reading, By Title Only, With Second Reading Waived

ISSUE:

Consideration of an ordinance that would provide a comprehensive update to Chapter 8.36 of the Mendota Municipal Code, including provisions (i) prohibiting the cultivation or medical marijuana; (ii) prohibiting the location of medical marijuana dispensaries within the City; (iii) prohibiting the delivery of medical marijuana; (iv) clarifying the City's enforcement of any violations of Chapter 8.36; and (v) providing further amendments needed to clarify the regulation of medical marijuana within the City.

BACKGROUND:

In 1996, California voters approved Proposition 215, the Compassionate Use Act, which exempted qualified patients and their primary caregivers from criminal liability for the possession and cultivation of marijuana for medical purposes. In 2003, the California Legislature enacted additional regulations through the passage of Senate Bill 420, the Medical Marijuana Program Act, to establish and implement a program for voluntary registration of qualified patients and their primary caregivers through a statewide identification card.

In late 2015, the Legislature passed, and the Governor signed, three pieces of legislation, AB 266, AB 243 and SB 643, collectively called the Medical Marijuana Regulation and Safety Act (the "Act"). The Act is effective as of January 1, 2016. The Act provides a statewide program for the licensing and regulation of commercial cannabis activity, specifically, the operation of medical marijuana dispensaries and the delivery and cultivation of marijuana. The Act provides that, in accordance with the California Constitution and as expressly held by the California Supreme Court, local authority remains intact, and the City may adopt

ordinances to either regulate medical marijuana businesses or to prohibit such operations and related activities altogether.

Previously, the Act contained provisions suggest that, if a city did not have a zoning ordinance expressly addressing cultivation, the State would become the sole licensing and regulatory authority for that activity effective March 1, 2016. That deadline, however, has now been removed by recent legislation signed by the Governor on February 2, 2016.

The Act also provides that if a city does not have an ordinance in effect that expressly bans medical marijuana delivery in conjunction with a dispensary before the State begins issuing licenses, the State will be the sole regulatory body and delivery will be allowed with just a State dispensary license. It is not immediately clear when the State will be ready to issue licenses.

As a result of the foregoing, City Staff has been exploring potential amendments to the City of Mendota Municipal Code concerning the cultivation and delivery of medical marijuana, and the location of medical marijuana dispensaries in the City.

On February 9, 2016, the City Council voted to adopt a Resolution of Intention to initiate amendments to Chapter 8.36 of the Mendota Municipal Code that would (i) prohibit the establishment and/or operation of medical marijuana dispensaries, including mobile dispensaries; (ii) prohibit the indoor or outdoor cultivation of marijuana; (iii) prohibit the delivery of marijuana anywhere within the City's boundaries; and (iv) make certain other clarifying changes to the existing text of Chapter 8.36.

City Staff prepared a proposed Ordinance Amending Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operation of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana (the "Proposed Ordinance").

On March 2, 2016, the City published notice in the Firebaugh Mendota Journal advising that the Planning Commission would conduct a public hearing on the Proposed Ordinance at its March 15, 2016, regular meeting. At the March 15, 2016, meeting, the Planning Commission conducted a public hearing, and recommended that the City Council approve the Proposed Ordinance.

The City Council subsequently continued its public hearing on the Proposed Ordinance to May 10, 2016.

On April 27, 2016, the City published notice in the Firebaugh Mendota Journal advising that the City Council would conduct a public hearing on the Proposed Ordinance at its May 10, 2016, regular meeting.

DISCUSSION:

Staff is recommending that the City Council conduct a first reading of the Proposed Ordinance amending Chapter 8.36 of the Mendota Municipal Code which, if enacted, would (i) prohibit the establishment and/or operation of medical marijuana dispensaries, including mobile dispensaries; (ii) prohibit the indoor or outdoor cultivation of marijuana; (iii) prohibit the

delivery of marijuana anywhere within the City's boundaries; and (iv) make certain other clarifying changes to the existing text of Chapter 8.36. City Staff also recommended that the City Council enact the Proposed Ordinance at the next available meeting.

Staff also recommends that the City Council find the Proposed Ordinance is not subject to environmental review under the California Environmental Quality Act.

Purpose and Intent of the Medical Marijuana Urgency Ordinance

In recommending the prohibition of marijuana dispensaries, and the delivery and cultivation of marijuana, as well as related activities, staff is making no judgment on whether individuals obtain some medical benefit from marijuana. The sole purpose of the Ordinance would be to protect the City's residents, business owners, and visitors from the detrimental secondary effects that such activities can create. The adoption of this Ordinance would allow the City to retain local control over the regulation of commercial medical marijuana activities. Adoption of a prohibition now will afford the City the opportunity to see how the State's regulatory structure develops and what unintended consequences, if any, may arise from implementation of the state program.

Secondary Effects of Medical Marijuana Activities

Much of the criminal activity associated with marijuana dispensary operations is due to the fact that federal law still classifies marijuana as a Schedule I drug, considered one of the most dangerous controlled substances along with heroin, LSD, Ecstasy and others. As long as it remains so classified, banks face severe monetary penalties or even closure, and individual bankers can be criminally prosecuted and banned from the industry, if they assist dispensary owners with opening and maintaining bank accounts. As a result, dispensaries must generally operate as a cash-only business. The Los Angeles Times recently reported that the "\$700-million-a-year cannabis industry run[s] almost entirely on cash." (See Exhibit "B.") With so much cash moving around, it is perhaps no surprise that dispensaries and related marijuana activities are a magnet for crime. In addition to robberies at dispensaries, grow houses have been broken into, and the Times reported that gangs in Denver have targeted couriers moving dispensary cash around the city.

Even a very cursory web search confirms that dispensaries are particularly vulnerable to criminal activity: in 2015 alone, at least three Los Angeles dispensaries were robbed; security guards at two of them were injured and an employee was injured at the third. A security guard was shot and killed at a San Bernardino dispensary in February. And an armed robbery of a dispensary in Upland in January 2015 led to a stand-off with the SWAT team at a nearby apartment building.

The City of Mendota Police Department, the County of Fresno, and the Fresno County Sheriff, have each determined that medical marijuana cultivation poses a threat to the public peace, health and safety. Many medical marijuana grows have recently emerged in Fresno County, which are visible to the public, including children and youths. Some of these grows contain booby-trap devices that threaten severe bodily harm or death to those who attempt to access

them. There is also a threat of violent crime due to the size, location, and monetary value of these mature medical marijuana grows.

Proposed Features of the Potential Ordinance

Staff's proposed amendments to Chapter 8.36 of the Mendota Municipal Code would prohibit the establishment and operation of a medical marijuana dispensary anywhere within the City's boundaries, regardless of the zone, adopted specific plan, overlay zone or any other development or use classification of the property. The Amendments would also prohibit the indoor and outdoor cultivation of marijuana, and the delivery of marijuana from a fixed or mobile dispensary to another person within the City. The Amendments would also make certain changes to clarify Chapter 8.36 and its implementation.

CEQA. Staff has found that 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. In addition, and in the alternative, 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.

RECOMMENDATION

Motion to introduce the enclosed ordinance and give first reading, by title only, with second reading waived.

Attachments

Ex. "A": [Proposed] Ordinance Amending Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operation of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana

Ex. "B": *Limited by U.S. banking rules, pot businesses rely on bags of cash and armed guards,* Los Angeles Times, December 19, 2015.

Ex. "C": City Council, City of Mendota, Resolution No. 16-08, Resolution of Intention to Initiate an Amendment to Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operation of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana

Ex. "D": Planning Commission, City of Mendota, Resolution No. 16-02

**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 CHAPTER 8.36 OF THE MENDOTA
MUNICIPAL CODE RELATING TO THE
ESTABLISHMENT AND OPERATION OF
MEDICAL MARIJUANA DISPENSARIES,
THE INDOOR AND OUTDOOR CULTIVATION
OF MEDICAL MARIJUANA, AND THE
DELIVERY OF MEDICAL MARIJUANA**

ORDINANCE NO. 16-05

WHEREAS, in 1996, the People of the State of California approved Proposition 215, the Compassionate Use Act, which exempted qualified patients and their primary caregivers from criminal liability for the possession and cultivation of marijuana for medical purposes; and

WHEREAS, in 2003, the California Legislature enacted additional regulations through the passage of Senate Bill 420, the Medical Marijuana Program Act, to establish and implement a program for voluntary registration of qualified patients and their primary caregivers through a statewide identification card; and

WHEREAS, in late 2015, the Legislature passed, and the Governor signed, three pieces of legislation, AB 266, AB 243 and SB 643, collectively called the Medical Marijuana Regulation and Safety Act (the "Act"), which provides a statewide program for the licensing and regulation of commercial medical cannabis activity, specifically, the operation of medical marijuana dispensaries and the delivery and cultivation of medical marijuana; and

WHEREAS, the Act provides that, in accordance with the California Constitution and as expressly held by the California Supreme Court, local authority remains intact, and therefore the City may adopt ordinances to either regulate medical marijuana businesses or to prohibit such operations and related activities altogether; and

WHEREAS, the Act further provides that if a city does not have an ordinance in effect that expressly prohibits the delivery of medical marijuana in conjunction with a dispensary before the State begins issuing licenses, the State will be the sole regulatory body for that activity and delivery will be permissible with just a State license; and

WHEREAS, the City Council takes legislative notice that the use, possession, cultivation, distribution and sale of marijuana remain illegal under the Controlled Substances Act ("CSA," 21 U.S.C. Section 841), and that federal courts have recognized that despite California laws, marijuana is deemed to have no accepted

medical use and the federal government may properly enforce the CSA in California; and

WHEREAS, in light of the continuing conflict between state and federal law, the City must resolve for itself whether, as a land use matter, cultivation of medical marijuana, delivery of medical marijuana, medical marijuana dispensaries, and related activities should be permitted, regulated or prohibited; and

WHEREAS, the City Council concurs with the City of Mendota Police Department, the County of Fresno, and the Fresno County Sheriff, who have determined that medical marijuana cultivation poses a threat to the public peace, health and safety. Many medical marijuana grows have recently emerged in Fresno County, which are visible to the public, including children and youths. Some of these grows contain booby-trap devices that threaten severe bodily harm or death to those who attempt to access them. There is also a threat of violent crime due to the size, location, and monetary value of these mature medical marijuana grows.

WHEREAS, marijuana plants, as they begin to flower and for a period of two months or more, produce a strong odor, offensive to many people, and detectable far beyond property boundaries if grown outdoors;

WHEREAS, in the case of multiple qualified patients who are in control of the same legal parcel, or parcels, of property, or in the case of collective or cooperative cultivation, or in the case of a caregiver growing for numerous patients, a very large number of plants could be cultivated on the same legal parcel, or parcels, within the City;

WHEREAS, the strong smell of marijuana creates an attractive nuisance, alerting persons to the location of the valuable plants, and creating a risk of burglary, robbery or armed robbery;

WHEREAS, the indoor cultivation of marijuana has potential adverse effects to the structural integrity of the building, and the use of high wattage grow lights and excessive use of electricity increases the risk of fire which presents a clear and present danger to the building and its occupants;

WHEREAS, the Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or other concentration of marijuana in any location or premises without adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering or crime;

WHEREAS, based on the experiences of other cities, these negative effects on the public health, safety, and welfare are likely to occur, and continue to occur, in the City due to the establishment and operation of marijuana cultivation, processing and distribution activities;

WHEREAS, based on the foregoing and other evidence, medical marijuana

grows can create a nuisance that threatens the safety and property of nearby landowners and their families.

WHEREAS, nothing in Chapter 8.36 of the Mendota Municipal Code shall be deemed to conflict with federal law, as contained in the Controlled Substances Act, 21 U.S.C. § 841, or to license any activity that is prohibited under the act except as mandated by state law.

WHEREAS, nothing in Chapter 8.36 of the Mendota Municipal Code shall be construed to (i) allow persons to engage in conduct that endangers others or causes a public nuisance; (ii) allow the use of marijuana for non-medical purposes; or (iii) allow any activity relating to the cultivation, distribution, or consumption of marijuana that is illegal under state or federal law.

WHEREAS, the City Council finds and declares that it is necessary to retain local control over the regulation of medical marijuana activities in order to protect public health, safety and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENDOTA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 8.36 of the Mendota Municipal Code is amended in its entirety to read as follows:

8.36.010 – Purpose & intent.

It is the purpose and intent of this Chapter 8.36, pursuant to Section 25123(d) of the Government Code to immediately prohibit the cultivation and delivery of medical marijuana to preserve the public peace, health, safety and general welfare of the citizens of the City of Mendota. It is also the purpose and intent of this Chapter 8.36 to continue in effect the City of Mendota’s prohibition of medical dispensaries and limitations on the places where medical marijuana may be consumed.

8.36.020 – Relationship with other laws.

This chapter is not intended to, nor shall it be construed or given effect in a manner that causes it to apply to, any activity that is regulated by federal or state law to the extent that application of this chapter would conflict with such law or would unduly interfere with the achievement of federal or state regulatory purposes. It is the intention of the City Council that this chapter shall be interpreted to be compatible and consistent with federal and state enactments and in furtherance of the purposes which those enactments express. It is the intention that the provisions of this chapter will supersede any other provisions of this Mendota Municipal Code found to be in conflict.

8.36.030 – Definitions.

Notwithstanding any other provision in the Mendota Municipal Code, for purposes of this Chapter 8.36, the following terms shall have the following meanings:

“Collective or cooperative cultivation” means the association within California of qualified patients, persons with valid identification cards, and the designated primary caregivers of patients and persons with identification cards to cultivate medical marijuana.

“Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, storing or trimming of medical marijuana.

“Delivery” means the commercial transfer of medical marijuana from a dispensary to a qualified patient, primary caregiver or person with an identification card, as defined in Section 11362.7 of the California Health & Safety Code, through any means of transport or delivery service. “Delivery” also includes the use by a medical marijuana dispensary, as defined herein, of any technology platform that enables qualified patients or primary caregivers to arrange for or facilitate the transfer of medical marijuana by a dispensary.

“Medical marijuana” or “medical cannabis” means “medical cannabis” as defined in Section 19300.5, subdivision (ag) of the California Business & Professions Code.

“Medical marijuana dispensary” means any facility or location, whether fixed or mobile, where medical marijuana is offered, provided, sold, made available or otherwise distributed to a qualified patient, primary caregiver, or person with an identification card, as defined in Section 11362.7 of the California Health & Safety Code. For purposes of this section, the following do not constitute a “medical marijuana dispensary” so long as they comply with this section, the Mendota Municipal Code and all other applicable laws, and hold a current and valid state license duly issued in accordance with the applicable California law:

- a. A clinic, as defined in Section 1200 of the Health & Safety Code;
- b. A health care facility, as defined in Section 1250 of the Health & Safety Code;
- c. A residential care facility for persons with chronic life-threatening illness, as defined in Section 1568.01 of the Health & Safety Code;
- d. A residential care facility for the elderly, as defined in Section 1569.2 of the Health & Safety Code;
- e. A home health agency, as defined in Section 1727 of the Health & Safety Code, or a hospice that operates in accordance with Section 1726 of the Health & Safety Code; and
- f. A pharmacy, as defined in Section 4037 of the Business and Professions Code.

“Person” means any individual, partnership of any kind, corporation, limited liability company, association, joint venture, or other organization or entity, however formed.

8.36.040 – Regulations applicable to the consumption of medical marijuana.

No person shall smoke, ingest, or otherwise consume medical marijuana in the city of Mendota unless such person is a qualified patient or person with an identification card, and such smoking, ingesting or consumption occurs entirely within that person's principal place of residence or on the premises of that person's principal place of residence but out of public view. "Out of public view" shall mean out of view from public rights-of-way where members of the public are lawfully entitled to be. The phrase "inside a private residence" shall mean inside habitable areas and shall include garages, whether attached or detached, and other accessory buildings.

8.36.050 – Medical Marijuana Dispensaries, Cultivation and Delivery.

The following prohibitions apply to all property within the City's boundaries, regardless of the zone, adopted specific plan, overlay zone or any other development or use classification or other designation of the property:

1. It is unlawful for any person, to establish or operate, or to allow, cause, create, suffer or permit the establishment or operation of a medical marijuana dispensary.
2. It is unlawful for any person to engage in the indoor or outdoor cultivation of medical marijuana, or to allow, cause, create, suffer or permit the indoor or outdoor cultivation of medical marijuana.
3. It is unlawful for any person to deliver medical marijuana to another person, or to allow, cause, create, suffer or permit the delivery of medical marijuana to another person.

8.36.060 – Violation and enforcement

Each and every violation of this chapter shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by Title 1, Chapter 1.20 of this code. Additionally, as a nuisance *per se*, any violation of this chapter shall be subject to injunctive relief, payment to the city of any and all monies unlawfully obtained, costs of abatement, costs of investigation, attorney fees, civil penalties as set by the city council by resolution and any other relief or remedy available at law or equity. The city may also pursue any and all remedies and actions available and applicable under local and state laws for any violations of this chapter.

The Mendota Police Department, with administrative assistance from the city manager's office, shall have primary responsibility for enforcement of the provisions of this chapter; however, nothing herein shall limit the ability of the City's designated code enforcement officer to enforce the provisions of this chapter as may be necessary from time-to-time.

Nothing in this chapter shall be construed as imposing on the enforcing officer or the city of Mendota any duty to issue any notice to abate, nor to abate, nor to take any other action with regard to any violation of this chapter, and neither the enforcing officer nor

the city of Mendota shall be held liable for failure to issue an order to abate, nor for failure to abate, nor for failure to take any other action with regard to any violation of this chapter.

8.36.070 – Severability

If any part of this chapter is for any reason held to be invalid, unlawful, or unconstitutional, such invalidity, unlawfulness or unconstitutionality shall not affect the validity, lawfulness, or constitutionality of any other part of this chapter.

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 portion of this Ordinance is held for any reason to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Mendota hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or 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 10th day of May, 2016 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 24th day of May, 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

Nation

Limited by U.S. banking rules, pot businesses rely on bags of cash and armed guards



Kristi Kelly owns Good Meds, a medical marijuana company. Banks face prosecution for working with marijuana dispensaries, forcing businesses like Kelly's to operate almost entirely on cash. (David Kelly / For The Times)

By **David Kelly**

DECEMBER 19, 2015, 3:00 AM | REPORTING FROM DENVER

The Fourth Corner Credit Union occupies a prime spot in downtown Denver, not far from the state Capitol. It has a big safe, four teller windows, drive-up service and a banner out front that says, "The Fourth Corner Credit Union Coming Soon."

But there's a problem.

The Federal Reserve Bank of Kansas City, which oversees Denver, has refused Fourth Corner's request for a "master account," essentially a bank account allowing it to do business.

"You can't have a bank chartered by the state of Colorado and then nullified by the federal government," said Mark Mason, an attorney for the credit union.

Unless the Fed simply doesn't like the customers.

And in this case, the customers work in the cannabis trade. Fourth Corner hopes to be the first financial institution in the nation catering exclusively to the marijuana business.

But although pot is legal here, it remains a Schedule 1 controlled substance along with LSD and heroin in the eyes of the federal government. That means any bank working with the weed business faces prosecution.

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"Banks face a number of risks if they choose to serve the industry, up to and including closure of their institutions," said Amanda Averch, director of communications for the Colorado Bankers Assn.

"Regulators can impose civil money penalties, cease-and-desist orders, fines and can ban bankers from their careers for life."

Political remedies are being considered but major roadblocks remain, leaving the \$700-million-a-year cannabis industry running almost entirely on cash. Bags of it are taken to grocery stores to buy money orders to pay staff. Houses are rented and filled with safes full of cash. Phony bank accounts are created and then shut down when the money arrives reeking of pot.

Nearly everyone in the marijuana business has had bank accounts closed.

"So far we have lost 25 bank accounts," said Kristi Kelly, owner of the Good Meds medical marijuana dispensaries near Denver. "Our biggest area of exposure is what we do with our cash. Then how do we pay our bills? We are not talking about \$20 but five- and six-figure bills."

Those who can have hired armed private security to guard the product and ferry cash around Colorado in armored vans.

The guards are often former military personnel with combat experience in Iraq and Afghanistan.

On a recent morning, Tom Morton, a towering former Marine, cruised through a warren of faceless warehouses in North Denver before pulling into a side alley, walking up a few steps and ringing a bell.

The doors opened, revealing a bright, cavernous room with dozens of workers busily tending marijuana plants as tall as summer corn. An alcove flickered with 48 cameras trained on every employee.

Morton, 27, is a supervisor with the security company Helix TCS, checking on Travis Dombrowski, 26, a

guard who carries a semiautomatic pistol on his hip.

"I feel comfortable that I can defend the people here from any threat that comes through that door," Dombrowski said.

Morton nodded.

"Travis and I served together in Afghanistan. I know I can trust him with my life," he said. "I know in a gunfight he won't back down."

The day before, Morton was driving \$20,000 in cash and 50 pounds of pot around Denver in a van, a guard toting an AR-15 assault rifle perched in the back.

"It's totally legal," he said. "But it feels sketchy."

Criminals have targeted dozens of pot businesses. Earlier this year, shots were fired during two robberies. In another incident, a man crashed a pick-up through a grow house and chopped down \$15,000 worth of plants. And then there was a gang preying on couriers moving cash around the city.

No one has been killed, but many believe it's just a matter of time. And that's what got 26-year-old Alex Mason thinking.

He had a lot of friends in the marijuana industry and was appalled at the obstacles they faced conducting a legitimate business. So he and his father, Mark Mason, came up with the idea of a credit union servicing the cannabis business. They assembled a staff, a chief executive and a board of directors, and last year they received a state charter.

"Forget whether you are for or against cannabis, there is no rational argument to keep it an all-cash economy," said credit union Executive Vice President Mark Goldfogel. "There is no scenario where black marketing cash from a legal business is sustainable."

According to Mark Mason, the situation pushes the cannabis industry to the margins of legality.

"Most have figured out a workaround to get money to the state and others through friends or under management companies," he said. "But it all comes very close to the textbook definition of money laundering."

Mason has filed suit against the Federal Reserve for denying the credit union a master account and a hearing is set for Dec. 28 in federal court here.

A Fed spokesman declined comment.

Last year, the Obama administration issued new guidelines for banks wishing to do business with marijuana dealers that lessened the threat of prosecution but didn't offer immunity from it.

According to the Colorado Bankers Assn., 12 small banks are now working with the cannabis industry on a limited basis, but they have been warned by federal regulators not to expand those accounts, which are being closely monitored.

Blue Line Protection Group, a security firm, is doing compliance checks for such banks to ensure their cannabis clients are obeying the law.

"We know the dispensary owners, what questions to ask and how much cash and product they produce," said Blue Line Vice President Michael Jerome. "We do on-site compliance for the banks and they provide accounts for the businesses."

Blue Line is also opening a 12,000-square foot fortified "vaulting and cash processing facility" to safeguard their clients' money.

Kelly, the dispensary owner, recently opened an account with a bank that asked not to be identified. She knows it could be shut at any time.

"When my first account was closed I felt indignant," she said, "like I was being discriminated against."

It reminded Kelly of her grandmother, who had moved from China to Washington and stuffed her mattress with money because no one would give her a bank account.

"So these Chinese immigrants got together and opened their own credit union," she said. "I think there are some interesting parallels here. History has shown we can get through this, that we can remedy historical inequities."

The best solution may be an act of Congress.

Lawmakers including Colorado Sens. Michael Bennet, a Democrat, and Cory Gardner, a Republican, have introduced legislation giving marijuana businesses access to banking while barring regulators from punishing banks who legally work with them.

It's supported by the Colorado banking industry and Gov. [John Hickenlooper](#), a Democrat who opposed marijuana legalization.

But until something changes, dispensary owners and growers will continue to play hide-and-seek with criminals and rely on outfits such as Helix to protect their crops and cash.

In Greenwood Village, just south of Denver, Zachary Venegas monitored the movement of his security guards across the region from his office. If one of their unmarked vans carrying cash or marijuana veers off course, he's instantly alerted.

Venegas is a West Point graduate and former infantry officer who has owned security businesses in Africa and the Middle East before becoming chief executive of Helix. Nearly all his employees are former members of the military.

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"We are all comfortable in a mission-oriented culture," he said.

Still, he believes it's just a matter of time before a major crime targeting the cannabis industry results in significant casualties.

"A lot of people are saying, 'Well, let's just see how it goes,' as if there's not an actual threat," he said. "But I think the illegal side is out there just watching and waiting to strike."

Kelly is a special correspondent.

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A version of this article appeared in print on December 19, 2015, in the News section of the Los Angeles Times with the headline "Legal pot shops are a high-risk business to banks" — [Today's paper](#) | [Subscribe](#)

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

**RESOLUTION OF INTENTION TO INITIATE
AN AMENDMENT TO CHAPTER 8.36 OF THE
MENDOTA MUNICIPAL CODE RELATING
TO THE ESTABLISHMENT AND OPERATION
OF MEDICAL MARIJUANA DISPENSARIES,
THE INDOOR AND OUTDOOR CULTIVATION
OF MEDICAL MARIJUANA, AND THE DELIVERY
OF MEDICAL MARIJUANA**

RESOLUTION NO. 16-08

WHEREAS, in 1996, the People of the State of California approved Proposition 215, the Compassionate Use Act, which exempted qualified patients and their primary caregivers from criminal liability for the possession and cultivation of marijuana for medical purposes; and

WHEREAS, in 2003, the California Legislature enacted additional regulations through the passage of Senate Bill 420, the Medical Marijuana Program Act, to establish and implement a program for voluntary registration of qualified patients and their primary caregivers through a statewide identification card; and

WHEREAS, in late 2015, the Legislature passed, and the Governor signed, three pieces of legislation, AB 266, AB 243 and SB 643, collectively called the Medical Marijuana Regulation and Safety Act (the "Act"), which provides a statewide program for the licensing and regulation of commercial medical cannabis activity, specifically, the operation of medical marijuana dispensaries and the delivery and cultivation of medical marijuana; and

WHEREAS, the Act provides that, in accordance with the California Constitution and as expressly held by the California Supreme Court, local authority remains intact, and therefore the City may adopt ordinances to either regulate medical marijuana businesses or to prohibit such operations and related activities altogether; and

WHEREAS, the City Council takes legislative notice that the use, possession, cultivation, distribution and sale of marijuana remain illegal under the Controlled Substances Act ("CSA," 21 U.S.C. Section 841), and that federal courts have recognized that despite California laws, marijuana is deemed to have no accepted medical use and the federal government may properly enforce the CSA in California; and

WHEREAS, in light of the continuing conflict between state and federal law, the City must resolve for itself whether, as a land use matter, cultivation of medical marijuana, delivery of medical marijuana, medical marijuana dispensaries, and related activities should be permitted, regulated or prohibited; and

WHEREAS, the City Council concurs with the City of Mendota Police Department, the County of Fresno, and the Fresno County Sheriff, who have determined that medical marijuana cultivation poses a threat to the public peace, health and safety. Many medical marijuana grows have recently emerged in Fresno County, which are visible to the public, including children and youths. Some of these grows contain booby-trap devices that threaten severe bodily harm or death to those who attempt to access them. There is also a threat of violent crime due to the size, location, and monetary value of these mature medical marijuana grows; and

WHEREAS, marijuana plants, as they begin to flower and for a period of two months or more, produce a strong odor, offensive to many people, and detectable far beyond property boundaries if grown outdoors; and

WHEREAS, in the case of multiple qualified patients who are in control of the same legal parcel, or parcels, of property, or in the case of collective or cooperative cultivation, or in the case of a caregiver growing for numerous patients, a very large number of plants could be cultivated on the same legal parcel, or parcels, within the City; and

WHEREAS, the strong smell of marijuana creates an attractive nuisance, alerting persons to the location of the valuable plants, and creating a risk of burglary, robbery or armed robbery; and

WHEREAS, the indoor cultivation of marijuana has potential adverse effects to the structural integrity of the building, and the use of high wattage grow lights and excessive use of electricity increases the risk of fire which presents a clear and present danger to the building and its occupants; and

WHEREAS, the Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or other concentration of marijuana in any location or premises without adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering or crime; and

WHEREAS, based on the experiences of other cities, these negative effects on the public health, safety, and welfare are likely to occur, and continue to occur, in the City due to the establishment and operation of marijuana cultivation, processing and distribution activities; and

WHEREAS, based on the foregoing and other evidence, medical marijuana grows can create a nuisance that threatens the safety and property of nearby landowners and their families; and

WHEREAS, based on the foregoing concerns, following the passage of the Act, City Staff commenced a review of its existing ordinances relating to medical marijuana, which are located at Chapter 8.36 of the of the Mendota Municipal Code; and

WHEREAS, following its review of Chapter 8.36, the City has determined that it is in the City's best interest to consider the potential prohibition of (i) the cultivation of medical marijuana, (ii) the delivery of medical marijuana; and (ii) medical marijuana dispensaries within the City; and

WHEREAS, Section 17.08.040 of the Mendota Municipal Code provides the procedure for the enactment of amendments to the City's Zoning Code, which is located at Title 17 of the Mendota Municipal Code; and

WHEREAS, although the Chapter 8.36 is not located in Title 17, the regulation of certain aspects of medical marijuana, including cultivation and dispensaries, imposes potential regulations on land use, and therefore the City in an abundance of caution is employing the procedures set forth in Section 17.08.040 to consider an amendment to Chapter 8.36 of the Mendota Municipal Code; and

WHEREAS, Section 17.08.040(B) of the Mendota Municipal Code provides that "Amendments to this title may be initiated in the following manner . . . The council may propose an amendment by a resolution of intention"; and

WHEREAS, Section 17.08.040(B) of the Mendota Municipal Code provides that the secretary shall set a public hearing on any proposed amendments by the Planning Commission "no less than ten (10) days nor more than forty (40) days . . . after the adoption of a resolution of intention by the commission or the council."

NOW, THEREFORE, BE IT RESOLVED that the City Council for the City of Mendota hereby authorizes Staff to proceed with the preparation of a comprehensive update to Chapter 8.36 of the Mendota Municipal Code to (i) prohibit the cultivation or medical marijuana; (ii) prohibit the location of medical marijuana dispensaries within the City; (iii) prohibit the delivery of medical marijuana; (iv) clarify the City's enforcement of any violations of Chapter 8.36; and (v) provide any further amendments needed to clarify the regulation of medical marijuana within the City.

BE IT FURTHER RESOLVED that the Secretary shall schedule a public hearing before the Planning Commission on the proposed amendments to Chapter 8.36 of the Mendota Municipal Code no less than ten (10) days nor more than forty (40) days after the adoption of this resolution.

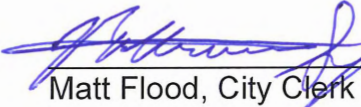



Robert Silva, Mayor

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 9th day of February, 2016, by the following vote:

AYES: 4 – Mayor Silva, Mayor Pro Tem Valdez, Councilors Amador and Castro.
NOES: 0
ABSENT: 1 – Councilor Riofrio.
ABSTAIN: 0


Matt Flood, City Clerk



**PLANNING COMMISSION
OF THE CITY OF MENDOTA
FRESNO COUNTY, CALIFORNIA**

RESOLUTION NO. PC 16-02

**A RESOLUTION OF THE CITY OF MENDOTA PLANNING COMMISSION
RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF MENDOTA ADOPT
AN ORDINANCE AMENDING CHAPTER 8.36 OF THE MENDOTA MUNICIPAL
CODE RELATING TO THE ESTABLISHMENT AND OPERATION OF MEDICAL
MARIJUANA DISPENSARIES, THE INDOOR AND OUTDOOR CULTIVATION OF
MEDICAL MARIJUANA, AND THE DELIVERY OF MEDICAL MARIJUANA.**

WHEREAS, on February 9, 2016, the City Council voted to adopt a Resolution of Intention to Initiate an Amendment to Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operation of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana (the "Resolution of Intention"); and

WHEREAS, although the Chapter 8.36 is not located in Title 17, the regulation of certain aspects of medical marijuana, including cultivation and dispensaries, imposes potential regulations on land use, and therefore the City in an abundance of caution is employing the procedures set forth in Section 17.08.040 to consider an amendment to Chapter 8.36 of the Mendota Municipal Code; and

WHEREAS, Section 17.08.040(B) of the Mendota Municipal Code provides that "Amendments to this title may be initiated in the following manner . . . The council may propose an amendment by a resolution of intention"; and

WHEREAS, Section 17.08.040(B) of the Mendota Municipal Code provides that the secretary shall set a public hearing on any proposed amendments by the Planning Commission "no less than ten (10) days nor more than forty (40) days . . . after the adoption of a resolution of intention by the commission or the council"; and

WHEREAS, City Staff has prepared a proposed Ordinance Amending Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operation of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana, a copy of which is attached hereto as Exhibit "A" (the "Proposed Ordinance"); and

WHEREAS, on March 2, 2016, the City published notice in the Firebaugh Mendota Journal advising that the Planning Commission would conduct a public hearing on the Proposed Ordinance at its March 15, 2016, regular meeting; and

WHEREAS, on March 15, 2016, the Planning Commission conducted a duly-noticed public hearing on the Proposed Ordinance; and

WHEREAS, Staff has reviewed the Proposed Ordinance, and has determined that the approval of the Proposed 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. Staff has also determined that, alternatively, the Proposed 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.

WHEREAS, Section 17.08.040(H) of the Mendota Municipal Code provides that the City Council shall hold a public hearing on the proposed amendments "not less than ten days nor more than forty (40) days after the filing of the commission's resolution by the council," and that notice of said council hearing "shall be given as provided in Section 17.08.040(F)."

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission for the City of Mendota hereby recommends to the City Council approval of the Proposed Ordinance, attached hereto and made a part of this resolution as Exhibit "A."

BE IT FURTHER RESOLVED that the Planning Commission finds the approval of this ordinance is not subject to 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 Planning Commission 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.

BE IT FURTHER RESOLVED that the Secretary shall file this Resolution No. PC 16-02 with the City Council, and shall schedule a public hearing before the City Council on the Proposed Ordinance no less than ten (10) days nor more than forty (40) days after the adoption of this resolution. The Secretary shall also provide notice of the City Council hearing as provided under Section 17.08.040 of the Mendota Municipal Code no later than 10 days before the hearing.

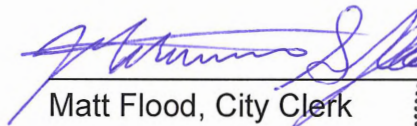
PASSED AND ADOPTED by the Planning Commission of the City of Mendota at a regular meeting held on the 15th of March, 2016, upon a motion by Commissioner Escobedo, a second by Vice-Chairperson Quintanar, and by the following vote:

AYES: 5 – Chairperson Luna, Vice-Chairperson Quintanar, Commissioners Escobedo, Espinoza, and Gamez.
NOES: 0
ABSTAIN: 0
ABSENT: 1 – Commissioner Garcia.

ATTEST:



Juan Luna, Chair



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: CODE ENFORCEMENT REPORT FOR APRIL 2016
DATE: MAY 10, 2016

In the month of April Code Enforcement continued to respond to reports of individuals living in substandard or otherwise illegal conditions. We also continue to focus on business licenses, water conservation, and violations related to vehicles.

Part of our efforts to enforce the law related to illegal or substandard dwellings focuses on preventing their construction in the first place. Code Enforcement continues to work with the building department, watching out for individuals that are doing construction projects. Upon discovering one, we take the appropriate steps to ascertain if they have received the appropriate permits.

Not acquiring the appropriate permits results in an order to stop work, a fine, a mandate to acquire those permits, and a penalty in addition to the permit fees permits for starting work before receiving the permit. Moreover, if the work that was completed before the permits were granted is not up to the California building code, they will have to make corrections, which could, in more extreme situations, result in them practically demolishing the project to start over.

It is to everybody's advantage to simply pull the proper permits before starting work. If there is any doubt, residents can always call City Hall to see if they need a permit.

In the month of May Code Enforcement will be focusing on nuisance abatement, specifically related to weeds, and cleanliness issues, such as litter, shopping carts, and trash/junk collection.

Attached is the monthly update on citations and written warnings given out during the month of April.

Address	Type of Case	1st Notice	2nd Notice	Deadline	Status
320 GOMEZ ST	PARKED ON THE LAWN	4/1/2016	N/A	5/1/2016	CITED
779 UNIDA ST	NO BUILDING PERMIT	4/2/2016	N/A	N/A	STOP WORK
643 RIOFRIO ST	SCAVENGING	4/2/2016	N/A	5/2/2016	CITED
797 S. KATE ST	PARKED ON THE LAWN	4/2/2016	N/A	5/2/2016	CITED
280 BLACK AVE	PUBLIC NUISANCE	4/4/2016	N/A	4/24/2016	PENDING
207 I ST	TRUCK PARKING NOT PERMITTED	4/4/2016	N/A	5/4/2016	CITED
647 PEREZ ST APT 3C	PARKED IN ALLEYWAY	4/6/2016	N/A	5/6/2016	CITED
595 SORENSEN AVE	PUBLIC NUISANCE/FENCING	4/6/2016	N/A	4/20/2016	CLEARED
1240 7TH ST	OCCUPIED TRAILER	4/7/2016	N/A	5/7/2016	CITED
636 QUINCE ST	OCCUPIED TRAILER	4/7/2016	N/A	5/7/2016	CITED
1246 6TH ST	OCCUPIED TRAILER	4/7/2016	N/A	5/7/2016	CITED
731 JUANITA ST	ILLEGAL HABITATION	4/8/2016	N/A	5/8/2016	PENDING
749 JUANITA ST	OCCUPIED TRAILER	4/8/2016	N/A	5/8/2016	CLEARED
519 LOLITA ST	OCCUPIED TRAILER	4/8/2016	N/A	5/8/2016	PENDING
431 OXNARD ST	VEHICLE ABATEMENT	4/9/2016	N/A	4/25/2016	CLEARED
676 SORENSEN AVE	WATER CONSERVATION	4/9/2016	N/A	N/A	WRITTEN WARNING
641 GARCIA ST	WATER CONSERVATION	4/9/2016	N/A	N/A	WRITTEN WARNING
617 GARCIA ST	WATER CONSERVATION	4/9/2016	N/A	N/A	WRITTEN WARNING
8870 GLOBE AVE DOS PALOS	PARKED IN ALLEYWAY	4/9/2016	N/A	5/9/2016	CITED
331 BLANCO ST	VEHICLE ABATEMENT	4/11/2016	N/A	4/25/2016	CLEARED
MCCABE AVE & SORENSEN AVE	VEHICLE ABATEMENT	4/13/2016	N/A	5/12/2016	CLEARED
OLLER ST & SIXTH ST	72 HOUR NOTICE	4/14/2016	N/A	4/17/2016	CLEARED
585 I ST	ILLEGAL HABITATION	4/15/2016	N/A	5/15/2016	CLEARED
654 LOZANO ST APT 907	PARKED IN REDZONE	4/15/2016	N/A	N/A	CITED
959 SECOND ST	PARKED ON THE LAWN	4/16/2016	N/A	5/16/2016	CITED
4942 YALE ST FRESNO	NO BUSINESS LICENSE	4/16/2016	N/A	5/16/2016	CITED
206 SANTA CRUZ ST	GARAGE CONVERSION	4/19/2016	N/A	4/20/2016	CLEARED
1769 JENNINGS ST	OCCUPIED TRAILER	4/19/2016	N/A	5/13/2016	CITED
2190 N. WINERY FRESNO SUITE 102	NO BUSINESS LICENSE	4/20/2016	N/A	5/20/2016	CITED
2190 N. WINERY FRESNO SUITE 102	NO BUSINESS LICENSE	4/20/2016	N/A	5/20/2016	CITED
800 GARCIA ST APT 506	NO BUSINESS LICENSE	4/20/2016	N/A	5/20/2016	CITED
647 PEREZ ST APT 9D	VEHICLE ABATEMENT	4/20/2016	N/A	4/30/2016	CLEARED
FIFTH ST & OLLER ST	72 HOUR NOTICE	4/21/2016	N/A	4/24/2016	CLEARED

753 FATHER CRAIG ST FIREBAUGH	PARKED IN THE ALLEY	4/21/2016	N/A	5/21/2016	CITED
736 LOLITA ST	VEHICLE ABATEMENT	4/22/2016	N/A	5/2/2016	CLEARED
1808 JENNINGS AVE	NO RV PERMITTED	4/22/2016	N/A	5/6/2016	WRITTEN WARNING
742 KATE ST	WATER CONSERVATION	4/22/2016	N/A	N/A	WRITTEN WARNING
221 FLEMING AVE	PARKED ON THE LAWN	4/23/2016	N/A	5/23/2016	CITED
601 N. KATE ST	TRUCK PARKING NOT PERMITTED	4/23/2016	N/A	5/23/2016	CITED
280 BLACK AVE	NO BUSINESS LICENSE	4/23/2016	N/A	5/23/2016	CITED
320 BLACK AVE	WATER CONSERVATION	4/25/2016	N/A	N/A	WRITTEN WARNING
142 ELM AVE	PUBLIC NUISANCE	4/25/2016	N/A	5/9/2016	CLEARED
1590 ELEVENTH ST	WEED ABATEMENT	4/25/2016	N/A	5/3/2016	WRITTEN W/PENDING
165 ASH AVE	VEHICLE ABATEMENT	4/25/2016	N/A	5/9/2016	CLEARED
773 JUANITA ST	WEED ABATEMENT	4/25/2016	N/A	5/25/2016	PENDING
182 ELM AVE	WATER CONSERVATION	4/26/2016	N/A	N/A	WRITTEN WARNING
1684 FOURTH ST	NO BUILDING PERMIT	4/27/2016	N/A	5/27/2016	STOP WORK
276 K ST	NO BUILDING PERMIT	4/27/2016	N/A	5/27/2016	STOP WORK
1033 RIOFRIO ST	72 HR NOTICE	4/27/2016	N/A	5/1/2016	CLEARED
615 W LAMONA AVE FRESNO	NO BUSINESS LICENSE	4/27/2016	N/A	5/27/2016	CITED
1546 N TEILMAN AVE FRESNO	NO BUSINESS LICENSE	4/27/2016	N/A	5/27/2016	CITED
654 LOZANO ST APT 508	EXPIRED REGISTRATION	4/28/2016	N/A	N/A	CITED
411 KATE ST	YARD SALE SIGNS	4/28/2016	N/A	5/29/2016	CITED
654 LOZANO ST	VEHICLE ABATEMENT	4/28/2016	N/A	5/8/2016	CLEARED
274 MARIE ST	PARKED ON THE LAWN	4/28/2016	N/A	5/30/2016	CITED
SOUTH BASS LOT	TRESPASSING	4/29/2016	N/A	N/A	CLEARED
272 TUFT ST APT A	PARKED ON THE LAWN	4/30/2016	N/A	5/30/2016	CITED
248 TUFT ST APT D	PARKED IN REDZONE	4/30/2016	N/A	N/A	CITED
GOMEZ ST & GARCIA ST	72 HOUR NOTICE	4/30/2016	N/A	5/4/2016	CLEARED



Mendota Police Department Memorandum

Date: May 1, 2016
To: Vince DiMaggio, City Manager
Mendota City Council Members
From: Gregg L. Andreotti, Chief of Police
Subject: Monthly Report for April 2016

Significant Cases:

Report of a dog bite on Juanita Street. Pant leg damaged but, no skin broken on the victim's leg. Dog's home identified. Animal Control advised and incident report to follow.

Vehicle stop on 9th and Oller discovered the driver was intoxicated. He was arrested for DUI, cited and released to a sober adult.

Vehicle stop on De LA Cruz Street found the driver to be intoxicated. He was arrested for DUI, cited and released to a sober adult.

Non-injury traffic collision on Derrick. Victim vehicle was rear ended by the vehicle causing. Both drivers were licensed and insured.

Disturbance at a location on Oller Street. Suspect grabbed the victim by the arm and pushed him. Victim refused to sign a citizen arrest complaint.

Disturbance at residence on Jennings Street. Suspect was witnessed choking and hitting victim. Suspect was arrested and transported to Jail.

Neighborhood disturbance on Oller. Both suspects were contacted and found to be intoxicated. They also gave false names to officers. Both were arrested and transported to Jail.

Disturbance at residence on 10th Street. Upon officers arriving they discovered the subject causing the disturbance was heavily intoxicated. When officers attempted to detain him he resisted and fought with officers. He was arrested and transported to Jail.

Disturbance at a residence on Pucheu. Suspect hit victim in the face with a closed fist. Suspect was also found to have an active warrant for his arrest. He was arrested and transported to Jail.

License plate stolen from a vehicle on 4th Street. Victim said the incident occurred while she was in a local bar.

Subject check on 7th and Quince. Person found intoxicated and passed out on a bench. He was arrested and then gave officers a false name. He was transported to Jail.

Wanted stabbing suspect was located at a residence on Lolita. He was arrested for assault with a deadly weapon and outstanding warrants. The assault weapon was found in his possession. He was transported to Jail.

Report of a restraining order violation. Restrained party attempted to contact the victim on the roadway. Suspect was gone when officers were notified.

Subject check in the alley off Quince. He was discovered consuming beer. A warrant check found an active warrant. He was arrested and transported to Jail.

Vehicle stop on Hwy 33 discovered an outstanding warrant on the driver and marijuana and prescription pills in the vehicle. He was arrested and transported to Jail.

Argument at a residence on 6th led to the suspect vandalizing the victim's car. Suspect was gone upon officers arriving. The case will be submitted for complaint.

Subject check at 7th /Lolita of person with prior weapons arrests. He was FI'ed for information.

Vehicle stop on Hwy 33/McCabe discovered a passenger had prior arrests on drug and theft charges. She was FI'ed for information.

Disturbance at an apartment on Derrick. Victim said the suspect hit her while she was in the apartment. Witnesses said the suspect has hit the victim in the past, but police were not called. The suspect was gone when officers arrived.

Non-injury hit and run property damage reported at Holmes and Petrey. An unknown white vehicle collided with and destroyed a fuse box owned by a local building contractor.

Possible arson fire at the old city yard on Bass Avenue. Some grass and wood burnt prior to Cal Fire extinguishing. Suspects are unknown.

Subject check at 9th and Naples. He was FI'ed for information.

Subject check on Oller. A meth pipe was located on the person. He was arrested, cited and released.

Subject check on 9th and Pucheu. Marijuana was found in his possession. He was cited and released.

Subject check on Rio Frio discovered an outstanding warrant. She was cited and released.

Report of a fight on Rio Frio. Both subjects assaulted each other. Each was armed with make shift weapons. Both were arrested and treated by medical personnel prior to being transported to Jail.

Failure to yield on Derrick. Officers attempted to conduct a vehicle stop and the vehicle fled. The driver eventually stopped on Bass and was arrested. He informed officers that he didn't believe they were trying to stop him. He was transported to Jail.

Report of a stolen vehicle from Maldonado Street. Victim left his vehicle running in front of his residence and when he returned, it was missing. Suspect unknown.

Theft of a license plate on 4th Street. Unknown suspect removed the rear plate during the evening hours.

Injury traffic collision at 6th /Oller. An unlicensed driver tried to cross Oller Street and was hit by cross traffic. The driver's child, who was in an improperly secured car seat, received minor injuries. The child was transported to Children's Hospital by EMS. The driver will be cited for violations.

Report of identity theft. Victim reported an unknown suspect used his bank account without permission.

Disturbance at a residence on Pucheu. Suspect hit the victim and was arrested. She was transported to Jail.

Vehicle check on Guillen Parkway/Belmont. Subject was found in possession of Methamphetamine and arrested. Incident to the arrest a shotgun and ammunition was located in the vehicle. Subject is an admitted drug user and prior felon. He was subsequently transported to Jail.

An unknown suspect stole a registration sticker from a license plate on 5th Street.

Report of a victim being hit on the head with a baseball bat at 6th and Oller. Victim said he was attacked while crossing the RR tracks by Naples. Suspects are unknown. Victim was transported to CRMC for treatment.

Assist to the Sheriff's Office. Two juveniles were injured in a quad accident by the Pool Park. They were transported to CRMC by EMS.

Bicycle stop on 7th Street. The rider was found to have outstanding warrants. She was arrested, cited and released.

Vehicle stop revealed outstanding warrants and the drivers CDL to be suspended. He was arrested, cited and released.

Vehicle stop discovered the driver was intoxicated and not licensed to drive. His two children were not properly restrained in car seats. He was arrested for DUI and transported to Jail.

Assist to the Sheriff's Office on Whitesbridge. Officers located a stolen vehicle and detained the driver and passenger. The driver was found to be intoxicated and additionally arrested for DUI. Both subjects were turned over to Sheriff's Deputies for transportation to Jail.

Found missing person at a local mini mart. Store employees located a missing person with Down Syndrome. Officers contacted his mother who took custody of him.

Subject check on Rio Frio discovered an active warrant. He was arrested, cited and released.

While parked in Fresno, property was stolen from within a city vehicle. No suspects are known. Courtesy report handled.

Subject check on 2nd Street. A meth pipe and methamphetamine was located. He was arrested, cited and released.

Two know gang affiliated subjects were checked at 6th/Rio Frio. One was found to have an outstanding warrant and the other was in possession of marijuana and under the influence. Both were arrested and transported to Jail.

Bicycle stop on 8th and Oller. Officers discovered the subject moved to Mendota from southern California earlier this week. He was FI'ed for information.

Victim said her tax preparer stole her refund money. Victim already reported the incident to the IRS.

Victim reported his identity is being used by an unknown subject. No report of property loss at this time.

Vehicle stop at Derrick and Belmont discovered active warrants and a suspended CDL on the driver. Incident to his arrest approx 2oz of marijuana, scales and packaging material was located in the vehicle. He was transported to Jail on the warrants and for possession of marijuana for sale.

Subject check at 6th and Quince discovered a meth pipe and methamphetamine in the person's possession. He was arrested and transported to Jail.

Victim reported he was at a local park when he was shoved and hit by an unknown subject for no reason.

Subject check on Derrick resulted in an FI for information.

Subject check on 7th and Quince resulted in an FI for information.

Bicycle stop where rider gave a false name. His true identity was discovered and he was found to be a wanted parolee. He was transported to Jail and his parole agent was notified.

Report of identity theft. Victim advised his ATM card was used without his permission. Possible suspect known. Investigation is ongoing.

Report of a vehicle theft on Sorenson. Victim found his own stolen and then reported it to Police. Suspect unknown.

During a patrol check on 6th Street, officers contacted a subject and discovered outstanding warrants. He was arrested and transported to Jail.

Citizens arrest for trespassing at a local event. Subject refused to leave after being instructed. Officers contacted him and he resisted arrest. He was arrested and transported to Jail.

Burglary at business on 7th Street. Unknown suspect broke into a change machine and stole money.

Restraining order violation on 2nd Street. Restrained person was at the protected persons residence. Upon officers arrival the suspect was GOA. Case submitted for arrest warrant.

Report of a lost wallet on Santa Cruz. Victim believes it was stolen by a known subject. The subject was contacted and found to have an outstanding warrant. He was arrested on the warrant and there was no evidence of the wallet. He was transported to Jail.

Report of a security camera theft from the covered table area behind City Hall. Suspect information was obtained. He was located and arrested. Incidental to the arrest he was found to be in possession of a meth pipe. The camera is still outstanding. Suspect was transported to Jail.

Disturbance on Gaxiola. Officers contacted the subjects causing and discovered one had an active warrant. He was arrested and transported to Jail.

Officers responded to 6th and Pucheu for a report of a vehicle burglary in progress. Victim witnessed the suspect attempting to gain entry into his vehicle. When confronted the suspect left on foot. Officers located her and she was positively identified by the victim. She was arrested and transported to Jail.

Officers located and arrested a wanted felony suspect related to prior investigation. He was transported to Jail.

Vehicle stop on Lolita/7th discovered the driver had active warrants for his arrest. He was also discovered to be possessing heroin, methamphetamine and use paraphernalia. He was arrested and transported to Jail.

Officers assisted Fresno Sheriff's Deputies with the arrest of a wanted subject. FSO handled transportation.

Commercial burglary on Petry to a new home under construction. Tools were stolen by unknown suspect(s).

Subject check on two persons located Meth pipes in their possession. Both were arrested, cited and released.

Non-injury hit and run to a gas pump on the lot of a mini-mart on Oller. Suspect driver is unknown.

Officer responded to a residence on Gaxiola regarding an intoxicated subject causing a disturbance. The subject causing was found in a public location and arrested. He was eventually cited and released to a sober family member.

Vehicle burglary on Holmes. Rear window broken on truck and victim's purse was stolen from within. Possible suspect known and investigation is ongoing.

Subject check on Quince. He moved to Mendota a few weeks prior. He was FI'ed for information.

Subject check on Derrick discovered active warrants. He was arrested, cited and released.

Non-injury traffic collision at Oller/9th. The driver of the vehicle not at fault was found to be intoxicated and arrested for DUI. He was cited and released to a sober adult.

Victim reported being attacked by a passenger in his car as he was driving home. Suspect punched victim multiple times. Suspect was arrested and transported to Jail.

Disturbance on Gomes resulted in officers locating outstanding warrants for an involved party. The suspect had initially provided a false name to avoid being discovered. He was arrested and transported to Jail.

Vandalism to a parked vehicle on Peach. Victim noticed multiple scratches in the paint that was not present the day prior. Suspect(s) unknown.

Wanted suspect was arrested at his residence on Derrick Street. While being processed he fled from officers and ran into the neighboring residential area. He was located on the roof of a home, but again fled from officers. He was eventually captured hiding in a garden shed behind a residence. He was transported to CRMC for medical evaluation and then booked to Jail.

Report of a disturbance on 8th Street found the subject causing screaming inside a home. Investigation discovered the subject attacked the resident causing injury to this face. He was arrested and transported to Jail.

Subject check on 4th and Lolita Street discovered an outstanding warrant for his arrest. He was arrested and transported to Jail.

Possible vandalism to a vehicle on Puchue. Shoe prints indentations were located on the hood of the victim's car. No suspects known.

Victim discovered an unknown subject in her vehicle as it was parked at her residence on Garcia Street. When the suspect was instructed to exit he attempted to take the victim's car keys from her as he demanded she give them to him. Victim refused. Officers arrived and contacted the suspect who refused to exit the vehicle. Officers removed the suspect who resisted, but was subsequently taken into custody and found to also be in possession of Methamphetamine. He was transported to Jail.

Officers recognized the driver of a vehicle as a wanted person on probation. When he was contacted he gave officers a false name. He was arrested, his probation was violated and he was transported to Jail.

Subject check on 7th Street discovered the person to be intoxicated. He was arrested and transported to Jail.

Disturbance on Santa Cruz discovered a subject causing had an outstanding warrant. He was arrested and transported to Jail.

Wanted parolee was contacted at the Police Department and arrested. He was transported to Jail.

Report of a burglary on 6th Street. Items stolen included photocopies of ID and cash. No suspects known.

Subject check on 6th and Rio Frio Streets discovered and outstanding warrant. He was arrested, cited and released.

Subject contacted for trespassing on Rio Frio. He was found in possession of a meth pipe. He was arrested, cited and released.

Vandalism to city vehicle on Naples. Unknown suspect threw a rock at a city vehicle as it was traveling and caused damage to the windshield.

Subject check resulted in the discovery of an outstanding warrant. He was arrested and transported to Jail.

Officers received information a wanted subject was at a residence on Kate Street. He was located, arrested and transported to Jail.

Officers assisted the Sheriff's Office with an arrest at a residence on Oller. Deputies handled transport of the subject.

Subject check on Rio Frio discovered the person was in possession of a meth pipe and smoking methamphetamine. He was arrested, cited and released.

Subject check at 7th and Quince discovered the person to be extremely intoxicated. He was transported to Jail.

Report of a cell phone theft from a residence on Holmes. No suspect information.

Subject check on Rio Frio discovered methamphetamine in his possession. While investigating, a meth pipe was located in the lap of another person on scene. Both were arrested, cited and released.

Report of a fight on Rio Frio. While investigating, neither party wanted to press charges. One subject was found to have warrants for his arrest. The other was on parole and in possession of burglary tools. Both were arrested and transported to Jail.

Report of a subject with a gun at 8th and Quince. Upon contact the weapon was found to be a BB gun tucked in his waistband. He was also found to have a warrant for his arrest. He was arrested and transported to jail.

Report of an intoxicated subject vandalizing vehicles on 7th Street. The known suspect was gone when officers arrived. The case is ongoing.

Non-injury traffic collision on Oller. Both parties were on scene and licensed.

Report of a fight at a residence on Quince. Victim stated the suspect hit him multiple times. Suspect was arrested, cited and released.

Subject check at 5th and Oller discovered an outstanding warrant. He was arrested, cited and turned over to a parent.

Subject check on Rio Frio discovered an outstanding warrant. Incident to the arrest a concealed long bladed knife was located in his possession. He was arrested and transported to Jail.

Money scam reported on Maldonado. Caller posed as the victim's relative and requested money be sent. Follow up by family discovered it was a fraud.

Fight reported between two students at a local school. The suspect was cited and turned over to a parent. The school is handling the administrative issues.

Subject check on Rio Frio discovered the person has ties to a local gang. He was FI'ed for information.

Code Enforcement identified an abandoned vehicle on Oller that had been parked for over three weeks. The vehicle was towed and stored.

Bicycle stop on person known to be on probation. She was FI'ed for information.

Subject check on Derrick found outstanding warrants. He was arrested, cited and released.

Subject check on Holmes of known wanted subject. He was arrested on outstanding warrants and an open burglary charge. He was transported to Jail.

Officer contacted persons at a homeless encampment they have started in a ponding basin located by the corner of Bass and Hwy 33. From the street you cannot see the encampment. There are currently 3 homes. All 3 males were verbally advised to vacate the basin. Officers are networking with the property owner.

Three vehicle traffic collision at 9th and Oller. Minor damage to all vehicles. The driver causing was found to be intoxicated and arrested for DUI. He was transported to Jail.

Officers attempted a vehicle stop. The vehicle failed to yield and fled. A short pursuit was initiated with the driver leg bailing at Kate and Divisidero. He was quickly chased down and arrested. He was found to be intoxicated and also in possession of cocaine. He was additionally charged with DUI and transported to Jail.

Officers assisted CHP in contacting the suspect of a Felony Hit and Run. The suspect was contacted at his residence on Perez. He was detained for questioning and turned over to CHP investigators.

Report of a prowler at a residence on "L" Street. The subject was contacted and found to be intoxicated. He was arrested and transported to Jail.

Subject check in the area of 9th and Pucheu. The subject admitted to possessing a meth pipe and was found to have an active warrant. He was arrested, cited and released.

Dispute at a residence on Kate. One subject was on parole and found to be in possession of a meth pipe. She was also restricted from being at the residence. She was arrested and her Parole Agent authorized a violation. She was transported to Jail.

Strategic Planning:

- Three personnel attended 16 hours of SFST training instructed by Officer Hogan
- USDA funded the community facilities grant for equipment resources
 - Taser order submitted and received.
 - Ordered Armory equipment
- New Ford Explorer doors and roof were painted white
- Vehicle 87 was up-fitted with necessary patrol equipment for deployment
- Vehicle 81 was retired from service and had its equipment removed.
 - New Ford Explorer scheduled for equipment up-fit.
- Two personnel attended Seconds to Survive training.

Personnel Information:

- Retired Fresno Sheriff's Sergeant Kevin Smith was hired as the new Mendota Police Lieutenant.
- Officer Bradley Hogan and Officer Jim Lim were honored by MADD as DUI Officers of the year.