

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting

June 23, 2015

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

Roll Call

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

Council Members Absent: Councilor Joseph Riofrio.

Flag salute led by Mayor Silva.

Invocation led by Co-Pastor Jesus Sanchez from the Mendota First Baptist Church.

FINALIZE THE AGENDA

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

City Manager DiMaggio and City Attorney Boranian requested a modification to the agenda in order to add 2 items to the closed session, for a total of 4, due to the urgency of the items. A motion was made by Mayor Pro Tem Valdez to adopt the agenda as requested by staff, seconded by Councilor Amador; unanimously approved (4 ayes, absent: Riofrio).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Joe Gil Gomez (2033 7th Street) – explained that he owned a property at the corner of 6th and Naples and requested that the City consider repairing the street segment.

Discussion was held on the amount included in the adopted Fiscal Year 2015-2016 budget for the repair of street segments throughout the City; the different street segments that should be repaired; and the condition of 6th Street.

Antonio Gonzalez (Farmers Insurance) – stated that City crews removed his signs that were located in front of his business and on Bass Avenue; requested information on how to retrieve the signs that were removed; and stated that the enforcement of the regulations regarding off-site signs should be equally enforced throughout the City.

Discussion was held on the background of the issue in regards to off-site signs; the signs located in front of the business being removed due to them being in the public right-of-way; the enforcement of the regulations related to off-site signs being suspended at a previous City Council meeting until Council made a decision in regards to the issue; Council's decision to take no action on the issue now allowing for the enforcement of illegal off-site signs; the City-wide enforcement of off-site signs; various government codes related to real estate signs being allowed on properties; Code Enforcement sending notices to all businesses within the City regarding business signs; the definition of public right-of-way; Mr. Gonzalez meeting with Planning & Economic Development Manager Flood to discuss the issue; the amount of businesses that received a notice of violation for having an illegal off-site sign; and the contract between the property owner and Mr. Gonzalez in which the property owner agrees to let him place an off-site sign on his property near the intersection of 9th and Marie Streets.

Rigoberto & Sandra Alvarado (1725 8th Street) – stated that she received a citation for having an illegally parked trailer at her home and requested that all Mendota Municipal Code violations regarding trailers throughout the City be addressed.

Discussion was held on Code Enforcement sending notices of violation to the persons that have illegally parked trailers on their properties; Ms. Alvarado being granted extensions of time to allow her to move the trailer; and the process to request public documents

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Special City Council meeting of June 4, 2015 and the Special and Regular City Council meetings of June 9, 2015.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

A motion was made by Councilor Amador to approve items 1 and 2, seconded by Councilor Castro; approved (3 ayes, abstain: Valdez, absent: Riofrio).

CONSENT CALENDAR

1. JUNE 05, 2015 THROUGH JUNE 17, 2015

Minutes of Regular City Council Meeting 2

6/23/2015

WARRANT LIST CHECKS NO. 39511 THRU 39561
TOTAL FOR COUNCIL APPROVAL = \$261,820.55

2. Council perform the first reading of **Ordinance No. 15-08**, amending Sections 17.04.110 and 17.60.020 and adding Section 17.88.025 to Title 17 of the Mendota Municipal Code related to emergency shelters and supportive and transitional housing, and set the public hearing for July 14, 2015.
3. Council adopt **Resolution No. 15-42**, approving the issuance a Letter of Authorization to Fresno County for the submittal of an application for the Oil Payment Program, Cycle 6 (OPP6).
4. Council adopt **Resolution No. 15-43**, supporting the re-designation of Fresno County as an RMDZ.
5. Council adopt **Resolution No. 15-45**, approving a Memorandum of Understanding between the City of Mendota and the Mendota Police Officers' Association.
6. Council adopt **Resolution No. 15-47**, appointing an alternate member to the Mendota Personnel Board.
7. Council adopt **Resolution No. 15-48**, awarding the 6th Street Reconstruction Project to the lowest possible bidder, A.J. Excavation, Inc.
8. Council approve applications for permits to sell fireworks.
9. Council consider donation from the Community Promotions Fund to the Mendota Youth Recreation for the 8 and Under Little League team.
10. Council authorize Agreement for the Collection of Special Assessments to Property Tax Roll for 2015-2016 and Authorized Personnel.

Requests were made to pull items 2, 7, and 9 for discussion.

2. Council perform the first reading of **Ordinance No. 15-08**, amending Sections 17.04.110 and 17.60.020 and adding Section 17.88.025 to Title 17 of the Mendota Municipal Code related to emergency shelters and supportive and transitional housing, and set the public hearing for July 14, 2015.

Discussion was held on the purpose of the proposed ordinance being to make the necessary changes to the Mendota Municipal Code regarding SB 2 in order for the California Department of Housing and Community Development to consider certifying the City's Housing Element update.

A motion was made to approve items 1 through 6, 8, and 10 of the consent calendar by Mayor Pro Tem Valdez, seconded by Councilor Amador; unanimously approved (4 ayes, absent: Riofrio).

7. Council adopt **Resolution No. 15-48**, awarding the 6th Street Reconstruction Project to the lowest possible bidder, A.J. Excavation, Inc.

Director of Public Works Gonzalez described the characteristics of the 6th Street Reconstruction project; stated that the amount of the lowest bid being lower than the fund balance amount allowed for the project; explained that a survey was done to determine which streets need reconstructing; streets near schools being of importance; the 5 year plan regarding the reconstruction of various streets; and utilizing the funds that are still available in the fund balance to repair streets near the 6th Street reconstruction project.

Discussion was held on Perez Street also being included in the 6th Street Reconstruction project; Mendota Unified School District paying a portion to reconstruct a section of Perez Street; Assistant City Engineer Osborn contacting the references of A.J. Excavation, Inc.; the condition of the sewer line system located on 6th Street; the different street sections that need to be repaired; the timeframe of the reconstruction of 6th Street; and the contractor's commitment to be on schedule.

9. Council consider donation from the Community Promotions Fund to the Mendota Youth Recreation for the 8 and Under Little League team.

Mayor Pro Tem Valdez stated that he would abstain from voting for the item since he is affiliated with the Mendota Youth Recreation Baseball program.

Mario Plascencia (Mendota Youth Baseball) – explained that the Mendota Youth Recreation's baseball league was soliciting donations to be able to pay for the fees associated with sending the 8 and Under Little League team to the State Tournament at Pismo Beach; stated that the team is also fundraising to help alleviate the costs; being the first 8 and Under Little League team to represent Mendota at the State Tournament; the importance of Mendota's youth to participate in sports and represent the City; and the amount of pride that the coaches have to represent the City.

Discussion was held on the condition of the Benny Mares Sr. Baseball field; the current fund balance in the Fiscal Year 2014-2015 Community Promotions Fund; the possibility of also utilizing funds from the upcoming Fiscal Year 2015-2016 Community Promotions Fund; other members of the public donating to the students as well; and the amount of effort the children put into playing baseball and representing the City.

A motion was made to donate \$400 from the Fiscal Year 2014-2015 Community Promotions Fund and \$600 from the Fiscal Year 2015-2016 Community Promotions Fund, for a total of \$1,000, by Councilor Amador, seconded by Councilor Castro; approved (3 ayes, abstain: Valdez, absent: Riofrio).

BUSINESS

1. Council discussion and consideration to adopt **Resolution No. 15-41**, amending the "Waste Collection and Recycling Franchise Agreement" with Mid Valley Disposal.

Mayor Silva introduced the item and City Manager DiMaggio summarized his report including the City Council's direction to move forward with weekly collection of all three garbage containers; amending the rate schedule contained in the contract with Mid Valley Disposal; and the 7.5% rate increase.

Joseph Kalpakoff (Mid Valley Disposal) – requested additional time to be able to advertise the weekly collection of all three garbage containers to Mendota residents and beginning the weekly collection of all three garbage containers on August 1, 2015.

Discussion was held on reducing the amount of scavengers looking through garbage containers and the need to properly dismantled boxes prior to placing them in the containers.

A motion was made to adopt Resolution No. 15-41 by Councilor Amador, seconded by Councilor Castro; unanimously approved (4 ayes, absent: Riofrio).

2. Council discussion and consideration to adopt **Resolution No. 15-44**, approving the hiring of a School Resource Officer.

Mayor Silva introduced the item and Chief of Police Andreotti summarized his report including the background of the discussions between the City and the Mendota Unified School District (MUSD) regarding hiring a School Resource Officer (SRO); MUSD School Board approving the SRO agreement; the School Resource Officer working for MUSD during the school session; the SRO beginning this upcoming August; the funding of the SRO position being divided between the MUSD and the City; MUSD agreeing to fund the full-time equivalent for the first year including start-up costs; and the SRO's focus to establish trust, continue communication, handle calls for service at the school sites.

Discussion was held on the schedule of the SRO; the SRO needing to be present during various school functions; the good working relationship between the City and MUSD; the process of the recruitment of the SRO; the Mendota High School being the base of the SRO; and the different duties that the SRO will do.

A motion was made to adopt Resolution No. 15-44 by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (4 ayes, absent: Riofrio).

3. Council discussion and consideration to adopt **Resolution No. 15-46**, authorizing the City Manager to execute all necessary documents with PG&E and D5 Enterprises providing for a City-wide lighting retrofit.

Mayor Silva introduced the item and City Manager DiMaggio summarized his report including the background of the City-wide Lighting Retrofit; the replacement of all street lights and all lights on City owned facilities with higher efficiency bulbs; using the savings in electrical costs as the loan payment to PG&E; and the proposed contract with D5 Enterprises.

David Boldt & Don Gray (D5 Enterprises) – explained the characteristics of the project and the amount of savings that the City will inquire by upgrading the City street lights and lights on City owned facilities to higher efficiency bulbs.

A motion was made to adopt Resolution No. 15-46 by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (4 ayes, absent: Riofrio).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

Director of Public Works Gonzalez stated that he would be glad to receive comments or questions from Council regarding the monthly report.

Discussion was held on the lights at Rojas-Pierce Park possibly not working; residents not moving their vehicles off the street to allow the street sweeper to properly sweep; the condition of the flags at Rojas-Pierce Park; improving the efficiency of the weekend crew; the status of weed abatements throughout the City; and on the individual that performed the forced weed abatement on various properties.

2. City Attorney
 - a) Update

Nothing to report.

3. City Manager
 - a) Report

City Manager DiMaggio reported on the break until the next City Council meeting; the title change of the Director of Support Operations to the Director of Administrative Services; Director of Public Works Gonzalez becoming more involved with planning; and Planning & Economic Development Manager Flood focusing on Economic Development and Code Enforcement.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Mayor Pro Tem Valdez thanked the Public Works staff for the excellent condition that the Benny Mares Sr. baseball field was in during a recently held Cal-Ripken tournament.

Discussion was held on the work that Zumalt Construction, Inc. was doing near Smoot Street; the status of determining the ownership of the Community Center; what organizations can utilize the Community Center; and what documentation needs to be provided by an organization when requesting to utilize the Community Center.

2. Mayor

Mayor Silva reported on a California Water Alliance meeting he attended in Huron; the importance of water reductions being performed state-wide; a notice he received from the Post Office regarding the new Post Master; an upcoming initial meeting of the Mendota Community Corporation to designate officers and adopt the bylaws; an upcoming meeting with State Senator Anthony Cannella; and the possibility of the City to tap into funds regarding the Sustainable Groundwater Act.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
CA Government Code § 54956.9 (a)
Macias, Delia v. City of Mendota, DFEH Case No. 488060-146861
2. PUBLIC EMPLOYMENT
CA Government Code § 54957.6
Title: Unrepresented Management MOU
Designated Representative and Negotiator: Vince DiMaggio
3. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
CA Government Code § 54956.9 (a)
City of Mendota v. Gerald Galvin, Case No. ABJ10002268
4. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

At 7:36 p.m. the Council moved into closed session.

At 8:36 p.m. the Council reconvened in open session and City Attorney Boranian reported that in regards to items 1 through 4 of the closed session, there was nothing to report.

BUSINESS

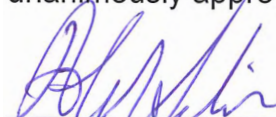
1. Council discussion and consideration to approve the Management Memorandum of Understanding.

Mayor Silva introduced the item and City Manager DiMaggio reported on the amendments included within the Management Memorandum of Understanding.

A motion was made to adopt Resolution No. 15-49 by Councilor Castro, seconded by Councilor Amador; approved (3 ayes, no: Valdez, absent: Riofrio).

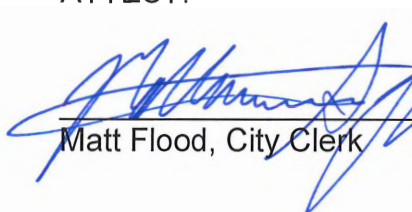
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:39 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Amador; unanimously approved (4 ayes, absent: Riofrio).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

