



## MINUTES OF MENDOTA SPECIAL CITY COUNCIL MEETING

---

**Special Meeting**

**August 18, 2016**

**Meeting called to order by Mayor Silva at 3:01 p.m.**

**Roll Call**

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

**Council Members Absent:** None.

**Flag salute led by Mayor Silva.**

### **FINALIZE THE AGENDA**

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

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

### **CITIZENS ORAL AND WRITTEN PRESENTATIONS**

City Attorney Kinsey reminded the Council and public that now would be an appropriate time for the public to provide comment on any closed session item.

Chief of Police Andreotti thanked the Council for the opportunity to speak and spoke on the high quality of the City Manager; the positive relationship that is shared between City Manager DiMaggio and department directors; City Manager DiMaggio's ability to appropriately oversee and manage the individual departments; the collaborative nature of the staff; and Mr. DiMaggio's focus on ensuring that there is a successful police department to serve the community.

City Clerk Flood thanked the Council for their work; asked the Council to take due care and consideration on any decision they have to make referent to the employment of the City Manager; and stated that the most difficult times the City has experienced were when the City Manager's office was like a revolving door.

Planning & Public Works Director Gonzalez stated that he has had the opportunity to work with various City Managers; the positive and productive work environment that exists thanks to Mr. DiMaggio; and the opportunities that the City Manager has provided to him here in Mendota.

Director of Administrative Services Johnson stated that he has been employed with the City for seven years and has noticed numerous positive changes including a very positive organization culture; the effectiveness of Mr. DiMaggio's management style; and invited the Council to make a decision that will help the City prosper.

Councilor Castro commented on the City Manager's effective management style.

### **CLOSED SESSSION**

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to CA Government Code Section 54957(b)  
Title: City Manager
2. CONFERENCE WITH LABOR NEGOTIATORS  
Pursuant to CA Government Code Section 54957.6  
Agency designated representative: City Attorney John Kinsey  
Non-Represented Employee: City Manager

At 3:18 p.m. the Council moved into closed session.

At 4:47 p.m. the Council reconvened in open session and City Attorney Kinsey reported that in regards to item 1 of the closed session, the Council did not take any reportable action.

### **BUSINESS**

1. Discussion/possible action on potential amendment to City Manager's Employment Agreement.

Mayor Silva introduced the item and City Attorney Kinsey reported that Council had before them a report that his firm prepared that the Council discussed.

City Attorney Kinsey then reviewed the employment agreement with City Manager DiMaggio, which he deems acceptable and the agreement is before Council for consideration.

Councilor Amador asked City Attorney Kinsey if had met with Finance Director Marquez regarding the financial aspect, since the agreement contains a cost not budgeted for.

Finance Director Marquez explained the \$8,500 cost would be split across various accounts, but that he has not viewed the loan amount that would need to be covered.

City Attorney Kinsey lined out a couple of methods by which that cost would be covered, and that he would speak with the accountant regarding covering those costs.

Mayor Pro Tem Valdez asked about receiving RDA funds that are owed to the City and City Attorney Kinsey reported that he spoke with an employee of the firm managing the successor agencies funds and has received an answer.

Discussion was held on the criteria that would be needed in order to use reserve funds for such a cost.

Mayor Pro Tem Valdez requested that the City Attorney prepare a report for Council's review as to whether some of the cost can be absorbed by the account.

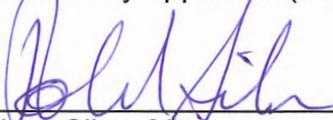
Discussion was held on the need to make the decision to allocate the money immediately in order to meet the deadline and the availability of the funds in the accounts normally used to pay salaries.

Mayor Silva asked for any comment from the public, of which there was none.

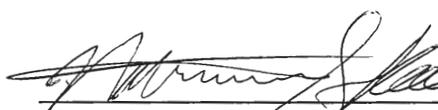
A motion was made to approve the third amendment to the City Manager's employment agreement by Councilor Riofrio, seconded Councilor Castro; approved (3 ayes, no: Amador and Valdez).

### ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 4:56 p.m. by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

  
\_\_\_\_\_  
Robert Silva, Mayor

ATTEST:

  
\_\_\_\_\_  
Matt Flood, City Clerk

