

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting

August 25, 2015

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, Councilors Joseph Amador and Joseph Riofrio.

Council Members Absent: Councilor Rolando Castro.

Flag salute led by Mayor Silva.

Invocation led by Reza Nekumanesh from The Islamic Cultural Center of Fresno.

FINALIZE THE AGENDA

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

Discussion was held on City Manager DiMaggio being absent from the meeting due to an emergency and having Planning & Economic Development Manager Flood sit in his place (6:07 p.m. Councilor Riofrio left the Council Chambers and returned at 6:08 p.m.).

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

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Joe Gil Gomez (2033 7th Street) – stated that there was a pile of grindings on his property on 6th Street and that he wanted them removed.

Discussion was held on A.J. Excavation contacting Mr. Gomez in regards to placing the grindings created by the reconstruction of 6th Street on his property prior; the timeframe in which the grindings will be removed from Mr. Gomez's property; what the grindings will be used for; and the timeframe of the 6th Street reconstruction project.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council meeting of August 11, 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 Riofrio to approve items 1 and 2, seconded by Mayor Pro Tem Valdez; unanimously approved (4 ayes, absent: Castro).

CONSENT CALENDAR

1. AUGUST 06, 2015 THROUGH AUGUST 18, 2015
WARRANT LIST CHECKS NO. 39756 THRU 39812
TOTAL FOR COUNCIL APPROVAL = \$147,689.90
2. Council adopt **Resolution No. 15-60**, highlighting the importance of providing comprehensive immigration assistance services.
3. Council adopt **Resolution No. 15-63**, authorizing the City Manager to execute all necessary documents for a grant application.
4. Proclamation declaring October 18th-24th, 2015 "Freedom from Workplace Bullies" week.

Requests were made to pull item 2 and 3 for discussion.

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

2. Council adopt **Resolution No. 15-60**, highlighting the importance of providing comprehensive immigration assistance services.

Zuleth Lucero (217 Espinoza Street) – stated that the purpose of Resolution No. 15-60 is to bring to awareness on immigration fraud and to educate individuals about immigration assistance services.

Discussion was held on individuals being able to contact Mi Familia Vota to be referred to other organizations that will assist them in obtaining their citizenship documents.

A motion was made to approve item 2 of the consent calendar by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (4 ayes, absent: Castro).

3. Council adopt **Resolution No. 15-63**, authorizing the City Manager to execute all necessary documents for a grant application.

Discussion was held on the grant application being in regards to the Storm Water Feasibility Study.

A motion was made to approve item 3 of the consent calendar by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (4 ayes, absent: Castro).

BUSINESS

1. Council discussion and consideration to adopt **Resolution No. 15-59**, authorizing the formation of a City Council Sub-Committee.

Mayor Silva introduced the item and discussion was held on the possibility of tabling the item until City Manager DiMaggio is present; the item being a time sensitive issue; the formation of the proposed City Council Sub-Committee being to formalize conversations between a company interested in building a project in Mendota and the City; the sub-committee reviewing proposals and bringing the final versions of agreements to the City Council; and verifying that the sub-committee complies with the Ralph M. Brown Act.

A motion was made to adopt Resolution No.15-59 by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (4 ayes, absent: Castro).

2. Council discussion and consideration to adopt **Resolution No. 15-61**, establishing bin enclosure guidelines.

Mayor Silva introduced the item and Planning & Economic Development Manager Flood summarized the report including the goal to clean-up and beautify the City; finding ways to make the business sectors more aesthetically appealing; the Mendota Municipal Code not mandating where businesses should store their trash bins; the purpose of the Bin Enclosure Guidelines being to mandate that trash bins are stored in a uniform location; newer businesses being required to build a bin enclosure; and communicating with Mid Valley Disposal in regards to the Bin Enclosure Guidelines.

Joe Gil Gomez (2033 7th Street) – reported that Mid Valley Disposal trucks are sometimes unable to collect the trash bins that are located in the alley due to delivery trucks parking in the alley and making it inaccessible.

Discussion was held on trash bins being allowed to be placed in the alley the day of their collection and staff looking into placing the City's trash bins located at the Rojas-Pierce Park parking lot in a location that also complies with the Bin Enclosure Guidelines.

3. Council discussion and consideration to adopt **Resolution No. 15-62**, affirming its intention to increase water and sewer rates.

Mayor Silva introduced the item and City Engineer McGlasson reported on the Water and Sewer Rate Study including that staff reviewed the condition of the water and sewer funds and made a recommendation on the amount that the water and sewer rates should be increased; requested that Council authorize staff to create a notice that will be sent to property owners and tenants informing them about an upcoming public hearing regarding the water and sewer rate increase; the water and sewer rate increase being exempt from election requirements but being subject to a protest hearing; individuals being able to protest the increase in writing prior to the hearing; the need to increase water and sewer rates in order to make the Enterprise Fund solvent and to also fund the Capital Improvement Program (CIP); various items included in the CIP; and the need for water and sewer funds to generate enough revenue from rates to completely pay for their own operation and maintenance.

Discussion was held on FCI-Mendota reducing their water usage; the possibility of utilizing funds to repair the B&B bridge; the water and sewer rate increase not being subject to the Proposition 218 election; and the survey that was conducted comparing the water and sewer rates of several small San Joaquin Valley cities.

Jorge Carbajal (549 9th Street) – suggested that the City clarify the CIP items categorized as miscellaneous in the Water and Sewer Rate Study for the City of Mendota; explained the necessity to clearly itemize every project in the CIP in the Water & Sewer Rate Study for the public; inquired as to how much water and sewer rates will be increased (7:12 p.m. Councilor Riofrio left the Council Chambers); inquired as to the possibility of the City applying for grants that will go towards projects included in the CIP (7:15 p.m. Councilor Riofrio returned to the Council Chambers); and inquired as to the schedule of the water and sewer system improvements.

Discussion was held on the need to repair the B&B bridge due to beavers eating the pylon.

Antonio Gonzales (603 L Street) – suggested that City make budget cuts; explained the importance of investing in the water and sewer systems in order to adapt to the growing population within the City; inquired as to an off-site sign on Bass Avenue that did not comply with City off-site sign regulations; and suggested that the City clearly itemize all projects included in the CIP.

Discussion was held on the average annual income of residents.

A motion was made to adopt Resolution No. 15-62 and direct staff to implement footnotes in the Water and Sewer Rate Study for the City of Mendota in order to clarify the miscellaneous projects included in the CIP by Councilor Amador, seconded by Councilor Riofrio; unanimously approved (4 ayes, absent: Castro).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

Planning & Economic Development Manager Flood stated that he would pass comments or questions that the Council had to Public Works Director Gonzalez.

Discussion was held on the City removing the grindings creating by the 6th Street Reconstruction project from Mr. Gomez's property.

2. Public Utilities
 - a) Monthly Report

Public Utilities Director Lewis summarized the report including the filter system being back on line; the media contractor being scheduled to install the media at the end of the month; a CPU failure that cut off automation of the plant; having to replace one of the CPU's and reset the SCADA system in order to restore the plant to normal operations; and the possibility of having a solar system installed out at the plant.

Discussion was held on the possibility of cutting ties in regards to the Evergreen contract and residents not reporting crimes due to fear of retaliation.

3. City Attorney
 - a) Update

Nothing to Report.

4. City Manager

(City Manager DiMaggio was absent from the meeting.)

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Councilor Riofrio thanked Sergeant Tsaris and other assisting officers who responded to a call for service and that the Mendota High School football team had an upcoming football game in Tollhouse, Ca..

Discussion was held on the importance of reporting crimes and suspicious activity.

Councilor Amador stated that he is working with staff to coordinate the 20th Annual Driver Awareness event.

Mayor Pro Tem Valdez suggested that the Dave Daniels skate park sign be moved to the front of the skate park.

2. Mayor

Mayor Silva reported on L.A. county preparing for possible flooding due to El Niño; the various agencies that the City needs to be in contact with to prepare for possible flooding in Mendota; and the importance of communicating with other agencies in regards to flooding issues in Mendota.

CLOSED SESSION

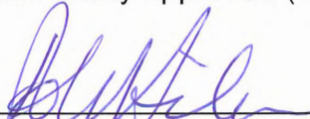
1. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
CA Government Code § 54956.9 (a)
Lisseth Martinez v. City of Mendota- EEOC Charge No. 485-2015-0024

At 8:12 p.m. the Council moved into closed session.

At 8:20 p.m. the Council reconvened in open session and City Attorney Boranian reported that in regards to item 1 of the closed session, there was nothing to report.

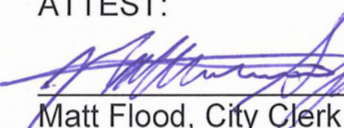
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:21 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (3 ayes, absent: Amador and Castro).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

