



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

December 11, 2018

Meeting called to order by Economic Development Manager Flood at 6:01 p.m.

Roll Call

Council Members Present: Councilors Rolando Castro, Victor Martinez, Jesse Mendoza, Oscar Rosales, and Robert Silva

Council Members Absent: None

Flag salute led by Economic Development Manager Flood

FINALIZE THE AGENDA

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

A motion was made by Councilor Castro to adopt the agenda, seconded by Councilor Martinez; unanimously approved (5 ayes).

CONFIRMING THE ELECTION

1. Proposed adoption of **Resolution No. 18-80**, confirming the results of the election returns for the consolidated General Election held on November 6, 2018.

City Clerk Flood introduced the item and summarized the results of the General Election held on November 6, 2018.

A motion was made by Councilor Rosales to adopt Resolution No. 18-80, seconded by Councilor Martinez; unanimously approved (5 ayes).

2. City Clerk Flood to administer the Oath of Office to newly elected Council Members.

City Clerk Flood administered the Oath of Office to newly elected Council Members Rolando Castro, Jesse Mendoza, and Robert Silva.

REORGANIZATION OF COUNCIL

1. City Clerk to conduct City Council reorganization proceedings and accept nominations for the following offices:
 - a) Mayor
 - b) Mayor Pro Tem

City Clerk Flood explained the process for the election of officers as required by the Mendota Municipal Code.

- a. *City Clerk Flood accepts motions to nominate for Mayor*

At 6:06 p.m. City Clerk Flood opened the nomination period for the office of Mayor.

Councilor Martinez nominated Councilor Robert Silva.

Councilor Mendoza nominated Councilor Rolando Castro.

At 6:07 p.m. City Clerk Flood closed the nomination period for the office of Mayor.

Discussion was held on allowing the opportunity for public comment.

At 6:07 p.m. the floor was opened for public comments.

Joseph R. Riofrio (730 Stamoules Street) – commented on the work that the Council does to ensure that the community progresses; his support for the election of Councilor Castro to the office of the Mayor; the experience he gained as a former Councilor; congratulated the newly elected Councilors; and thanked staff and the City Council for their work.

Joseph Robert Amador (1890 7th Street) – shared his experience as a former Mayor of Mendota; and wished the Council luck for the upcoming years.

Kevin Arias Romero (160 Tuft Street) – commented on the discussions he has had with members of the public; that he is appreciative of the guidance and knowledge he has acquired from staff and the Council regarding local government; encouraged the Council to continue making decisions that are in the best interest of the community so that it may continue progressing; and congratulated the newly elected Councilors.

Sergio Valdez (325 Pucheu Street) - commented on the difficulty of the duties of Councilors; the importance of ensuring stability; his support for the election of Councilor Silva to the office of the Mayor; the benefits of Mr. Silva being well-known throughout

the state and his availability to attend important meetings; and congratulated the newly elected Councilors.

At 6:18 p.m. the floor was closed to public comments.

Councilor Rosales stated that his decision to nominate Councilor Silva to the office of the Mayor was made with the best interests of the community in mind, and commented on the availability of Councilor Silva to attend important meetings.

City Clerk Flood announced that there would be a roll call vote, and requested that each Councilor say the name of the nominee they are voting for when their name is announced.

Roll call vote:

Councilor Castro: Rolando Castro; Councilor Martinez: Robert Silva; Councilor Mendoza: Rolando Castro; Councilor Rosales: Robert Silva; Councilor Silva: Robert Silva.

Based on a vote of 3 ayes, Councilor Silva was elected to serve as Mayor.

b. City Clerk Flood accepts motions to nominate for Mayor Pro Tem

At 6:20 p.m. City Clerk Flood opened the nomination period for the office of Mayor Pro Tem.

Councilor Rosales nominated Councilor Rolando Castro.

At 6:21 p.m. City Clerk Flood closed the nomination period for the office of Mayor Pro Tem.

Based on a vote of 5 ayes, Councilor Castro was elected to serve as Mayor Pro Tem.

RECESS

At 6:21 p.m. Mayor Silva announced that there would be a recess.

At 6:42 p.m. the Council reconvened in open session.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Dino Perez (Westside Youth, Inc.) – requested that the City Council consider moving the consideration of annual facility-use applications at an earlier time in the year.

Discussion was held on such modification of the timeline requiring an ordinance due to it being codified in the Mendota Municipal Code; and direction was provided to staff to look into the possibility of modifying the timeline.

Sergio Valdez (Mendota Youth Recreation) – reported on the upcoming Annual Christmas Parade, and the upcoming basketball program.

Discussion was held on the status of the basketball program.

Roger Raines (Battalion Chief, CalFire) – reported on a recent apartment fire at a complex on 6th and Marie Streets, including that the fire destroyed three apartments and damaged a fourth apartment; the entire complex being closed due to the severity of the damage to the public utilities; that the fire displaced about 35 individuals; outside agencies and organizations that provided their assistance; an additional fire that occurred in Mendota; investigating the cause of both fires; and thanked the police department and public works department for their assistance.

Discussion was held on whether the City can provide any resources to the individuals affected by the fire; the Red Cross only providing short-term assistance; the resources that the individuals need; whether staff can contact the property owner; and the Council thanked the agencies and organizations that have assisted the individuals affected by the fire.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of November 13, 2018.
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 Rosales to approve items 1 and 2, seconded by Councilor Mendoza; unanimously approved (5 ayes).

CONSENT CALENDAR

1. NOVEMBER 13, 2018 THROUGH DECEMBER 04, 2018
WARRANT LIST CHECKS NO. 44677 THRU 44755
TOTAL FOR COUNCIL APPROVAL = \$665,943.87
2. Proposed adoption of **Resolution No. 18-81**, approving the Coordination Agreement and Cost Sharing Agreement between the City of Mendota Groundwater Sustainability Agency and the San Joaquin River Exchange Contractors Groundwater Sustainability Agency.
3. Proposed adoption of **Resolution No. 18-85**, approving the Second Amendment to an agreement with Provost & Pritchard Consulting Group for services relating to the reconstruction of the Mowry Bridge.

A motion was made by Councilor Martinez to adopt items 1 through 3 of the Consent Minutes of City Council Meeting 4 12/11/2018

Calendar, seconded by Mayor Pro Tem Castro; unanimously approved (5 ayes).

BUSINESS

1. Council discussion and consideration of **Resolution No. 18-82**, acknowledging receipt of the annual audit of City funds.

Mayor Silva introduced the item and Fausto Hinojosa with Price, Paige, and Company presented information regarding the financial statements for fiscal year 2017-2018 including background information of the firm; the firm's engagement management team; the audit process; the various audit areas of emphasis for the City; the auditor's report on financial statements stating an unmodified opinion; key financial statement items on pages 24 and 27; the government auditing standards report stating that there are no significant deficiencies in internal control and compliance; and the required communications that must also be reported in the financial statements.

Discussion was held on removing the word "recreation" from the section regarding expenditures listed on page 24 of the financial statements; and the information provided on page 74 regarding the Mendota Community Corporation.

Sergio Valdez (325 Pucheu Street) – inquired as to whether the funds that were paid in accordance with a settlement agreement that the City entered into a few years ago was included in the statement of expenditures.

Discussion was held on the liability being included.

A motion was made by Councilor Rosales to adopt Resolution No. 18-82, seconded by Councilor Martinez; unanimously approved (5 ayes).

2. Council discussion and consideration of **Resolution No. 18-83**, approving a contract with the United States Department of the Interior - Bureau of Reclamation.

Mayor Silva introduced the item and City Manager Gonzalez shared the background of the Mowry Bridge Reconstruction project and deferred to City Engineer McGlasson who would provide the report for the item.

City Engineer McGlasson introduced Elizabeth Vasquez and Marissa Novoa; provided the history of the closure of the Mowry Bridge; the various meetings that staff has had with the Bureau of Reclamation regarding the reconstruction of the Mowry Bridge; a grant application that the City submitted and the Bureau of Reclamation subsequently deciding it could not provide direct funding assistance for the project; moving forward with the project through the use of a different method due to the Bureau of Reclamation's Reach 2B San Joaquin River Restoration Project obligation to relocate all improvements that fall within the projects flood plain; the Bureau of Reclamation proposing to cover the costs of relocating the well, related facilities, and the

reconstruction of the Mowry Bridge and let the City carry out the design and construction of the project; the advantages of moving forward with the option including that there would be one single payment made to the City; the disadvantages of moving forward with this option including the City being responsible of covering the costs that exceed the funding that the Bureau of Reclamation will provide; the Bureau allowing the City to make its own project cost estimates and include a 20-percent contingency to the total estimate; the timeline of the project; and requested that the Council consider the revised agreement for approval.

Discussion was held on the condition of the City's well no. 7; whether the same quality of water would be provided by the well once it is relocated; the current condition of the bridge; the City being able to rely on the environmental documents that have done for the Reach 2B project when preparing for the Mowry Bridge Reconstruction project; the reconstruction of the bridge benefiting both the City and the Bureau of Reclamation; and the Council thanked staff and the Bureau of Reclamation for their work on the project.

Sergio Valdez (325 Pucheu Street) – commented on the history of the closure of Mowry Bridge.

City Manager Gonzalez requested that the City Council consider the revised agreement for approval.

A motion was made by Councilor Rosales to adopt Resolution No. 18-83, with the approval of the revised agreement, seconded by Councilor Martinez; unanimously approved (5 ayes).

3. Council discussion and consideration of **Resolution No. 18-84**, approving a property lease agreement with the Community Action Partnership of Madera County, Inc. for the lease of a City-owned building located at 435 Sorenson Street.

Mayor Silva introduced the item and City Manager Gonzalez summarized the report including that the City owns a building at 435 Sorenson Street but does not own the land on which the building is located; that the building has been leased to Community Action Partnership of Madera County, Inc.; the agreement expired in December and that the agency has requested to enter into a new lease; the proposed agreement having a term of five years; the total rent amount with an annual escalator using the Consumer Price Index; and requested that the Council consider the agreement for approval.

Discussion was held on the positive impact that the agency has on the community; whether the owner of the property may remove the tenants of the City-owned building; and the improvements that have been made to the building by the agency.

A motion was made by Councilor Rosales to adopt Resolution No. 18-84, seconded by Councilor Martinez; unanimously approved (5 ayes).

4. Council discussion and consideration of City holiday hours.

Mayor Silva introduced the item and City Manager Gonzalez summarized the report including that Christmas Eve and New Year's Eve fall on a Monday; staff being required to come to work for four hours on those days per the current Memorandum of Understanding; and staff requested that the Council consider to close the half day on Christmas Eve and also the half day on New Year's Eve.

A motion was made by Mayor Pro Tem Castro to close the half day on Christmas Eve and the half day on New Year's Eve with the condition that the City's fire truck be better decorated for the Annual Christmas Parade, seconded by Councilor Mendoza; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Administrative Services
a) Monthly Report

Director of Administrative Services Lekumberry summarized her report including that there was recruitment for a community services officer; an open enrollment meeting; a 401k education meeting; worked with AFSCME Representative to incorporate agreement upon side letters into the Memorandum of Understanding; safety trainings that were held; dog hearings that took place in October and November; worker's compensation claims; the average number of Senior Center attendees; and special projects.

2. Code Enforcement & Police Department
a) Monthly Report

Chief of Police Andreotti summarized the report for the Code Enforcement Department for the month of November including that the department two part-time officers; there will be interviews for the community service officer position; and that the position is a combined community service officer and animal control position.

Discussion was held on whether residents can blow their leaves onto the street, and the Code Enforcement officers looking into the issue.

Chief of Police Andreotti summarized the report for the Police Department for the month of November including a personnel update; Cooks Communications donating parts and labor to upgrade the Humvee; significant cases; and that he spoke with District Attorney Smittcamp and she stated that a Mendota resident expressed his gratitude for the action that law enforcement agencies took to apprehend MS-13 gang members.

Discussion was held on the current presence of MS-13 in the community; meeting with elected officials to acquire assistance to address the gang activity in the community; and the council thanked the police officers for their work.

Joseph Robert Amador (1890 7th Street) – inquired on the frequency of the Public Safety Sub Committee meetings and encouraged the staff and Council to attend trainings to receive education about gangs.

3. Economic Development
 - a) Monthly Report

Economic Development Manager Flood stated that he has been encouraging property owners to sell their properties or construct commercial buildings; the State Bureau of Cannabis Regulation has finalized their rules and regulation which will make it easier for cannabis businesses to operate; and the positive economic state that the City is in and the need to continue to be fiscally conservative.

Discussion was held on when the tenants within the Canna-Hub building will begin operations; an upcoming Cresco labs job fair; placing information on what permits are needed to be a sidewalk vendor in the monthly newsletter; enforcing sidewalk vendor regulations; O'Reilly looking for a new property to purchase; and cottage food operation regulations.

4. City Attorney
 - a) Update

City Attorney Kinsey thanked the Chief of Police and the department for their assistance on working on vacating the property near the airport; and staff making a social worker available on the day that the individuals were displaced;

Discussion was held on grants that the police department may apply for; individuals riding their bikes through schools; resources that are available for displaced individuals; the individuals going back to the property near the airport.

5. City Manager

City Manager Gonzalez commended Finance Officer Marquez for his work, and thanked the staff and Council.

Discussion was held on the great work that the staff does.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Martinez reported on the procession that the Our Lady of Guadalupe will be having.

Mayor Pro Tem Castro thanked Finance Officer Marquez for his work; a holiday toy

giveaway event that he will be hosting on December 15th; and congratulated the newly elected Councilors and encouraged the Council to work together.

Councilor Mendoza commended the staff and thanked the public for their support.

Councilor Rosales thanked the staff for their work.

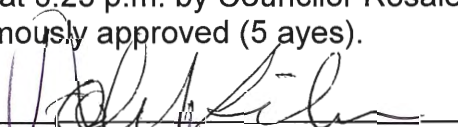
2. Mayor

Mayor Silva commended the Council for their work; a meeting he had with Governor-elect Gavin Newsom's secretary; having a meeting with local government officials regarding acquiring funding for local communities; and whether Mayor Pro Tem Castro is accepting donations for his events.

Discussion was held on the upcoming Holiday party;


ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:23 p.m. by Councilor Rosales, seconded by Mayor Pro Tem Castro; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk