

**MINUTES OF MENDOTA  
REGULAR CITY COUNCIL MEETING**

---

**Regular Meeting    November 10, 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.**

**A moment of silence was held in honor of the men and women who lost their lives while serving in the military.**

**Invocation led by Kenneth Faulkner.**

**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 Castro; unanimously approved (4 ayes, absent: Riofrio).

**CITIZENS ORAL AND WRITTEN PRESENTATIONS**

None offered.

## APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council meeting of October 27, 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; unanimously approved (4 ayes, absent: Riofrio).

## CONSENT CALENDAR

1. OCTOBER 23, 2015 THROUGH NOVEMBER 05, 2015  
WARRANT LIST CHECKS NO. 40126 THRU 40182  
TOTAL FOR COUNCIL APPROVAL = \$225,336.25
2. Council adopt **Resolution No. 15-78**, approving the conversion from Aetna PPO to Blue Shield PPO health care plan.
3. Council adopt **Resolution No. 15-79**, approving the City's participation in the Property Assessed Clean Energy (PACE) Program.
4. Council adopt **Resolution No. 15-81**, approving the cancellation of the December 22, 2015 Regular Council Meeting due to the Holiday season.
5. Council adopt **Resolution No. 15-82**, approving the conversion of the Baseball Commission to the Recreation Commission.

Requests were made to pull items 2 and 5 for discussion.

A motion was made to approve items 1, 3, and 4 of the consent calendar by Councilor Amador, seconded by Councilor Castro; unanimously approved (4 ayes, absent: Riofrio).

2. Council adopt **Resolution No. 15-78**, approving the conversion from Aetna PPO to Blue Shield PPO health care plan.

Discussion was held on whether all applicable employees were made aware of the proposed conversion from Aetna PPO to Blue Shield PPO; a workshop that was held for employees to discuss the conversion; Director of Administrative Services meeting with the presidents of Mendota Police Officer's Association and the AFSCME; staff meeting with the City's health care broker in regards to the 19.5% increase in Aetna PPO premiums this year and researching other health care plans that do not have an increase in premiums; the effects that the full implementation of Obama Care will have; other plans that were available that are similar to the Aetna PPO plan without the increase in premiums; an upcoming workshop that will be held for employees to submit

their applications; the conversion being scheduled to occur by December 1<sup>st</sup>; the total amount of savings that the City will see if it converts to Blue Shield PPO; and the differences between Aetna PPO and Blue Shield PPO.

**Joel Warkentin (Mendota Police Officer's Association [MPOA])** – stated that he is the president of the MPOA; reported that a significant amount of members of the MPOA have not had the opportunity to attend a workshop to discuss the Blue Shield PPO plan; and requested that the MPOA members be allowed to attend the workshop prior to Council's decision on the conversion.

Discussion was held on the time sensitivity of the item; some employees not benefitting as well as others in regards to the conversion; the possibility of tabling the item and holding a Special City Council meeting to discuss the item after the upcoming workshop is held; and on the members of the MPOA that have not had the opportunity to attend a workshop.

**Mark Banuelos (AFSCME Union Representative)** – inquired as to whether the workshop that was held was for all employees and requested that AFSCME union employees be able to attend the upcoming workshop prior to Council's decision.

Discussion was held on staff meeting with the AFSCME Union Representative and the representative agreeing to the conversion on behalf of the union.

A motion was made to table the item and hold a Special City Council meeting on Friday, November 13<sup>th</sup> at 12 p.m. to discuss the item by Mayor Pro Tem Valdez, seconded by Councilor Castro; unanimously approved (4 ayes, absent: Riofrio).

5. Council adopt **Resolution No. 15-82**, approving the conversion of the Baseball Commission to the Recreation Commission.

Mayor Silva introduced the item and Planning & Economic Development Manager Flood reported that the Baseball Commission was formed to ensure proper maintenance and schedule the uses of the Benny Mares Sr. Baseball Field; converting the Baseball Commission to the Recreation Commission to expand its scope and make the first step in establishing a Recreation Department in the future; and the various changes that were recommended by the Baseball Commission such as changing the name of the Commission, the power to approve or deny the exclusive use of any City facility when they are requested for purposes related to sporting or athletics, review and provide a recommendation to the City Council on the annual Exclusive Use applications for all facilities, and make recommendations to the City Council on capital improvements and policy changes for all City facilities when they are used for recreational purposes.

Discussion was held on the Recreation Commission reviewing the annual Facility Use Application for all City facilities and providing a recommendation to the City Council; the Commission wanting to organize an adult co-ed softball league in the coming year; the possibility of the Commission organizing fundraisers to raise money for the Mendota

Community Corporation; and the Commission not having any financial authority. **Kevin Romero (160 Tuft Street)** – explained the benefits of converting the Baseball Commission into the Recreation Commission and the various ways that the Recreation Commission can fundraise in order to raise money for the Mendota Community Corporation.

A motion was made to adopt Resolution No. 15-82 with the modification of the removal of change #3 by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (4 ayes, absent: Riofrio).

## **PUBLIC HEARING**

1. Council hold a public hearing to consider adopting **Resolution No. 15-83**, approving the implementation of the new water and sewer rate schedules, and **Resolution No. 15-80**, approving a five year Capital Improvement Program.

Mayor Silva introduced the item and City Engineer McGlasson summarized the report including that the water and sewer funds were running in a negative cash flow; the need for the funds to operate in a self-sufficient manner thus increasing the water and sewer rates in order to do so; the most critical water and sewer projects that have been identified and added to the Capital Improvement Program (CIP); the various water department projects that are included in the CIP such as replacing variable frequency drives, replacing the SCADA system, installing a second set of iron manganese filters, developing a fourth well, installing automated water meters, building an additional water storage tank and distribution pumps, and other miscellaneous projects that are included; reported on the various sewer department projects that are included in the CIP such as replacing the Lozano Lift Station, resurfacing the roads at the Waste Water Treatment Plant, building a laboratory and an office so employees have more room to perform tests, increasing the effluent disposal system; and explained that loans are available through the State Revolving Fund to fund projects but the City having to demonstrate that the water and sewer funds are financially secured.

Discussion was held on the total projected cost of the CIP and the effects that El Niño can have on the effluent disposal system; the gradual increase of the water and sewer rates over the next five years; the City applying for grants to fund certain CIP projects; the discretion that the Council has to waive a rate increase if it is unnecessary; the negative condition of the Enterprise Fund; (7:03 p.m. Mayor Pro Tem left the Council Chambers and returned at 7:04 p.m.) the poor condition of the B&B Bridge; and the problems that can arise should the City lose access to the well field.

At 7:05 p.m. Mayor Silva opened the hearing to the public.

**Oscar Rosales (606 Garcia Street)** – inquired as to what the water and sewer increase funds will be used for; reported on CIP projects that should be of priority; the importance of the water and sewer funds to be self-sufficient; the lack of maintenance in the past having a significant impact on the current conditions of the water and sewer systems;

the lack of staff and Council initiative to increase water and sewer rates in recent years in order to make the water and sewer funds self-sufficient; and the importance of adequately maintaining the water and sewer systems.

Discussion was held on the various projects that are included in the CIP; the increase of equipment and maintenance costs; and the importance of performing routine maintenance on the water and sewer systems.

**Kevin Romero (160 Tuft Street)** – (at 7:18 p.m. Councilor Castro left the Council Chambers and returned at 7:20 p.m.) inquired as to whether the rent that tenants pay to the Mendota Housing Authority will increase as a result of the water and sewer rate increase.

Discussion was held on the Housing Authority paying the utility bills for all Housing Authority tenants.

**Mark David Banelos (630 Gaxiola Street)** – stated that the proposed water and sewer rate increase is significant and some residents are unable to pay for their utility bills and inquired as to who wrote the public notice regarding the proposed water and sewer rate increase hearing that was sent out to property owners and tenants.

Discussion was held on the public notice that was sent to property owners and tenants and the Proposition 218 requirements that need to be met in order for the City to increase the water and sewer rates.

At 7:33 p.m. Mayor Silva closed the hearing to the public.

Discussion was held on the benefits of gradually increasing the water and sewer rates over a period of years and the importance on adequately maintaining the water and sewer systems.

A motion was made to adopt Resolution No. 15-83 by Councilor Amador, seconded by Councilor Castro; unanimously approved (4 ayes, absent: Riofrio).

A motion was made to adopt Resolution No. 15-80 by Councilor Amador, seconded by Mayor Silva; unanimously approved (4 ayes, absent: Riofrio).

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Public Works
  - a) Monthly Report

City Manager DiMaggio stated that he would forward questions from Council to Director of Public Works Gonzalez.

2. Code Enforcement  
a) Monthly Report

Planning & Economic Development Manager Flood summarized the report including the foci for the month of October such as the attempt to make enforcement more comprehensive by increasing the variety of citations that are given out; reported on the collaboration between Code Enforcement and the Police Department to make sure that abandoned buildings are not habituated; and continuing to identify illegal home conversions.

Discussion was held on storing the trash bins at Rojas-Pierce Park in a way that complies with the Bin Enclosure Guidelines; the possibility of locking the trash bins by the Community Center; maximizing Code Enforcement Officer coverage; and contacting Mid Valley Disposal in regards to the possibility of having a drop-off location in the City for landscapers to dispose of green waste.

3. Police Department  
a) Monthly Report

Chief of Police Andreotti summarized the report including the increase of simple assaults; the decrease of auto thefts; the increase of warrant services through self-initiated activity by the officers; the increase of drunk driving and public intoxication arrests; the police department being fully staffed on field services; the possibility of the police department being eligible for grant funding to replace used vehicles; an officer who was bitten by a dog and was medically cleared to return to normal duty; and the impact that the School Resource Officer has had on students.

Discussion was held on the thoroughness of Chief Andreotti's monthly report and the lack of work resulting in an increase of alcohol consumption within the community.

**Oscar Rosales (606 Garcia Street)** – thanked Chief Andreotti and the Mendota Police Department for their hard work and inquired as to whether the benefit package is the same for all employees.

Discussion was held on assault rifles that were acquired from the military and returned due to non-deployment.

2. City Manager

City Manager DiMaggio reported that he is a member of the policy advisory committee at the Council of Governments and that a move is being made to change the ranking criteria so larger cities benefit from service transportation money.

## **MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)  
Council reports

Councilor Castro inquired as to the status of the proposed Catholic Church.

Discussion was held on a Special Planning Commission meeting that is tentatively scheduled for November 23<sup>rd</sup> to discuss the issue.

Mayor Pro Tem Valdez reported on the upcoming annual Senior Thanksgiving Luncheon that will be held on November 21<sup>st</sup>.

2. Mayor

Mayor Silva reported on an event that he will attend at Friant Dam; a meeting with Gayle Holman that he attended with Planning & Economic Development Manager Flood; and the Health Fair that was held at Rojas-Pierce Park.

Chief of Police Andreotti reported on fliers that can be passed out which asks individuals to report information regarding crimes.

## **CLOSED SESSION**

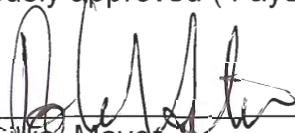
1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
CA Government Code § 54956.9(d)(2): 1 case
2. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION  
CA Government Code § 54956.9 (a)  
Martha Rodriguez v. City of Mendota, Fresno County Superior Court Case No. 15 CECG 00834

At 8:04 p.m. the Council moved into closed session.

At 8:19 p.m. the Council reconvened in open session and Interim City Attorney Fike reported that in regards to item 1 of the closed session, there was nothing to report. In regards to item 2 of the closed session council authorized to award the attorney fees of a total of \$19,000.

**ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 8:20 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

