

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the special City Council meetings of November 1, 2016 and November 9, 2016.
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 Mayor Pro Tem Valdez to approve items 1 and 2, seconded by Councilor Castro; unanimously approved (5 ayes).

CONSENT CALENDAR

1. NOVEMBER 03, 2016 THROUGH NOVEMBER 16, 2016
WARRANT LIST CHECKS NO. 041704 THRU 041785
TOTAL FOR COUNCIL APPROVAL = \$355,551.90
2. Proposed adoption of **Resolution No. 16-86**, approving the cancellation of the December 27, 2016 regular City Council meeting due to the holiday season.

A motion was made to adopt items 1 and 2 of the Consent Calendar by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (5 ayes).

BUSINESS

1. Council discussion and consideration on using the city's general fund reserve to fund the hiring of three new police officer positions.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report including past discussions that were held on the issue; the inability for the city to fund the three positions in the future; various issues that have placed pressure on the General Fund; solving staffing and salary problems at the police department through new tax measures; and his recommendation to not utilize the General Fund reserve to fund the three officer positions and that the Council pursue a special election in June 2017.

Discussion was held on the impacts that the minimum wage increase will have on the city; the purpose of the water and sewer rate increase; a survey that was conducted in the past to assess the public's opinion on a tax measure to fund the police department; significant crimes that have occurred recently; the inability to locate revenue to fund the three new police officer positions; holding a special election in June 2017 to consider a new tax measure to fund the police department; the importance of educating the public on the need to pass a new tax measure; the issue with officer turnover; the police department being the lowest paying agency compared to other cities of similar size; and the police department being understaffed.

Marc Banuelos (630 Gaxiola Street) – stated that the City should educate the public on the proposed tax measure to provide additional funding to the police department.

Victor Martinez (346 Martinez Court) – reported on the importance of increasing the collaboration between city and the community.

Omaged Mondol – reported on the benefits of approaching individuals in order to increase their trust.

Council consensus was reached to direct the City Attorney to provide the City Council with information regarding holding a special election in June 2017 and not having further action regarding utilizing the General Fund reserve to fund the three police officer positions.

2. Proposed adoption of **Resolution No. 16-87**, opposing the proposed solar facility on 2,000 acres adjacent to and immediately west of the City of Mendota.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report including the letter that the City received regarding the project; the proposed size and location of the project; and the reasons why staff opposes the proposed solar facility project.

Discussion was held on Westland's Water District staff not having knowledge regarding the proposed facility; negative impacts that the creation of the proposed facility would have on the City; possible safety issues that the solar facility could create; and the possibility of adding wording to the resolution that states that the facility be created at a certain distance from residential areas.

A motion was made to adopt Resolution No. 16-87 with the addition of the aforementioned language by Councilor Riofrio, seconded by Councilor Amador; unanimously approved (5 ayes).

3. Introduction and first reading of **Ordinance No. 16-10**, removing the 48 hour requirement for a Noise Permit.

Mayor Silva introduced the item and Economic Development Manager Flood reported that staff is requesting the removal of the 48 hour noise permit notice requirement in order to benefit the community.

Discussion was held on the lack of purpose for the 48 noise permit notice requirement; whether individuals would still need to obtain a noise permit; and whether officers enforce the noise ordinance.

A motion was made to perform the first reading of Ordinance No. 16-10, with the second reading waived, by Councilor Amador, seconded by Mayor Pro Tem Valdez;

unanimously approved (5 ayes).

4. Introduction and first reading of **Ordinance No. 16-11**, modifying Section 3.20.040 of the Mendota Municipal Code (Administration of surplus and conduct of sale).

Mayor Silva introduced the item and City Manager DiMaggio reported that the City wanted to sell road shavings from the Marie-Divisadero project to a local business but not being able to do so due to the current provisions of the surplus property ordinance.

Discussion was held on the possibility of the city using the shavings for other city-related purposes; the benefits of selling the road shavings; previous ordinances that exist that may address the issue; other businesses that may be interested in purchasing the material; the material currently being at the Gonzalez Towing yard; the proposed ordinance adding to the current surplus sale provisions; and the material being sold via the bidding process.

A motion was made to perform the first reading of Ordinance No. 16-11, with the second reading waived, by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

5. Adoption of **Ordinance No. 16-12**, an Interim Urgency Ordinance Enacting a Temporary Moratorium on New and Relocated Wireless Telecommunications Facilities Within Public Right-of-Ways, Pursuant to Government Code Section 65858.

City Manager DiMaggio summarized the report including that City Managers from other cities notified him that telecommunications companies were installing large towers in the public right-of-way of their cities without consulting them; the actions that these cities took in order to prevent this; and the need for Mendota to form a similar provision to protect its jurisdiction, which is temporarily embodied in the attached urgency ordinance.

Discussion was held on an upcoming meeting in Fresno with AT&T in which various cities will be discussing what action to take and a previous incident that occurred years ago.

6. Council discussion and consideration to provide city employees with a \$25 voucher for the holidays.

Discussion was held on the number of employees in the City; the idea of providing \$25 to each one for a total of \$1075; the idea to have the voucher valid only in Mendota stores; and staff going to the two major markets to ask if they wish to participate.

Council consensus was reached to provide direction to have staff to meet with the two major markets in town and to bring back the item to Council at the December 13th City Council meeting.

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

Director of Public Works Gonzalez summarized his report including an update on the Marie-Disivadero reconstruction project.

Discussion was held on the technical difficulties delaying the Marie-Disivadero Project; future rebuilding of 5th Street; and speeding on Derrick Avenue.

2. City Attorney
 - a) Update

Nothing to report.

3. City Manager

City Manager DiMaggio reported on the Groundwater Sustainability Act and the efforts currently undertaken by City staff and the possibility of becoming our own Groundwater Sustainability Agency.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Mayor Pro Tem Valdez asked about water usage; provided a report on the Senior Thanksgiving luncheon, including a donation by Mr. Joe Gil Gomez; and reported on the Mendota Youth Recreation posadas that will be held on various Fridays in December and the Christmas Parade that will be held on Saturday, December 17th.

Councilor Amador asked when the next joint meeting with the Mendota Unified School District Board of Trustees would be.

Councilor Riofrio reported that Brian Pacheco's dairy employees confided to him that Supervisor Pacheco works very hard at his business; commented on the amount of people that go without the necessities during the holidays; the progress of the Mendota Football team; and thanked staff for the hard work in his 20 years as a Councilmember.

2. Mayor

Mayor Silva reported on a meeting that he will have with Congressman David Valadao.

CLOSED SESSION


1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code section 54956.9(d)(1))
Case Name Unspecified (Disclosure would jeopardize settlement negotiation).

At 8:24 p.m. the Council moved into closed session.

At 8:37 p.m. the Council reconvened in open session and Deputy City Attorney Helsley 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 8:37 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Amador; unanimously approved (5 ayes).



Rolando Castro, Mayor

ATTEST:



Matt Flood, City Clerk

