

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting

April 26, 2016

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 (at 6:08 p.m.), Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

Council Members Absent: None.

Flag salute led by Councilor Amador.

Invocation led by John Flores of the Rivers of Living Waters Christian Church.

A moment of silence was held in honor of Lafayette Montgomery who had recently passed away.

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

SWEARING IN

1. Police Chief Andreotti to swear in new Lieutenant Kevin Smith.

Police Chief Andreotti shared Lieutenant Kevin Smith's background and experience in law enforcement (6:08 p.m. Mayor Pro Tem Valdez entered the Council Chambers).

Deputy City Clerk Cabrera swore in Lieutenant Kevin Smith.

Lieutenant Smith thanked Council for allowing him the opportunity to serve as Police Lieutenant for the City.

Council congratulated Lieutenant Smith.

PRESENTATION

1. Ivette Rodriguez from Mid Valley Disposal to present the 3rd and 4th quarter update.

Ivette Rodriguez from Mid Valley Disposal presented the 3rd and 4th quarter update including the purpose of AB 1826; upcoming residential assessments that will be conducted in the upcoming weeks; the results of the spring 2015 residential assessments; the importance of the City increasing recycling rates; the City's diversion rates; educational flyers that are given to the public; results of the commercial/multi-family visits; information regarding AB 341; the importance of educating the public on which trash items correspond to each bin; businesses with outstanding recycling efforts; various events that Mid Valley Disposal attends; and the various locations in which members of the public can take batteries and light-bulbs for proper disposal.

Discussion was held on the good job that residents are doing in regards to recycling and educating the public on which trash items correspond to each bin.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Joseph Oldham – provided information on the Chandler Challenge Air Rally event that will be held on May 28th; discussed details about the race course; stated the possibility of acquiring scholarships that will be given to individuals who want to enroll in flight training; the shortage of pilots; and different opportunities that are available in regards to aviation.

Discussion was held on aviation programs that are in the process of being implemented; the upcoming event at the William Robert Johnston Municipal Airport; and the various organizations and agencies that are participating in the event.

Raul Varela (263 J Street) – reported that the Annual Harvest Fiesta was held at the William Robert Johnston Municipal Airport a few years ago and inquired as to why it cannot be held there again.

Discussion was held on why the Annual Harvest Fiesta was allowed to be held at the airport a few years ago.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of April 12, 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 Councilor Riofrio to approve items 1 and 2, seconded by Councilor Amador; unanimously approved (5 ayes).

CONSENT CALENDAR

1. APRIL 19, 2016 THROUGH APRIL 20, 2016
WARRANT LIST CHECKS NO. 040825 THRU 040891
TOTAL FOR COUNCIL APPROVAL = \$369,973.61
2. Proposed adoption of **Resolution No. 16-29**, authorizing submittal of an application for the Department of Resources Recycling and Recovery (CalRecycle)'s payment programs and related authorizations.
3. Proposed adoption of **Resolution No. 16-30**, adding the position of Lieutenant to the list of employees that can travel to and from work in a City Vehicle.

A request to pull item 3 for discussion was made.

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

3. Proposed adoption of **Resolution No. 16-30**, adding the position of Lieutenant to the list of employees that can travel to and from work in a City Vehicle.

Discussion was held on the costs associated with allowing the Police Lieutenant to utilize a City vehicle to travel to and from work; the type of vehicle that the Lieutenant will be using; the need for the Lieutenant to have a vehicle so that he can respond to emergencies; the qualifications that the Lieutenant has; and the total amount of funds that were used to purchase the vehicle.

A motion was made to approve item 3 of the Consent Calendar by Councilor Riofrio, seconded by Councilor Amador; approved (4 ayes; no: Castro).

BUSINESS

1. Council Discussion and consideration on the water rate increase for July 1, 2016.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report including that the Council approved a multi-year water increase in November 2015; the last water rate increase that the City had was over eight years ago; the lack of funds that are available to make the necessary improvements to the water system; the State of California taking over the City's water system and making the necessary rate increases should the water fund become bankrupt; the water rate increases that are scheduled until 2021; the direction that staff has received from Council to look into available options to defer the water rate increase that is scheduled for July 2016; the three alternatives that are available for the scheduled rate increase for July; the importance of continuing to implement the scheduled water rate increases in order to fund the Capital Improvement Plan (CIP); the various projects that are included in the CIP; staff's recommendation to defer the scheduled water rate increase for July 2016 to July 1, 2017, Council to direct staff to transfer \$88,000 from the City's reserve fund to the water fund, and extending the rate increases to 2022; and repaying the loan from the Reserve Fund with the funds acquired from a future rate increase.

Discussion was held on whether the loan from the City's reserve fund to the City's water fund is legitimate; the alternatives that are available to the Council; the need to provide maintenance to the water system; the importance of avoiding bankruptcy in the water fund; the aging water system infrastructure; residents not being able to afford the scheduled water rate increase; projects that are included in the CIP; the possibility of cancelling the scheduled water rate increase for July 2016; water rates that neighboring cities charge; staff looking for grants that can fund CIP projects; why water rates were not raised in the past 8 years; various opinions that residents have regarding rate increases; the amount of funding that is needed to fund CIP projects; and deferring the scheduled water rate increase.

A motion was made to direct staff to prepare the necessary documents to defer the water rate increase for July 2016, extend the scheduled water rate increases to 2022, and to loan the water fund \$88,000 from the reserve fund by Councilor Riofrio, seconded by Councilor Amador; approved (4 ayes, no: Castro).

At 7:56 p.m. Mayor Silva announced there would be a recess.

At 8:13 p.m. the Council reconvened in open session.

2. Introduction of **Ordinance No. 16-05**: An Ordinance Amending Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operating of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana.

Mayor Silva introduced the item and City Attorney Kinsey requested that Council the

continue the item to the May 10th City Council meeting due to noticing requirements.

A motion was made to continue the item to the May 10th City Council meeting by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

PUBLIC HEARING

1. Proposed adoption of **Ordinance No. 16-04**: An Ordinance of the City Council of the City of Mendota, California, Amending Sections 13.32.020 and 13.32.050, and Adopting New Section 13.32.065 of the Mendota Municipal Code, and Give First Reading, by Title only, with Second Reading waived.

Mayor Silva introduced the item and City Attorney Kinsey summarized the report including that the State Water Resources Control Board (SWRCB) released regulations which includes that the City meets a 25% water reduction goal or to reduce watering days to two days a week; the City complying with the water regulation order; ensuring that the City facilities comply with water restrictions; the water conservation measures in the proposed ordinance including the reduction of watering days to two days a week; and the proposed ordinance allowing Council to adopt temporary water measures as needed.

At 8:26 p.m. Mayor Silva opened the hearing to the public and, seeing no one present willing to comment, closed it in that same minute.

A motion was made to waive the second reading of Ordinance No. 16-04 by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

A motion was made to adopt Ordinance No. 16-04 by Councilor Riofrio, seconded by Mayor Pro Tem; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

Discussion was held on potholes located throughout the City; the method of operation of the Animal Control Officer; the issues related to the buckling of Quince Street that was recently paved; the work that PG&E is performing in certain areas of the City; the personnel levels of the Public Works Department; the sign footing that was removed from a property near 6th and Oller Streets; the possibility of individuals living in a ponding basin near the Water Treatment Plant; the work that the Adult Offender Work Program does; and street lights that are not working correctly.

2. Public Utilities
 - a) Monthly Report

City Manager DiMaggio stated that he can answer any questions that Council may have.

Discussion was held on finding a cheaper solution for the SCADA system and the maintenance that the water system needs.

3. City Attorney
 - a) Update

City Attorney Kinsey reported on the JPA that was formed between the City and the former Mendota Designated Local Authority and a bond in 1989 that has \$425,000 in reserve, gaining interest; the amount that is due is \$165,000, which creates an excess that can be redeemed for revenue; contacting the appropriate individuals so that the City can get direction on how such revenue can be acquired; and providing further information to Council in the future.

4. City Manager

City Manager DiMaggio reported on the traffic study that was done near Perez Street and Bass Avenue with Mendota Unified School District (MUSD); the costs being divided between the City and MUSD; the results of the traffic study showed that the intersection does not meet the traffic demand to warrant a signal; holding a meeting between the MUSD School Board and the City Council to discuss the ownership of the Community Center; and discussions with developers in regards to developing the property on the southern corner of Bass Avenue and Highway 180.

Discussion was held on the development of the property on Belmont and Derrick Avenues.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Councilor Amador reported Caltrans employees working near Highway 180, southeast of Mendota; a religious non-profit organization that is selling food plates to raise money; and the trailer park on Oller Street.

Discussion was held on the possibility of improving the railroad at Highway 180 near Bass Avenue in the future; the difficulties of getting the railroad to cooperate; and infrastructure issues related to land subsidence.

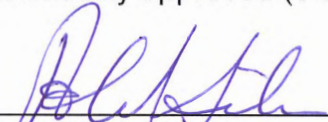
Mayor Pro Tem Valdez reported on Mendota Youth Recreation's upcoming Cinco de Mayo event.

Councilor Castro reported on the issue related to the drive-thru at McDonald's and the patrons of Autozone and speaking with the Mayor of Firebaugh in regards to dispatch services.

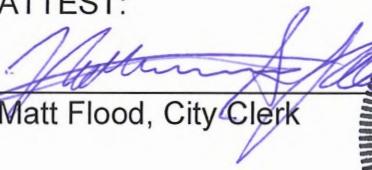
Discussion was held on a future project at 7th Street and Derrick Avenue.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 9:16 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:


Matt Flood, City Clerk

