



# CITY OF MENDOTA

*"Cantaloupe Center Of The World"*

ROBERT SILVA  
Mayor  
SERGIO VALDEZ  
Mayor Pro Tempore  
JOSEPH AMADOR  
ROLANDO CASTRO  
JOSEPH RIOFRIO

**AGENDA**  
**MENDOTA CITY COUNCIL**  
Regular City Council Meeting  
**CITY COUNCIL CHAMBERS**  
**643 QUINCE STREET**  
April 26, 2016  
6:00 PM

VINCE DiMAGGIO  
City Manager  
JOHN KINSEY  
City Attorney

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The Mendota City Council welcomes you to its meetings, which are scheduled for the 2nd and 4th Tuesday of every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Council may discuss and/or take action on any or all of the items listed on this agenda. **Please turn your cell phones on vibrate/off while in the council chambers.**

Any public writings distributed by the City of Mendota to at least a majority of the City Council regarding any item on this regular meeting agenda will be made available at the front counter at City Hall located at 643 Quince Street Mendota, CA 93640, during normal business hours, 8 AM - 5 PM.

## **CALL TO ORDER**

## **ROLL CALL**

## **FLAG SALUTE**

## **INVOCATION**

## **FINALIZE THE AGENDA**

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

## **SWEARING IN**

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

## **PRESENTATION**

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

## CITIZENS ORAL AND WRITTEN PRESENTATIONS

At this time members of the public may address the City Council on any matter not listed on the agenda involving matters within the jurisdiction of the City Council. Please complete a "request to speak" form and limit your comments to THREE (3) MINUTES. Please give the completed form to City Clerk prior to the start of the meeting. All speakers shall observe proper decorum. The Mendota Municipal Code prohibits the use of boisterous, slanderous, or profane language. All speakers must step to the podium, state their names and addresses for the record. Please watch the time.

## 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.

## CONSENT CALENDAR

Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

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.

## BUSINESS

1. Council discussion and consideration on the water rate increase for July 1, 2016.
  - a. *Receive report from City Manager DiMaggio*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council provide direction to staff on how to proceed*

2. Introduction of **Ordinance No. 16-05**: An Ordinance Amending Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operation of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana.
  - a. *Receive report from City Attorney Kinsey*
  - b. *Inquiries from Council to staff*
  - c. *Council continue item to May 10, 2016, Regular City Council Meeting*

### **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.
  - a. *Receive report from City Attorney Kinsey*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens the public hearing, accepting comments from the public*
  - d. *Mayor closes the public hearing*
  - e. *Council provide any input and adopt Ordinance No. 16-04*

### **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Public Works
  - a) Monthly Report
2. Public Utilities
  - a) Monthly Report
3. City Attorney
  - a) Update
4. City Manager

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

1. Council Member(s)
2. Mayor

### **ADJOURNMENT**

### CERTIFICATION OF POSTING

I, Celeste Cabrera, Deputy City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota City Council Regular Meeting of April 26, 2016, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, April 22, 2016 at 4:25 p.m.

  
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Celeste Cabrera, Deputy City Clerk



## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

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**Regular Meeting**

**April 12, 2016**

**Meeting called to order by Mayor Silva at 6:01 p.m.**

### **Roll Call**

**Council Members Present:** Mayor Robert Silva, Mayor Pro Tem Sergio Valdez (at 6:09 p.m.), Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

**Council Members Absent:** None.

**Flag salute led by Mayor Silva.**

**Invocation led by Ken Faulkner.**

### **FINALIZE THE AGENDA**

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

City Manager DiMaggio requested that item 2 of the consent calendar be removed from the agenda.

A motion was made by Councilor Riofrio to adopt the agenda as requested by staff, seconded by Councilor Castro; unanimously approved (4 ayes, absent: Valdez).

### **CITIZENS ORAL AND WRITTEN PRESENTATIONS**

**Martin Gamez (680 Divisadero)** – stated that he is a member of the Planning Commission and apologized for negative comments that he made on social media.

Council thanked Mr. Gamez for apologizing for the comments that he made on social media and discussion was held on the positive influence that elected and appointed

officials need to have on the community.

**Dino Perez (Westside Youth Inc. [WSY])** – reported on various events that WSY will be having (6:09 p.m. Mayor Pro Tem Valdez entered the Council Chambers) and stated that WSY is accepting donations of various items that will go to those in need.

Discussion was held on requesting the collaboration of various agencies to assist the homeless in Mendota.

### **APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING**

1. Minutes of the regular City Council meeting of March 22, 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 Amador; unanimously approved (5 ayes).

### **CONSENT CALENDAR**

1. MARCH 18, 2016 THROUGH APRIL 06, 2016  
WARRANT LIST CHECKS NO. 40743 THRU 40824  
TOTAL FOR COUNCIL APPROVAL = \$378,880.40
2. *Proposed adoption of **Resolution No. 16-25**, adopting a voluntary drug and alcohol testing policy for City elected and appointed officials.  
[Removed from the agenda.]*
3. Proposed adoption of **Resolution No. 16-26**, approving the transfer of Fund 24 – Donation Fund [Explorers Program Funds] to the Mendota Community Corporation.
4. Proposed adoption of **Resolution No. 16-27**, authorizing the City Manager to execute a contract with Giersch and Associates for the design of the Lozano Lift Station modification.
5. Proposed adoption of **Resolution No. 16-28**, approving to hold two Special City Council meetings to consider the budget for Fiscal Year 2016-2017.

A request to pull item 3 for discussion was made.

3. Proposed adoption of **Resolution No. 16-26**, approving the transfer of Fund 24 – Donation Fund [Explorers Program Funds] to the Mendota Community Corporation.

Discussion was held on the amount of funds that will be transferred over to the Mendota Community Corporation.

A motion was made to approve items 1, 3, 4, and 5 of the Consent Calendar by Councilor Riofrio, seconded by Councilor Amador; unanimously approved (5 ayes).

## **BUSINESS**

1. Council discussion and consideration of the membership and frequency of the Public Safety Sub-Committee meetings.

Mayor Silva introduced the item and Councilor Castro stated that he is unable to attend the Public Safety Sub-Committee meetings and wishes to resign from the Committee.

Discussion was held on reorganizing the Committee.

A motion was made to nominate Councilor Amador as Chairperson for the Public Safety Sub-Committee by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

A motion was made to nominate Councilor Riofrio as Vice-Chairperson for the Public Safety Sub-Committee by Mayor Pro Tem Valdez, seconded by Councilor Castro; unanimously approved (5 ayes).

Discussion was held on changing the frequency of the meetings to monthly and the various organizations that attend the meetings.

A motion was made to change the frequency of the Public Safety Sub-Committee meetings to monthly by Councilor Amador, seconded by Councilor Castro; approved (4 ayes, no: Valdez).

Discussion was held on the purpose of the Public Safety Sub-Committee meetings.

**Teresa Ayala** – stated that police officers are using radar and as a result are making frequent vehicle stops and explained that she witnessed an individual having their vehicle towed and she believed that it was unfair.

Discussion was held on when police officers have vehicles are towed as a result of a vehicle stop.

**Victor Martinez** – inquired as to how he can report officer misconduct and where he can acquire information regarding crime rates.

Discussion was held on ensuring that police officers follow the rules; information that is available to the public regarding crime rates; the procedure that exists for a member of the public to report officer misconduct; and ensuring that the City works with the

community.

2. Introduction 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; SWRCB extending the emergency regulation until October 2016; the City is currently operating under a Stage II water reduction regulation which allows watering for three days a week; 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.

Discussion was held on whether the state will be more lenient in regards to water allocations; the benefits of the proposed ordinance allowing the Council to adopt temporary water regulation measures as needed; the spike in water usage; water conservation measures included in the proposed ordinance; educating the public on the importance of water conservation; promoting the conversion of green lawns to drought-friendly landscaping; and the importance of the City complying with state law.

A motion was made to perform the first reading of Ordinance No. 16-04, with the second reading waived, by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; approved (4 ayes, no: Castro).

3. 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 item to the April 26<sup>th</sup> City Council meeting due to zoning code requirements that staff has to follow.

A motion was made to continue the item to the April 26<sup>th</sup> City Council meeting by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Code Enforcement
  - a) Monthly Report

Economic Development Director Flood summarized the report including that the Code Enforcement Department is continuing to focus on the proliferation of substandard living



and weed abatement.

Discussion was held on the deadline that property owners have to clean their properties; the weed abatement process; courtesy notices that were mailed out to property owners regarding maintaining their properties; the possibility of having property owners accountable for maintaining the weeds on their property year-round; and ensuring that the City does not violate private property rights.

2. Police Department  
a) Monthly Report

Chief of Police Andreotti summarized the report including a personnel update; various grants that the department is applying for, has received, or are currently pending; an award that Officer Hogan will be receiving; ongoing negotiations with the City of Firebaugh for dispatch services; and crime rates.

Discussion was held on various grants that have been received and are currently pending and the ongoing negotiations with the City of Firebaugh for dispatch services.

3. City Attorney  
a) Update

City Attorney Kinsey reported on working with staff in improving the efficiency of the Mendota Municipal Code provisions.

Discussion was held on the City of Coalinga's position on medical marijuana.

4. City Manager

City Manager DiMaggio reported that the Fresno County Board of Supervisors voted in favor of placing a signal at the intersection of Oller/Derrick Avenues; various meeting that he has attended regarding implementing a signal at the intersection; and an item that will be on the April 26<sup>th</sup> City Council meeting regarding water and sewer rate increase.

Discussion was held on the possibility of implementing a system at City Hall to accept credit/debit card transactions and the costs associated with implementing the system.

**MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)  
Council reports

Councilor Riofrio summarized an article by Sarah Horton regarding overtime pay for farm workers.

Councilor Castro thanked the public audience for attending the meeting (7:49 Councilor Amador left the Council Chambers and returned within the same minute).

Discussion was held on sending out flyers regarding the Driver Awareness event.

Mayor Pro Tem Valdez reported on Mendota Youth Recreation's (MYR) upcoming softball clinic; ongoing baseball league; and an upcoming Cinco de Mayo event.

2. Mayor

Mayor Silva reported on various that the San Joaquin Valley Water Infrastructure Authority attended in Sacramento and the proposed expansion of Rojas-Pierce Park.

Discussion was held on the proposed expansion of Rojas-Pierce Park and upcoming co-ed softball league.

**CLOSED SESSION**

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
CA Government Code § 54957(b)  
Title: City Manager

At 8:01 p.m. the Council moved into closed session.

At 8:38 p.m. the Council reconvened in open session and City Attorney Kinsey 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 8:39 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Castro; unanimously approved (5 ayes).

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Robert Silva, Mayor

ATTEST:

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Matt Flood, City Clerk

CITY OF MENDOTA  
 CASH DISBURSEMENTS  
 4/19/2016-4/20/2016  
 Check # 040825 - 040891

Date	Check #	Amount	Vendor	Department	Description
April 19, 2016	40825	\$94,865.00	CITY OF MENDOTA PAYROLL	GENERAL	PAYROLL TRANSFER 04/04/2016 THRU 04/17/2016
April 20, 2016	40826	\$562.82	A1 JANITORIAL SUPPLY	SEWER	(5)ALL PURPOSE CITRUS LIFE STATION DEGREASER
April 20, 2016	40827	\$3,375.00	ADMINISTRATIVE SOLUTIONS INC.	GENERAL	MONTHLY MEDICAL ADMINISTRATION FEES FOR APRIL 2016,HRA ADMINISTRATION FOR APRIL 2016, MEDICAL CHECK RUN 04/15/2016
April 20, 2016	40828	\$217.87	ADT SECURITY SERVICES	GENERAL-WATER-SEWER	SECURITY SERVICES FROM 04/11/2016 TO 05/10/2016 (EDD), 04/13/2016 TO 05/12/2016 (CITY HALL), 04/13/2016 TO 05/12/2016 (DMV)
April 20, 2016	40829	\$195.66	AG & INDUSTRIAL SUPPLY INC.	WATER-SEWER-STREET	BANDIT STRAPING 3/4, PIONNER TIP MALE FITTING PART FOR TRACTOR
April 20, 2016	40830	\$104.41	AGRI VALLEY IRRIGATION, INC.	WATER	PARTS FOR BOOSTER PUMP FOR FLOOD CONTROL
April 20, 2016	40831	\$25.98	AIRGAS USA, LLC	WATER	RENT CYL IND SMALL CARBON DIOXIDE 20LB MARCH 2016
April 20, 2016	40832	\$467.54	ALERT-O-LITE	WATER	(12)K-RAIL WATER FILLED RENTALS 01/03/2016 THRU 03/02/2016 TO BLOCK OFF WELL ROAD FOR BRIDGE WORK BASS AVENUE
April 20, 2016	40833	\$612.82	ALLIED ELECTRIC	WATER	(1) 600V CONTRACTOR FOR AG WELL 5
April 20, 2016	40834	\$155.00	JESSICA ALVARADO	GENERAL	REIMBURSEMENT FOR 180 RELEASE FOR FEE. THE REGISTERED OWNER OF THE VEHICLE HAS DECIDED THEY NO LONGER WANT THE VEHICLE.
April 20, 2016	40835	\$663.52	AMERITAS GROUP	GENERAL	VISION INSURANCE FOR MAY 2016
April 20, 2016	40836	\$471.51	AMERIPRIDE	GENERAL-WATER-SEWER	UNIFORMS 03/03/2016,03/10/2016,03/17/2016, 03/24/2016, 03/31/2016
April 20, 2016	40837	\$1,904.69	AT&T	GENERAL-WATER-SEWER	POLICE DEPARTMENT DISPATCH 02/24/2016 THRU 03/23/2016 (PD), CITY WIDE TELEPHONE SERVICE 02/25/2016 THRU 03/24/2016
April 20, 2016	40838	\$484.47	AT&T MOBILITY	GENERAL	AIR CARDS FOR 02/20/2016 THRU 03/19/2016 (PD)
April 20, 2016	40839	\$91,676.90	AVISON CONSTRUCTION, INC.	STREET	MENDOTA ELEMENTARY SCHOOL PEDESTRIAN IMPROVEMENT PROJECT
April 20, 2016	40840	\$85.00	MACARIO BANUELOS	WATER-SEWER	DMV-DOT PHYSICAL EXAM FOR COMMERCIAL DRIVERS LICENSE
April 20, 2016	40841	\$350.00	BAR PSYCHOLOGICAL GROUP	GENERAL	POST PRE-EMPLOYMENT PSYCHOLOGICAL SCREEN SMITH, KEVIN W. (PD)
April 20, 2016	40842	\$388.78	BARCODE WAREHOUSE	GENERAL	(1)ZEBRA GK420t DT/TT PRINTER (PD)
April 20, 2016	40843	\$584.38	BATTERIES PLUS BULBS	SEWER	(3)APC BATTERY BACK-UPS FOR SEWER SCADA SYSTEM
April 20, 2016	40844	\$23,166.29	BLUE SHIELD OF CALIFORNIA	GENERAL	MEDICAL INSURANCE FOR MAY 2016
April 20, 2016	40845	\$336.00	BMI	GENERAL	MUSIC LICENSE FEE 04/01/2016 TO 03/31/2017
April 20, 2016	40846	\$1,373.00	BSK ASSOCIATES	WATER-SEWER	WW WEEKLY BOD DRINKING & WASTEWATER ANALYSES, BACTI-SPECIAL COLIFORM PRESENCE/ABSENCE, GENERAL EDT WEEKLY TREATMENT
April 20, 2016	40847	\$13,559.54	COOK'S COMMUNICATIONS	GENERAL	NEW RETRO FIT REIMBURSABLE (PD)
April 20, 2016	40848	\$175.00	CORELOGIC INFORMATION	GENERAL-WATER-SEWER	REALQUEST PROGRAM MONTHLY FEE FOR MARCH 2016

**CITY OF MENDOTA  
CASH DISBURSEMENTS  
4/19/2016-4/20/2016  
Check # 040825 - 040891**

April 20, 2016	40849	\$674.00	DEPARTMENT OF JUSTICE	GENERAL	FINGERPRINT APPS & FBI, CHILD ABUSE CHECK, PERMIT AND (9) BLOOD ALCOHOL ANALYSIS (PD)
April 20, 2016	40850	\$714.83	DISPLAY ADVERTISING, INC.	GENERAL	PD DECAL AND MENDOTA STAR FOR UNIT#90 REIMBURSABLE (PD)
April 20, 2016	40851	\$21.00	EMPLOYEE RELATIONS	GENERAL	PRE-EMPLOYMENT BACKGROUND M.BRAVO
April 20, 2016	40852	\$1,549.91	EWING, FRESNO	GENERAL	(6)2.5 GL RANGER PRO FERTILIZER PARK, (2)GL DIQUAT SP 2L HERB FOR PARK, (40) 18-5-0 5% EVERGREEN
April 20, 2016	40853	\$8,750.00	FIREBAUGH POLICE	GENERAL	DISPATCH SERVICES FOR 03/01/2016 THRU 03/31/2016 (PD)
April 20, 2016	40854	\$130.80	FRESNO COUNTY SHERIFF	GENERAL	RMS JMS ACCESS FEE FOR MARCH 2016 (PD)
April 20, 2016	40855	\$546.25	GRANITE CONSTRUCTION	WATER	3/4" CALTRANS CLASS 2 AGGREGATE BASE
April 20, 2016	40856	\$345.24	GRAINGER INC.	GENERAL	US FLAG AND CALIFORNIA FLAG 5X8
April 20, 2016	40857	\$14,977.59	GUTHRIE PETROLEUM INC.	GENERAL-WATER-SEWER-STREET	(5967) GALLON UNLEADED GASOLINE, DIESEL FUEL NO.2
April 20, 2016	40858	\$471.27	IDEAS PLUS PROMOTIONAL PRODUCTS INC.	GENERAL	PROMO PENS, BIC PENS, WORKHORSE PENCILS AND SHIPMENTS (PD)
April 20, 2016	40859	\$306.00	KERWEST INC. DBA	GENERAL	LEGAL NOTICE-SUMMARY OF ORDINANCE 16-03 AND 16-02, LEGAL NOTICE-LOCAL PUBLIC NOTICE
April 20, 2016	40860	\$991.98	KOPPEL & GRUBER	CFD	ANNUAL ADMINISTRATION SERVICES FOR JANUARY 2016 THRU MARCH 2016 (CFD)
April 20, 2016	40861	\$84.00	LABORATORY CORPORATION OF AMERICA	GENERAL	PRE-EMPLOYMENT PHYSICAL EXAM J. ARCIGA (PD)
April 20, 2016	40862	\$850.00	LAW & ASSOCIATES	GENERAL	LAW ENFORCEMENT BACKGROUND INVESTIGATION FOR K. SMITH, BACKGROUND UPDATE FOR J. ARCIGA (PD)
April 20, 2016	40863	\$387.72	MICHAEL I. LEYVA	GENERAL	PLUMBING FOR POLICE DEPARTMENT AND SENIOR CENTER
April 20, 2016	40864	\$425.00	LG ELECTRIC	GENERAL	SERVER ROOM ELECTRICAL OUTLETS (PD)
April 20, 2016	40865	\$1,482.48	MENDOTA SMOG & REPAIR	GENERAL-WATER-SEWER	M85 PARTS AND LABOR (PD), 2015 NISSAN CM CAR OIL CHANGE & FULL INSPECTION, UNIT 03 PARTS
April 20, 2016	40866	\$52,437.74	MID VALLEY DISPOSAL, INC.	REFUSE	(1)40Y EXCHANGE, (1)30Y EXCHANGE AND SANITATION CONTRACT SERVICES FOR MARCH 2016
April 20, 2016	40867	\$6,000.00	MOUNTAIN VALLEY ENVIRONMENTAL SERVICES	WATER-SEWER	APRIL 2016 WATER TREATMENT, DIST, WWTP AND CPO SERVICE
April 20, 2016	40868	\$720.37	NORTHSTAR CHEMICAL	WATER	(360) GALLON SODIUM HYPOCHLORITE 12.5%
April 20, 2016	40869	\$1,472.36	OFFICE DEPOT	GENERAL-WATER-SEWER	ENVELOPES, CD'S, TONER, STORAGE BOXES, SPEAKER, BOARD, MARKERS & PAPER(PD)SCISSORS, POST-ITS, FOLDERS, BOOKCASE/DESK
April 20, 2016	40870	\$192.32	AT&T	GENERAL-WATER-SEWER	MONTHLY SERVICE FOR 266-6456 03/26/2016-04/25/2016
April 20, 2016	40871	\$18,350.35	PG&E	GENERAL-WATER-SEWER-STREET	CITY WIDE UTILITIES 03/15/2016-04/13/2016
April 20, 2016	40872	\$235.93	PITNEY BOWES INC.	GENERAL-WATER-SEWER	POSTAGE METER RENTAL 01/01/2016-03/31/2016
April 20, 2016	40873	\$190.00	PROVOST & PRITCHARD	STREET	DERRICK & 7TH INTERSECTION IP FOR MARCH 2016

CITY OF MENDOTA  
CASH DISBURSEMENTS  
4/19/2016-4/20/2016  
Check # 040825 - 040891

April 20, 2016	40874	\$7,000.00	PROFORCE LAW ENFORCEMENT	GENERAL	(6)TSR TRADE LASER, POWER MAG-USDA GRANT REIMBURSABLE (PD), (26)TASER CART M26/X26 (PD)
April 20, 2016	40875	\$3,016.14	R&B COMPANY	WATER	(5)FL30D FIBRELYTE LID FOR WATER METERS (4) 6X1CC MUELLER (8) 1" SENSUS SRII WATER METER (1)10 REP CLAMP
April 20, 2016	40876	\$109.24	RAMON'S TIRE & AUTO	GENERAL	(1)RADIAL TUBE (1)TIRE REPAIR-COMPACTOR TRAILER (1)LEFT FRONT TIRE WHEEL M80 (PD)
April 20, 2016	40877	\$194.81	RESCO/CRESCO	GENERAL-WATER-SEWER	(2)TEAR & DRY TOUCHLESS TOWEL DISPENSER-CITY HALL
April 20, 2016	40878	\$469.75	RESCUE ESSENTIALS	GENERAL	(6)QUICKCLOT 25GM SPONGE (12)TRAUMA BANDAGE (6)HALO CHEST SEAL (6)CPR POCKET MASK (6)RESCUE CLOTHING REIMBURSABLE (PD)
April 20, 2016	40879	\$336.65	ERNEST PACKING SOLUTIONS	GENERAL	(2)ARTISAN WHITE (20)EXAM GLOVES (1)CLOROX WIPES (1)URINAL SCREEN (PD)
April 20, 2016	40880	\$59.85	SEBASTIAN	GENERAL	SECURITY SERVICES FROM APRIL 2016 THRU JUNE 2016 (PD)
April 20, 2016	40881	\$43.16	SILVA FORD	STREET	LAMP FOR UNIT 78 FORD VAN
April 20, 2016	40882	\$309.52	UNION PACIFIC RAILROAD COMPANY	STREET	PUBLIC ROADWAY ENCROACHMENT PERMIT 05/01-31/2016
April 20, 2016	40883	\$4,380.39	STATE WATER RESOURCES CONTROL BOARD	WATER	LARGE WATER SYSTEM FEES FOR PERIOD 07/01/2015 - 12/31/2015
April 20, 2016	40884	\$570.30	STATE OF CALIFORNIA	STREET	SIGNALS & LIGHTING BILLING JANUARY THRU MARCH 2016
April 20, 2016	40885	\$575.00	TECH-MASTER	GENERAL	ONE-TIME SERVICE CITY HALL/PD ROZOL BAIT, ONE-TIME SERVICE ROJAS-PIERCE PARK, (5)PEST CONTROL FOR MARCH 2016
April 20, 2016	40886	\$41.01	THE SHERWIN-WILLIAMS CO.	WATER	(1) GALLON HE COMPLIANT THINNER
April 20, 2016	40887	\$727.13	THOMASON TRACTOR COMPANY	GENERAL	BLADES,COTTER PINS, BOLTS&NUTS, WHEEL AND SPHERICAL ROLLER BEARING FOR LAWN MOWER USED FOR PARKS
April 20, 2016	40888	\$1,106.53	USA BLUEBOOK	WATER	(1)WELL SOUNDER SONIC WA LEVER METER-WATER WELL
April 20, 2016	40889	\$1,410.24	VERIZON WIRELESS	GENERAL-WATER-SEWER	CITY AND PD CELL PHONES FOR MARCH 07, 2016 THRU APRIL 6,2016
April 20, 2016	40890	\$445.40	VETERINARY MEDICAL CENTER	GENERAL	(22) CITY EUTHANASIA STRAY DOGS (2) MEDICAL WASTE DISPOSAL FEE
April 20, 2016	40891	\$1,070.17	VULCAN MATERIALS COMPANY	STREET	(4.90) ST 3/8 SC3000 ASPHALT (11.04) ST 1/2 INMM ASPHALT
	<b>TOTAL</b>	<b>\$369,973.61</b>			

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MATT FLOOD, ECONOMIC DEVELOPMENT MANAGER  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** RESOLUTION FOR PARTICIPATION IN CALRECYCLE PAYMENT PROGRAM  
**DATE:** APRIL 26, 2016

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**ISSUE**

Should the City Council authorize staff to execute the necessary documents for participation in Calrecycle's Payment Program?

**BACKGROUND**

The City's Franchise Waste Hauling Service, Mid-Valley Disposal, has been submitting an application in past years to receive funds from Calrecycle as part of its Beverage Recycling City/County Payment Program. Calrecycle has a new requirement that Cities and Counties provide a resolution from their governing body in order to participate.

**ANALYSIS**

The City has spent these funds in the past on programs that emphasize litter reduction and increasing recycling. For example, in 2014 the City purchased a large quantity of Recycling Bins that were then given to the Chamber of Commerce to offer to all of the businesses in the community. The President of the Chamber at that time reported that businesses were excited to receive the bins at no cost.

**FISCAL IMPACT**

No significant fiscal impact.

**RECOMMENDATION**

Staff recommends adopting Resolution No. 16-29.

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA  
AUTHORIZING SUBMITTAL OF  
AN APPLICATION FOR CALRECYCLE'S  
PAYMENT PROGRAMS AND RELATED  
AUTHORIZATIONS**

**RESOLUTION NO. 16-29**

**WHEREAS**, pursuant to Public Resources Code section 48000 et seq. the Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and

**WHEREAS**, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the payment programs; and

**WHEREAS**, CalRecycle's procedures for administering payment programs require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the payment program.

**NOW, THEREFORE, BE IT RESOLVED** that City of Mendota is authorized to submit an application to CalRecycle for any and all payment programs offered; and

**BE IT FURTHER RESOLVED** that the City Manager, or his/her designee, is hereby authorized as Signature Authority to execute all documents necessary to implement and secure payment; and

**BE IT FURTHER RESOLVED** that this authorization is effective until rescinded by the Signature Authority or this Governing Body.

\_\_\_\_\_  
Robert Silva, Mayor

**ATTEST:**

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 26th day of April, 2016, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Matt Flood, City Clerk

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MATT FLOOD, ECONOMIC DEVELOPMENT MANAGER  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** ADDITION OF LIEUTENANT TO LIST OF EMPLOYEES ABLE TO TAKE VEHICLE HOME  
**DATE:** APRIL 26, 2016

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**ISSUE**

Should the City Council allow the Police Lieutenant to take a city vehicle to and from home?

**BACKGROUND**

The City Council approved the creation of a Lieutenant position within the Mendota Police Department. The Police Lieutenant is a senior management position and second in overall command of the Police Department. The Lieutenant is responsible for representing the city and police department in the absence of the Chief of Police and responding to major crime investigations or disasters, at any time of the day or night, and either assist the Chief of Police or handle overall command in the absence of the Chief.

The Lieutenant is also required to attend meetings and events outside the City of Mendota. Therefore Staff is requesting that the position be allowed to drive a City vehicle to and from work.

**ANALYSIS**

Staff finds the practice of allowing the second in command to take home a vehicle reasonable and appropriate.

**FISCAL IMPACT**

Gas and maintenance expenditures typical of the proposed vehicle usage.

**RECOMMENDATION**

Staff recommends the City Council adopt 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.



**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA  
AMENDING RESOLUTION NO.15-49**

**RESOLUTION NO. 16-30**

**WHEREAS**, the City Council approved the position of Police Lieutenant within the Police Department; and,

**WHEREAS**, it is necessary for the second-in-command to have a vehicle with which to respond to an emergency at all times; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mendota that section 20 of Resolution No. 15-49 shall be modified as follows:

“20) CITY AND PERSONAL VEHICLE: A City vehicle and fuel will be provided to the City Manager, the Chief of Police, the Public Works Director, Public Utilities Director, and the Building Inspector/Code Enforcement Officer for his/her use in performing his/her official duties. Employee’s use of personal vehicle for City business shall be compensated at a rate established by the IRS mileage rate. The City Manager, Public Works Director, ~~and~~ Chief of Police, **and Police Lieutenant** are permitted to use such assigned vehicles to commute between work and personal residence.”

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Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 26th day of April, 2016 by the following vote:

**AYES:  
NOES:  
ABSENT:  
ABSTAIN:**

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Matt Flood, City Clerk

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** DISCUSSION OF THE POSSIBLE OPTIONS FOR DEFERRING THE WATER RATE INCREASE SCHEDULED FOR JULY 1, 2016.  
**DATE:** APRIL 26, 2016

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**ISSUE**

Should the City Council direct staff to defer the water rate increase scheduled to take effect on July 1, 2016?

**BACKGROUND**

In November, 2015, the City Council approved a multi-year series of increases to the water and sewer rates. The schedule adopted by the City Council called for the first increase to be effective in January 2016, a second increase in July 2016, and annual increases each July thereafter until 2021.

The Council's decision was the culmination of months of study and numerous opportunities for public comment. Beginning in July, 2015, the City Council provided 15 separate opportunities for public notice and comment and from July to November, 2015, the issue was either on the City Council agenda or arose during a City Council meeting, in which public comment was invited.

Despite there being little public input prior to the Council's decision, there has been a fair amount of public input on social media and elsewhere opposing the water/sewer rate increase. Unfortunately, most of the opinions expressed stem from a fundamental lack of understanding of the salient issues.

The last water rate increase was nearly eight (8) years ago. Since that time, the Enterprise Fund for water has been steadily losing money and has been unable to fund any of the capital improvements necessary to keep the utility operating. At the time of the Council decision on the water rates, the water Enterprise Fund had an unrestricted fund balance of approximately \$80,000 – which would have been extinguished in the next fiscal year in order to just meet basic operational needs, much less fund the needed improvements to the water treatment system itself.

A more stark way to look at this issue is to say that without the water rate increase, the utility would have been bankrupt by 2017 which may have resulted in a take-over by a state agency. This, in turn, could have meant mandatory increases to *both* make up for the eight years without an increase *and* to cover the cost of the required improvements to the system over the next six years. The amount of such an increase would have been substantially larger than the one eventually approved by the Council, and the ability of residents to pay for such an increase would not have been taken into consideration in the event of a bankrupt utility.

In the effort to bring the utility back from the brink of insolvency, the resolution approved by the Council in November 2015, called for two rate increases in the span on 6 months and another increase 12 months after that. However, the Council has expressed concern over the ability of the residents to actually absorb two rate increases in such a short span of time and has asked staff to analyze alternatives.

### **ANALYSIS**

Since the enactment of the water rate increase in January, the water fund has nearly doubled its unrestricted fund balance by taking in an additional \$88,000 in revenue. This increase will just about cover the cost of improvements to the filtering system at the water treatment facility that were made last year at a cost of \$85,000. Future improvements are anticipated to use loans from the State Revolving Fund (SRF) with the additional revenue used to service said loans. The City is also working with the US Department of Agriculture on a community facilities loan which would also, in part, be funded by added revenue in the water fund.

However, in order to be approved for either type of financing, the Enterprise Fund balance sheet needs to clearly demonstrate its ability to remain solvent over the long term – hence the rate increases approved by Council.

The next rate increase of \$4.00 is scheduled to take effect on July 1, 2016. Using the simple formula of the amount of the increase, multiplied by the number of accounts, multiplied by 12 (the number of months in the fiscal year), this increase by itself would generate approximately \$88,800 (4 x 1850 x 12).

As previously noted, restoring the water fund to long term solvency for the purpose of leveraging those funds in a manner necessary to ensure the on-going operation and improvement of the utility is of principle importance. Therefore, the Council should avoid entertaining any alternatives that simply deprive the fund of the \$88,800 in revenues projected from the July 1, 2016 scheduled increase. Having said that, it is possible for the Council to amend the November resolution and eliminate the July 2016 rate increase entirely, although this option is strongly discouraged.

Another possible option that staff and the city attorney are examining is to defer the scheduled \$4.00 increase to July 2017, which would extend the total number of increases out to 2022, and transfer \$88,800 from the City's unrestricted reserves to the Enterprise Fund to cover the lost revenue from the deferral. Again, staff's emphasis is to ensure that the revenues slated to be received by the water fund are actually received as planned. Under this option, the City's reserve fund would provide a financial "backstop" against lost revenues in the water fund. It may also be possible for the reserve fund to "loan" the water fund the \$88,800 and then the water fund would repay the money to the reserve fund in 2022, however, this option requires additional legal analysis.

A third option would be for the Council to simply allow the scheduled increase to take effect on July 1 as planned. Much of the opposition to the rate increase has centered on a lack of understanding as to why the increases were needed. As the public becomes more familiar with the details of the rate increases, there may be a greater level of acceptance. Ultimately, the Council will be the best judge of the pulse of the constituency.

Regardless of the direction Council chooses, the issue of primary importance is to ensure that the revenue stream established by the rate increases continues to flow into the water fund to ensure long term solvency. In the case where the Council chooses either to defer or outright eliminate the July 1 increase of \$4.00, the lost revenue needs to be replaced. The best way to accomplish this objective is through either a transfer of \$88,800 from the reserve fund to the water fund, or through a loan from the reserve fund to the water fund – assuming both are legally permissible options.

### **FISCAL IMPACT**

Depending upon the direction of the City Council, there are several possible fiscal impacts. Should the Council choose to defer or eliminate the water rate increase scheduled for July 1 without replacement of the projected revenues to the water fund, the fund balance will lag behind revenue projections and jeopardize the ability of the City to fund vital improvements to the system and possibly jeopardize the City's ability to use certain financing vehicles, such as the SRF or USDA funding.

If the Council chooses an option that includes a transfer of \$88,800 from the reserve fund, this will result in a decrease in the balance of the City's reserve fund from approximately \$950,000 to approximately \$861,200. If the funds are "loaned" to the water fund (assuming that is a legally viable option), the reserve fund would be paid back in 2022 when the last water rate increase occurs. If funds are simply transferred from the reserve fund to the Enterprise Fund, Proposition 218 would likely prevent a transfer back, which would mean a permanent reduction in the balance of the reserve fund.

## **RECOMMENDATION**

Staff recommends that the City Council direct staff to prepare the enabling legislation permitting the reserve fund to transfer \$88,800 into the water fund (either through an outright transfer or loan), and defer the water rate increase scheduled for July 1, 2016 to July 1, 2017, subject to completion of a legal analysis of this option.

# A G E N D A I T E M - S T A F F R E P O R T

**DATE:** April 22, 2016

**TO:** Honorable Mayor and City Council Members

**FROM:** Matt Lewis, Public Utilities Director  
John P. Kinsey, City Attorney

**SUBJECT:** Second Reading and Adoption of Proposed 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

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## **ISSUE:**

Consideration of an ordinance amending Sections 13.32.020 and 13.32.050 of the Mendota Municipal Code, and Adopting New Section 13.32.065 of the Mendota Municipal Code, to provide (i) additional restrictions to promote water conservation, including limitations on outdoor watering, and (ii) provide greater flexibility to the City to develop, adopt and implement temporary restrictions and conservation measures.

## **BACKGROUND:**

On May 5, 2015, the State Water Resources Control Board (“SWRCB”) adopted Resolution 2015-0032, an Emergency Regulation for Statewide Urban Water Conservation (the “Emergency Regulation”) pursuant to Section 1058.5 of the Water Code. The Emergency Regulation became effective May 18, 2015. Among other things, the Emergency Regulation is designed to achieve the 25 percent statewide potable water usage reduction through February 2016, as ordered by Governor Brown in his April 1, 2015, executive order.

Section 865 of the Emergency Regulation requires that each public water supplier that supplies less than 3,000 customers, or supplies less than 3,000 acre feet annually to take one or both of the following actions:

- a) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or
- b) Reduce by 25 percent its total potable water production relative to the amount produced in 2013.

Section 865 requires that each public water supplier that supplies less than 3,000 customers, or supplies less than 3,000 acre feet annually to submit a report by December 15, 2015, that confirms compliance with the above requirements.

Water code section 1846 provides that any person or entity that violates a regulation adopted by the State Water Board may be liable for up to five hundred dollars (\$500) for each day the violation occurs.

The SWRCB has extended the Emergency Regulation until October 31, 2016.

In December 2015, City Staff prepared the required compliance report and filed it with the State. The months of June through November were compared for the years of 2013 and 2015. In almost every case, the City demonstrated a significant reduction in usage from the 2013 numbers. Overall the average reduction in water consumption was around 12 percent for the months of June through November 2015, which is laudable, but is below the targets established under the Emergency Regulation.

The City is currently under Stage Two Water Conservation. Stage Two allows outdoor watering to occur 3 days a week. Even numbered addresses are permitted to water on Tuesday, Thursday and Saturday, while odd-numbered addresses may water on Wednesday, Friday and Sunday.

As the Governor has extended the drought control measures until October 31, 2016, and in order to avoid any penalties being levied against the City, we need to reduce the number of watering days from three down to two.

The City Council introduced proposed Ordinance No. 16-04 on April 12, 2016, conducted the first reading, and opened the matter for public comment. No members of the public spoke in opposition to the proposed ordinance.

**ANALYSIS:**

To comply with the Emergency Regulation, City staff recommends several amendments to the City's Municipal Code. First, Staff proposes amendments to Section 13.32.020 of the Mendota Municipal Code to allow outdoor watering on two days per week, instead of three. Staff also proposes that additional conservation measures be added to Section 13.32.050 of the Mendota Municipal Code, which governs Stage II conservation measures. Those amendments would require all hotels operating in the City to offer customers the option of not having their linens and towels washed daily.

In addition, City staff recommends new Section 13.32.065 that would expressly authorize the City Council to adopt additional restrictions and water conservation measures on a temporary basis, which would provide additional flexibility to the City to help meet state-mandated targets.

**RECOMMENDATION:**

Motion to waive further reading of Ordinance No. 16-04.

Adopt Ordinance No. 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

Attachments

**Ex. "A":** [Proposed] 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



**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**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**

**ORDINANCE NO. 16-04**

**WHEREAS**, on May 5, 2015, the State Water Resources Control Board adopted Resolution 2015-0032, an Emergency Regulation for Statewide Urban Water Conservation pursuant to Water Code section 1058.5 (the “Emergency Regulation”); and

**WHEREAS**, pursuant to the Emergency Regulation, the City must, *inter alia*, reduce by 25% its total potable water production relative to the amount produced in 2013; and

**WHEREAS**, the City has made significant efforts to reduce its total potable water production, but (i) additional measures are necessary and (ii) additional flexibility is needed to help ensure the City will meet the goals established by the Emergency Regulation; and

**WHEREAS**, in response to these concerns, City Staff has prepared revisions to Sections 13.32.020 and 13.32.050 of the Mendota Municipal Code, and drafted a proposed new Section 13.32.065; and

**WHEREAS**, the City Council desires to amend the Mendota Municipal Code by adopting amendments to Sections 13.32.020, and 13.32.050 of the Mendota Municipal Code, and adding new Section 13.32.065; and

**WHEREAS**, the proposed Ordinance was introduced at the last regularly scheduled City Council meeting on April 12, 2016, and a public hearing was duly noticed and held by the Council.

**NOW THEREFORE**, the City Council of the City of Mendota does ordain as follows:

**SECTION 1. ADOPTION OF AMENDMENTS** to Section 13.32.020 of Chapter 13.32 (Water Conservation). Section 13.32.020 of Chapter 13.32 (Water Conservation) of the Mendota Municipal Code is hereby amended to read as follows:

### **13.32.020 - Regulations.**

In the use of water supplied by the city, the following requirements shall apply at all times:

- A. No person shall keep, maintain, operate or use any water connection, hose, faucet, hydrant, pipe, outlet or plumbing fixture which is not tight and free of leakage, dripping or waste of water.
- B. No person shall allow excessive water to run or waste from his/her property onto streets or highways.
- C. No person shall willfully or negligently waste water in any manner.
- D. Outdoor watering shall be prohibited during and for 48 hours after measurable rainfall. Outdoor watering for those residences with even-numbered addresses is permitted on Wednesdays and Saturdays, while odd-numbered addresses may water on Thursdays and Sundays. Monday, Tuesday and Friday are days on which no outdoor watering is allowed.
- E. No outdoor watering will occur between the hours of eleven a.m. and eight p.m.
- F. The city manager may grant a thirty-day exception for new lawns not yet established.
- G. Prohibition of draining of swimming pools with a capacity in excess of five thousand (5,000) gallons more than once every two years, except for structural repairs or to comply with public health standards determined by the county health officer. Residents with private swimming pools shall file a written application for a permit prior to draining their pools with the city manager. The application shall include information as to reason for draining pool and in case of repairs, the nature and duration of repairs to be made and the date on which the pool will be drained.
- H. Prohibition of the filling, refilling or adding of water to swimming pools, wading pools or spas during peak hours of eleven a.m. and eight p.m.
- I. Washing of exterior asphalt or concrete areas is prohibited except for those businesses that are governed by the Food and Drug Administration or state or county health department requirements that

require these areas to be washed for health purposes. Documentation indicating such regulations must be provided to the city manager.

- J. The use of water for washing cars, boats or other vehicles is prohibited without the use of a quick acting positive shut-off nozzle on the hose, the use of buckets for washing, and water from hose used for light rinsing. These regulations apply to both residential customers and fundraising events. The business owner at which a fundraising car wash is held is responsible for both the enforcement of these regulations and any citations which may result due to abuse of these regulations.
- K. All new construction and remodeling or additions to habitable areas with a valuation in excess of five thousand dollars (\$5,000.00) will be required to install or replace existing faucets and shower heads with low flow devices and toilets with ultra-low flow units.

**SECTION 2. ADOPTION OF AMENDMENTS** to Section 13.32.050 of Chapter 13.32 (Water Conservation). Section 13.32.050 of Chapter 13.32 (Water Conservation) of the Mendota Municipal Code is hereby amended to read as follows:

**13.32.050 - Stage two water conservation.**

Mandatory Compliance—Water Emergency. Upon implementation by the city manager and publication of notice, the following restrictions shall apply to all persons; all elements of stage one shall remain in effect in stage two except that:

- A. The washing of automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment is permitted only on designated irrigation days between the hours of eight p.m. and eleven a.m. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shut-off nozzle for quick rinses.

Exception: Washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety or welfare of the public is contingent upon frequent vehicle cleaning, such as garbage trucks and vehicles to transport food and perishables.

- B. The operation of any ornamental fountain or other structure making similar use of water is prohibited unless the fountain uses a recycling system, such as an electric pump.

- C. All restaurants are requested to serve water to customers only when specifically requested by the customers.
- D. Hotels must offer all customers the option of not having their linens and towels washed daily.

**SECTION 3.** Section 13.32.065 **ADOPTED.** Section 13.32.065 is hereby added to Chapter 13.32 (Water Conservation), Title 13 (Public Utilities) of the Mendota Municipal Code and adopted to read as follows:

**13.32.065 – Temporary Restrictions and Conservation Measures.**

In addition to the restrictions stated in Sections 13.32.020, 13.32.030, 13.32.040, and 13.32.050 of the Mendota Municipal Code, the City Council may by resolution adopt temporary restrictions or other conservation measures to further promote water conservation within the City.

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**SECTION 4.** The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act, Public Resources Code, § 21000, *et seq.* ("CEQA"), pursuant to Section 15060(c)(2) of the CEQA Guidelines, on the grounds that the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, and Section 15060(c)(3) of the CEQA Guidelines, on the grounds that the activity is not a project as defined in Section 15378 of the CEQA Guidelines, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under Section 15061(b)(3) of the CEQA Guidelines because it has no potential for causing a significant effect on the environment.

**SECTION 5.** If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Mendota City Council hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional.

**SECTION 6.** The adoption of any provision of this Ordinance does not affect any prosecution, civil action or administrative proceeding for any ordinance violation committed prior to the effective date of this ordinance; does not waive any fee, penalty, license or permit requirement due or in effect on the date this ordinance is adopted; and does not affect the validity of any bond or cash deposit posted, filed or paid pursuant to the requirements of any Ordinance.

**SECTION 7.** Within fifteen (15) days of the adoption of this Ordinance, a summary thereof, including the names of the City Council Members voting for and against it, shall be prepared by the City Attorney for publication in the *Firebaugh-Mendota Journal*, and a certified copy of the Ordinance shall be posted in the office of the City Clerk.

**SECTION 8.** This ordinance shall become effective and in full force at 12:00 midnight on the 31st day following its adoption.

\* \* \* \* \*

The foregoing ordinance was introduced on the 12<sup>th</sup> day of April, 2016 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 26<sup>th</sup> day of April, 2016 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Robert Silva, Mayor

ATTEST:

\_\_\_\_\_  
Matt Flood, City Clerk

APPROVED AS TO FORM:

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John Kinsey, City Attorney

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## PUBLIC WORKS REPORT

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CRISTIAN GONZALEZ, PUBLIC WORKS DIRECTOR  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** PUBLIC WORKS MONTHLY REPORT  
**DATE:** APRIL 26, 2016

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### **STREETS AND ROADS**

- The City's street sweeper continues to operate on its normal schedule, Mondays, Wednesdays and Fridays. When significant rain prohibits street sweeping activities on sweeping days, the street sweeper will sweep the skipped route the following day, assuming the weather allows.
- ATP (Active Transportation Plan) project on Bass avenue is substantially complete.
- The LED street and park light retrofit is near completion. The contractor will focus on troubleshooting a few of the non operational lights.
- City Engineer is working with the contractor and testing lab that performed the paving work on Quince street to resolve the failing pavement sections. A report will be provided to Council on the next City Council meeting.

### **PARKS AND PUBLIC BUILDINGS**

- Public Works continues to focus on programming sprinkler controls and checking individual sprinkler heads at the parks to be efficient with our water usage.
- The playground at Rojas Park has been repaired. Crews removed the damaged pour in place surface material and replaced it with engineered wood chips.

### **ANIMAL CONTROL**

- Staff held a dog clinic at Rojas Park. 57 Dog owners got their dogs registered with the city and 47 dogs received rabies shots.
- Animals impounded: 40

- Animals euthanized: 38
- Animals redeemed by owner: 2
- Graffiti abated: 10
- Citations issued: 2

#### **ADULT OFFENDER WORK PROGRAM**

- AOWP working on public right of way and alley weed abatement including all tree-wells and City owned lots.

#### **BUILDING PERMITS ISSUED**

- A list of new permits is attached to the report.

#### **PLANNING**

- A SPR (site plan review) for a new trucking business on Naples has been approved.

#### **STAFFING FOR PUBLIC WORKS**

- 6 full time employees
- 5 part time employees
- 1 full time/part time (Proteus)

#### **FUEL STOCK**

- Unleaded: 6,900 gallons
- Diesel: 4,370 gallons

## Permits Issued

Report Date Range : 03/17/2016 to 04/30/2016

Permit #	Type of Permit	Date Issued	Job Address
20160073	434(a) ELECTRICAL PANEL CHANGE OUT	3/18/2016	639 De La Cruz St
20160074	329(b) ADDENDUM PM#20160061 SOLAR; CHANGE OF LAYOUT, CLOUDED ON PV2 PANEL & KW= NO CHANGES	3/21/2016	142 Elm Ave
20160075	329(b) SOLAR: ROOF MOUNT SOLAR INSTALL (22 PANELS) 5.27 KW	3/21/2016	201 Gregg Ct N
20160076	434(a) STORAGE ROOM 120 SQ FT	3/24/2016	289 Valenzuela St
20160077	329(b) SOLAR: INSTALL 12 PV PANELS- COMP ROOF- 3.36 KW	3/24/2016	204 Locust Ave
20160078	329(b) SOLAR: INSTALL 19 PV PANLS; ROOFMOUNT: TILE; 4.94KW	3/24/2016	755 Lolita St
20160079	329(b) SOLAR; ROOF MOUNT SOLAR, 16 PANELS, 5.232 KW	3/25/2016	639 De La Cruz St
20160080	329(b) SOLAR: INSTALL 9 PV PANELS; ROOF MOUNT: TILE; 2.34 KW	3/30/2016	329 Gomez St
20160081	329(b) ADDENDUM SYSTEM DOWNSIZED TO 27PV PANELS @ 7.02KW CHANGED SYSTEM LAYOUT*	3/30/2016	280 Maldonado St
20160082	437(a) ADDING A BUSINESS SIGN	3/31/2016	773 Oller St
20160083	434(a) 151' OF WOOD FENCE: REPLACEMEN; WOOD	4/1/2016	291 Mccabe Ave
20160084	434(a) 2400 SQFT TEAR OFF RED TAGGED- MUST COMPLY WITH COOL ROOF REQ (RESTAURANT AND STORE) TORCHDOWN	4/4/2016	200 Derrick Ave
20160085	437(a) MOVE MAIN ELECTRICAL PANAL ON RESTAURANT-REDTAGGED	4/4/2016	200 Derrick Ave
20160086	329(b) SOLAR ROOF MOUNT 6.625kW DC SYSTEM W/ 25 MOUDLES & NEW 200A MAIN PANEL	4/4/2016	261 Pucheu St
20160087	434(a) RED TAGGED: TEAR OFF: COMP 1200 SQ FT SYNTHETIC FELT; COOL ROOF COMP- MUST COMPLY WITH COOL ROOF REQ.	4/4/2016	779 Unida St
20160088	329(b) SOLAR INSTALL 18 PV PANELS; ROOFMOUNT: COMP; 4.68 KW	4/6/2016	772 Lolita St



## Permits Issued

Report Date Range : 03/17/2016 to 04/30/2016

Permit #	Type of Permit	Date Issued	Job Address
20160089	329(b) ADDENDUM TO 20160050 SYSTEM DOWNSIZE: NOW 35PV PANELS AT 9.1 KW LAYOUT CHANGE IN PV2 INVERTER INFO UPDATED ON PV5	4/6/2016	297 Marie St
20160090	329(b) ADDENDUM TO 20160041: ONE LINE TO	4/8/2016	343 Quince St
20160091	105 11 Unit Apartments 3,276 SQFT (REC FEES OF \$15,009.61 WERE NOT CHARGED- APPLICANT WILL CONSTRUCT PLAYGROUND IN LIEU) PER RES13-02	4/8/2016	1783 Eight Street
20160092	434(b) REPLACEMENT OF EXISTING RTFAF WITH NEW RTFAF	4/11/2016	472 Quince St
20160093	434(a) PATIO 896 SQ FT	4/11/2016	254 L St
20160094	434(a) REROOF TEAROFF: SHINGLES EXISTING 1 LAYER/ 1904 SQ FT	4/11/2016	254 L St
20160095	329(b) ADDENDUM: 20160050 SYSTEM DOWNSIZE; NOW 35PV PANELS @ 9.1KW LAYOUT CHANGE/ ON PV2 INVERTER INFO UPDATED ON PV5	4/11/2016	297 Marie St
20160096	434(b) WATER HEATER WATER REPLACEMENT 1080 SQ FT	4/11/2016	749 Juanita St
20160097	329(b) SOLAR; INSTALL: 7.8KW PHOTOVOLTAIC SYSTEM ( ROOFMOUNT)	4/15/2016	319 Divisadero St
20160098	329(b) SOLAR; PV SOLAR INSTALL	4/15/2016	203 Ash Ave
20160099	437(b) REPLACE 40 GAL H.W.H	4/19/2016	647 Perez St
20160100	437(b) REPLACE 40 GAL N H.W.H	4/19/2016	647 Perez St
20160101	329(b) SOLAR: PV PANELS 4.08 KW 16 MODS 282 SQFT	4/19/2016	251 Black Ave
20160102	329(b) SOLAR: PV PANEL INSTALL 4.33KW 17 MODS 299 SQFT	4/19/2016	610 Peach Ave
20160103	329(b) SOLAR: PV PANELS INSTALL 4.08 KW 16 MODS ROOF 282 SQFT	4/19/2016	616 I St
20160104	329(b) SOLAR: PV PANELS 16 MODS 4.08KW 282 SQFT	4/19/2016	723 Peach Ave

### Permits Issued

Report Date Range : 03/17/2016 to 04/30/2016

Permit #	Type of Permit	Date Issued	Job Address
20160105	329(b) SOLAR: PV PANELS INSTALL 19 MODS OF 4.845 KW 334 SQFT	4/19/2016	220 Black Ave
20160106	437(a) INTERIOR RENOVATIONS OF MEDICAL OFFICE 790 SQ FT	4/19/2016	121 Barboza St
20160107	329(b) SOLAR: PV INSTALL 3.06 KW 12 MODS: ROOFMOUNT	4/20/2016	555 Bou Cir
20160108	329(b) SOLAR: PV INSTALL 5.61 KW 22 MODS 387 SQFT	4/20/2016	586 I St

**Total Number of Permits List**                      36

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## **PUBLIC UTILITY DEPARTMENT REPORT**

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TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: MATT LEWIS, PUBLIC UTILITIES DIRECTOR

SUBJECT: PUBLIC UTILITIES MONTHLY REPORT FOR APRIL

DATE: APRIL 20, 2016

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### **WATER TREATMENT PLANT**

- We have finished installing and calibrating the bisulfite system and the filter plant is now restored to 100% operation.
- Working on obtaining estimates to replace the water SCADA system.

### **SEWER DISTRIBUTION SYSTEM**

- We are well underway with the design of the Lozano Lift station modification. The new station will end up saving us considerable staff time and money. I anticipate that we will have completed plans and specifications to go out to bid by the end of May.
- On Saturday we had a PLC failure at the waste water treatment plant which prevented the pumps from operating. We were able to catch the problem before we had any sewer spills. The station has been fixed and we are now investigating what improvements can be added to the system to avoid this situation in the future.
- Working on obtaining estimates to replace the sewer SCADA system.
- We continue our weed control efforts out at the Waste Water Treatment Plant.

### **WATER DISTRIBUTION SYSTEM**

- I am working with Charles and the insurance company on the bridge replacement. In addition to perusing the insurance option we are also applying for a USDA grant to cover the additional cost of the bridge replacement.
- Working on developing an informational flyer for the residents of Mendota informing them of the new outdoor watering schedule and reminding them to continue to conserve water.

### **STAFFING**

- 5 full time staff and 1 part time employee.