

MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

July 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, Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

Council Members Absent: None.

Flag salute led by Councilor Riofrio in honor of the law enforcement officers who had lost their lives in the Dallas, Texas attack.

FINALIZE THE AGENDA

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

City Manager DiMaggio requested that the Council consider an amended Resolution No. 16-50 for adoption.

A motion was made by Mayor Pro Tem Valdez to adopt the agenda as requested by staff, seconded by Councilor Amador; unanimously approved (5 ayes).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Juanita Orozco – reported on the upcoming 39th Annual Joaquin Murrieta Ride that will be held July 29th – 31th; described the various events that will take place during the ride; requested the use of the Lindgren-Lozano Park; and presented a Certificate of Appreciation to the Council.

Discussion was held on staff approving the request to utilize the Lindgren-Lozano Park.

Ken Faulkner – reported on various issues that he is concerned about.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the special City Council meetings of May 31, 2016 and June 28, 2016 and the regular City Council meeting of June 14, 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 Castro; approved (4 ayes, abstain: Valdez).

CONSENT CALENDAR

1. JUNE 28, 2016 THROUGH JULY 07, 2016
WARRANT LIST CHECKS NO. 041136 THRU 041183
TOTAL FOR COUNCIL APPROVAL = \$178,018.41
2. Proposed adoption of **Resolution No. 16-48**, claiming the Local Transportation Funds (LTF) for Fiscal Year 2016-2017.
3. Proposed adoption of **Resolution No. 16-50**, approving the agreement for dispatch services with the City of Firebaugh.
4. Proposed adoption of **Resolution No. 16-51**, waiving the fee for the encroachment permit for the annual backpack giveaway event of 2016.
5. Proposed adoption of **Resolution No. 16-52**, approving the issuance a Letter of Authorization to Fresno County for the submittal of an application for the Oil Payment Program, Cycle 7 (OPP7).
6. Proposed adoption of **Resolution No. 16-54**, authorizing the approval of agreements with Provost & Pritchard Engineering Group and BSK Associates for the reconstruction of a portion of Marie and Divisadero Streets.

A request to pull items 3 and 5 for discussion was made.

A motion was made to approve items 1, 2, 4 and 6 of the Consent Calendar by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (5 ayes).

3. Proposed adoption of **Resolution No. 16-50**, approving the agreement for dispatch services with the City of Firebaugh.

Discussion was held on what consists of “unique costs” as mentioned in the agreement and the conditions that are set forth in the contract to cancel services.

A motion was made to approve item 3, with the amended Resolution No. 16-50, of the Consent Calendar by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (5 ayes).

5. Proposed adoption of **Resolution No. 16-52**, approving the issuance a Letter of Authorization to Fresno County for the submittal of an application for the Oil Payment Program, Cycle 7 (OPP7).

Discussion was held on the purpose of the program.

A motion was made to approve item 5 of the Consent Calendar by Mayor Pro Tem Valdez, seconded by Councilor Castro; unanimously approved (5 ayes).

Emilio Huerta – shared his background; stated that he is a congressional candidate for the 21st district; and explained that he wants to work together with the City.

BUSINESS

1. Council receive status report on and discuss the AMOR Westside Wellness Center.

Mayor Silva introduced the item and Davena Witcher of AMOR shared an overview of the project; provided an update on the status of the Westside Wellness Center including that AMOR had purchased the property on which the Center will be developed and that the developer of the property has offered to donate additional land; challenges that the project has faced; and various clinics that are interested in partnering with AMOR.

Discussion was held on the various services that will be offered at the clinic; the different development phases of the project; different ways that the City is contributing to the project; the possibility of AMOR having an informational booth at the Annual Backpack Giveaway; the need for additional medical services on the Westside of Fresno County; and Council thanked Ms. Witcher for her effort.

2. Council discussion on the options available for the construction of a new police department.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report including the funding that the City is scheduled to receive from the State for the construction of a new police department; developing the facility the City property on 7th Street; options that are available to the Council which include developing a standalone police department or a combined Police Department/City Hall Civic Center; the estimated costs for developing either option; possible ways to fund the options; staff being unable to locate a source in the General Fund to finance the debt for the construction for a standalone police department; and the combined Police Department/City Hall option being the optimal choice.

Discussion was held on the benefits of developing a combined building; the lack of space at City Hall; potential security risks that will exist as a result of combining the police department and City Hall; the project revitalizing the downtown district of the City; and the importance of staff determining exact costs of developing the building and funding sources.

Davena Witcher (AMOR) – reported on funding opportunities that are available through the State level CDBG program.

Jonathan Leiva (643 N. Juanita) – stated that the location for the proposed building is ideal and that he is in favor of the development of the combined building option.

Discussion was held on the importance of the public being active members in the community; the benefits of having the police department move to the center of the City; and the proposed layout of the combined building.

A motion was made to direct staff to conduct additional research on the costs and funding sources available for the construction of a combined Police Department/City Hall building by Councilor Castro, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

3. Proposed adoption of **Resolution No. 16-44**, modifying the funding sources for real property payment of 1759 7th Street.

Mayor Silva introduced the item and Finance Administrative Supervisor Diaz summarized the report.

A motion was made to adopt Resolution No. 16-44 by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

4. Council discussion and consideration on the City's water usage.

Mayor Silva introduced the item and Planning & Public Works Director Gonzalez summarized the report including the State mandated water reduction regulations; the City not meeting the State regulations; and staff needing direction from Council on how to proceed to ensure that the City meets its goal.

Discussion was held on the current Stage II water conservation regulations; increasing the enforcement of current water regulations; Council having the ability to add additional regulations to the current Stage II water conservation regulations; implementing Stage III water regulations; the possibility of citing individuals that are using an excessive amount of water based on utility bills; increasing public outreach on the importance of conserving water; providing additional resources to the Code Enforcement Department to enforce the water regulations; and having staff determine feasible options for reducing water usage.

Council consensus was reached to direct staff to determine feasible options to reduce water usage (8:23 p.m. Councilor Riofrio left the Council Chambers and returned).

5. Council discussion and consideration to adopt **Resolution No. 16-53**, appointing voting delegates for the League of California Cities' annual business meeting.

Mayor Silva introduced the item and Economic Development Manager Flood summarized the report.

Discussion was held on the possibility of Mayor Silva not attending the Annual Conference.

A motion was made to appoint Councilor Amador as the Alternate Voting Delegate and adopt Resolution No. 16-53 by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (5 ayes).

PUBLIC HEARING

1. Proposed adoption of **Ordinance No. 16-06**: An Ordinance Authorizing a contract between the City Council of the City of Mendota and the Board of Administration of the California Public Employees' Retirement System, and Give First Reading, by Title only, with Second Reading waived.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report including that the item was considered at the special meeting of June 28th and that the Government Code states that an ordinance should only be considered for adoption at a regular meeting.

Director of Administrative Services Johnson reported on the number of miscellaneous employees that are in favor of CalPERS; CalPERS costs being included in the budget; the cities that are participate in CalPERS; and the benefits of the City participating in CalPERS.

At 8:28 p.m. Mayor Silva opened the hearing to the public.

Gabriel Llanos – spoke in favor of the City's participation in CalPERS and explained the benefits for the City to participate.

Nancy Diaz (825 Tule Street) – spoke in favor of CalPERS; stated that the opportunity is financially feasible; and shared the benefits of the City participating in CalPERS.

Jonathan Leiva (643 N. Juanita) – inquired on whether it would apply to all City employees; stated that he has witnessed City employees drive around and not do their work; and stated that the City's participating provides an incentive to employees.

At 8:38 p.m. Mayor Silva closed the hearing to the public.

Discussion was held on the reason that the utility rates were increased; the effect that CalPERS will have on the Enterprise Funds; the City waiting another year to consider participating in CalPERS being detrimental to employees; and the good job that Public Works employees do.

A motion was made to adopt Ordinance No. 16-06 by Councilor Riofrio, seconded by Councilor Amador; approved (3 ayes, no: Castro and Valdez).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report

Economic Development Manager Flood summarized the report and stated that the Code Enforcement department focused primarily on weed abatement.

Discussion was held on an incident that occurred during the weed abatement process in which a gas line was broken and further recourse the City has in dealing with irresponsible and negligent property owners.

2. Police Department
 - a) Monthly Report

Chief of Police Andreotti summarized the report including the new logo and paint job that the police department vehicles will have; the number of calls for service, and significant cases.

Discussion was held on the condition of the vehicles that Code Enforcement is using and recent activities of the Mendota Explorers.

3. City Attorney
 - a) Update

City Attorney Kinsey commended the Code Enforcement Department for their efforts in the recent weed abatement process and reported on the Marijuana Initiative that will be on the ballot this November.

Discussion was held on attempting to recuperate the funds that are spent testing drunk drivers and the reason why the Chief of Police had an oil change on his City-owned vehicle completed at the dealership near his home.

4. City Manager

City Manager DiMaggio provided an update on his communications with Senator

Cannella's office regarding the possible closure of the Employment Development Department (EDD).

Discussion was held on the lack of understanding regarding the closure of the EDD offices at the State level and that Assembly member Arambula ignored Mayor Silva when questioned about the EDD closure.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Councilor Castro reminded everyone about the upcoming Mendota Harvest Festival.

Councilor Amador reminded everyone about the Driver Awareness Event that will take place in October and the National Night Out Event that will take place on August 2nd.

Mayor Pro Tem Valdez inquired on a City vehicle that had broken down and on the timeline on constructing the new Civic Center.

2. Mayor

Mayor Silva reported on a conference that he attended in Monterey that focused on Economic Development and the Mendota Business Summit that the City will hosting in collaboration with local business owners.

CLOSED SESSION

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

At 9:24 p.m. the Council moved into closed session.

At 10:07 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.

BUSINESS

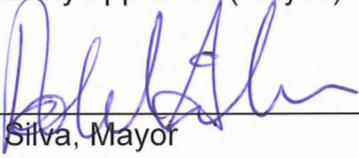
1. Proposed adoption of **Resolution No. 16-47**, amending the salary schedule for the position of Finance Director.

Mayor Silva introduced the item.

A motion was made to adopt Resolution No. 16-47 by Councilor Amador, seconded by Councilor Riofrio; approved (3 ayes, no: Castro and Valdez).

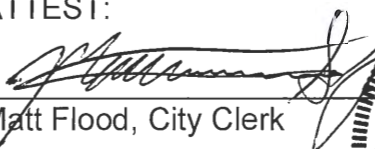
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 10:09 p.m. by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

