

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting

July 28, 2015

Meeting called to order by Mayor Silva at 6:10 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 Castro.

No Invocation.

FINALIZE THE AGENDA

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

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

SWEARING IN

1. Deputy City Clerk Cabrera to swear in Officer Sendy Ayala.

Deputy City Clerk Cabrera swore in Officer Sendy Ayala.

Chief of Police Andreotti shared Officer Ayala's background including her residing in Mendota as a child; currently residing in Riverdale; and was formerly a Police Officer with Avenal.

Discussion was held on the benefits of having bilingual officers and Council congratulated Officer Ayala.

At 6:17 p.m. Mayor Silva announced there would be a recess.

At 6:21 p.m. the Council reconvened in open session.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Pablo Ceja Bautista (201 De La Cruz Street) – explained that he attended the meeting specifically for the water and sewer rate increase item and requested a translator.

Discussion was held on the timeframe of the water and sewer rate increase and having Planning & Economic Development Manager Flood translate for Mr. Bautista for the Item.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council meeting of July 14, 2015.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

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

CONSENT CALENDAR

1. JUNE 13, 2015 THROUGH JULY 23, 2015
WARRANT LIST CHECKS NO. 39642 THRU 39698
TOTAL FOR COUNCIL APPROVAL = \$331,979.76
2. Council adopt **Resolution No. 15-50**, claiming Local Transportation pass through revenues for Fiscal Year 2015-2016.
3. Council adopt **Resolution No. 15-56**, favoring the establishment of a Joint Powers Authority to act in support of water storage and conveyance development.
4. Council authorize the City Manager to execute the documents necessary for the Oller/Derrick Roundabout Traffic Study.

Requests were made to pull item 4 for discussion.

A motion was made to approve items 1 through 3 of the consent calendar by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (5 ayes).

4. Council authorize the City Manager to execute the documents necessary for the Oller/Derrick Roundabout Traffic Study.

City Manager DiMaggio reported on Council's direction to staff to move forward with the traffic study for the Oller/Derrick Roundabout in the summer and explained that the information that is gathered from the traffic study will be presented to Council in the future.

Discussion was held on the timeframe of the traffic study; issues that a roundabout in Kerman was having; the possibility of creating a traffic signal at the intersection instead of a roundabout; the need to acquire land for either option; the possibility of losing a grant that is specifically for the creation of a roundabout; and moving forward with the traffic study, formulating a report, and presenting it to Council and Caltrans in the future.

A motion was made to approve item 4 of the consent calendar by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

BUSINESS

1. Council discussion on the development of a Westside Wellness Center by AMOR.

Mayor Silva introduced the item and City Manager DiMaggio introduced Davena Witcher, Executive Director of Alliance for Medical Outreach & Relief (AMOR).

Davena Witcher presented information including AMOR's first project being in Afghanistan; the organization looking for a location in the Westside for their second project and selecting Mendota as a target area; the project currently being in the preliminary stages; filling in the gaps in medical, social, and youth services within the area; the various shortage areas in Mendota; creating a central hub for various organizations and agencies to provide services for the community; the different buildings that will be built and their proposed purposes; potential collaborators; and the budget for the project

Discussion was held on the immense of amount of need of services for the community; different fundraising options available; offering services to everyone no matter the legal status; the possibility of offering dialysis services at the center; the need of a daycare in Mendota; the possibility of having a daycare (7:14 p.m. Councilor Riofrio left the Council Chambers); the amount of development impact fees that the project will generate; the potential site for the center (7:18 p.m. Councilor Riofrio returned to the Council Chambers); the need to combine the two parcels that consist of the site through lot line adjustment; the proposal only requiring a staff-level Site Plan Review; the option Council has to direct staff to enter into a Development Agreement with AMOR and waive all or some of the development fees; the limits of the Economic Incentive Zone; the project also benefitting surrounding communities; the need of another pharmacy within the City; various organizations and programs that are willing to help with the

project; and Council's commitment to work with AMOR regarding the project.

Council consensus was reached to direct staff to meet with AMOR regarding the waiving of development fees.

2. Council discussion on the increase of water and sewer rates.

Mayor Silva introduced the item and City Engineer McGlasson reported that he met with City Manager DiMaggio in regards to the Capital Improvement Plan (CIP); reported on the various items and projects included within the CIP; capital items on the CIP that are of priority; funding the CIP through development impact fees and water and sewer fees; the need to increase the rates in order to fund current operations; and the different options available to increase water and sewer rates.

Discussion was held on priority items and projects included in the CIP; the different options that are available to increase water and sewer rates; the need to educate the public on the situation; the lack of maintenance on the water system in the past significantly influencing the situation; the Proposition 218 election process; City Engineer reporting back to Council in the future in regards to the timeframe to replace the Lozano Lift Station; and the water and sewer rates of other cities.

Council consensus was reached to direct staff to prepare a report that includes a \$12.00 water rate increase and a \$6.00 sewer rate increase and present to Council at a future meeting.

3. Council discussion and consideration on the refund of business license fees for the carnival.

Mayor Silva introduced the item (7:54 p.m. Mayor Pro Tem Valdez recused himself from the dais).

Corina Banuelos & Sergio Valdez (Mendota Youth Recreation [MYR]) – explained that MYR was requesting the refund of fees paid to the City for the carnival's business license; reported on an agreement between MYR and the carnival in regards to MYR being responsible for paying the business license; stated the amount that was paid to the City for the business license; revenue from the carnival being low this year compared to other years; and the increase of security personnel present at the carnival.

Discussion was held on the way business license fees are calculated in regards to the carnival; the different carnival companies that have been contracted in the past; the increase of security personnel present at the carnival significantly decreasing crime (8:07 p.m. Councilor Castro left the Council Chambers); the possibility of other organizations wanting to be refunded fees paid to the City if MYR is refunded; and the different options available to refund MYR fees (8:09 p.m. Councilor Castro returned to the Council Chambers).

A motion was made to refund \$1,000 to MYR for fees paid to the City for a business license by Councilor Riofrio, seconded by Councilor Castro; approved (3 ayes, no: Amador, abstain: Valdez).

At 8:11 p.m. Mayor Pro Tem Valdez returned to the dais.

4. Council discussion and consideration on the frequency and attendance of the Public Safety Sub-Committee meetings.

Mayor Silva introduced the item and stated that the item was on the agenda due to comments that were made at a previous Council meeting.

Discussion was held on changing the frequency of the Public Safety Sub-Committee meetings to quarterly; the various organizations and agencies that attend the meetings; how the sub-committee was established; the amount of staff time that goes towards preparing for a meeting; the different topics that are discussed at the meetings; and inviting other organizations to attend the meetings.

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

Councilor Amador announced that he resigns as Chairperson and member of the Public Safety Sub-Committee.

Council consensus was reached to appoint Councilor Castro as Chairperson of the Public Safety Sub-Committee.

Discussion was held on holding the scheduled August 3rd Public Safety Sub-Committee meeting and having quarterly meetings after that and appointing a Council Member as Vice-Chairperson of the sub-committee.

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

PUBLIC HEARING

1. Council takes public comment and consider Resolution No. 15-55, authorizing the placement of special assessments on the 2015/2016 tax roll for the 2015 nuisance abatement costs.

Mayor Silva introduced the item (8:42 p.m. Councilor Castro recused himself from the dais and joined the audience) and Planning & Economic Development Manager Flood summarized the report including that the City carried out weed abatements on properties that did not clean up their properties; explained the notices provided to these property owners consistent with the Mendota Municipal Code (MMC); stated that APN 013-192-02 needed to be removed from the list of properties to be assessed due to confusion of where the property lines lie; and stated that two property owners were appealing the fees being assessed to their properties but the fees being warranted due to the presence of a public nuisance.

Discussion was held on the properties included on the cost report and account summary; the opportunity property owners had to pay for their abatement before a lien is put on their property; the property owners that are appealing the fees; how the fees are calculated; the importance of Code Enforcement taking pictures of the properties before and after they are abated (8:57 Councilor Riofrio left the Council Chambers); the importance of keeping the community clean and maintaining properties (8:59 Councilor Riofrio returned to the Council Chambers); and verifying that the abatement process is done thoroughly.

A motion was made to adopt Resolution No. 15-55 with the modification of the removal of APN 013-192-02 was made by Councilor Riofrio, seconded by Councilor Amador; approved (4 ayes, abstain: Castro)

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Utilities
 - a) Monthly Report

Director of Public Utilities Lewis summarized his report including the installation of iron-manganese filters for the treatment plant; sewer line cleaning that has been beneficial to the sewer system; the installation of the SCADA system for the prison booster station; the repair of the Lozano lift station SCADA; and painting fire hydrants throughout the City uniformly.

Discussion was held on the schedule of the contractor that will install the treatment plant media; the lack of water conservation by the federal prison; the cost of replacing bearings in the wells; the cost of testing fire hydrants; and the positive way in which the Public Works and Public Utilities Departments handled the recent flash flood.

2. City Attorney
 - a) Update

City Attorney Boranian reported on the I-5 Social Services and Mendota Unified School District (MUSD) property on Smoot Street and the contact she has with the counsel of both agencies; the possibility of the properties in question belonging to the Housing Authority and Golden Plains Unified School District; the difficulty of contacting MUSD regarding the property; and being in court for a Pitchess motion where the judge stated that it will not go in front of him again.

Discussion was held on the disputed ownership of the property and the possibility of resolving it; the previous agreement with I-5 Social Services for leasing of the property in 1997; the importance of protecting public safety employees; a property on Naples that has a pile of hazardous rubble stored on it; a deposition that some Council Members will be involved in; car theft deterrence devices that can be handed out at National Night Out; and a piece of land that the City can rent.

4. City Manager

City Manager DiMaggio reported on future dates in which he will be out of the office and lowering the unemployment rate in Mendota.

Discussion was held on a program that Proteus might implement that could provide additional temporary employees to the City and the City not able to pick up live cats.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Councilor Riofrio reported on the vandalism of a sign at Jess Gil Park and the proliferation of vicious dogs in Mendota.

Kevin Romero (160 Tuft Street) – commented on the vandalism of the sign at Jess Gil Park.

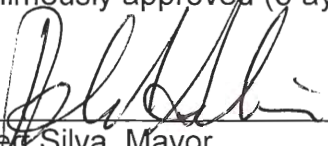
Mayor Pro Tem Valdez inquired as to the damage of a surveillance camera at the Senior Center.

2. Mayor

Mayor Silva announced the upcoming backpack giveaway on August 2nd; the street sweeping of 7th Street between Oller and Naples Streets; weeds in the alleys; and the need to send a letter to Supervisor Pacheco thanking him for coming out to Mendota to view the results of the flash flood.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 9:55 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Castro; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

