



## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

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**Regular Meeting**

**August 11, 2015**

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

**Council Members Absent:** None.

**A moment of silence was held in honor of two firefighters who lost their lives battling Northern California fires.**

**Flag salute led by Mayor Pro Tem Valdez.**

**Invocation led by Eugenio Rodriguez from Iglesia de Dios Pentecostal, M.I.**

### **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 (5 ayes).

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

**Zuleth Lucero (217 Espinoza Street)** – introduced herself and explained the purpose of Deferred Action for Childhood Arrivals program (DACA) and the Deferred Action for Parents of Americans and Lawful Permanent Residents program (DAPA); the increasing issue of immigration fraud; visiting cities in various counties to promote awareness on immigration fraud; explained the various services that Mi Familia Vota

provides; and the possibility of adopting a resolution at a future meeting that promotes the well being of local residents in regards to immigration services.

Discussion was held on Ms. Lucero working with staff to create the resolution that promotes the well being of local residents in regards to immigration services; adding the resolution to the August 25<sup>th</sup> City Council meeting agenda; and the increase of immigration fraud throughout the Central Valley.

**Joe Gil Gomez (2033 7<sup>th</sup> Street)** – stated that he requested to meet with City Manager DiMaggio concerning a collection of fees paid by him to the City and explained that he received a letter from City Clerk Flood that explained that City Manager DiMaggio was not able to meet with him since the issue was resolved by two previous City Managers.

Discussion was held on the incident being resolved by two previous City Managers and Mr. Gomez putting his concerns in writing and addressing it to City Manager DiMaggio.

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

1. Minutes of the Regular City Council meeting of July 28, 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 Castro; unanimously approved (5 ayes).

### **CONSENT CALENDAR**

1. JULY 28, 2015 THROUGH AUGUST 05, 2015  
WARRANT LIST CHECKS NO. 39700 THRU 39755  
TOTAL FOR COUNCIL APPROVAL = \$303,597.38
2. Council adopt **Resolution No. 15-57**, fixing the amount taxable on property for the purpose of paying principal and interest on 1977 General Obligation Bonds.
3. Council adopt **Resolution No. 15-58**, approving the final map of Tract No. 5925 and entering into a subdivision agreement.

Requests were made to pull item 2 and 3 for discussion.

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

2. Council adopt **Resolution No. 15-57**, fixing the amount taxable on property for the purpose of paying principal and interest on 1977 General Obligation Bonds.

Discussion was held on the resolution being to fix the taxable rate in order to continue to pay off the 1977 General Obligation Bond; the remaining amount owed on the 1977 bond series; and City Manager DiMaggio providing a list of outstanding bond obligations to Council.

A motion was made to approve item 2 of the consent calendar by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

3. Council adopt **Resolution No. 15-58**, approving the final map of Tract no. 5925 and entering into a subdivision agreement.

Discussion was held on the absence of a park in the final map of Tract no. 5925; the subdivision being approved without open space; additional developments that the developer agreed to do such as road improvements; the possibility of using park fees paid by the developer to reconstruct the parking lot at Rojas-Pierce Park; how park fees are calculated; various ways park fees can be utilized; the final map being substantially similar to the tentative map; City Manager DiMaggio meeting with Stephen Hair regarding the timeline of the build out of Smoot Street; and the amount of units that will be built.

A motion was made to approve item 3 of the consent calendar by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

## **BUSINESS**

1. Appointment of Mendota residents to the Mendota Baseball and Planning Commissions.

Mayor Silva introduced the item and Planning & Economic Development Manager Flood summarized the report including the vacancy on the Baseball Commission; Council approving the creation of an Alternate Planning Commissioner position within the Mendota Planning Commission; and the nature of the Alternate Planning Commission position.

**Kevin Romero (160 Tuft Street)** – explained that he volunteers within the community and that he wants to be further his involvement and gain valuable knowledge.

Discussion was held on Mr. Romero constantly volunteering at various events within the community and Council thanked Mr. Romero for volunteering.

A motion was made to appoint Kevin Romero to the Mendota Baseball Commission by Councilor Riofrio, seconded by Councilor Amador; unanimously approved (5 ayes).

Discussion was held on the individuals who applied for the Alternate Planning Commissioner position.

A motion to approve Mayor Silva's request to appoint Ramiro Espinoza to the Planning Commission as an Alternate Planning Commissioner was made by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

2. Council discussion on airport usage.

Mayor Silva introduced the item and Director of Administrative Services Johnson summarized the report including Council's interest in generating revenue at the William Robert Johnston Municipal airport; the various airport services that were offered in the past; the City receiving annual grants from the California Aid to Airports Program which are utilized to pay for airport liability insurance and general airport utilities and maintenance; funds that were received from the Airport Improvement Program (AIP) and were utilized for an engineering services proposal for preparing Plans, Specifications and Estimate for various airport improvements; the City being unable to move forward with the project due to the required funding match; a meeting that was held with Federal Aviation Administration (FAA) staff regarding the municipal airport; the FAA staff providing further information on the airport such as its classification; the possibility of closing the airport and converting it to an industrial park but the FAA needing to determine whether to release the City from its federal obligations; the possibility of the City being required to reimburse the federal government the AIP funds that were received if the City decides to close the airport; limitations of moving forward any significant projects or improvements at the airport due to the lack of staffing, grant fund matching challenges, lack of demand, the restriction of certain non-aeronautical uses of the airport, and the lack of City financial resources; and staff's recommendation the City maintains a status quo position relative to the airport.

Discussion was held on the issue of staffing and required grant funding matches limiting revenue generating airport services; the status of the weeds at the airport; contacting Warden Zuniga from FCI-Mendota regarding the possibility of having prisoners maintain the airport; possible ways to generate revenue at the airport; the possibility of hiring an airport operator; the lack of demand of the airport due to other airports in the surrounding communities; gathering information from the Airport Land Use Commission; the amount of acres within the airport property; and the amount that would need to be reimbursed to the federal government if the City were to decide to close the airport.

3. Council discussion and consideration on the draft Capital Improvement Plan.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report including the need to increase water and sewer in order to make the Enterprise Fund solvent and to also fund the Capital Improvement Program (CIP); Council's past direction to staff to work on a plan that includes a \$12.00 water rate increase and a \$6.00 sewer rate increase; determining the additional rate increase that will fund the

CIP; various projects within the draft CIP and the schedule of those projects; creating a resolution that includes the total increase of the water and sewer fund in order to achieve solvency and fund the CIP; the possibility of increasing water and sewer rates by \$1.00 each year to fund the CIP; capital items included in the CIP that are of priority; and meeting with City Engineer McGlasson and Public Utilities Director Lewis to verify that the schedule of the CIP is proper.

Discussion was held on the possibility of performing a G.I.S test to evaluate the system; the water fund balance being at a critical point; the need to meet balance in the Enterprise Fund each year; the possibility of utilizing Measure C funding to improve the Waste Water Treatment Plant roads; Proposition 1 funding guidelines; an upcoming storm drain grant that the City will be applying for; the bidding process; the upcoming Proposition 218 election; and City Engineer McGlasson presenting a detailed report on the proposed water and sewer rate increases at the August 25<sup>th</sup> Council meeting.

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Code Enforcement
  - a) Monthly Report

Planning & Economic Development Manager Flood reported on Code Enforcement patrolling the City and addressing violations; a resolution regarding bin enclosure guidelines being included in a future Council meeting agenda; and the issue of the Mendota Municipal Code not addressing how businesses must store their trash bins if a bin enclosure does not exist on the property.

Discussion was held on apartment complexes being required to have recycling bins and the possibility of Mid Valley Disposal assessing the need of trash bins throughout the City.

2. Police Department
  - a) Monthly Report

Chief of Police Andreotti reported on the apprehension of an auto-theft suspect resulting in the decrease of auto-theft within the City; the increase of warrant services due to subject checks and vehicle stops; a search warrant that was served that resulted in the arrest of the suspect and the apprehension of evidence; an officer working specifically on drunk driving arrests; the Community Service Officer grant that was submitted being denied; seeking out other grant opportunities; and provided a personnel update.

Discussion was held on releasing names of suspects in crimes at a public meeting; the importance of the Police Department communicating with the community; and the importance of the public reporting suspicious crimes and behavior; a upcoming Community Relations Board meeting at FCI-Mendota; and Council thanked Chief Andreotti and the Mendota Police Department Staff for their hard work at National Night Out (7:59 p.m. Mayor Pro Tem Valdez left the Council Chambers).

3. City Attorney  
a) Update

City Attorney Boranian reported that the property on Smoot Street is owned by the Mendota Unified School District and a potential public nuisance on the property (8:01 p.m. Mayor Pro Tem Valdez returned to the Council Chambers).

Discussion was held on MUSD owning the property; the district's intentions with the property; the owner of the buildings on the property; and the City's goal to take possession of the property.

4. City Manager

City Manager DiMaggio stated that Finance Officer Marquez's mother-in-law had recently passed away; reported on a fire at a small homeless encampment along Guillen Parkway; described an event in which Police Officers Carlos Esqueda, Jim Lim and Oscar Rivas remarkably handled a call for service at the encampment; and commended the officers for their actions.

Discussion was held on the officers that remarkably handled a call for service; the possibility of the individuals residing at the encampment at North of the City moving to other areas of the City; the status of the situation at the encampment at North of the City; the possibility of individuals living in condemned apartments along Oller Street; the status of H.R. 2898; and a meeting of the Fresno County Drought Coalition that will be held in Mendota.

**MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)  
Council reports

Councilor Riofrio inquired as to the replacement of a vandalized sign at Jess Gil Park.

Councilor Amador inquired as to how staff determines which businesses have paid for their business license.

Discussion was held on staff reviewing a report that shows which businesses have not paid for their business license and businesses having until the end of July to pay for them.

Mayor Pro Tem Valdez stated that the Mendota Youth Recreation's youth soccer league will begin their games this week.

Discussion was held on staff emailing Council an updated employee cell phone list.

2. Mayor

Mayor Silva reported on the recent Backpack Giveaway and thanked staff for their assistance; a meeting with Caltrans that he will attend along with the City Manager regarding the railroad crossings within the City; and the upcoming Mendota Community Corporation Charitable softball game.

**CLOSED SESSION**

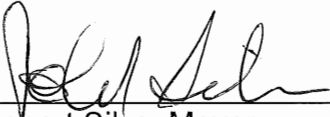
1. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION  
CA Government Code § 54956.9 (a)  
Lisseth Martinez v. City of Mendota- EEOC Charge No. 485-2015-0024

At 8:26 p.m. the Council moved into closed session.

At 9:02 p.m. the Council reconvened in open session and City Attorney Boranian reported that in regards to item 1 of the closed session, there was nothing to report.

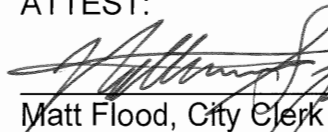
**ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 9:02 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Amador; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

