



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

September 13, 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 Castro.

Invocation led by Raymond Acquino.

FINALIZE THE AGENDA

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

City Manager DiMaggio requested that the Council add a Business item regarding a request to utilize City property for a circus.

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

PROCLAMATION

1. **Proclamation No. 16-03:** Declaring the month of September as Latino Voter Registration Month.

A motion was made to adopt Proclamation No. 16-03 by Councilor Riofrio, seconded by Councilor Amador; unanimously approved (5 ayes).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the special City Council meeting of August 18, 2016 and regular City Council meeting of August 23, 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 Amador to approve items 1 and 2, seconded by Councilor Riofrio; unanimously approved (5 ayes).

CONSENT CALENDAR

1. AUGUST 23, 2016 THROUGH SEPTEMBER 6, 2016
WARRANT LIST CHECKS NO. 41369 THRU 41468
TOTAL FOR COUNCIL APPROVAL = \$280,550.69
2. Proposed adoption of **Resolution No. 16-60**, authorizing staff to issue the Request for Qualifications for engineering services for Community Development Block Grant projects for FY 2016/17 through 2018/19.
3. Proposed adoption of **Resolution No. 16-61**, authorizing staff to issue the Request for Qualifications for geotechnical engineering services for grant projects for FY 2016/17 through 2018/19.
4. Proposed adoption of **Resolution No. 16-63**, authorizing staff to submit an application for the Cycle 3 Transportation Program.

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

BUSINESS

1. Council consideration on issuing an Exclusive Use permit for a Circus on City owned property. *[Added to the agenda]*

Mayor Silva introduced the item and City Manager DiMaggio reported that he received a request to utilize City property on 7th and Riofrio Streets for a circus; various issues that have been discussed with the City Attorney regarding the issue; and the item being considered by Council due to the proposed event being held within 21 days.

Jonatan Walter (Walter Bros. Circus) – thanked the Council for considering the item and provided a description of the circus.

Discussion was held on the fees that Walter Bros. Circus needs to pay to the City and the possibility of transferring the revenue that is received to the Mendota Community Corporation (MCC).

A motion was made to approve the Facility Use Application, with the included conditions, and to transfer the revenue that is received to the MMC by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (5 ayes).

2. Proposed adoption of **Ordinance No. 16-07**: An ordinance amending the official zoning map of the City of Mendota to reflect a change of zone for a portion of Assessor's Parcel Number 013-141-02S from M-1 Light Manufacturing to M-2 Heavy Manufacturing, and give second reading, by title only, with further reading waived.

Mayor Silva introduced the item and Planning & Public Works Director Gonzalez summarized the report.

A motion was made to adopt Ordinance No. 16-07 by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

3. Council discussion and proposed action on the formation of a Police Officer Compensation Subcommittee.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report including that Mendota Police Department salaries are falling behind the peer group; the need to study the issue to analyze the salaries for other communities; the effects that the minimum wage increase will have on salaries; and the duties of the proposed subcommittee.

Discussion was held on the history of the reestablishment of the Mendota Police Department; the dedication of the police officers to serve the community; the effects of high officer turnover; the possibility of expediting the study of the subcommittee; and whether a subcommittee is needed to study police officer salaries.

Oscar Rivas (Mendota Police Officers Association [MPOA]) – introduced himself as the MPOA president; stated that he cares about Mendota and wants to continue being an officer in Mendota; requested that the officers be paid fair salaries; and thanked Council for their positive comments regarding the officers.

Councilor Castro stated that the subcommittee will move forward in studying police officer salaries.

Mayor Silva requested that Councilor Castro be appointed as the Chairperson of the

subcommittee.

A motion was made to appoint Councilor Castro, as Chairperson, and Councilor Amador to the subcommittee by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

PUBLIC HEARING

1. Proposed adoption of **Resolution No. 16-59**, adopting Tentative Parcel Map No. 16-02.

Mayor Silva introduced the item and Planning & Public Works Director Gonzalez summarized the report including that the City entered into a settlement agreement earlier this year regarding the Warkentine and Tankersley properties; the various conditions contained within the settlement agreement; and shared staff's recommendation.

At 6:35 p.m. Mayor Silva opened the hearing to the public and, seeing no one present wishing to comment, closed it in that same minute.

A motion was made to adopt Resolution No. 16-59 by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; approved (5 ayes).

2. Proposed adoption of **Resolution No. 16-62**, authorizing staff to submit a Community Development Block Grant for the Fiscal Year of 2017-2018.

Mayor Silva introduced the item and City Manager summarized the report including that funding that is being requested for the fiscal year 2017-2018; designating certain CDBG funds for improvements to Rojas-Pierce Park; and the inability of utilizing development impact fees from the Las Palmas development to fund Rojas-Pierce Park improvements; and other possible funding options that the City has.

At 6:42 p.m. Mayor Silva opened the hearing to the public.

Kevin Romero (160 Tuft Street) - inquired on how the change of funding will affect the timeline of the project and inquired on whether further expansions will occur.

At 6:45 p.m. Mayor Silva closed the hearing to the public.

A motion was made to adopt Resolution No. 16-62 by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).

3. Introduction of **Ordinance No. 16-08**: An ordinance adopting the Official Plan Line for portions of Smoot Avenue and Amador Street, and give first reading, by title only, with second reading waived.

Mayor Silva introduced the item and City Manager DiMaggio reported that item provides

a layout of the Official Plot Line for the extension of Smoot Avenue and Amador Street; stated that the City does not own a portion of the land in which the streets will be expanded to; and that the purpose of the ordinance is to affirm that the City intends to implement its General Plan.

Discussion was held on the possibility of Westlands Water District donating the land to the City and where the separation between City property and Westlands property is.

At 6:52 p.m. Mayor Silva opened the hearing to the public and, seeing no one present wishing to comment, closed it in that same minute.

A motion was made to perform the first reading of Ordinance No. 16-08, with the second reading waived, by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report

Economic Development Manager Flood summarized the report including the officer's focus for the month of August being water conservation regulations and business licenses; placing code enforcement fines on utility bills to ensure payment; and ways that the public can report a violation.

Discussion was held on a yard sale that is held every Sunday on 7th Street; the deadline for businesses to submit business license paperwork; and abandoned shopping carts throughout the City.

2. Police Department
 - a) Monthly Report

Chief of Police Andreotti reported on a group of people that are stealing purses; staff transporting vehicles to the Avenal prison to be re-painted; and implementing an Explorer Program at Mendota High School.

Discussion was held on whether Rojas-Pierce Park's restrooms are secured at night and whether it is possible to paint Code Enforcement's vehicles.

3. City Attorney

City Attorney Kinsey reported that the City will be changing the way it handles claims.

Discussion was held on the procedures the City will follow in regards to claims and whether single-family homes need to have active utility services if individuals are living in the homes.

4. City Manager

City Manager DiMaggio reported that the Fresno County Board of Supervisors would honor the canal rescue individuals at their September 27th meeting; a conversation he had with Superintendent Lopez regarding holding a City Council/Joint School Board early October; and the status of the BB Bridge investigation.

Discussion was held on rescheduling the proposed Joint City Council/School Board meeting.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s) Council reports

Mayor Pro Tem Valdez inquired on the status of the investigation of Quince Street; inquired on the possibility of reconstructing 5th Street; and inquired on the street projects that are included in this fiscal year's budget.

Councilor Riofrio inquired on the possibility of honoring boxer Enrique Noyola at a future meeting.

Discussion was held on honoring boxer Enrique Noyola and Nathan Rosales at the next City Council meeting.

Councilor Castro reported on the upcoming Aztec football game (7:36 p.m. Councilor Riofrio left the Council Chambers).

2. Mayor

Mayor Silva reported on an upcoming San Joaquin Valley Water Infrastructure Authority.

CLOSED SESSION

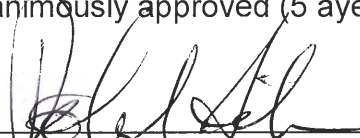
1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 ([1] potential matter)

At 7:37 p.m. the Council moved into closed session.

At 8:06 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.

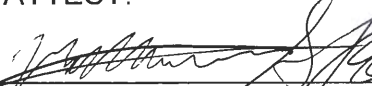
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:07 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Amador; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

