

**MINUTES OF MENDOTA  
REGULAR CITY COUNCIL MEETING**

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**Regular Meeting**                      **Tuesday May 14, 2013**

**Meeting called to order by Mayor Robert Silva at 6:00 p.m.**

**Roll Call**

**Council Members Present:**            **Mayor Robert Silva, Mayor Pro Tem Joseph Amador, and Councilors S. Leo Capuchino, Joseph Riofrio, and Sergio Valdez.**

**Council Members Absent:**            **None.**

**Flag Salute led by Mayor Silva**

**FINALIZE THE AGENDA**

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

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

**PROCLAMATIONS**

1.     Proclamation No. 13-05 in honor of longtime Mendota resident Antonia Ramirez Martinez.

City Clerk Flood read the proclamation and members of the Council thanked Mrs. Ramirez for all she has done for the community.

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

1.     Minutes of the Regular City Council Meeting of April 23, 2013 and the Special Meeting of May 2, 2013.
2.     Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

A motion for approval was made by Councilor Riofrio, seconded by Mayor Pro Tem

Amador; unanimously approved (5 ayes).

## CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

## 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 23, 2013 THROUGH MAY 8, 2013  
WARRANT LIST CHECKS NO. 36195 THRU 36282  
TOTAL FOR COUNCIL APPROVAL = \$359,860.40
2. Council authorize the City Manager to issue the Request for Qualifications for professional engineering services for Community Development Block Grant Projects.

Mayor Silva requested to consider item #3 as a separate action. A motion was made by Councilor Riofrio to approve items 1 and 2 of the Consent Calendar, seconded by Councilor Capuchino; unanimously approved (5 ayes).

3. Council adopt **Resolution No. 13-10**, approving the list of recommended projects for funding through the Regional Transportation Plan (RTP), and authorize the City Manager to submit the approved resolution and list to the Fresno Council of Governments.

Discussion was held on the Naples Street reconstruction project and its estimated date to be open to traffic; City Engineer David McGlasson explained that the purpose of the RTP is to get projects scheduled for funding; discussion was held on the possibility of acquiring different funding sources to complete projects sooner; and the positive relationship that the City of Mendota has with the Fresno Council of Governments (COG).

A motion was made by Mayor Pro Tem Amador to adopt the Consent Calendar, seconded by Councilor Riofrio; unanimously approved (5 ayes).

## BUSINESS

1. Council discussion and consideration of approving the dispatch agreement with the City of Firebaugh, and authorize the City Manager to execute the agreement.  
[City Manager, Atkins]

Mayor Silva introduced the item and City Manager Atkins reported that staff has been working with the City of Firebaugh to negotiate a contract for services; explained the changes in the contract compared with the previous agreement including the yearly increase in the base cost paid for services and the extra money that will be paid if Mendota's line receives a certain share of the incoming calls for service.

Discussion was held on the other agencies that were contacted to consider providing dispatch services such as the Sheriff's department; the specific services that Firebaugh would offer; the effort Firebaugh has made to improve customer service in their dispatch center; the volume of calls received and their type; the possibility and cost of Mendota starting its own dispatch center; the feasibility of using other non-governmental agencies' infrastructure to provide dispatch services; and a clause in the agreement that requires Mendota to seek alternatives to dispatch services in the case of unforeseeable circumstances.

A motion was made by Councilor Riofrio to approve the item, seconded by Councilor Capuchino; unanimously approved (5 ayes).

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

Olivia Andrade (316 J Street) – Expressed disappointment in being cited for not having an amplified music permit and stated that said permit should only apply to music being played with amplifiers; should be permitted until midnight; and lamented the fact that there are no social halls to rent for such gatherings.

Discussion was held on the process that is used to inform the public about and enforce the ordinance related to amplified music;

2. Council discussion and consideration of appointing Mendota residents to the Baseball Committee. [City Clerk, Flood]

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

1. City Manager
  - a) Registration for the LOCC Annual Conference
2. Code Enforcement
  - a) Monthly Report
3. Police Department
  - a) Monthly Report

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

1. Council Member(s)
2. Mayor

### **CLOSED SESSION**

1. Pursuant to California Government Code Section 54957.6:  
Negotiation of new Franchise Agreement for Collection of Solid Waste  
City Negotiator: Bryce Atkins, City Manager
2. Anticipated Litigation  
Pursuant to Government Code Section 54956.9(b)(1) and (b)(2)  
One (1) case

### **ADJOURNMENT**

### **PRESENTATION**

1. Yvette Quiroga from the County of Fresno to provide an update on Affordable Housing Programs, infrastructure expenditures and the Neighborhood Stabilization Program projects that have been completed in Mendota.

Mrs. Quiroga summarized the program that she manages using funds from Community Development Block Grants (CDBG) and federal HOME funds; the history of the program; Mendota has participated for 15 years and used approximately \$15 million in funding; summarized the improvements done in Mendota; how the budgeting of funds is determined; possible uses for its allocation; the amount available for Mendota is not yet known due to the financial instability at various levels of government; the programs available for homeowners; the qualifications for applying; and different situations that would disqualify people from participating.

Discussion was held on the overcrowding problem that exists and the status of the real estate market in Mendota.

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

3. Minutes of the Regular City Council Meeting of March 26, 2013.
4. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

At 6:34pm Councilor Riofrio stepped out of the Chambers.

A motion for approval was made by Councilor Capuchino, seconded by Councilor

Valdez; unanimously approved (4 ayes; absent: Riofrio).

At 6:35pm Councilor Riofrio stepped back into the Chambers.

### **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.

None offered.

### **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. MARCH 22, 2013 THROUGH APRIL 3, 2013  
WARRANT LIST CHECKS NO. 36061 THRU 36123,  
TOTAL FOR COUNCIL APPROVAL = \$251,639.27
2. Council perform the first reading of **Ordinance No. 13-05**: An Ordinance of the City Council of the City of Mendota amending Section 6.52.040(D) of Chapter 6.52 of Title 6 of the Mendota Municipal Code pertaining to the conducting of animal hearings, and set the public hearing for April 23, 2013.
3. Council adopt **Resolution No. 13-06**: A Resolution of the City Council of the City of Mendota authorizing the amendment of Section I(A)1 and I(G)19 of the City of Mendota Personnel Rules extending the temporary employment timeframe from 180 days to one (1) year.
4. Council adopt **Resolution No. 13-08**: A Resolution of the City Council of the City of Mendota authorizing submittal of applications for all CalRecycle Hazardous Household Waste (HHW) Program grants for which the City of Mendota is eligible, and authorize the City Manager to submit a letter of authorization for the County of Fresno to act on its behalf as Lead Agency and execute all necessary and pertinent agreements and contracts.
5. Council discussion and consideration to approve the two amendments of the League of California Cities (LOCC) Bylaws.

City Manager Atkins provided information to the Council that warrants #36122 and #36120 would be voided as the lobbying trip associated with them was postponed.

A motion was made by Mayor Pro Tem Amador to adopt the Consent Calendar, seconded by Councilor Riofrio; unanimously approved (5 ayes).

**BUSINESS**

1. Council discussion and consideration to adopt **Resolution No. 13-07**: A Resolution of the City Council of the City of Mendota in the matter of authorizing the recycling of scrap metal materials at various City facilities. [City Manager, Atkins]

Mayor Silva introduced the item and City Manager Atkins reported that the City has a significant amount of scrap metal at various City properties; staff would be able to acquire bids to haul away the metal and split the revenue between the City and the hauler; and the benefits of this process.

Discussion was held on the type of scrap metal that exists such as pipes, ductile iron, fire hydrants, etc.; and how these materials differ from those that are inventoried.

A motion was made by Councilor Riofrio to adopt Resolution No. 13-07, seconded by Councilor Capuchino; unanimously approved (5 ayes).

2. Council award the Construction Contract for the Eastside Streets Project to Yarbs Paving & Grading, Inc. in the amount of \$382,963.34, authorize the City Manager to execute the contract and related documents, and authorize the City Manager to negotiate expanding the scope of the paving work within the available budgeted funds. [City Manager, Atkins and Assistant City Engineer, Washburn]

Mayor Silva introduced the item and City Manager Atkins reported that the bid for this project came in much lower than the engineer's estimate and that this provides an opportunity to expand the project.

Discussion was held on the alley on Airport Street that was considered to be included in the project; the importance of the contracted company to keep the project area orderly at all times; the opportunity to include local contractors on projects like these; and the limitations of the expansion of this project.

A motion for approval was made by Councilor Riofrio, seconded by Councilor Valdez; unanimously approved (5 ayes).

**DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. City Manager
  - a) 3<sup>rd</sup> Quarter Budget Update

City Manager Atkins summarized the revenues and expenditures in City accounts: Gas Tax, Gas Tax, General Fund, Local Transportation, Measure C, Refuse, Sewer, and Water funds.

Discussion was held on the mistake made by the County in the projection of tax revenues to be distributed to the City; the forum to be held on May 2<sup>nd</sup> regarding utility rate reform; how these rate changes will be calculated; and the current deficit that is created within the water, sewer, and refuse accounts.

City Manager Atkins also reported that the company that owns that land from which many of the tumbleweeds came has cleaned up the majority of them; City staff received a request from the Department of Motor Vehicles to be able to install wiring for testing machines that can be used in the future; the Spanish channel Univision reported on the Remote Court that is in Mendota; and that ADT is in the process of installing an alarm system.

2. Code Enforcement  
a) Monthly Report

Code Enforcement Administrative Assistant Andy Ochoa summarized her report, stating that Community Service Officer (CSO) Brenda Franco has completed her training and that the City now has code enforcement coverage 7 days a week; they are in the process of springtime weed abatements; and the abatement of properties that the owner does not take care of.

Discussion was held on each CSO having their own cell phone so that they can be contacted directly; businesses that are operating without a license; talking to businesses about improving their parking lots; and dilapidated rental properties in Mendota.

2. Police Department  
a) Monthly Report

Chief of Police Galvin reported on issues relating to tenant's rights; that the CSO's will be specializing in different aspects of code enforcement; showed before and after pictures of a property that was recently abated; the problem of abandoned properties; potholes in parking lots; the crime rate going down in March; criminals are still being released early from jail; and summarized the significant cases and crimes committed.

**MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

3. Council Member(s)

Members of Council expressed being pleased with the grand opening of the renovated baseball field and Councilor Valdez's efforts on that day with Mendota Youth Recreation.

4. Mayor
  - a) Public Safety concerns on east 7<sup>th</sup> Street

Mayor Silva stated that there are problems with illicit activities on 7<sup>th</sup> Street on the east side of Mendota. Discussion was held on all of the recent sightings of people soliciting and purveying illegal services in that area.

### CLOSED SESSION

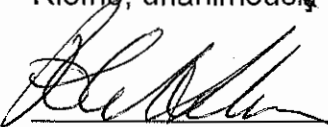
1. Anticipated Litigation  
Pursuant to Government Code Section 54956.9(b)(1) and (b)(2)  
One (1) case
2. Pursuant to Government Code Section 54957.6:  
Labor Negotiations  
City Negotiator: Bryce Atkins, City Manager  
**Employee Organization:**  
Operating Engineers Local 3 (OE3)/Police Officers Association (POA); General Employee's Union (AFSCME)

At the hour of 8:15 p.m. the Council moved into closed session.

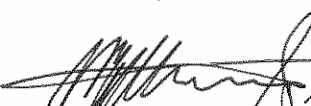
At the hour of 10:00 p.m. Mayor Silva reconvened the Council to Open Session and Assistant City Attorney Boranian stated that there was no reportable action taken on items 1 and 2.

### ADJOURNMENT

At the hour of 10:01 p.m., with no more business to be brought before the Council, a motion for adjournment was made by Councilor Valdez, with a second by Councilor Riofrio; unanimously approved (5 ayes).

  
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Robert Silva, Mayor

ATTEST:

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

