



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

May 9, 2017

Meeting called to order by Mayor Pro Tem Martinez at 6:00 p.m.

Roll Call

Council Members Present: Mayor Pro Tem Victor Martinez, Councilors Jesse Mendoza, Oscar Rosales, and Robert Silva.

Council Members Absent: Mayor Rolando Castro.

Flag salute led by Mayor Pro Tem Martinez.

FINALIZE THE AGENDA

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

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

PRESENTATION

1. Ivette Rodriguez from Mid Valley Disposal to present the 3rd and 4th quarter update.

Mayor Pro Tem Martinez introduced the item.

Ivette Rodriguez with Mid Valley Disposal provided the 3rd and 4th quarter update for 2016 including reporting on the upcoming meeting with CalRecycle; meeting mandatory recycling requirements; expanding the AB 1826 program; Mid Valley Disposal's involvement in the community; the results of the commercial and residential site visits; results from the 2017 Spring Clean Up Event; statistics from the Construction and Demolition Program; and the upcoming recycling assessments.

Discussion was held on the possibility of holding additional community cleanup events and whether the City can compel residents to rent additional trash bins if needed.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of April 25, 2017.
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 Rosales to approve items 1 and 2, seconded by Councilor Silva; unanimously approved (4 ayes, absent: Castro).

CONSENT CALENDAR

1. APRIL 20, 2017 THROUGH MAY 04, 2017
WARRANT LIST CHECKS NO. 042424 THRU 042488
TOTAL FOR COUNCIL APPROVAL = \$198,501.78
2. Proposed adoption of **Resolution No. 17-30**, opposing Senate Bill 54 – The California Values Act.
3. Proposed adoption of the proposal for engineering and construction services for the automated meter reader project.
4. Proposed adoption of an agreement with the Fresno County Transportation Authority and the City of Reedley to establish program eligibility and funding requirements for the Sustainable Aviation Project.

A motion was made by Councilor Silva adopt items 1, 3, and 4 of the Consent Calendar, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Castro).

2. Proposed adoption of **Resolution No. 17-30**, opposing Senate Bill 54 – The California Values Act.

Discussion was held on the possible consequences of adopting the resolution; the purpose and status of SB 54; and staff's recommendation to take no action on the item.

A motion was made by Councilor Silva to adopt Resolution No. 17-30.

Discussion was held on other alternatives.

Councilor Silva withdrew his motion.

Discussion was held on tabling the item.

Enrique Mercado (645 Garcia Street) – stated that the loss of federal funds could have a significant negative impact.

Abdul Obaid (310 Gomez Street) – stated that the Council should take into consideration the amount of immigrants in the community.

Council consensus was reached to table the item to the May 23rd Council meeting.

BUSINESS

1. Introduction and first reading of **Ordinance No. 17-09**, adding Chapter 8.28 to the Mendota Municipal Code, “The Landlord Accountability Act”.

Mayor Pro Tem Martinez introduced the item and Economic Development Manager Flood summarized the report including staff adding the subsection regarding the appeal process, and the purpose of the ordinance.

Discussion was held on when the ordinance would go into effect, and the positive results that the ordinance will possibly produce.

Enrique Mendoza (645 Garcia Street) – spoke in favor of the ordinance.

Discussion was held on the process of investigating cases once Code Enforcement receives a report; the penalty amounts; who can submit a report; the implementation of the ordinance; and state laws that address tenant rights.

A motion was made by Councilor Silva to perform the first reading of Ordinance No. 17-09, with the second reading waived, seconded by Councilor Rosales; unanimously approved (4 ayes, absent: Castro).

2. Council discussion and direction to staff on the City’s policy on Code Enforcement.

Mayor Pro Tem Martinez introduced the item and Economic Development Manager Flood summarized the report including the types and quantities of citations given out by Code Enforcement.

Discussion was held on how amplified music violations are addressed.

Enrique Mendoza (645 Garcia Street) – shared an experience he had regarding reporting a violation of the noise ordinance and inquired on how to act on such issue in the future.

Discussion was held on the different types of violations that code enforcement addresses; having a strict code enforcement program; and the importance of educating the public on parking violations.

3. Proposed adoption of **Resolution No. 17-31**, ordering a special all mail ballot election to be conducted August 29, 2017, to adopt an ordinance establishing a special parcel tax for public safety; **Resolution No. 17-32**, requesting that the Fresno County Board of Supervisors render specified services to the City relating to the conduct of the August 29, 2017, election; and, **Resolution No. 17-33**, establishing drop off centers for the mail ballot election.

Mayor Pro Tem Martinez introduced the item and City Manager DiMaggio stated that City Attorney Kinsey would provide the report. City Attorney Kinsey summarized the report including that the purpose of the proposed measures is to generate revenue for the police department; performing an all-mail ballot election; when the election would occur; and the various resolutions that the Council needs to consider.

Discussion was held on the impact that the measures would have if they passed; the escalator that is attached to the proposed parcel tax; and the importance of investing in the community.

Albert Escobedo (807 Kate Street) – inquired on the amount of parcel taxes that senior citizens would have to pay under the measure.

Abdul Obaid (310 Gomez Street) – spoke on the importance of providing information to public on the Measures.

Enrique Mendoza (645 Garcia Street) – spoke on the importance of the passage of the measures and of campaigning for the Measures.

Discussion was held on campaigning for the Measures.

A motion was made by Councilor Rosales to adopt Resolution Nos. 17-31, 17-32, and 17-33 seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Castro).

4. Proposed adoption of **Resolution No. 17-34**, ordering a special all mail ballot election to be conducted August 29, 2017, to adopt an ordinance increasing the sales and use tax for public safety; **Resolution No. 17-35**, requesting that the Fresno County Board of Supervisors render specified services to the City relating to the conduct of the August 29, 2017, election; and, **Resolution No. 17-36**, establishing drop off centers for the mail ballot election.

Mayor Pro Tem Martinez introduced the item and City Manager DiMaggio stated that City Attorney Kinsey would provide the report, and City Attorney Kinsey stated that the report was the same as Business Item #3.

Bianca Prieto – stated that the implementation of surveillance could deter crime. Discussion was held on campaigning for the Measures.

A motion was made by Councilor Mendoza to adopt Resolution No. 17-34, seconded by Councilor Silva; unanimously approved (4 ayes, absent: Castro).

A motion was made by Councilor Rosales to adopt Resolution No. 17-35, seconded by Councilor Silva; unanimously approved (4 ayes, absent: Castro).

A motion was made by Councilor Rosales to adopt Resolution No. 17-36, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Castro).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report

Economic Development Manager Flood summarized the report; provided an update on the weed abatement process; and thanked the Council for the code enforcement policy direction.

Discussion was held on the status of the weed abatement process.

2. Police Department
 - a) Monthly Report

City Manager DiMaggio stated that he would pass on any questions the Council Members had to the Police Chief Andreotti.

3. City Attorney
 - a) Update

Nothing to report.

4. City Manager

City Manager DiMaggio provided an update on the budget for fiscal year 2017-18.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Discussion was held on current outdoor watering restrictions.

Councilor Mendoza requested that the Council recognize Mike Martinez Sr. who organized the Exceptional Needs Football & Cheer Camp.

Councilor Silva reported on the upcoming Recreation Commission car wash; provided information regarding communications with Caltrans on the proposed roundabout; and shared that he was appointed as the Chairperson for LAFCo.

Mayor Pro Tem Martinez reported that he was made aware that individuals have not been able to use the McCabe Elementary soccer fields and inquired on whether there was anything the City could do.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION
Pursuant to Paragraph (4) of subdivision (d) of Section 54956.9 ([1] potential case).

At 8:13 p.m. the Council moved into closed session.

At 8:41 p.m. the Council reconvened in open session and City Attorney Kinsey stated 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 8:42 p.m. by Councilor Silva, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Castro).

Victor Martinez, Mayor Pro Tem

ATTEST:

Matt Flood, City Clerk