

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting **Tuesday January 8, 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, Councilors S. Leo Capuchino, Joseph Riofrio, and Sergio Valdez.**

Council Members Absent: **None.**

Flag salute led by Director of Support Operations, Charles Johnson.

FINALIZE THE AGENDA

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

With no adjustments requested a motion was made to adopt the agenda by Councilor Riofrio, seconded by Councilor Capuchino; unanimously approved (5 ayes).

PRESENTATION

1. Commendation by Chief of Police Jerry Galvin of Corporal Johnny Lemus and Officer Jorge Urbieta for heroic action on the morning of October 18, 2012.

Chief of Police Galvin stated that he is happy to commend these officers for their actions; read the correspondence sent by Benny Lozano of Cal Fire outlining the details of the incident and the actions of Corporal Lemus and Officer Urbieta; and presented the certificates of commendation to the officers.

Corporal Lemus related his view of the events and made the correction that Officer Urbieta had entered the residence first; that they and the paramedics worked until the heart of the patient began beating again; that she unfortunately died a couple of weeks later; and that they were simply doing their duty.

Members of the City Council commented that these actions make them proud to be officials of the City; that they are proud of their local police force; despite the negativity

that is always heard, the department does an outstanding job; and admonished all to keep safe while working.

2. Paul Bunton of RCA Architects to present an update on the Mendota Unified School District Master Plan.

Mr. Bunton presented the master plan for the Mendota Unified School District (MUSD) including summarizing events that had happened recently; short-term and long-term projects; the new elementary school to be completed in 2014; modernization of Washington Elementary, the High School, and the possible construction of another elementary school sometime in 2022-2025; explained the site selection process and how Site C was determined to be the optimal site for the new elementary school; explained the process for selecting a site and procuring permission from the State to build; showed an artist rendering, plans, and other graphics related to construction; talked about security and how it has changed in response to various shooting incidents; demonstrated the principles of outdoor areas that are apt for the 21st century; showed plans for the renovations of Washington Elementary and McCabe Elementary; and summarized the advantages of using smart designing guidelines to build schools.

Discussion was held on communication with the Airport Land Use Commission regarding the location of the school; the age of the students that would go there; jobs that would become available; traffic issues at Bass Avenue; the studies carried out to measure traffic impacts and related safety; how buses will take their routes and drop off the children at the school; traffic flow on Barboza avenue and the island in the middle of that street; the budget being at about \$27 million at this point; the soccer and baseball fields being accessible to the community at large; the schedule of future projects; the Planning Commission's role in approval; parking and how it would work at a renovated McCabe Elementary; the benefit of Measure M passing; the probability that state funds will be on the November 2014 ballot; and traffic safety relating to speeding cars near the new school.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council Meeting of December 11, 2012.
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 Councilor Valdez; unanimously approved (5 ayes).

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. DECEMBER 11, 2012 THROUGH JANUARY 3, 2013
WARRANT LIST CHECKS NO. 35613 THRU 35714
TOTAL FOR COUNCIL APPROVAL = \$457,007.37
2. Council approve the Joint Powers Authority Agreement for Fresno Council of Governments to join the San Joaquin Joint Powers Authority for managing the rail service in the San Joaquin Valley, and authorize the Mayor or City Manager to execute the agreement.

Councilor Valdez (in reference to warrant #35618 on the warrant list) asked if the City is reimbursed through the Department of Justice for blood tests done on those arrested for intoxication. Chief Galvin stated that the City does not, nor does the department recoup that amount from the perpetrator.

A motion for approval of the consent calendar was made by Councilor Riofrio, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).

BUSINESS

1. Council consideration to donate to a Mendota High School student who will be taking an educational trip during Spring Break to various Ivy League universities.
[City Clerk, Flood]

Mayor Silva introduced the item. City Clerk Matt Flood introduced Ms. Ondina Alfaro, who submitted the request. Ms. Alfaro stated that she is a sophomore at Mendota High School and is part of the Ivy League Project which helps high school students have tours of high level universities. Ms. Alfaro stated that she has plans to go to Harvard or Cornell and major in Psychiatry; meet new people and learn new things; and to set an example for her younger siblings.

Ms. Alfaro was asked by the Council what she learned tonight and she stated that she did not know about the City Council Meetings and the information discussed and acted upon within them.

A motion was made by Mayor Pro Tem Amador to donate \$100 from the community promotions fund for Ms. Alfaro's educational trip, seconded by Councilor Riofrio;

unanimously approved (5 ayes).

2. Council discussion and consideration to add the Employment Development Department's Farm Worker Appreciation Annual Event to the City Participation in Community Events Policy. [City Manager, Atkins]

Mayor Silva introduced the item. City Manager Bryce Atkins stated that staff is interested in adding this annual event managed by Proteus, Inc. and the California Employment Development Department to the list of events included in the City Participation in Community Events Policy; and that it is an event consistent with those included in that policy.

A motion for approval was made by Mayor Pro Tem Amador; seconded by Councilor Valdez; unanimously approved (5 ayes).

3. Council discussion and consideration regarding appointments to various boards, commissions, and subcommittees. [City Manager, Atkins]

Mayor Silva introduced the item and City Manager Atkins stated that there have been some appointments that have expired and some that were occupied by previous council member John Flores.

Discussion was held on the purpose and missions of some of the organizations that these bodies serve; the inactivity of the Westside Cable Authority; and the possibility of keeping all positions the same with the exception of having Councilor Valdez take over all of the positions that former Councilor Flores had.

A motion was made by Councilor Riofrio to re-appoint incumbents in all positions for the various boards, commissions and sub-committees, with the appointment of Councilor Valdez to all positions previously occupied by former Councilor Flores; seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).

4. Council discussion and consideration to enter into the Vendor Contract between the Fastenal Company and WSCA, and authorize the City Manager to execute any and all agreements. [City Manager, Atkins]

Mayor Silva introduced the item. City Manager Atkins stated that staff received a demonstration from Fastenal of a vending machine that dispenses various products necessary for the Public Works Department to do their job. City Manager Atkins stated that this system holds employees accountable, costs \$300 a year, and the agreement can be terminated at any time.

Roy Salinas, General Manager of the Fresno store, stated that existing tools can be put in a type of locker that is a check-in, check-out type of system; that savings by using Fastenal can range from 25-45%.

Discussion was held on Mendota being the first city in Fresno County to use such a system; that the tax dollars of this system will go to the City of Mendota; the difference between the locker and vending systems; that the first three months are free as a type of trial offer; the amount of space that these lockers would occupy; and the need to have a report from staff after about two months of use in order to monitor its effectiveness.

A motion for approval was made by Councilor Riofrio, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).

5. Council discussion and consideration regarding the renewal of the solid waste franchise agreement. [City Manager, Atkins]

Mayor Silva introduced the item. City Manager Atkins stated that staff has been very pleased with Mid Valley Disposal and that this item is to give Council the opportunity to provide input on the direction of a renewed agreement.

Discussion was held on the effective job that Mid Valley Disposal does; the possibility of looking into changing some things within the agreement; the County raising landfill fees; the difficulty of helping residents learn how to recycle and the need for more educational outreach programs; asking the truck drivers to document those addresses that have trash bins overflowing; and the problem related to those who are scavenging.

City Attorney Tom Watson stated that he is the counsel for the trash service privatization project for the City of Fresno, and advised the Council to continue discussing details of an agreement in closed session.

A motion was made by Mayor Pro Tem Amador to bring back the item under closed session in order to negotiate details of the agreement; seconded by Councilor Riofrio; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. City Manager
 - a) Smartphone App Agreement

City Manager Bryce Atkins stated that an organization called My City App has received funding to cover the cost of a contract to develop an application for smart phones for the City. It will be done on a trial basis; then will be brought back for Council consideration of a long term agreement.

- b) Personnel Rules Revision

City Manager Atkins stated that staff is currently working on an update of the City's personnel rules, which is needed because the current rules are over 10 years old and

need to conform with current state law.

c) Other updates

City Manager Atkins stated that representatives from the court system came to evaluate the council chambers for a potential venue to hold hearings related to traffic and other minor violations. He stated that they thought very positive of the chambers; that there are two phases left to the selection process which are a decision by a selection committee and approval by the California Judicial Council.

City Manager Atkins stated that the City had received permission from Caltrans to work on the hydrant on Derrick Avenue, but that staff has to provide a lane closure plan.

Councilor Valdez asked about the new phones that the City received to replace the radios being used by public works staff. City Manager Atkins also stated that they are working on an electronic work order system and GPS tracking through the new phones.

3. City Clerk
a) Planning Commission Appointments

City Clerk Flood stated that the terms for three members of the Planning Commission expire at the end of January; that a period for interested members of the public to apply to fill those seats will be posted; and that applicants will be brought to the meeting of January 22nd to be acted upon.

b) Economic Interest Statements (Form 700)

City Clerk Flood stated that he put a Form 700 in each Council member's box together with last year's form to facilitate filling them out; and that Council can come to him with any questions.

City Clerk Flood also requested that Council and staff lean forward and speak into the microphones in front of them in order to provide a clear audio record of the proceedings of each meeting.

2. Code Enforcement
a) Monthly Report

Chief Galvin introduced Andreina "Andy" Ochoa to the Council, who is the administrative assistant for Code Enforcement. Administrative Assistant Ochoa gave her report, stating that voluntary compliance is high; approximately 20 notices are being sent out to property owners that are accumulating debris in a hazardous manner; and summarized significant cases.

Discussion was held on a forklift that has been parked in front of a residence; properties accumulating wrecked vehicles; details and clues that, once observed, can lead to

people that are building illegal structures or running an illegal business on nights and weekends; and how burnt, demolished, and/or abandoned dwellings are handled.

3. Police Department
a) Monthly Report

Chief Galvin gave his December report, stating that there were major problems on New Year's Eve, principally related to gunfire in the air; that the City Manager and he are currently exploring resources and technology to address this problem; that DUI arrests for this year are down to 87 in 2012; the department received a grant of \$32,000 from the Office of Traffic Safety to do a saturation patrol to arrest drunk drivers; talked about the reduction in crime that has occurred since the department started; losing officers to departments and positions that can offer them more money and better benefits; issues relating to the budget of the department; and the problem that remains with abandoned houses.

Discussion was held on the amount of drug violators arrested at residences versus in a vehicle; the excellent job that the department is doing in general; the positive relationship that it has with Cal Fire; the new radar trailer that will be put by schools to track driver's speed; and the new building policy fee that will be on the agenda for next meeting.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Riofrio lamented the passing of Huell Howser.

Councilor Capuchino stated that there have been muddy alleys due to the abundance of rain; and Councilor Valdez stated that Mendota streets look dirty.

2. Mayor

Mayor Silva asked about forming a type of committee in which elected officials from the west side of Fresno County meet to discuss issues and collaborate; that the National Association for the Advancement of Colored People wanted to meet with the Latino Water Coalition to discuss needs and to work together; and reported that personnel from state entities support the sugar beet project being undertaken by the Mendota Advanced Bioenergy Beet Cooperative.


ADJOURNMENT

At the hour of 8:32 PM, with no more business to be brought before the Council, a motion for adjournment was made by Mayor Pro Tem Amador, with a second by Councilor Capuchino; unanimous approval (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

