

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting **Tuesday February 12, 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 Councilor Leo Capuchino

A Moment of silence was observed in honor of two Mendota residents that passed away, Mrs. Nancy Daniels and Mrs. Nellie Torres

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 Mayor Pro Tem Amador; unanimously approved (5 ayes).

PROCLAMATION

1. Proclamation No. 13-02: in honor of longtime Mendota resident Delia Hurtado.

Mayor Silva introduced the item and City Clerk Matt Flood read the proclamation into the record. Mrs. Hurtado thanked the Council for the recognition and stated that she was accepting this recognition on behalf of her family.

2. Council to present Certificate of Recognition to Beto Mejia, Head Coach of the Varsity Football Team at Mendota High School, for being named Coach of the Year by the Fresno Bee.

Mayor Silva introduced the item and City Clerk Flood read the certificate into the record. Coach Mejia thanked the Council for the recognition, and stated that his efforts are for

the youth, so that they will move on to bigger and better things, then come back to Mendota to give back to the community. Discussion with the Council was held on the achievements of the football team and Coach Mejia.

PUBLIC HEARING

1. Council to perform the Second Reading of, and take Public Comment on, Ordinance No. 13-02: An Ordinance of the City Council of the City of Mendota amending Section 1.08.010 of Chapter 1.08 of Title 1 of the Mendota Municipal Code pertaining to the definition of sidewalks. [City Manager, Atkins]

Mayor Silva introduced the item and City Manager Bryce Atkins stated that Council directed staff to bring forth a way to facilitate repairs to the sidewalk by residents, which is the ordinance that is being brought forth today to be approved.

At 6:25pm Mayor Silva opened the hearing to the public and, seeing no members of the public interested in commenting, closed the hearing in that same minute.

A motion was made by Councilor Riofrio to adopt Ordinance No. 13-02, seconded by Councilor Capuchino; unanimously approved (5 ayes).

PRESENTATION

1. Hillary Baird from the League of California Cities (LOCC) to discuss legislative priorities.

Mrs. Baird gave a brief history of the LOCC and its purpose and mission; shared information on the listservs they manage; recent efforts by the LOCC to protect local interests, specifically through ballot measures; the dissolution of RDA's and its impact on cities; the State infringing upon the rights of cities to maintain authority and discretion in their affairs; the desired use of ballot measures by the LOCC in the near future; the State's attempts to pit counties, cities, and special districts against each other and the importance of collaboration by these same entities; the attempt the state is making to take away the Enterprise Zone and other incentives; but that while some employee credit incentives can be taken away by Governor Brown, the dissolution of the Enterprise Zones must be done through an act of the legislature.

2. Andrew Renteria, District Representative from the office of Congressman David Valadao, to introduce himself to the Council.

Mr. Renteria introduced himself to the Council and gave some basic biographical information to the Council. He summarized his role as the representative for Congressman Valadao in Fresno County.

The Council shared important legislative priorities with Mr. Renteria, including water, agriculture, and working with both political parties.

3. Candie Caro from Proteus, Inc. to give a report on recent events within the community and recent funding received.

Ricardo Gonzalez from the California Employment Development Department presented himself to the Council, explaining that Mrs. Caro could not be present due to illness. Mr. Gonzalez gave a brief biographical history to the Council; how he began to direct the Farmworker Appreciation Day Event; summarized the event that took place this year and its success; the various agencies that attended and prizes, raffles, and food available at the event; feedback received by various individuals and agencies, especially related to the lack of space at the venue; and shared statistics relating to the Department of Labor.

APPROVAL OF MINUTES AND NOTICE OF WAIVING READING

1. Minutes of the Regular City Council Meeting of January 22, 2013 and the Special Meeting of August 21, 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 Mayor Pro Tem Amador, seconded by Councilor Valdez; unanimously approved for the meeting of January 22, 2013 (5 ayes) and approved (4 ayes and 1 abstention: Valdez) for the meeting of August 21, 2012.

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.

Mrs. Hilary Baird (7110 Firebaugh St. in Bakersfield, CA) from the LOCC talked about a regional meeting that will take place in Dinuba in the near future.

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. JANUARY 22, 2013 THROUGH FEBRUARY 5, 2013
WARRANT LIST CHECKS NO. 35781 THRU 35868,
INCLUDING CORRECTED CHECK NO. 35776
TOTAL FOR COUNCIL APPROVAL = \$323,915.12

2. Council award the bid to Municipal Maintenance Equipment in the amount of \$9,645.41 for the purchase of a Sewer Inspection Camera.
3. Council authorize the City Clerk to advertise the 2013 Safe Routes to School Grant Project for construction bids in the Firebaugh-Mendota Journal, and set the bid opening date for Thursday, March 14, 2013.
4. Council authorize the City Manager and the City Clerk to sign and notarize the Notice of Completion for the Outside Canal Water Line Relocation Project, and to record it with the Fresno County Recorder's office.
5. Council approve to enter into a professional services agreement with Paragon Partners for right of way appraisal and acquisition service, and authorize the City Manager to execute any and all associated agreements and documents.
6. Council adopt **Resolution No. 13-01**: A Resolution of the City Council of the City of Mendota in support of Enterprise Zones.
7. Council approve the budget amendment for the Superior Court Remote Video Processing Site.
8. Council conduct the first reading of **Ordinance No. 13-01**: An Ordinance of the City Council of the City of Mendota amending Sections 8.12.030(c) and 8.12.100(a) and adding Section 8.12.120 of Chapter 8.12 of Title 8 of the Mendota Municipal Code relating to firework stands, and set the public hearing for February 26, 2013.

Councilor Valdez requested to pull item 1 and 2; and Councilor Riofrio requested to pull item number 7 from the Consent Calendar for consideration.

A motion was made by Mayor Pro Tem Amador to adopt items 3 through 6 and 8 on the Consent Calendar, seconded by Councilor Riofrio; unanimously approved (5 ayes).

1. JANUARY 22, 2013 THROUGH FEBRUARY 5, 2013
WARRANT LIST CHECKS NO. 35781 THRU 35868,
INCLUDING CORRECTED CHECK NO. 35776
TOTAL FOR COUNCIL APPROVAL = \$323,915.12

Councilor Valdez referred to warrant #35849 and asked why the City is paying a separate contractor for landscaping services at the Police Department building and airport. Discussion was held on the quality of service provided by Public Works employees at Rojas-Pierce Park compared to the work done at the Police Department and the airport; and the amount of employees to work on the parks per acre.

A request was made by Council for staff to bring back information on different options

after a work distribution analysis.

2. Council award the bid to Municipal Maintenance Equipment in the amount of \$9,645.41 for the purchase of a Sewer Inspection Camera.

Councilor Valdez asked how often the camera would be used. City Manager Atkins stated that State law dictates that 20% of the sewer lines be checked in every City, causing each line to be checked at least once every 5 years. Discussion was held on past practices; that no such camera has been owned by the City before; how the sewer lines are cleaned out with pressure; the problem the City has with grease that is poured into the sewer, instead of getting put in the trash where it should go.

7. Council approve the budget amendment for the Superior Court Remote Video Processing Site.

Councilor Riofrio inquired as to what the City would gain by spending money from its own funds to hold traffic court in Mendota. City Manager stated that our own officers will not have to go to Fresno as much, as they will be able to do some cases here in Mendota, and that local businesses will be patronized a little more due to increased traffic of people from out of town. He also stated that once they get more info as to the exact date that they will start using the Council Chambers for this purpose, and that more information will be provided.

A motion was made by Councilor Riofrio to adopt item numbers 1, 2, and 7 of the Consent Calendar, seconded by Councilor Valdez; 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 and City Clerk Flood stated that staff had received a request for a donation to take an educational trip from a Mendota High School student; that the student was one of only two from Mendota to be taking this trip; the other student already received \$100 from the Council; and that staff is recommending the same for this student.

Mr. Daniel Amaral, the student, gave some information on the program and of the various extracurricular activities that he participates in; and his plans for the future.

A motion for approval of \$100 donated to Mr. Amaral was made by Mayor Pro Tem Amador, seconded by Councilor Riofrio; approved (4 ayes; 1 abstention: Valdez).

2. Council approval to engage Madera Pump Company for repairs in the amount of

\$11,061.15 for Ag Well #M-3. [Public Works Director, Demmers]

Mayor Silva introduced the item and Public Works Director Demmers stated that some of the pumps are beginning to fail, including the one in question; that we get water from this pump for City use, but that the City is also required by contract to pump water back for agriculture purposes, and that it is an urgent matter to swiftly repair this pump so the City does not violate the contract.

Discussion was held on the possibility of having solar panels power some pumps.

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

3. Council discussion and consideration to form a baseball field committee. [City Manager, Atkins]

Mayor Silva introduced the item and City Manager Atkins stated that there was consensus at the last meeting that resulted in a recommendation for staff to bring back plans for a committee; that it is recommended to be comprised of three members to reduce complication and increase efficiency; have only one member of the Council.

Discussion was held on the benefits of having a body to supervise the use of the baseball field; the growth of sports programs that will come as a result of the renovation of the field; that Mayor Silva would like to volunteer to be the Council representative on that committee; the use of the field by different organizations, including adults; and that it should be a straightforward process for the committee to determine how it is used.

City Manager Atkins stated that the Council needs to take action for the committee to be framed, authority delegated, and how it will be set up. City Attorney Watson stated that Council just needs to direct staff to form the committee and bring back bylaws.

A motion was made by Councilor Valdez to have staff form the committee, seconded by Councilor Riofrio; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. City Manager
 - a) Budget Update

City Manager Atkins summarized the results of the 2011-2012 fiscal year budget including revenues and expenditures in all accounts, then gave an update on the budget for the year of 2012-2013 to date. Discussion was held on the general outlook of the budget overall; and the circumstances regarding the delay of the purchase of a new street sweeper due to a requirement that funds be spent on a machine "Made in America".

City Manager Atkins also provided information on the upcoming Community Relations Board meeting to be held at FCI – Mendota; and an economic summit that will take place specifically for cities on the west side of Fresno County.

2. Code Enforcement
 - a) Monthly Report

Chief of Police Jerry Galvin summarized the report provided to the Council and emphasized the high voluntary compliance that continues to prevail; significant cases of the past month; challenges faced related to abandoned housing; properties that have tumbleweeds and other health hazards; intoxicated individuals loitering on 7th Street; and the big green, metal receptacle bins used for collecting used clothes and shoes by an organization. Discussion was held on the possibility of passing an ordinance that would prevent intoxicated people from accessing alcohol.

3. Police Department
 - a) Monthly Report

Chief of Police Galvin discussed the possibility of receiving funding that would help the department with electronic filing, increasing efficiency; the possibility of using a GPS system to track repeat offenders; a slight increase in crime that happened last month; significant cases; the ratios of officers to citizens in various cities; and provided an update on the fund-raising and other efforts of the explorer program.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Members
 - a) Mayor Pro Tem Amador
 - i. Assembly Bill 1616: Cottage Food Operations

Mayor Pro Tem Amador stated that staff needs to ensure that everything is in place for the implementation of this law. Discussion was held on some of the new provisions of the law, especially that the City can no longer prevent such operations, and that its only jurisdiction is in the issuance of a business license.

2. Mayor
 - a) Mendota Area Business Conference

Mayor Silva stated that the Small Business Administration would like to engage local businesses and to provide them with the latest information.

CLOSED SESSION

At the hour of 8:44 p.m. the Council went into closed session.

At the hour of 9:23 p.m. Mayor Silva reconvened the Council to Open Session and City

Attorney Watson stated that the Council discussed public employment.


ADJOURNMENT

At the hour of 9:23 p.m., 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; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

