

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting **Tuesday March 26, 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 and Sergio Valdez.**

Council Members Absent: **Councilor Joseph Riofrio.**

Flag Salute led by City Clerk Matt Flood

FINALIZE THE AGENDA

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

A motion was made by Mayor Pro Tem Amador to adopt the agenda, seconded by Councilor Valdez; unanimously approved (4 ayes; 1 absent: Riofrio).

PROCLAMATION

1. Proclamation No. 13-04: Declaring April 19, 2013 as "Earth Day" in Mendota and Recognizing April 22, 2013 as "Earth Day" Worldwide.

City Clerk Flood read the proclamation into the record. A motion was made by Mayor Pro Tem Amador to adopt Proclamation No. 13-04, seconded by Councilor Capuchino; unanimously approved (4 ayes; 1 absent: Riofrio).

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council Meeting of March 12, 2013.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

Councilor Valdez requested that the minutes of March 12, 2013 be corrected to reflect

his abstention when voting on Business item #2 to be only from the requests for permits from Mendota Youth Recreation, and not the item as a whole. A motion for approval with the proposed correction was made by Mayor Pro Tem Amador, seconded by Councilor Capuchino; unanimously approved (4 ayes; 1 absent: Riofrio).

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 7, 2013 THROUGH MARCH 20, 2013
WARRANT LIST CHECKS NO. 35993 THRU 36060
TOTAL FOR COUNCIL APPROVAL = \$345,853.20
2. Council award the bid for the Safe Routes to School project at Belmont and Quince Streets, and 3rd and Quince Streets to RC General Engineering Inc. in the amount of \$105,093.10, declare the project to be categorically exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15301(c), and authorize the City Manager to execute the necessary documents and contracts.

A motion was made by Mayor Pro Tem Amador to adopt the Consent Calendar, seconded by Councilor Valdez; unanimously approved (4 ayes; 1 absent: Riofrio).

BUSINESS

1. Council discussion and consideration of adopting Resolution No. 13-05 relating to amending the Park rental fees. [City Manager, Atkins]

Mayor Silva introduced the item and City Manager Bryce Atkins reported on the nature of these fees; their use in the upkeep of public facilities so that the community can enjoy them; an ordinance was passed at the previous meeting regarding parks that requires a resolution to establish use fees; the basis of the amount of the fees, including a survey of neighboring cities that was done; and how the different costs for amenities is devised.

Discussion was held on the history of fees for the use of public facilities within Mendota; the application of fees on all public facilities; the use of electricity at the baseball field being a separate fee from that of using the lights; deposits made for keys and cleaning that can be returned to the applicant; local organizations having to use the facilities of the Mendota Unified School District (MUSD); the history of not charging organized leagues for using city facilities; wish to not pass the cost of maintaining facilities onto the citizen, even though it has to be done out of necessity; non-profit organization's ability to use any city facility free the first time, then use it for half of the normal fee afterwards; and the total cost of the renovation of the baseball field.

Ruby Ortiz (President of Mendota Youth Recreation Baseball Board) – spoke against the proposed fee schedule, stating that her organization is already struggling to provide the basic needs for the children to play baseball.

Discussion was held on the cost for the organization to provide the youth baseball program; the difficulty of balancing the maintenance of facilities with the ability to provide recreational opportunities to financially challenged families; the definition of the "use" of a city facility as it applies to the discount available to non-profit organizations; the survey conducted on other cities and what they charge; the recreation departments that used to exist within the City; and the importance of keeping charges to a minimum when dealing with non-profit organizations.

Rosemary Gomez (Westside Youth) – Mrs. Gomez suggested that the organizations, parents, and volunteers can maintain the field to offset some of the cost, so as to reduce the need to charge use fees.

Discussion was held on the possibility of waiving the fees for use of the baseball field until next fiscal year; the necessity of covering the cost of wear and tear, as well as vandalism and other situations that cause deterioration, on buildings; the difficulty that families will face this year financially; and the possibility of having sponsors to offset the cost of using the field.

Dino Perez (Westside Youth) – stated that it is important to give youth opportunities to do productive activities, so that they do not go down a destructive path; and that the City should pursue grant funding.

City Attorney Tom Watson recommended that the Council consider deferring details of the use of the baseball park to the Baseball Committee that is soon to be formed.

Discussion was held on the possibility of combining certain fees in order to simplify the fee schedule; changing the scale to charge based on the amount of hours a facility is used; the biggest expenses related to recuperating the costs of maintaining a facility; the distinction between general use and exclusive use of a facility; the difficulty non-profit organizations will have in raising funds to be able to use city facilities; and security concerns that can arise during an event and what other cities do to address them.

A motion was made by Mayor Pro Tem Amador to continue the item so a revision of the resolution can be brought back to Council, a possible separate resolution that delineates separate fees for non-profits, and including the electrical fee in the use fee to simplify it; seconded by Councilor Capuchino; unanimously approved (4 ayes; 1 absent: Riofrio).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. City Manager

City Manager Atkins reported that staff submitted a grant to the United States Department of Agriculture for an initial wave of the conversion of water meters to wireless within the City; that he and Councilor Capuchino coincidentally met up with a gentleman who was interested in opening up a special laundromat that is highly efficient with water; and that repairs that were recently made on some storm drains are complete.

2. Public Works a) Monthly Report

Public Works Director Ron Demmers asked if there were any questions about his report. Mayor Pro Tem Amador inquired on the catching mechanisms that the City lawnmowers use. Public Works Director Demmers stated that the Walker mower has a catching bag and the Toro mower does not, because it mulches the grass. Discussion was also held on the problem with weeds and tumbleweeds on various lots throughout the City and the burn permits the City is attempting to procure.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Capuchino gave a brief report on the WELL Conference recently attended by himself, Mayor Silva, and Mayor Pro Tem Amador, including the water allocation of 20% that has been forecasted for use by the farmers within Westlands Water District.

2. Mayor a) Beautification Program with flower barrels

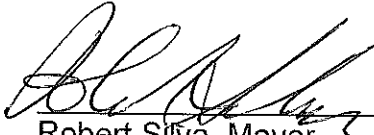
Mayor Silva stated that these barrels were put in front of these businesses and that they are not being taken care of, with some even having been abandoned completely; and requested ideas for reviving that program.

Mayor Silva also reported that a water rally and press conference would be taking place April 1st in Fresno to bring attention to the water allocation issues; and on a press


conference that he attended in Coalinga that introduced the Remote Video Proceedings from the Fresno County Court.

ADJOURNMENT

At the hour of 7:25 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 (4 ayes; 1 absent: Riofrio).


Robert Silva, Mayor

ATTEST:


Matt Flood, City Clerk

