

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting Tuesday May 28, 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 Valdez

FINALIZE THE AGENDA

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

Staff requested to continue the presentation until a future meeting in which all the presenting parties will be able to attend. A motion was made by Mayor Pro Tem Amador to adopt the agenda as adjusted, seconded by Councilor Capuchino; unanimously approved (5 ayes).

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council Meeting of May 14, 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 Mayor Pro Tem Amador, seconded by Councilor Riofrio; 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. MAY 13, 2013 THROUGH MAY 23, 2013
WARRANT LIST CHECKS NO. 36283 THRU 36330
TOTAL FOR COUNCIL APPROVAL = \$458,709.55
2. Council adopt **Resolution No. 13-11: A resolution of the City Council of the City of Mendota declaring the Safe Routes to School Project as categorically exempt under section 15303 of the California Environmental Quality Act.**
3. Council ratify the action to donate \$150 towards the baseball camp attendance of Jose Rodriguez, a Mendota youth.
4. Council approval to send a letter of support for I-5 Social Services Corporation to Tom Torlakson, State Superintendent.
5. Council adopt **Resolution No. 13-12: A resolution of the City Council of the City of Mendota in the matter of authorizing the submittal of a Targeted Employment Area application to the California Department of Housing and Community Development.**

Councilor Capuchino requested to pull item 1 and Councilor Riofrio requested to pull item 4. A motion was made by Councilor Riofrio to approve items 2, 3, and 5 of the consent calendar, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).

Councilor Capuchino requested more information on warrant #36287 regarding a payment for the bond for the wastewater treatment plant; #36288 regarding costs incurred for the abatement of weeds on private properties; #36306 regarding vehicle repair and how City staff determines which automotive mechanic to take the vehicle to.

Councilor Valdez requested information on #36283 regarding the purchase and storing of ammunition for the police department; #36295 regarding the purchase of a power pole for one of the storm drain lift stations; #36297 regarding the purchase of a radiator for a truck in the public works department; #36316 regarding the requirement of those soliciting services offered by the City Planner paying for them before being rendered; and a misprint in the warrant list on #36310 that should say "two cases of paper" instead of "two cases of water".

A motion was made by Councilor Capuchino to approve item 1 of the consent calendar, seconded by Councilor Valdez; unanimously approved (5 ayes).

In the matter of item 4 of the consent calendar Councilor Riofrio stated his support for the programs that provide care for children and employment for local people. Council expressed agreement in this support.

Alex Valdez, Executive Director of I-5 Social Services, Inc. gave history on the organization; the amount of children that they serve; their operating budget; the support they bring to the local community; that they own the modular units in Mendota; the efforts made to reverse the decision by the State to cease funding to their organization and an upcoming rally in Sacramento for this cause; and that, as of now, their contract will end on June 30th.

A motion was made by Councilor Riofrio to approve item 4 of the consent calendar, seconded by Mayor Pro Tem Amador; unanimously approved (4 ayes; 1 abstention: Valdez).

BUSINESS

1. Council discussion and consideration of the request by Mendota Youth Recreation to amend the exclusive use permit for the Harvest Fiesta. [City Manager, Atkins]

Mayor Silva introduced the item and City Manager Atkins summarized the discussion held on the matter from the last meeting, including the changes to the exclusive use permit requested by Mendota Youth Recreation; and reviewed staff recommendations for approval of the modified permit.

Discussion was held on the City's ability to receive a percentage of the entrance cost that MYR will charge to the Harvest Fiesta as a fee.

Corina Bañuelos of MYR explained the reason behind charging an entrance cost and that those age 12 and under will be admitted free.

Discussion was held on MYR's 501(c)3 status; and where any funds paid by MYR to the City will go; the advantage of allowing MYR to not have to pay a \$300 use fee of the park; the possibility of reimbursing the \$300 if MYR can provide proof of an active 501(c)3 designation; the security measures that MYR is going to have in place and the cost of these; what the \$300 would be used for in the general fund; and the cost of putting on big events such as this one.

A motion was made by Councilor Riofrio to require \$300, which can be refunded if MYR provides proof of 501(c)3 status before the event, allow a cost of entry of \$2 for those above 12 years of age, and that the skate park be available for MYR to use during this event, seconded by Councilor Capuchino; unanimously approved (4 ayes; 1 abstention: Valdez).

2. Council discussion and consideration to enter into the Memorandum of Understanding with the County of Fresno and the cities of Fresno County for the participation in the use of funds from the California Board of State and Community Corrections. [City Manager, Atkins and Chief of Police, Galvin]

Mayor Silva introduced the item and City Manager Atkins reported that the MOU is between all the cities within Fresno County to allow the use of approximately \$1 million allocated from the State to be used for the implementation of an e-filing system at the District Attorney's office and for crime data analysis.

Discussion was held on how many cities have already signed on.

A motion was made by Councilor Riofrio to enter into the Memorandum of Understanding, seconded by Councilor Capuchino; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. City Manager

City Manager Atkins reported that staff has received confirmation that Westlands Water District received a letter from the City requesting a donation of land, and that they will notify the City when taking the request to their board; the quality of the sub-grade on the eastside streets is such that the City will need to take action, the most affordable being the use of quicklime, and the 90-day target of completion for the project; and the current stage of the McCabe, Sorensen and Smoot project being at land acquisition.

Discussion was held on obstructed vision of street signs and other general traffic hazards that can be mitigated.

2. Public Works
 - a) Monthly Report

Director of Public Works Ron Demmers summarized his report and stated that his department is working on getting the airport clean.

Discussion was held on the responsibility of property owners to take care of the alleys adjacent to their properties; the quantity of potholes found throughout the city; a speed bump that is missing a section; and the vandalism committed on some pedestrian crossing signs near the middle and high schools.

Chief Galvin reported on the routine cleaning of the alleys that the Adult Offender Work Program does; and a fatal car accident that happened near Mendota on Sunday night.

Discussion was held on the possibility of using federal prisoners from the Mendota facility for projects; and Lindgren-Lozano park sprinklers being left on too long.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Riofrio reported that the high school would have graduation ceremonies on June 6th, and that the race for the 16th District in the State Senate is probably not decided yet.

Councilor Capuchino reported that the annual festival at the Catholic Church went well and that the church made approximately \$18,000 before expenses.

Councilor Valdez asked about the next meeting of the Baseball Commission and if there would be able to be an extra dumpster available for the regional tournament that will be coming up; and that the businesses around here should take more pride in how their storefront looks.

Mayor Pro Tem Amador reported on an incident that happened at one of the Watermills in the city and that the owner of that company is the Mayor Pro Tem of Carmel.

2. Mayor

- a) LOCC Latino Caucus Conference: July 10-12, 2013.

Mayor Silva stated that he would like to attend the League of California Cities Latino Caucus meeting, which will require an item at the next meeting to cover costs.

Council consented to bring an item to the next regular meeting.

- b) City donation to Mendota Police Explorers.

Mayor Silva stated that it is important to support this local organization. Discussion was held on the activities the Explorers have been involved in recently.

Mayor Silva also reported on a recent visit from Congressman Tony Cardenas; and stated that AB880 by Assemblymember Gomez will put a lot of costs on business owners.

CLOSED SESSION

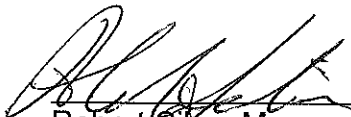
1. Pursuant to California Government Code Section 54957.6:
Negotiation of new Franchise Agreement for Collection of Solid Waste
City Negotiator: Bryce Atkins, City Manager

At 7:32pm the Council convened into closed session.

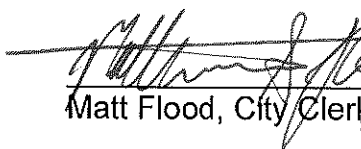
At 7:51pm the Council reconvened into open session and City Attorney Tom Watson reported that info was provided to the Council from the negotiator and that the Council provided direction to the negotiator.

ADJOURNMENT

At the hour of 7:52 p.m., with no more business to be brought before the Council, a motion for adjournment was made by Councilor Riofrio, with a second by Councilor Capuchino; unanimously approved (5 ayes).


Robert Silva, Mayor

ATTEST:


Matt Flood, City Clerk

