

**SAN JOAQUIN CITY COUNCIL MEETING MINUTES
DECEMBER 5, 2017**

1. CALL TO ORDER – Called to order by Mayor Hernandez at 6:02 P.M.

ROLL CALL AND DECLARATION OF QUORUM -

Julia Hernandez	Present
Amarpreet Dhaliwal	Present
Abel Lua	Present
Jose Ornelas	Present
Betty Vallejo	Present

Staff present was Elizabeth Nunez, City Manager; Hilda Montoy, City Attorney and Diana Brooks, City Clerk.

Guest Present – See Attached

2. APPROVAL OF AGENDA –

City Manager requested to move Public Comments after item 2 of the agenda and to add to the agenda **Resolution No. 2017-33** Authorizing The City Manager to Execute a Program Supplement Agreement No. 0Q09 to State Agreement No. 00204S, for Project No. ATPL-5245(017) which was received too late to be inserted into the agenda -

Motion: Councilmember Vallejo moved to approve to move Public comments after item 2 and add Resolution No. 2017-33 to the agenda and approve revised agenda as presented. The motion was seconded by Councilmember Ornelas and approved by the following vote: 5 Ayes

3. ANNUAL REORGANIZATION -

5.1 Election of Mayor -

Motion: Mayor Pro Tem Dhaliwal moved to nominate Mayor Hernandez to continue as Mayor. The motion was seconded by Councilmember Lua and approved by the following vote: 5 Ayes

5.2 Election of Mayor Pro Tem -

Motion: Councilmember Lua moved to nominate Mayor Pro Tem Dhaliwal to continue as Mayor Pro Tem. The motion was seconded by Mayor Hernandez and approved by the following vote: 5 Ayes

5.3 Appointment of Representatives to various agencies -

A. Fresno COG, FCRTA and Fresno County RTMF Agency Board -

Mayor Pro Tem Dhaliwal noted that he was the Chairman for COG and on the other 2 boards and would like to continue as the city's representative –

Councilmember Ornelas stated Mayor Pro Tem Dhaliwal was missing a lot of the meetings and would like to nominate himself for the position -

Motion: Mayor Hernandez moved to nominate Mayor Pro Tem Dhaliwal as COG, FCRTA and RTMF board member he has been active and representing the city in a professional manner and she wishes for him to continue. The motion was seconded by Councilmember Lua and approved by the following vote: 4 Ayes, 1 No (Councilmember Ornelas)

B. Measure G – GPUSD Board -

Motion: Mayor Hernandez nominated Councilmember Vallejo to continue as the city's representative for Measure G at GPUSD Board. The motion was seconded by Mayor Pro Tem Dhaliwal and approved by the following vote: 5 Ayes

C. San Joaquin Valley Air District Board -

Motion: Councilmember Vallejo moved to nominate Mayor Hernandez and Mayor Pro Tem Dhaliwal as the alternate. The motion was seconded by Mayor Hernandez and approved by the following vote: 5 Ayes

D. Measure Q Board -

Motion: Councilmember Vallejo nominated Councilmember Ornelas to continue as the city's representative for Measure G at WHCC. The motion was seconded by Mayor Hernandez and approved by the following vote: 5 Ayes

E. Westside County Solid Waste Board –

Motion: Mayor Vallejo nominated Councilmember Ornelas to continue as the city's representative for Westside County Solid Waste Board. The motion was seconded by Mayor Hernandez and approved by the following vote: 5 Ayes

4. NEW BUSINESS

- A. Report and Recommendation – Discussion and approval of Fiscal Year 2016-2017 City of San Joaquin Independent Audit Report and Financial Statements, presentation by Ryan Jolley, CPA and direction to Staff on Audit matters. – Informational Only
- B. Report and Recommendation - Consideration and approval of **Resolution No. 2017-31** Adopting a Petty Cash Fund Policy –

Motion: Mayor Vallejo moved to approve Resolution No. 2017-31 Adopting a Petty Cash Fund Policy in the amount of \$150.00. The motion was seconded by Mayor Hernandez and approved by the following vote: 5 Ayes

- C. Report and Recommendation - Consideration and approval of changing regular City Council meeting of January 2, 2018 to January 8, 2018, or other date.

Motion: Mayor Hernandez moved to reschedule the next city council meeting to Monday January 8, 2018. The motion was seconded by Mayor Pro Tem Dhaliwal and approved by the following vote: 5 Ayes

- D. Addition to the Agenda - **Resolution No. 17-33** Authorizing the City Manager to Execute a Program Supplement Agreement No. 0Q09 to State Agreement No. 00204S, for Project No. ATPL-5245(017) which was received too late to be inserted into the delivered agenda –

Motion: Mayor Hernandez moved to Resolution No. 17-33 Authorizing the City Manager to Execute a Program Supplement Agreement No. 0Q09 to State Agreement No. 00204S, for Project No. ATPL-5245(017). The motion was seconded by Mayor Pro Tem Dhaliwal and approved by the following vote: 5 Ayes

5. CONSENT CALENDAR -

- A. Approval of Minutes: City Council Meeting Minutes of November 7, 2017–
- C. Report and Recommendation - Consideration and approval regarding Second Amendment to Agreement with Fresno County-Sheriff Office and Overtime Rate Increase -

Motion: Councilmember Vallejo moved to approve items A & C of the consent calendar as presented. The motion was seconded by Councilmember Lua and approved by the following vote: 5 Ayes

- B Approval - Warrant #'s 48833 – 48911 –
Councilmember Ornelas had questions regarding the following warrants:
48879/\$625.00 – Antonio Alvarado – Refund Deposit at SHVMH event on 11/30/17
48855/\$26,250.00 – Bryant Jolley – Professional Services – Performed City Audit

Motion: Councilmember Lua moved to approve item B of the consent calendar after clarification regarding the 2 warrants in question. The motion was seconded by Councilmember Vallejo and approved by the following vote: 5 Ayes

6. SHERIFF REPORT – Informational Only

7. CITY MANAGER REPORT – Informational

8. PUBLIC HEARING(s) –

- A. Public hearing to consider a Notice of Intention to Adopt a Mitigated Negative Declaration/Notice of Availability Regarding proposed Consolidated Water Treatment Project

- B. Report and Recommendation - Consideration and approval of **Resolution No. 2017-32** to Adopt the Mitigated Negative Declaration for the San Joaquin Consolidated Water Treatment Project –

Public Hearing opened at 7:16 P.M. and closed at 7:21 P.M.

Motion: Mayor Pro Tem Dhaliwal moved to approve Resolution No. 2017-32 to Adopt the Mitigated Negative Declaration for the San Joaquin Consolidated Water Treatment Project. The motion was seconded by Councilmember Vallejo and approved by the following vote: 5 Ayes

9. PUBLIC FORUM –

Bryn Forhan, – The Forhan Company, Government Relation & Advocacy – Informed council of their program California for Energy Independence who offers assistance in training for careers in Energy Technology – Informational Only

Alejandro Avila – Jose Bravo USA Boxing – Informed council of a 3 day tournament in San Joaquin February 14–16, 2018 and which will take 2 months of coordinating, would like to discuss a location for their organization and has a meeting scheduled with Councilmember Ornelas on Thursday, 12/7/17 at 4:30 P.M. City Manager will also attend and meeting will be at city hall.

Maria Ramirez – Leo’s Tire –

Stated she received an invoice from the city in the amount of \$43.00 she was informed the invoice was for state mandated back flow device annual testing in which all business owners backflow devices are required to have.

Response: A letter notifying the business owners of this requirement and charge was mailed out early in the year. The business owner can do their own testing which will be approx. \$200.00 per device and they will need to submit paperwork showing proof the testing has been completed and device passed. If paperwork is not submitted the water service will be shut down due to non-compliance.

Angelina Aguilar – Transcribed from a letter provided by Ms. Aguilar:

In November meeting she asked the City Manager what has been done to improve San Joaquin. This question was interpreted as offensive but she had no intention to offend anyone. She asked the City Manager because she has held the position for over a year and should be knowledgeable on the subject. In past meetings Julia and Mayor Pro Tem have been disrespectful towards Juan Echeverria and Jose Flores. For Example: Julia called Mr. Echeverria by his nickname instead of his actual name and she also tries to cut people off before their 3 minutes of speaking time. Also, Mr. Dhaliwal suggested to Mr. Flores that they should discuss issues while consuming alcohol. So I ask once again to the city members – who have been working for years “what changes have you brought to San Joaquin?” I have lived here for 10 years and have yet to see a change. It is my right to know what’s being done for the city. After all, you work for the city, the city doesn’t work for you. I wrote this letter in hope that Mrs. Diana Brooks does not change my wording as done so previously.

Juan Garcia Jimenez – Submitted letter was translated to English from Spanish by interpreter from a letter provided by Mr. Garcia regarding water meters –

All of the residences, business and apartments including trailers are to have the same? When do you start charging for the water meters? I understand that the trailers have only one water meter? Is it not fair that you apply the code the same to everyone? I also don't agree that you want to increase water charges knowing that the water is contaminated here in the City of San Joaquin.

10. CITY ATTORNEY'S REPORT –

City attorney stated that she will be forwarding to the City Manager the top new laws which come into effect on January 1, 2018 -

11. COUNCILMEMBER COMMUNICATIONS/ANNOUNCEMENTS/AGENDA ITEMS –

- Councilmember Lua thanked the City Manager for attending the dinner at SJVMH -
- Councilmember Ornelas wants to add the Boxing Club on the January 2018 agenda regarding the rental of city building at 21960 Railroad Avenue -

12. CLOSED SESSION –

- A. Closed Session - Pursuant to Government Code §54956.9 (b)
Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation: Margaret Caudillo v. City
- B. Closed Session: Government Code §54957 –
Public Employee Performance Evaluation
Title - City Attorney

Went into closed session at 7:25 P.M. Came out of closed session at 8:10 P.M.

Item A – Mayor reported - No Reportable Action

Item B – Mayor reported - The City Attorney will be evaluated every 6 months

13. ADJOURN MEETING –

Motion: Councilmember Vallejo moved to adjourn the meeting at 8:11 P.M. The motion was seconded by Mayor Pro Tem Dhaliwal and approved by the following vote: 5 Ayes