

MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

March 10, 2015

Meeting called to order by Mayor Silva at 6:01 p.m.

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Sergio Valdez, Councilors Joseph Amador (left at 6:12 p.m.), Rolando Castro, and Joseph Riofrio.

Council Members Absent: None.

Flag salute led by Mayor Silva.

FINALIZE THE AGENDA

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

City Manager DiMaggio requested to swear in the new Chief of Police and to remove item 4 of the Consent Calendar. A motion was made by Councilor Riofrio to adopt the modified agenda, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

PRESENTATIONS

1. City Manager DiMaggio to swear in Chief of Police Gregg Andreotti.

City Manager DiMaggio swore in Chief of Police Andreotti.

2. Deputy City Clerk Cabrera to swear in Carlos Esqueda.

Deputy City Clerk Cabrera swore in Carlos Esqueda.

Council congratulated Chief of Police Andreotti and thanked the members of law enforcement and members of the public for attending the meeting.

John Anderson - presented a Certificate of Recognition to Chief of Police Andreotti on behalf of the office of State Senator Anthony Cannella.

At 6:09 p.m. Mayor Silva announced there would be a 15 minute recess (6:12 p.m. Councilor Amador left the Council Chambers).

At 6:23 p.m. the Council reconvened in open session.

PRESENTATION

1. Ivette Rodriguez from Mid Valley Disposal to present 3rd and 4th quarter report.

Ivette Rodriguez from Mid Valley Disposal presented the 3rd and 4th quarter report, including the results from the residential waste assessment and annual residential audits; commercial site visits; businesses with outstanding recycling efforts; proper use of the trash bins; the involvement of Mid Valley Disposal within the community; the progress of diversion rates; and Midland Manor Apartments being named Recycler of the Year.

Discussion was held on scavengers collecting trash from dumpsters; possible solutions to stop scavengers from collecting trash from dumpsters; and the timeframe of Mid Valley Disposal trucks collecting trash from all three home receptacles.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report

Planning and Economic Development Manager Flood summarized the report for February, including activity related to weed abatements; parking violations; educating the public in regards to violations; and the focus on cleaning up the community.

Discussion was held on growing weeds on vacant properties; issues related to amplified music during the weekends; and residents selling homemade food out of their homes.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Special City Council meeting of February 11, 2015 and Regular City Council meeting of February 24, 2015.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

A motion was made by Councilor Riofrio to approve items 1 and 2, seconded by Mayor Pro Tem Valdez; unanimously approved (4 ayes, absent: Amador).

CONSENT CALENDAR

1. FEBRUARY 20, 2015 THROUGH MARCH 4, 2015
WARRANT LIST CHECKS NO. 39087 THRU 39138
TOTAL FOR COUNCIL APPROVAL = \$202,178.99
2. Council approve an easement on City property near Bass Avenue for electrical connectivity with PG&E.
3. Council perform the first reading of **Ordinance No. 15-02**: adding an alternate member to the Planning Commission, and set the public hearing for March 24, 2015.
4. **(Removed from agenda)**
Council perform the first reading of **Ordinance No. 15-03**: a rezone of two properties on the west corner of Quince and 7th streets from C-3 to P-F, and set the public hearing for March 24, 2015.
5. Council adopt **Resolution No. 15-18**, approving the final map of Tract No. 5847 and entering into a subdivision agreement.
6. Council adopt **Resolution No. 15-19**, declaring its intention to propose an amendment to the zoning ordinance to establish an Economic Incentive Zone.
7. Council adopt **Resolution No. 15-20**, authorizing the City Manager to execute the contract with Provost & Pritchard for Mendota Elementary pedestrian improvements.
8. Council adopt **Resolution No. 15-21**, adopting the revised standard for parking lot layout in the City Standard Drawing.
9. Council adopt **Resolution No. 15-22**, authorizing the use of sewer impact fee funds to purchase equipment for the clearing and maintenance of the city's sewer lines.

10. Council adopt **Resolution No. 15-23**, approving the Articles of Incorporation and Bylaws for the Mendota Community Benefit Corporation.
11. Council adopt **Resolution No. 15-25**, conditionally approving the exclusive use permits for City facilities for 2015.

A request to pull items 5 and 10 for discussion was made.

A motion was made to approve items 1 through 3, 6 through 9, and 11 of the consent calendar by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (4 ayes, absent: Amador).

5. Council adopt **Resolution No. 15-18**, approving the final map of Tract No. 5847 and entering into a subdivision agreement.

Discussion was held on the possible traffic issues that can be created by the project at the intersection of McCabe Avenue and highway 33; traffic issues on Black Avenue; having staff meet with Steve Hair to discuss possible solutions in regards to traffic problems; and the possibility of extending roads to ease the traffic congestion.

Stephen Hair – explained that he would meet with staff to discuss traffic issues at Black and McCabe Avenues.

A motion was made to approve item 5 of the consent calendar by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (3 ayes, No: Valdez, Absent: Amador).

10. Council adopt **Resolution No. 15-23**, approving the Articles of Incorporation and Bylaws for the Mendota Community Benefit Corporation.

Discussion was held on changing the meetings of the non-profit corporation to quarterly instead of monthly and the structure of the board.

A motion was made to approve item 10, with the modification of meetings being held quarterly, of the consent calendar by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (4 ayes, absent: Amador).

BUSINESS

1. Council discussion and consideration to adopt **Resolution No. 15-24**, approving the encumbering of 2015-2016 budget year fund balances from Measure C, LTF& Gas Tax.

Mayor Silva introduced the item and Public Works Director Gonzalez summarized his report (7:27 p.m. Mayor Pro Tem Valdez left the Council Chambers).

Discussion was held on which fiscal year budget the monies would be encumbering from (7:28 p.m. Mayor Pro Tem Valdez returned to the Council Chambers); the timeframe of the project; the Mendota Unified School District's participation in the project; the process of the project; and other road sections in the City that should be repaired.

A motion was made to adopt Resolution No. 15-24 by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (4 ayes, absent: Amador).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Police Department
 - a) Monthly Report

Chief of Police Andreotti summarized the report for February; thanked Council and staff for welcoming him; and reported on a robbery incident.

Discussion was held on reckless driving occurring at Pool Park and the productiveness of the Police Officers.

2. City Attorney
 - a) Update

City Attorney Boranian thanked Council and staff for attending the ethics training.

3. City Manager
 - a) Report

City Manager DiMaggio reported on a luncheon that will be held at the Mendota library in which Supervisor Pacheco will be attending; a CDBG meeting that he attended with Director of Support Operations Johnson; and the possibility of the Obama Administration awarding CDBG monies to larger urban areas instead of smaller rural areas.

Discussion was held on the importance of CDBG grants being awarded to smaller rural cities; the possibility of using leftover awarded CDBG money to repair sidewalks; and an update on the 7th St. street light project.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Councilor Riofrio thanked City Attorney Boranian for administering the ethics training and for providing dinner.

Mayor Pro Tem Valdez reported on a Westside coalition meeting he attended and businesses enclosing their dumpsters (8:03 Councilor Riofrio left the Council Chambers).

Discussion was held on overflowing dumpsters throughout town; having Code Enforcement look into the issue; providing information in the monthly newsletter; and possible ADA improvements to the Council Chambers.

2. Mayor

Mayor Silva reported on the WELL Conference that he attended and concerns in regards to overdrafting wells (8:05 Councilor Riofrio returned to the Council Chambers).

CLOSED SESSION

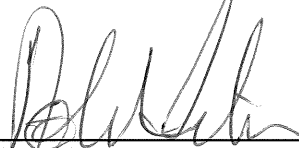
1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
CA Government Code § 54956.9: 1 case
Macias v. City of Mendota (Government Claim)
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
CA Government Code § 54956.8
Properties: APN 013-221-06; 013-221-07
Agency Negotiator: Vince DiMaggio, City of Mendota
Negotiating Parties: Ernestine Torres, Owner; David Hernandez, Owner

At 8:09 p.m. the Council moved into closed session.

At 8:32 p.m. the Council reconvened in open session and City Attorney Boranian reported that in regards to item 2 of the closed session, there was nothing to report. In regards to item 1 of the closed session, there was a motion to deny Macias v. City of Mendota (Government Claim) by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (3 ayes, abstain: Valdez, absent: Amador)

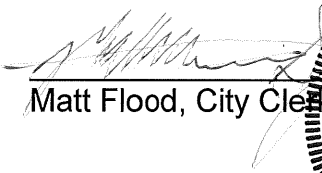
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:33 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (4 ayes, absent: Amador).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

