

MINUTES OF MENDOTA SPECIAL CITY COUNCIL MEETING

Special Meeting

April 21, 2015

Meeting called to order by Mayor Silva at 6:02 p.m.

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Sergio Valdez (at 6:05 p.m.), Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

Council Members Absent: None.

Flag salute led by Councilor Castro.

Invocation led by Reverend Gaspar Bautista of Our Lady of Guadalupe Catholic Church.

A moment of silence was held in honor of Mendota resident Jose "Frank" Torres who had recently passed away.

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 Valdez; unanimously approved (5 ayes).

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 March including the focus on business license violations, weed abatements, and public nuisances; gathering information in regards to the water regulations; the enforcement of water regulations; and the various violations given out for the month of March.

Discussion was held on the timeframe that properties owners have to clear their properties of a weed nuisance; the hazards that are caused by dry weeds on properties; the process to forcefully abate properties; the process to appeal a citation; a fence violation on a property on the North side of the City; and personnel changes within the Code Enforcement department.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council meeting of March 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 Councilor Castro; unanimously approved (5 ayes).

CONSENT CALENDAR

1. MARCH 19, 2015 THROUGH APRIL 14, 2015
WARRANT LIST CHECKS NO. 39204 THRU 39276
TOTAL FOR COUNCIL APPROVAL = \$320,915.78
2. Council perform the first reading of **Ordinance No. 15-04**, amending Section 17.04.110 of Chapter 17.04 and Section 17.86.030 of Chapter 17.86 of Title 17 of the Mendota Municipal Code related to Cottage Food Operations, and set the public hearing for April 28, 2015.
3. Council perform the first reading of **Ordinance No. 15-05**, establishing Chapter 17.81, the Economic Incentive Zone, by amending Title 17 of the Mendota Municipal Code, and set the public hearing for April 28, 2015.
4. Council perform the first reading of **Ordinance No. 15-06**, adding Section 2.28.045 to Chapter 2.28 of Title 2 of the Mendota Municipal Code related to the recruitment and designation of Reserve Police Officers, and set the public hearing for April 28, 2015.

5. Council adopt **Resolution No. 15-31**, approving the purchase contract for the acquisition of 1759 7th Street.
6. Council adopt **Resolution No. 15-32**, authorizing staff to submit a second Community Development Block Grant for the Fiscal Year of 2015-2016.
7. Council adopt **Proclamation No. 15-01**, declaring April 20, 2015 "Earth Day" in the City of Mendota and Recognizing April 22, 2015 as "Earth Day" Worldwide.
8. Council direct staff to issue a proclamation honoring Dr. Manuel G. Gonzales.

A request to pull items 3 and 5 for discussion was made.

A motion was made to approve items 1, 2, 4, and 6 through 8 of the consent calendar by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (5 ayes).

3. Council perform the first reading of **Ordinance No. 15-05**, establishing Chapter 17.81, the Economic Incentive Zone, by amending Title 17 of the Mendota Municipal Code, and set the public hearing for April 28, 2015.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report including the various incentives included within the Economic Incentive Zone (EIZ) and the positive impact that it will have on economic growth.

Discussion was held on what will result if the City loses a significant amount of money on incentives; the streets that are included; the possibility of adding other properties to the EIZ; the zoning of the properties included within the EIZ; and the positive impact that it will have on economic growth.

A motion was made to approve item 2 of the consent calendar by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (5 ayes).

5. Council adopt Resolution No. 15-31, approving the purchase contract for the acquisition of 1759 7th Street.

Discussion was held on where Ms. Rachel Delfino, a local barber, will re-locate her business when the building that currently houses her business is demolished, and a conversation that Ms. Ernestine Torres had with City Manager DiMaggio in regards to building and developing on another property to house Ms. Defino's business.

A motion was made to approve item 5 of the consent calendar by Councilor Riofrio, seconded by Councilor Castro; approved (4 ayes, No: Valdez).

BUSINESS

1. Council discussion and consideration to adopt Resolution No. 15-30, declaring a Stage III Water Emergency.

Discussion was held on continuing business item 1 to the April 28th City Council meeting in order for staff to gather more information in regards to the State required water conservation measures.

A consensus was reached to continue business item 1 to the April 28th City Council meeting.

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Police Department
 - a) Monthly Report

Chief of Police Andreotti summarized his report including the increase of firearms on suspects; self-initiated activity from the officers such as subject checks and vehicle checks that result in the apprehension of illegal paraphernalia

Discussion was held on individuals drinking alcohol on the City soccer field and on school grounds; issues of double parking by the Benny Mares Sr. baseball field; the various cases included in the Police Department monthly report; and issues regarding reckless driving.

2. City Attorney
 - a) Update

City Attorney Boranian reported on a California Water Commission meeting she attended in which she was provided with information in regards to the possibility of the City to receive monies for water storage projects.

3. City Manager
 - a) Report

City Manager DiMaggio summarized his experience on the One Voice trip in Washington D.C. including meeting with Congressman Jim Costa and Senator Dianne Feinstein; being the only City Manager to attend the trip from Westside Fresno County; explained Senator Feinstein's stated effort to visit the Central Valley in the future; and reported on a Prop 1 related grant involving recycled water.

Discussion was held on City Manager DiMaggio's well given presentation during the One Voice trip.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Mayor Silva thanked Public Works Director Gonzalez for his hard work during the Earth Day events and for the recent park renovations.

Finance Administrative Supervisor Diaz reported on the recent Earth day activities including the various businesses and organizations that contributed to the event.

Discussion was held on the various businesses and organizations that contributed to the Earth Day event and the positive working relationship between the City Manager DiMaggio and Superintendent Dr. Paul Lopez.

Councilor Amador reported on moving forward with the planning of the 20th Annual Driver Awareness event.

Mayor Pro Tem Valdez requested information on the status of Covanta and on the 7th St. street light project.

Discussion was held on state level legislation related to Covanta; the possibility of the Covanta facility being sold to a solar company; a letter of intent that was sent to a solar company; the possibility of a large-scale solar development project by the Waste Water Treatment Plant; an update on the grant writing services of Acquisition Partners of America; the status of the contract between the City and D5 Enterprises; the status of the street light financing; billing cycle changes to PG&E accounts that will save the City money in the upcoming fiscal years; and a gas leak near 7th Street and Derrick Avenue area.

Mayor Silva reported on agreeing to take the position as Chairman of the Council of Governments; summarized his experience on the One Voice trip in Washington D.C. including issues of priority; the significance of the California water drought; and the stated effort of department heads and elected officials to visit the Central Valley in the future.

CLOSED SESSION

1. PUBLIC EMPLOYMENT
CA Government Code § 54957.6
Title: Unrepresented Management MOU
Designated Representative and Negotiator: Vince DiMaggio

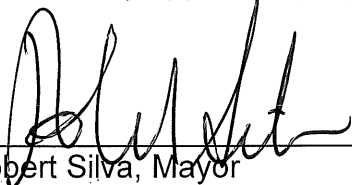
2. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
CA Government Code § 54956.9 (a)
Edward Warkentine v. City of Mendota, Fresno County Superior Court Case
No. 13 CECG 03203
3. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
CA Government Code § 54956.9 (a)
Edward Warkentine et al. v. Hector J. Soria, et al., U.S. District Court Eastern
District Case No. 13-cv-01550
4. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
CA Government Code § 54956.9 (a)
Martha Rodriguez v. City of Mendota, Fresno County Superior Court Case No.
15 CECG 00834

At 7:38 p.m. the Council moved into closed session.

At 9:17 p.m. the Council reconvened in open session and City Attorney Boranian reported that in regards to items 1 through 4 of the closed session, there was nothing to report.

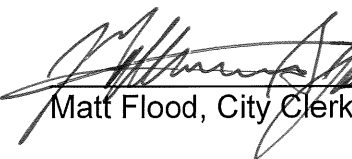
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 9:18 p.m. by Mayor Pro Tem Valdez, seconded by Councilor Amador; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

