

## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

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**Regular Meeting**

**January 24, 2017**

**Meeting called to order by Mayor Castro at 6:00 p.m.**

### **Roll Call**

**Council Members Present:** Mayor Rolando Castro, Mayor Pro Tem Victor Martinez, Councilors Joseph Amador, Oscar Rosales, and Robert Silva.

**Council Members Absent:** None.

**Flag salute led by Councilor Amador.**

**Invocation led by Pastor Mario Plascencia from Christian Life Tabernacle.**

### **FINALIZE THE AGENDA**

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

A motion was made by Mayor Pro Tem Martinez to adopt the agenda, seconded by Councilor Amador; unanimously approved (5 ayes).

### **SWEARING IN**

1. Deputy City Clerk Cabrera to swear in Reserve Police Officers Maria Escobedo and Andrew Salazar.

Mayor Castro introduced the item and Chief Andreotti provided a biography for each of the officers to be sworn in.

Deputy City Clerk Cabrera swore in the officers.

Members of the City Council provided advice and thanked the officers for their coming service.

At 6:12 p.m. Mayor Castro announced that there would be a recess.

At 6:19 p.m. the Council reconvened in open session.

### **PRESENTATION**

1. Fresno County Assessor-Recorder Paul Dictos to make a presentation to the City Council.

Mayor Castro introduced the item and Fresno County Assessor-Recorder Paul Dictos presented on the responsibilities and duties of his office; the assessed valuation in the City of Mendota; the importance of his office receiving Mendota's building permit reports; the breakdown of how tax revenues are distributed; information on a deferred tax program for property owners; and that any person can contact his office if they have any questions.

Discussion was held on the benefit of Mr. Dictos taxing landowners previously exempt due to provisions of the Williamson Act.

2. Council to honor Council Member Joseph Amador for his service.

Mayor Castro introduced the item and presented a plaque to Councilor Amador and Councilor Amador thanked the Council and members of the public for their support.

Members of the Council thanked Councilor Amador for his service to the community.

At 6:36 p.m. Mayor Castro announced that there would be a recess.

At 7:03 p.m. the Council reconvened in open session.

### **CITIZENS ORAL AND WRITTEN PRESENTATIONS**

**Dino Perez (Westside Youth Inc.)** – thanked Councilor Amador for his service.

Councilor Amador thanked Westside Youth Inc. and various members of the public.

**Joe Gomez (2033 7<sup>th</sup> Street)** – stated that he would meet with Mayor Castro individually in the future.

**APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING**

1. Minutes of the special and regular City Council meetings of January 10, 2017.
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 Rosales to approve items 1 and 2, seconded by Councilor Amador; unanimously approved (5 ayes).

**CONSENT CALENDAR**

1. JANUARY 09, 2017 THROUGH JANUARY 19, 2017  
WARRANT LIST CHECKS NO. 041977 THRU 042033  
TOTAL FOR COUNCIL APPROVAL = \$207,570.97
2. Proposed adoption of **Resolution No. 17-08**, initiating proposed revisions and additions to Mendota Municipal Code in re siting and permitting of wireless telecommunications facilities.
3. Proposed adoption of **Resolution No. 17-09**, initiating an ordinance amending Chapter 9.36 of the Mendota Municipal Code Relating to recreational marijuana and cultivation.
4. Proposed adoption of **Resolution No. 17-10**, authorizing the payment of retainage to contractor for Mendota Elementary School Pedestrian Improvements Project.

A request was made to pull item 3 for discussion.

A motion was made by Councilor Silva to adopt items 1, 2, and 4 of the Consent Calendar, seconded by Councilor Amador; unanimously approved (5 ayes).

3. Proposed adoption of **Resolution No. 17-09**, initiating an ordinance amending Chapter 9.36 of the Mendota Municipal Code Relating to recreational marijuana and cultivation.

Discussion was held on staff drafting the proposed ordinance and the position that the Council wants to have on the issue.

A motion was made to adopt item 3 of the Consent Calendar by Councilor Amador, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

## BUSINESS

1. Council to receive report on filling the City Council Member vacancy.

Mayor Castro introduced the item and City Attorney Kinsey reported on the options that the City Council has in regards to filling the vacancy; the appointment only filling the vacancy until the end of its term; the process of appointing a City Council Member; and Council providing direction to staff.

Discussion was held on how other cities fill their vacancies; the costs associated with holding a special election; the benefits of appointing an individual to the City Council; and the process of appointing an individual to the Council.

A motion was made by Councilor Amador to fill the vacancy through the appointment process, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

Discussion was held on the timeline of appointing a Council Member.

2. Appointment of Mendota residents to the Mendota Recreation and Planning Commissions.

Mayor Castro introduced the item and Economic Development Manager Flood summarized the report including that there will be Commissioners whose seats will be expiring at the end of the month; the Maddy Act process; the applications that were received; and how the motions will occur.

A motion was made by Mayor Pro Tem Martinez to approve Mayor Castro's request to appoint Albert Escobedo, Jonathan Leiva, and Kevin Romero to the Planning Commission, seconded by Councilor Rosales; unanimously approved (5 ayes).

A motion was made by Councilor Silva to re-appoint Paul Ochoa and Kevin Romero to the Mendota Recreation Commission, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

3. Introduction and first reading of **Ordinance No. 17-02**, authorizing the use of mail ballot elections.

Mayor Castro introduced the item and City Attorney Kinsey summarized the report including Council's direction to staff to move forward with holding a mail ballot election for a tax measure for public safety, and the process to hold the mail ballot election.

Discussion was held on whether the ordinance will impact future General or Primary Elections.

A motion was made by Councilor Silva to perform the first reading of Ordinance No. 17-02, with the second

reading waived, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

## **PUBLIC HEARING**

1. Proposed adoption of **Ordinance No. 17-01**, amending the Official Zoning Map of the City of Mendota to reflect a change of zone for Assessor's Parcel Number 012-200-26 and **Resolution No. 17-07**, in the matter of Application No. 16-01, Tentative Parcel Map No. 16-01.

Mayor Castro introduced the item, stated that he would recuse, and stepped out of the Council Chambers at 7:39 p.m.

Jeff summarized the report including that the ordinance would rezone the subject property to R-1; the inclusion of a Tentative Parcel Map; splitting the parcel into two separate parcels; and an environmental impact report not being required for this project but it being required when there is developmental proposal in the future.

At 7:42 p.m. Mayor Pro Tem Martinez opened the hearing to the public and, seeing no one present wishing to comment, closed it in that same minute.

A motion was made by Councilor Amador to adopt Ordinance No. 17-01 and Resolution No. 17-07, seconded by Councilor Silva; unanimously approved (4 ayes, absent: Castro).

At 7:44 p.m. Mayor Castro returned to the Council Chambers.

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Public Works
  - a) Monthly Report

Public Works Director Gonzales reported on issues that arose from the recent rains and crews working on filling potholes.

Council commended the Public Works staff for their work and discussion was held on individuals wasting water.

2. City Attorney
  - a) Update

Nothing to report.

3. City Manager

City Manager DiMaggio reported Townsend Public Affairs staff is creating an itinerary

for the upcoming Washington D.C. trip; emergency funds that the state has made available for certain counties that have been affected by the recent rains; and thanked Councilor Amador for his service.

### **MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)

Mayor Pro Tem Martinez thanked Councilor Amador for his service.

Councilor Silva reported on various meetings he attended.

Councilor Amador reported on an app called Nextdoor.

Councilor Rosales thanked Councilor Amador for his service and thanked staff for their hardwork.

2. Mayor

Mayor Castro reported on Davena Witcher not obtaining all of the funds needed to construct the AMOR wellness center immediately.

### **CLOSED SESSION**


1. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION  
*Pursuant to Paragraph (4) of subdivision (d) of Section 54956.9 ([1] potential case).*

At 8:04 p.m. the Council moved into closed session.

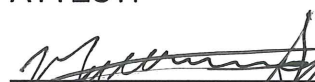
At 8:28 p.m. the Council reconvened in open session and City Attorney Kinsey reported that in regards to item 1 of the closed session, there was nothing to report.

### **ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 8:29 p.m. by Mayor Pro Tem Martinez, seconded by Councilor Rosales; unanimously approved (5 ayes).

  
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Rolando Castro, Mayor

ATTEST:

  
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Matt Flood, City Clerk

Minutes of Regular City Council Meeting



1/24/2017