



**MINUTES OF MENDOTA
SPECIAL CITY COUNCIL MEETING**

Special Meeting

November 7, 2019

Meeting called to order by Councilor Martinez at 3:00 p.m.

Roll Call

Council Members Present: Councilors Victor Martinez, Jesse Mendoza, and Oscar Rosales

Council Members Absent: Mayor Robert Silva and Mayor Pro Tem Rolando Castro

Flag salute led by Sergio Valdez

FINALIZE THE AGENDA

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

The agenda was adopted by Council consensus.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. 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 item 1, seconded by Councilor Mendoza; unanimously approved (3 ayes, absent: Castro and Silva).

CONSENT CALENDAR

1. Proposed adoption of **Resolution No. 19-81**, approving application(s) for Per Capita Grant Funds.

A motion was made by Councilor Rosales adopt Resolution 19-81, seconded by Councilor Mendoza; unanimously approved (3 ayes, absent: Castro and Silva).

BUSINESS

1. Proposed adoption of **Resolution No. 19-82**, awarding the construction contract for the Rojas Pierce Park Expansion project to Avison Construction, Inc. for the base bid of \$1,084,865.00 with any of the add alternates.

Councilor Martinez introduced the item and City Manager Gonzalez provided the report including the base bid amount; the add alternate options; the synthetic lawn option cost and its life expectancy; and the cost of lighting and of restrooms.

Discussion was held on the compaction and grading of the field; the add alternates; phase two of the project; and restroom options.

A motion was made by Councilor Rosales to adopt Resolution No. 19-82 with add alternate option number 2 for shade structures (\$60,000) and to direct staff to bring back a budget amendment, if needed, to allocate funds for the add alternate cost, seconded by Councilor Mendoza; unanimously approved (3 ayes, absent: Castro and Silva).

PUBLIC HEARING

1. Public hearing regarding Raymond Snowden, Sr.'s appeal of the City Manager's October 3, 2019, Final Order to Abate, 630 Kate Street, Mendota, CA 93640, APN: 013-102-02.

Councilor Martinez introduced the item. Attorney Castro on behalf of City Attorney Kinsey, commented on his role during the appeal process including to ensure the City Council has someone unbiased that can provide advice regarding the procedure for a fair hearing.

Attorney Castro opened the floor to Snowden.

Snowden requested a 30-day extension due to not receiving information he previously requested, including an agenda and audio recording. Snowden stated he received the packet yesterday which is not enough time for him to review.

Councilor Martinez requested information regarding the violation from staff.

Chief Andreotti asked a procedural question as to whether he should provide information regarding violations now or wait for his turn.

Councilor Rosales inquired as to what the 30 days extension was for.

Snowden stated he needs the 30 days to prepare his defense.

Attorney Castro restated the issue brought forth by Snowden including that Snowden was only provided the packet, which Attorney Castro clarified includes all of the records from the prior hearing, and that Snowden did not receive the recording and agenda he previously requested for his defense.

Councilor Mendoza clarified that there is no audio recording for the prior meeting and clarified to Snowden so he understands why he will not receive the audio recording. Councilor Mendoza confirmed with Snowden that he has the packet.

Councilor Martinez directed City Manager Gonzalez to provide Snowden the packet so he can review and prepare himself for defense.

City Manager asked Snowden whether he was also requesting an agenda of the meeting.

Chief Andreotti asked for clarification as to what agenda Snowden was referring to.

Attorney Castro provided an overview of the agenda for the current meeting.

Council held a brief discussion on granting a 30-day extension and reiterated there will not be audio provided for the previous hearing because there is no audio.

Council reached a consensus to give Snowden a 30-day extension per Snowden's request to prepare for his defense for his appeal to the City Council.

CLOSED SESSION


1. CONFERENCE WITH LABOR NEGOTIATORS
CA Government Code 54957.6
Agency designated representatives: City Manager Cristian Gonzalez and Director of Administrative Services Jennifer Lekumberry
Employee organization: Mendota Police Officers Association

At 3:27 p.m. the Council moved into closed session.

At 3:32 p.m. the Council reconvened in open session and Attorney Castro stated that regarding item 1 of the closed session, there was no reportable action.

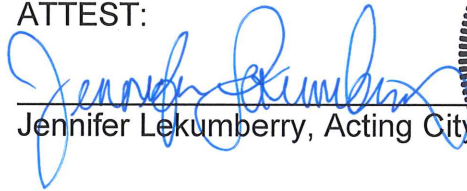
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 3:32 p.m. by Councilor Rosales, seconded by Councilor Mendoza; unanimously approved 3 ayes, absent: Castro and Silva).



Robert Silva, Mayor

ATTEST:



Jennifer Lekumberry, Acting City Clerk

