

**MINUTES OF MENDOTA  
SPECIAL CITY COUNCIL MEETING**

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**Special Meeting**

**February 15, 2017**

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

**Roll Call**

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

**Council Members Absent:** None.

**Flag salute led by Chief of Police Andreotti.**

**Invocation led by Reza Nekumanesh from the Islamic Cultural Center of Fresno.**

**FINALIZE THE AGENDA**

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

A motion was made by Councilor Silva to adopt the agenda, seconded by Mayor Pro Tem Martinez; unanimously approved (4 ayes).

**CITIZENS ORAL AND WRITTEN PRESENTATIONS**

**Joe Gil Gomez (2033 7<sup>th</sup> Street)** – inquired on an outstanding water bill at one of his apartment complexes.

Discussion was held on staff investigating the issue and the ordinance that exists that makes property owners responsible for paying outstanding water accounts.

**Ortencia Carbajal (354 J Street)** – stated that she operates a business out of her home; explained that she received a citation and a letter from the code enforcement

department revoking her Home Occupation Permit; stated that she sold food and alcohol out of her home; and inquired on why she didn't receive a warning prior to receiving a citation and having her permit revoked.

Discussion was held on whether Ms. Carbajal can appeal the citation and permit revocation; the appeal process; and the actions taken by the code enforcement department on the issue.

**Jose Negrete (934 2<sup>nd</sup> Street)** – stated that he has lived in his home, which is located on a cul de sac, for over 24 years; explained that the code enforcement department advised him and his neighbors that they had to park their vehicles along the curb and not facing the curb; reported on the limited amount of parking that is available; and inquired on why he was no longer able to park his vehicles facing the curb.

Discussion was held on state law requiring that vehicles be parked alongside the curb in a cul de sac and fire trucks and ambulances having issues turning their vehicles when cars are illegally parked.

**Delia Macias** - reported on the importance of educating the public on various issues.

**Macario Banuelos (930 Gaxiola Street)** – stated that Mr. Negrete lives in a duplex home.

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

1. Minutes of the regular City Council meetings of January 24, 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 Silva to approve items 1 and 2, seconded by Mayor Pro Tem Martinez; unanimously approved (4 ayes).

Discussion was held on whether special City Council meeting minutes will be on the next agenda for approval.

### **CONSENT CALENDAR**

1. JANUARY 24, 2017 THROUGH FEBRUARY 10, 2017  
WARRANT LIST CHECKS NO. 042034 THRU 042132  
TOTAL FOR COUNCIL APPROVAL = \$716,075.40
2. Proposed adoption of **Resolution No. 17-13**, amending the salary schedule for the position of Chief Plant Operator.
3. Proposed adoption of **Resolution No. 17-14**, entering into a mutual aid agreement with the Federal Correctional Institution, Mendota.

4. Council authorize the Mayor to execute a letter of support for H.R. 23, the Gaining Responsibility On Water (GROW) Act of 2017.
5. Council approval of a Community Development Block Grant funding agreement.
6. Council approval of an agreement to allow the City to participate in the Proteus Temporary Worker Program.

Requests were made to pull items 1, 2, 4, and 5 for discussion.

A motion was made by Councilor Rosales to adopt items 3 and 6 of the Consent Calendar, seconded by Mayor Pro Tem Martinez; unanimously approved (4 ayes).

2. JANUARY 24, 2017 THROUGH FEBRUARY 10, 2017  
WARRANT LIST CHECKS NO. 042034 THRU 042132  
TOTAL FOR COUNCIL APPROVAL = \$716,075.40

Discussion was held on various items contained on the warrant list (6:48 p.m. Mayor Pro Tem Martinez left the Council Chambers and returned in the same minute).

A motion was made by Councilor Rosales to adopt item 1 of the Consent Calendar, seconded by Councilor Silva; unanimously approved (4 ayes).

4. Council authorize the Mayor to execute a letter of support for H.R. 23, the Gaining Responsibility On Water (GROW) Act of 2017.

Discussion was held on adding information regarding the Temperance Flat Dam to the letter of support.

A motion was made by Councilor Rosales to adopt item 4 of the Consent Calendar, seconded by Mayor Pro Tem Martinez; unanimously approved (4 ayes).

2. Proposed adoption of **Resolution No. 17-13**, amending the salary schedule for the position of Chief Plant Operator.

Discussion was held on the purpose of the resolution and whether the position of Chief Plant Operator could be filled by a current employee.

A motion was made by Mayor Pro Tem Martinez to adopt item 4 of the Consent Calendar, seconded by Councilor Silva; unanimously approved (4 ayes).

5. Council approval of a Community Development Block Grant funding agreement.

Discussion was held on the purpose of the 7<sup>th</sup> Street and Derrick Avenue realignment project and the possibility of allocating the CDBG funds to a different road project.

A motion was made by Councilor Silva to adopt item 5 of the Consent Calendar, seconded by Councilor Rosales; unanimously approved (4 ayes).

## **BUSINESS**

1. Appointment of a Mendota resident to the Mendota Planning Commission.

Mayor Castro introduced the item and Economic Development Manager Flood reported on an application that was received for the position of Alternate Planning Commissioner.

**Abdul Obaid** – introduced himself, shared his background, and summarized his goals.

City Manager DiMaggio welcomed Mr. Obaid to the Planning Commission and stated that he would be available to meet with Mr. Obaid in the near future to discuss the role and purpose of the Planning Commission.

The Council congratulated Mr. Obaid.

A motion was made by Mayor Pro Tem Martinez to approve Mayor Castro's request to appoint Abdul Obaid as the Alternate Planning Commissioner, seconded by Councilor Rosales; unanimously approved (4 ayes).

2. Council discussion and consideration of a grant and entering into a loan agreement for the automated water meter project

City Manager DiMaggio summarized the report including acquiring a grant to replace all of the residential water meters with automated water meters; the grant not covering commercial properties; and the option to receive a zero interest loan from the State Revolving Fund to cover the costs associated with replacing the water meters on commercial areas.

Discussion was held on the terms of the loan; the costs associate with only replacing residential water meters; the terms of the automated water meter grant that the city received; and whether the city should seek financing for the project.

**Mark Banuelos (930 Gaxiola Street)** – reported on the benefits of replacing both residential and commercial water meters.

**Jonathan Leiva (638 N. Juanita Street)** – state that the accuracy of the automated water meters would be beneficial and stated that he was in favor of the city replacing both residential and commercial water meters.

**Gabriel Llanos (654 Lozano Street)** - reported on the benefits of replacing both residential and commercial water meters.

Discussion was held on the benefits of replacing both residential and commercial water

meters and the terms of the State Revolving Fund loan.

A motion was made by Councilor Silva to adopt Resolution No. 17-16, seconded by Councilor Rosales; approve (3 ayes, no: Martinez).

3. Council discussion and direction to staff regarding the sign ordinance and proposed adoption of **Resolution No. 17-12**, initiating an ordinance amending provisions of Title 17 of the Mendota Municipal Code relating to outdoor advertising and signs.

Mayor Castro introduced the item and Economic Development Manager Flood summarized his report including what the Mendota Municipal Code (MMC) currently allows in regards to outdoor advertising (7:34 p.m. Mayor Castro left the Council Chambers and returned in the same minute); presented pictures of signs throughout the City that represent either good or bad outdoor advertising; and shared staff's recommendation regarding modifying the provisions of outdoor advertising.

Discussion was held on the process to revise MCC relating to outdoor advertising; being business friendly; the importance of beautifying the community; only permitting signs that are made from durable materials and are printed (7:48 Mayor Castro left the Council Chambers and returned at 7:49 p.m.); and allowing 50% of window space to be used for signs .

A motion was made by Mayor Pro Tem Martinez to adopt Resolution No. 17-12, seconded by Councilor Rosales; unanimously approved (4 ayes).

4. Council discussion on the use of City letterhead.

Mayor Castro reported that a member of the public asked him for a letter of recommendation; and explained that he would've liked to use City letterhead, however after speaking with the City Attorney, he would not do so.

Discussion was held on letters on City letterhead should be from the entire Council and the decision to not utilize City letterhead for personal use was in order to protect the City and individual Council Members from potential liability.

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Code Enforcement
  - a) Monthly Report

Economic Development Manager Flood summarized the report including the department's focus for the month of January, and the possibility of creating a renter responsibility ordinance similar to the City of Fresno's proposed ordinance.

Discussion was held on a home on Black Street that homeless individuals might be

living in, and the possibility of creating an ordinance that will require individuals to move their parked vehicles off of the street on their designated street sweeping day.

Consensus was reached to direct staff to create an ordinance that will require individuals to move their parked vehicles off of the street on their designated street sweeping day.

2. Police Department
  - a) Monthly Report

Chief of Police Andreotti provided a personnel update; reported on a training that he attended in which DMV offered to investigate certain crimes such as potential chop shops; and reported on the upcoming Coffee with a Cop event that will be held on Wednesday, February 22<sup>nd</sup> at DiAmici Coffee Shop.

**Abdul Obaid (310 Gomez Street)** – requested that the police department inform students of events that will be held.

3. City Attorney
  - a) Update

City Attorney Kinsey reported on meeting with a representative from Westlands Water District regarding a potential solar project west of the City and reported that AB1234 training will be held on March 13<sup>th</sup>.

4. City Manager

City Manager DiMaggio reported on a meeting with individuals regarding negotiating the purchase of property near Bass Avenue and Highway 33.

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

1. Council Member(s)

Councilor Rosales commended Chief and the officers for their quick response during an emergency.

Councilor Silva inquired on whether he is still able to attend the Oversight Board to the Mendota Designated Local Authority, as Successor Agency to the Mendota Redevelopment Agency on behalf of the Council.

Mayor Pro Tem Martinez thanked staff and reported on the impact that recent rains have had on water levels.

2. Mayor

Mayor Castro reported on an upcoming fundraiser for a student at Mendota High School.

**CLOSED SESSION**


1. CONFERENCE WITH LEGAL COUNSEL -- PENDING LITIGATION  
Pursuant to Paragraph (1) of subdivision (d) of Govt. Code Section 54956.9; Edward Warkentine et al. v. Hector J. Soria, et al., U.S. District Court Eastern District Case No. 13-cv-01550.

At 8:43 p.m. the Council moved into closed session.


At 8:59 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 8:59 p.m. by Councilor Silva, seconded by Councilor Rosales; unanimously approved (4 ayes).

  
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Rolando Castro, Mayor

ATTEST:

  
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Matt Flood, City Clerk

