



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

March 24, 2020

Meeting called to order by Mayor Castro at 6:04 p.m.

Roll Call

Council Members Present: Mayor Rolando Castro, Mayor Pro Tem Victor Martinez, Councilors Jesus Mendoza, Joseph Riofrio, and Oscar Rosales

Council Members Absent: None

Flag salute led by Mayor Castro

FINALIZE THE AGENDA

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

City Attorney Kinsey stated that staff received a request from Councilor Riofrio to add an item to the agenda to issue a direct request to the City's elected representatives for assistance to combat the COVID-19 pandemic, and stated that the City Council needed to make a finding that an emergency situation exists pursuant to the Government Code in order to add the item.

Discussion was held on numerous residents still working in the fields; and a conversation that Mayor Castro had with Representative TJ Cox regarding the purpose and the background of the proposed request.

A motion was made by Councilor Riofrio to adopt the modified agenda as requested by staff, seconded by Mayor Castro; unanimously approved (5 ayes).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

City Clerk Cabrera-Garcia read a comment that she received from Mr. Jose Gonzalez inquiring as to whether the City was doing anything to provide daycare services for students that are out of school.

Discussion was held on whether daycare businesses are deemed essential under Governor Newsom’s Executive Order; and the City Council passing on Mr. Gonzalez’s question to Mendota Unified School District Superintendent Lopez.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of March 10, 2020.
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 Mayor Pro Tem Martinez to approve items 1 and 2, seconded by Councilor Mendoza; approved (5 ayes).

CONSENT CALENDAR

1. MARCH 10, 2020 THROUGH MARCH 19, 2020
WARRANT LIST CHECKS NO. 46567 THROUGH 46613
TOTAL FOR COUNCIL APPROVAL = \$483,611.00
2. Proposed adoption of **Resolution No. 20-15**, directing the City Manager to execute the documents necessary to participate in the Fresno County Joint Powers Agreement to receive Community Development Block Grant Funds.
3. Proposed adoption of **Resolution No. 20-16**, approving the application for grant funds from the Urban Flood Protection Grant Program.
4. Proposed adoption of **Resolution No. 20-19**, authorizing application for, and receipt of, Senate Bill 2 Planning Grant Program Funds.
5. Proposed adoption of **Resolution No. 20-20**, approving a contract with Provost & Pritchard Consulting Group to provide Proposition 68 grant writing technical assistance for the City of Mendota Stormwater Improvement Project.

Discussion was held on warrant no. 46585, and which City fund was used to pay for the item.

A motion was made by Mayor Pro Tem Martinez to approve items 1 through 5, seconded by Councilor Riofrio; unanimously approved (5 ayes).

BUSINESS

1. Council discussion and consideration of **Resolution No. 20-17**, approving a Construction Installment Sale Agreement with the California State Water Resources Control Board, authorizing the execution and delivery of said agreement, and authorizing certain other actions in connection therewith.

Mayor Castro introduced the item and Finance Officer Diaz summarized the report including that the agreement authorizes the purchase of automatic water meters for the Automatic Water Meter project.

Discussion was held on the total costs of the project; a potential clerical error in the agreement; the timeline of the project; how the number of meters that the City will be provided was determined; and the types of meters.

A motion was made by Mayor Pro Tem Martinez to adopt Resolution No. 20-17, seconded by Councilor Rosales; unanimously approved (5 ayes).

PUBLIC HEARING

1. Public hearing and proposed adoption of **Ordinance No. 20-01**, amending Title 10, Chapter 10.12 of the Mendota Municipal Code to prohibit stopping, standing, and parking of vehicles in specified places.

Mayor Castro introduced the item and City Attorney Kinsey summarized the report including the provisions of the ordinance addressing vehicle parking where it would pose a health and safety issue (at 6:20 p.m. Mayor Pro Tem Martinez left the Council Chambers and returned at 6:21 p.m.).

Discussion was held on the wording of the ordinance.

At 6:20 p.m. Mayor Castro opened the hearing to the public and, hearing no one present willing to comment, closed it in that same minute.

A motion was made by Mayor Pro Tem Martinez to adopt Ordinance No. 20-01, seconded by Councilor Rosales; unanimously approved (5 ayes).

2. Public hearing and proposed adoption of **Ordinance No. 20-02**, amending Title 10, Chapter 10.20 of the Mendota Municipal Code regarding washing, repairing, or greasing vehicles.

Mayor Castro introduced the item and City Attorney Kinsey summarized the report including the provisions of the ordinance prohibiting the washing, repairing, or greasing of vehicles on public property and right-of-way.

Discussion was held on the enforcement of the provisions of the ordinance.

At 6:24 p.m. Mayor Castro opened the hearing to the public.

Jose Gonzalez – inquired as to how the provisions of the ordinance would affect car wash fundraisers.

Discussion was held on where these activities would be prohibited.

At 6:25 p.m. Mayor Castro closed the hearing to the public.

A motion was made by Councilor Rosales to adopt Ordinance No. 20-02, seconded by Councilor Riofrio; unanimously approved (5 ayes).

3. Council discussion and consideration of emergency **Ordinance No. 20-05**, amending Chapter 13.12 of Title 13 of the Mendota Municipal Code to halt the accrual of additional charges on utility bills during emergencies.

Mayor Castro introduced the item and City Attorney Kinsey summarized the report including the provisions of the ordinance providing residents with temporary relief of the additional charges imposed on the utility bills during emergencies.

Discussion was held on providing clarification for the public that late fees will not be accrued during the ongoing emergency related to COVID-19.

At 6:28 p.m. Mayor Castro opened the hearing to the public and, hearing no one present willing to comment, closed it in that same minute.

A motion was made by Mayor Pro Tem Martinez to adopt Ordinance No. 20-05, seconded by Councilor Riofrio; unanimously approved (5 ayes).

4. Council discussion and consideration of emergency **Ordinance No. 20-06**, amending Chapter 2.44 of Title 2 of the Mendota Municipal Code to prohibit evictions and foreclosures in response to the COVID-19 pandemic emergency.

Mayor Castro introduced the item and City Attorney Kinsey summarized the report including the provisions of the ordinance placing a moratorium on residential and commercial evictions and foreclosures; the process that tenants must follow per the ordinance; the length of time that these provisions will be in effect and the circumstances under which they may be extended; and that tenants must provide documentation to their landlords to demonstrate their inability to pay their rent.

Discussion was held on what documentation that tenants need to provide; the City providing information to residents and landlords about the ordinance; who the provisions apply to; issues with subleasing and potential protections for those tenants; the expiration date for the provisions; disputes between tenants and landlords being a civil matter; a similar ordinance not being approved at the County level; and the ordinance being valid in the jurisdictional boundaries of the City.

At 6:43 p.m. Mayor Castro opened the hearing to the public.

Joseph Amador – inquired as to whether the Council discussed the item with other agencies and organizations.

Discussion was held on how the COVID-19 pandemic has impacted the community; and an Executive Order that was passed by Governor Newsom that provides legal protections for the ordinance.

At 6:46 p.m. Mayor Castro closed the hearing to the public.

A motion was made by Councilor Rosales to adopt Ordinance No. 20-05, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

5. Council discussion and consideration of **Resolution No. 20-22**, approving a direct request for State and Federal aid in response to the continuing COVID-19 outbreak.

Mayor Castro introduced the item and City Attorney Kinsey reported that the proposed resolution was added to the agenda at the beginning of the meeting; the included letter serving as a direct request for State and Federal aid; and the Council being able to direct staff to refine the letter to include specific requests that will be beneficial to the City.

Discussion was held on incorporating specific requests into the letter, and the substance of these requests.

At 7:01 p.m. Mayor Castro opened the hearing to the public.

Jose Gonzalez – stated that it is important that agricultural businesses provide personal protective gear to their employees.

At 7:02 p.m. Mayor Castro closed the hearing to the public.

A motion was made by Councilor Rosales to adopt Resolution No. 20-22, seconded by Councilor Riofrio; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Finance Officer
 - a) Grant Update

Finance Officer Diaz provided her report.

2. City Attorney

Nothing to report.

3. City Manager

City Manager Gonzalez provided an update on the statistics of the COVID-19 outbreak; information regarding the extent of the medical equipment that is available throughout Fresno County; and that the City was able to receive personal protection supplies via the police department.

Mayor Castro thanked the police department and healthcare employees for their work in their effort in minimizing the spread of COVID-19.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Mendoza inquired as to whether the police department is enforcing the provisions of Governor Newsom's Executive Order; questions he has received regarding nonessential businesses being open; and emphasized the importance of educating the public regarding precautionary measures.

Councilor Rosales commented on the poor condition of Black Street.

Discussion was held on the staff contacting the contractor to repair the street; a vendor that is performing water tests; and the status of a foreclosure case in the City.

Councilor Riofrio commented on a news article where he was quoted incorrectly; and the closure of his Pool Hall in response of COVID-19.

Mayor Pro Tem Martinez commented on the ongoing COVID-19 outbreak.

Discussion was held on requesting that business owners implement precautionary measures to avoid the spread of COVID-19.

2. Mayor

Nothing to report.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 7:37 p.m. by Councilor Rosales, seconded by Councilor Mendoza; unanimously approved (5 ayes).



Rolando Castro, Mayor

ATTEST:



Celeste Cabrera-Garcia, City Clerk

