



**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting

April 11, 2017

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

Roll Call

Council Members Present: Mayor Rolando Castro, Councilors Jesse Mendoza, Oscar Rosales, and Robert Silva.

Council Members Absent: Mayor Pro Tem Martinez.

Flag salute led by Deputy City Clerk Cabrera.

FINALIZE THE AGENDA

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

A motion was made by Councilor Rosales to adopt the agenda, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the special City Council meeting of March 13, 2017 and the regular City Council meeting of March 14, 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 Councilor Rosales; unanimously approved (4 ayes, absent: Martinez).

CONSENT CALENDAR

1. MARCH 09, 2017 THROUGH MARCH 24, 2017
WARRANT LIST CHECKS NO. 042250 THRU 042321
TOTAL FOR COUNCIL APPROVAL = \$341,797.17
2. MARCH 28, 2017 THROUGH APRIL 06, 2017
WARRANT LIST CHECKS NO. 042322 THRU 042362
TOTAL FOR COUNCIL APPROVAL = \$132,664.52
3. Proposed adoption of **Resolution No. 17-15**, entering into a lease agreement with Fresno Area Workforce Investment Corporation.
4. Proposed adoption of **Resolution No. 17-28**, approving and accepting the public improvements of Tract No. 5847 and Tract No. 5925.

A request was made to pull item 1 for discussion.

A motion was made by Councilor Rosales adopt items 2 through 4 of the Consent Calendar, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

1. MARCH 09, 2017 THROUGH MARCH 24, 2017
WARRANT LIST CHECKS NO. 042250 THRU 042321
TOTAL FOR COUNCIL APPROVAL = \$341,797.17

City Manager DiMaggio reported that there was an incorrect number attributed to the total of warrant number 42287; stated that the item needs to read \$375.00; and requested that the Council include the modification of the warrant amount within their motion to approve item 1 of the Consent Calendar.

A motion was made by Councilor Mendoza to adopt item 1 of the Consent Calendar with a modification of the total of warrant number 42287 to read \$375.00, seconded by Councilor Silva; unanimously approved (4 ayes, absent: Martinez).

BUSINESS

1. Introduction and first reading of **Ordinance No. 17-04**, approving amendments to Title 17 of the Mendota Municipal Code as it relates to outdoor advertising, and a finding of exemption from the California Environmental Quality Act.

Mayor Castro introduced the item and Economic Development Manager Flood summarized the report including the background of amending the sign ordinance; what

is permitted under the current sign ordinance; the process of amending the sign ordinance; and the proposed changes to outdoor advertising.

Discussion was held on the total amount of window space that businesses can cover with advertising; allowing free-standing signs in the C-3 districts; and educating businesses on the proposed amendments of the sign ordinance.

A motion was made by Councilor Mendoza to perform the first reading of Ordinance No. 17-04, with the second reading waived, seconded by Councilor Silva; unanimously approved (4 ayes, absent: Martinez).

2. Introduction and first reading of **Ordinance No. 17-05**, approving amendments to Title 17 of the Mendota Municipal Code relating to recreational marijuana use and cultivation, and a finding of exemption from the California Environmental Quality Act.

Mayor Castro introduced the item and Deputy City Attorney Helsley summarized the report including the ordinance being in response to Adult Use of Marijuana Act (AUMA); what the Mendota Municipal Code currently allows; and the amendments included in the proposed ordinance.

Discussion was held on whether the proposed ordinance would allow the commercial cultivation, and what is allowed under the AUMA.

A motion was made by Councilor Rosales to perform the first reading of Ordinance No. 17-05, with the second reading waived, seconded by Councilor Silva; unanimously approved (4 ayes, absent: Martinez).

3. Introduction and first reading of **Ordinance No. 17-06**, approving amendments to Title 17 of the Mendota Municipal Code relating to permit application processing and siting locations for installations of new wireless telecommunications facilities, and a finding of exemption from the California Environmental Quality Act.

Mayor Castro introduced the item and Deputy City Attorney Helsley summarized the report including the background of the issue, and the purpose of the proposed ordinance.

Discussion was held on the background of the issue, and whether other Fresno County cities are also regulating telecommunications facilities.

A motion was made by Councilor Mendoza to perform the first reading of Ordinance No. 17-06, with the second reading waived, seconded by Councilor Silva; unanimously approved (4 ayes, absent: Martinez).

4. Introduction and first reading of **Ordinance No. 17-08**, amending sections 5.28.020 and 5.28.025 of the Mendota Municipal Code relating to the number of itinerant food vendors allowed within the city, and a finding of exemption from the California Environmental Quality Act.

Mayor Castro introduced the item and Economic Development Manager Flood summarized the report including individuals requested that the city increase the number of itinerant food vendors allowed within the city; the amount of vendors that the MMC currently allows; and lowering the population threshold to allow an additional two vendors.

Discussion was held on the various individuals that want to open an itinerant food business in the city, and the threshold being changed in the past.

Ignacio Larios (240 McCabe Avenue) – explained that he wants to bring a small business to Mendota to sustain his family, and that his business will be bring joy to children.

Discussion was held on Mr. Larios wanting to bring an ice cream truck to the City; how Mr. Larios can be added to the itinerant food vendor waiting list; whether the city can add a local-preference to the proposed ordinance; and analyzing the issue and reporting out at a future meeting.

Miguel Porti Urias (329 Gomez Street) – stated that he wants to have a lunch truck; the various food items that he sells at his restaurant; and explained that he buys his produce locally.

Discussion was held on the individuals selling at the farmers market.

A motion was made by Councilor Rosales to perform the first reading of Ordinance No. 17-08, with the second reading waived, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

PUBLIC HEARING

1. Second reading and proposed adoption of **Ordinance No. 17-03**, amending Title 15 of the Mendota Municipal Code related to adoption, by reference, of the 2016 California Building Code and associated trade codes.

Mayor Castro introduced the item and Planning & Public Works Director Gonzalez summarized the report.

Discussion was held on what type of buildings the code applies to.

At 6:46 p.m. Mayor Castro 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 Mendoza to adopt Ordinance No. 17-03, seconded by Councilor Silva; unanimously approved (4 ayes, absent: Martinez).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report

Economic Development Manager Flood reported on the importance of ensuring the safety of Code Enforcement officers; provided an update on the weed abatement process; and provided updates on ongoing cases.

Discussion was held on the bidding process to associated with contracting an individual to forcefully abate properties, and the process of dealing with abandoned buildings.

2. Police Department
 - a) Monthly Report

Chief of Police Andreotti provided a personnel update; provided information on significant cases; commended the proactive work by the officers; reported on an immigration forum that was held by the catholic church; and a car wash that was held by the Explorers Program.

3. City Attorney
 - a) Update

Deputy City Attorney Helsley provided an update on SB 54.

Discussion was held on impact that the passage of SB 54 would have on the community, and discussing the issue at a future meeting.

4. City Manager

City Manager DiMaggio reported on SB 199, and shared the impact that the passage of the bill would have on the community.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Silva reported on the items discussed at a previous Public Safety Sub-Committee meeting, and inquired on where residents can get dispose of mattresses.

Councilor Mendoza requested that the City have portable restrooms at Pool Park for the upcoming holiday weekend.

2. Mayor

Mayor Castro reported on the upcoming Mendota Youth Recreation Annual Easter Egg Hunt; the upcoming Westside Youth Inc. carnival; and an upcoming football camp for kids with special needs.

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS
CA Government Code 54957.6
Agency designated representatives: City Manager Vince DiMaggio
Employee organization: Mendota Police Officers Association

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
CA Government Code § 54957(b)
Title: City Manager

At 7:36 p.m. the Council moved into closed session.

At 9:07 p.m. the Council reconvened in open session and Deputy City Attorney Helsley stated that the only reportable item in regards to closed session was a motion to approve a \$3,000 performance bonus for City Manager DiMaggio; approved (4 ayes, 1 no).

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 9:08 p.m. by Councilor Mendoza, seconded by Councilor Rosales; unanimously approved (5 ayes).



Rolando Castro, Mayor

ATTEST:



Matt Flood, City Clerk

