

MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

April 25, 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 Jesse Mendoza, Oscar Rosales, and Robert Silva.

Council Members Absent: None.

Flag salute led by Mayor Castro.

A moment of silence was held for Prestin Smith who had recently passed away.

Invocation led by Raymond Acquino.

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 Mendoza; unanimously approved (5 ayes).

PRESENTATION

1. Council to honor the Mendota High School Boys Varsity Soccer Team for their victory of the Division VI Valley Championship.

The Council moved forward with the next agenda item since the Boys Varsity Soccer Team was not present.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of April 11, 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 (5 ayes).

CONSENT CALENDAR

1. APRIL 17, 2017 THROUGH APRIL 19, 2017
WARRANT LIST CHECKS NO. 042363 THRU 042423
TOTAL FOR COUNCIL APPROVAL = \$299,594.14
2. Proposed adoption of the Addendum to the Memorandum of Understanding between the City of Mendota and Operating Engineers Local No. 3, on Behalf of the Mendota Police Officers Association
3. Proposed adoption of **Resolution No. 17-29**, setting a sole source standard for water meters and automated meter reading equipment.

A motion was made by Councilor Silva adopt items 1 through 3 of the Consent Calendar, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

BUSINESS

1. Introduction and first reading of **Ordinance No. 17-09**, adding Chapter 8.28 to the Mendota Municipal Code, "The Landlord Accountability Act".

Mayor Castro introduced the item and Economic Development Manager Flood summarized the report including the City of Fresno passing an ordinance that addresses landlord accountability; the proposed ordinance having the same intention as the Fresno ordinance but being modified to address the needs specific to Mendota; and summarized how the landlord accountability process will work.

Discussion was held on what consists of a residential rental unit; whether the city can limit the amount of individuals living within the home; the purpose of the ordinance; the appeal process; and the penalties for violating the ordinance.

Raymond Acquino (772 Lolita Street) – stated the importance of being thorough in regards to the language contained in the ordinance, and spoke in favor of the ordinance.

A motion was made by Mayor Pro Tem Martinez to continue to item to the May 9th City Council Meeting with an addition of subsection to the ordinance that lists the appeal process, seconded by Councilor Mendoza; unanimously approved (5 ayes).

2. Council discussion and direction to staff on the City's policy on Code Enforcement.

Mayor Castro introduced the item and City Manager DiMaggio summarized the report including the purpose of the code enforcement department; the possible consequences of having a strong or lenient code enforcement program; and requested that the council provide direction to staff on the type of violations that the Code Enforcement Department should focus on.

Discussion was held on whether the code enforcement officers have received training from an outside entity; various complaints that the council members have received; educating the public on violations; the guidelines that the officers should use when they perform their duties (Mayor Castro left the Council Chambers at 6:41 p.m. and returned at 6:43 p.m.); the various violations that code enforcement addresses; the amount of hours that the officers work; the status of current significant cases; the code enforcement department staff meeting with the city manager to make a list of violations; and the possibility of holding a workshop.

Raymond Acquino (772 Lolita Street) – suggested that that the City have a strong code enforcement program, and suggested that the officers be given additional work hours.

3. Council discussion and consideration of **Resolution No. 17-30**, opposing Senate Bill 54 – The California Values Act.

Mayor Castro introduced the item and City Manager DiMaggio summarized the report including the purpose of SB 54 (Mayor Pro Tem Martinez left the Council Chambers at 7:08 p.m.); the Mendota Police Department's role in immigration enforcement; various concerns regarding SB 54; SB 54's potential conflict with federal law; President Trump's Executive Order relating to sanctuary cities; the amount of federal funding that the city receives; the consequences that would result of the city lost federal funding; and the alternatives that are available to the council.

Police Chief Andreotti summarized the report, and emphasized on the progress that was made during the recent lobbying trip to Washington D.C. (Mayor Pro Tem Martinez returned to the Council Chambers at 7:25 p.m.).

Discussion was held on the purpose of SB 54; an incident in which an individual who had a warrant was pulled over; the importance of inclusion within the city; the purpose of the proposed resolution; and a the judge's temporary block on portions of President Trump's executive order.

Raymond Acquino (772 Lolita Street) – commented on the judge's temporary block on portions of President Trump's executive order.

Discussion was held on the alternatives that are available, and the potential consequences

A motion was made by Mayor Castro to table the item to a future City Council meeting, or hold a special meeting prior to the May 9th meeting to discuss the item if there is signs of imminent passage of the bill, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

PUBLIC HEARING

1. Second reading and proposed adoption 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 importance of being business friendly.

At 7:55 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 Silva to adopt Ordinance No. 17-04, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

2. Second reading and proposed adoption 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 City Attorney Kinsey 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 marijuana cultivation regulations under the ordinance.

At 8:00 p.m. Mayor Castro opened the hearing to the public and, seeing no one present wishing to comment, closed it in that same minute.

Discussion was held on the enforcement of the ordinance.

A motion was made by Mayor Pro Tem Martinez to adopt Ordinance No. 17-05, seconded by Councilor Rosales; unanimously approved (5 ayes).

3. Second reading and proposed adoption 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 City Attorney Kinsey summarized the report including the background of the issue (Mayor Castro left the Council Chambers at 8:02 p.m. and returned within the same minute), and the purpose of the proposed ordinance.

At 8:04 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. 17-06, seconded by Councilor Rosales; unanimously approved (5 ayes).

4. Second reading and proposed adoption 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 that a local preference for itinerant food vendors was not allowed; the amount of time that vendors on the itinerant food vendor waiting list have to respond once it is their turn for a permit; and the costs associated with obtaining a permit.

At 8:08 p.m. Mayor Castro opened the hearing to the public and, seeing no one present wishing to comment, closed it in that same minute.

Discussion was held on the amount of itinerant food vendors that will be allowed in the city.

A motion was made by Councilor Silva to adopt Ordinance No. 17-08, seconded by Councilor Rosales; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

Director of Planning & Public Works Gonzalez summarized the report.

Discussion was held on the good work that the temporary Proteus employees are doing; the status of water system improvements; developers who may be interested in developing housing; and how members of the public can determine the zoning of properties.

2. City Attorney
 - a) Update

Nothing to report.

3. City Manager

Nothing to report.

Discussion was held on the services for Lt. Smith's son.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Discussion was held on the on the Westside Youth Inc. carnival that was recently held, and the city related fees that the organizations will need to pay to hold a carnival in the future.

CLOSED SESSION

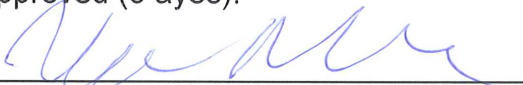
1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
CA Government Code § 54956.8
Property: Approximately 2,000 acres within Westlands Water District in the County of Fresno located south of the Ashlan Avenue alignment, west of Dos Palos Road/State Highway 33 (Derrick Avenue), north of Belmont Avenue, and east of Douglas Avenue
Agency Negotiator: Vince DiMaggio, City of Mendota
Negotiating Parties: Westlands Water District

At 8:26 p.m. the Council moved into closed session.

At 8:53 p.m. the Council reconvened in open session and City Attorney Kinsey stated that in regards to item 1 of the closed session, there was nothing to report.

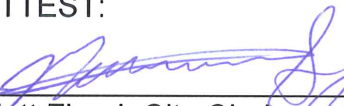
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:53 p.m. by Councilor Silva, seconded by Councilor Mendoza; unanimously approved (5 ayes).



Victor Martinez, Mayor Pro Tem

ATTEST:



Matt Flood, City Clerk

