



**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting

May 14, 2019

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

Roll Call

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

Council Members Absent: None

Flag salute led by Councilor Martinez

FINALIZE THE AGENDA

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

City Manager Gonzalez requested that Closed Session item #1 be postponed to a future meeting.

A motion was made by Councilor Mendoza to adopt the agenda as requested by staff, seconded by Councilor Rosales; unanimously approved (5 ayes).

SWEARING IN

1. City Clerk Cabrera-Garcia to swear in Sergeant Ramiro Rodriguez, Officer Beatrice Pereda, and Officer Gerardo Vaca.

Chief of Police Andreotti stated that Officer Pereda was unable to attend the meeting.

City Clerk Cabrera-Garcia swore in Sergeant Rodriguez and Officer Vaca.

Chief Andreotti shared the background of the officers.

The Council congratulated the officers and wished them well.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Lagina Guzman (Family Dollar) – provided an update on the remodeling of the Family Dollar store; and invited the Council and staff to the re-grand opening event that will be held on Saturday, May 18th.

Kevin Romero (160 Tuft Street) – provided an update on Mendota High School sports.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of April 23, 2019.
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 Castro to approve items 1 and 2, seconded by Councilor Martinez; unanimously approved (5 ayes).

CONSENT CALENDAR

1. APRIL 22, 2019 THROUGH MAY 08, 2019
WARRANT LIST CHECKS NO. 45252 THRU 45334
TOTAL FOR COUNCIL APPROVAL = \$346,895.89
2. Proposed adoption of **Resolution No. 19-30**, approving the application for statewide Development and Community Revitalization Program grant funds for the Mendota Pool Park.
3. Proposed adoption of **Resolution No. 19-31**, approving the application for statewide Development and Community Revitalization Program grant funds for the Mendota Community Center.
4. Proposed adoption of **Resolution No. 19-32**, accepting the engineer's report in support of the formation of an assessment district for the La Colonia subdivision, declaring its intention to form an assessment district, and scheduling a public hearing for consideration of same.
5. Proposed adoption of **Resolution No. 19-33**, conditionally approving an exclusive use permit for the Mendota Community Corporation to hold the 2019 Mendota Fireworks Show.

6. Proposed ratification of a letter of authorization for the CalRecycle Household Hazardous Waste Grant Program, 33rd Cycle (HD33).

Discussion was held on warrant 45306, including the status of the Lozano Lift Station project; upcoming capital improvement projects for the City; and the possibility of staff providing the Council with a tour of City facilities.

A motion was made by Mayor Pro Tem Castro to adopt items 1 through 6 of the Consent Calendar, seconded by Councilor Martinez; unanimously approved (5 ayes).

BUSINESS

1. Council discussion and consideration of **Resolution No. 19-29**, approving a licensing agreement with Gonzalez Hall & Promotions, Inc. and authorizing the City Manager to execute same.

Mayor Silva introduced the item and City Manager Gonzalez summarized the report including the Request for Proposals that was issued for the lease of a City-owned property on Naples Street; the proposal that was submitted by Gonzalez Hall & Promotions, Inc.; the provisions of the proposed license agreement; Council previously directing staff to further negotiate with Mr. Gonzalez regarding the provisions of the agreement; and Mr. Gonzalez's response to the possibility of including a cost escalator.

Discussion was held on how the cost escalator would be determined.

Ramon Gonzalez (Gonzalez Hall & Promotions, Inc.) - stated that he would like to lease the property to provide additional parking for individuals who utilize the Hall; the issues surrounding parking near the area; and the total costs of the proposed improvements to the property.

Discussion was held on the amount of individuals that utilize the Hall and park their vehicles in the area; the proposed improvements to the property in question; the provisions of the license agreement; and the risk associated with licensing the property.

A motion was made by Councilor Rosales to adopt Resolution No. 19-29, seconded by Councilor Mendoza; unanimously approved (5 ayes).

2. Council discussion and consideration of **Resolution No. 19-34**, approving the reinstatement of the Finance Officer position.

Mayor Silva introduced the item and City Manager Gonzalez summarized the report including the Council's previous consideration of the item; the termination of the contract with the previous grant writer; the change in dynamics of the management team; reclassifying the Administrative Supervisor's position; additional research that staff has done regarding the amount of funds expended to previous grant consultants; and the costs associated with contracting with a grant consultant on a grant-by-grant basis.

Discussion was held on providing promotional opportunities to staff members; providing additional opportunities for all City staff members; and whether there is a probationary period for the Finance Officer position.

A motion was made by Councilor Martinez to adopt Resolution No. 19-34, seconded by Councilor Rosales; approved (4 ayes, no: Castro).

3. Introduction and first reading of **Ordinance No. 19-05**, amending the Mendota Municipal Code to regulate sidewalk vendors in accordance with SB 946.

Mayor Silva introduced the item and City Manager Gonzalez deferred to Assistant City Attorney Cardella who summarized the report including the provisions of SB 946; current Mendota Municipal Code regulations regarding itinerant vendors; and the provisions of the proposed ordinance.

Discussion was held on the code enforcement provisions for the ordinance; the requirements that vendors need to meet in order to sell; the various City fees that the vendors will need to pay; and sidewalk vendors not being classified as home occupation vendors.

A motion was made by Councilor Rosales to conduct the first reading of Ordinance No. 19-05 and set the public hearing for May 28th, seconded by Councilor Mendoza; unanimously approved (5 ayes).

Council directed staff to look into the vendor fees that other Cities are imposing for sidewalk vendors.

PUBLIC HEARING

1. Public hearing and second reading of **Ordinance No. 19-04**, approving a second amendment to the Development Agreement by and between the City of Mendota and KSA Homes, Inc. relating to the development of the property commonly known as the La Colonia property.

Mayor Silva introduced the item and City Manager Gonzalez summarized the report including that the proposed amendment to the development agreement with KSA Homes, Inc. relates to the development of a roundabout at the intersection of Bass Avenue and Barboza Street.

Assistant City Engineer Osborn provided additional information about the La Colonia development.

At 7:12 p.m. Mayor Silva opened the hearing to the public and, seeing no one present willing to comment, closed it in that same minute.

A motion was made by Councilor Rosales to adopt Ordinance No. 19-04, seconded by Councilor Martinez; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Animal Control, Code Enforcement, and Police Department
 - a) Monthly Report

Chief of Police Andreotti summarized the monthly log for the Animal Control department; and commented on the ongoing duties for the animal control officers.

Discussion was held on the locations of roosters throughout the City.

Chief Andreotti summarized the monthly log for the Code Enforcement department including weed abatement issues; illegal housing; and provided a personnel update.

Chief Andreotti summarized the Police Department report including a personnel update; and a recent homicide.

Discussion was held on significant cases; holding events on behalf of the Mendota Community Corporation; and whether the police department conducts drug busts.

2. City Attorney
 - a) Update

Assistant City Attorney Cardella stated that he has been working on an ordinance regarding cannabis business activities.

3. City Manager

City Manager Gonzalez deferred to answer questions in lieu of providing a report.

Councilor Martinez inquired on the status of the Black Street reconstruction project; and the status of Rojas-Pierce Park expansion project.

Assistant City Engineer Osborn provided an update on various projects.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Mendoza thanked the audience for their attendance; encouraged individuals to donate for the 2019 Fireworks Show; and congratulated the staff member who will be promoted to the recently approved Finance Officer position.

Councilor Rosales thanked the staff, Council, and the audience for their attendance.

2. Mayor

Mayor Silva reported on a meeting he attended with Wells Fargo bank; and a meeting with the United Security Bank.

CLOSED SESSION

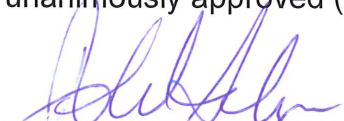
1. *Conference with legal counsel regarding potential initiation of litigation pursuant to Government Code § 54956.9(c)-1
[Removed from the agenda]*
2. Conference regarding real property negotiations pursuant to Government Code § 54956.8.
 - a) Addresses:
 - a. 195 Smoot Street, Mendota, CA 93640
 - b. 415 Sorensen Avenue, Mendota, CA 93640
 - c. 437 Sorensen Avenue, Mendota, CA 93640
 - b) Negotiator: Cristian Gonzalez
 - c) Negotiating Party: Mendota Unified School District
 - d) Under Negotiation: Terms of payment

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

At 7:51 p.m. the Council reconvened in open session and Assistant City Attorney Cardella stated that in regards to item 1 of the closed session, Council consensus was reached to authorize the transaction between the City and the Mendota Unified School District.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 7:51 p.m. by Councilor Mendoza, seconded by Councilor Rosales; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:


Celeste Cabrera-Garcia, City Clerk

