

MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

June 11, 2019

Meeting called to order by Mayor Silva at 6:02 p.m.

Roll Call

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

Council Members Absent: None

Flag salute led by Mayor Pro Tem Castro

FINALIZE THE AGENDA

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

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

PRESENTATION

1. Gifty Kwofie with the Fresno County Department of Public Health to present information on updating the tobacco definition in the City's Municipal Code.

Gifty Kwofie with the Fresno County Department of Public Health presented information on the various types of tobacco products; California's updated and broadened definition of "tobacco products" and "smoking"; requested that the City updated its definition regarding tobacco in the Mendota Municipal Code, and codify a smoke-free parks law; and provided information on the technical assistance and resources that are available to the City to implement the requests.

Martha Zarate with Fresno Economic Opportunities Commission reported on the various duties of her office.

The Council thanked Ms. Kwofie and Ms. Zarate for their presentations.

WORKSHOP

1. Finance Officer Diaz to present the park design ideas, including solutions for safe public use, and park beautification such as landscaping and public art at the Mendota Community Center for the Statewide Park Development and Community Revitalization Program.

Finance Officer Diaz presented information on the proposed park design including how the design is meant to ensure safety and park beautification; how the project will provide quality of life benefits; how the specific features of the design will support safety and park beautification; and stated that the next workshop would be held on June 22nd at the DiAmici Coffee Shop.

Discussion was held on the possibility of installing fitness equipment, vending machines, and water fountains at the community center; creating a dog park area; ensuring that the center has the necessary digital infrastructure; and the timeline of the grant application process.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Kevin Romero (160 Tuft Street) – commented on the recent Mendota High School graduation, and provided an inspirational message.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of May 28, 2019 and the special City Council meeting of June 4, 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 Councilor Rosales to approve items 1 and 2, seconded by Councilor Martinez; unanimously approved (5 ayes).

CONSENT CALENDAR

1. MAY 24, 2019 THROUGH JUNE 5, 2019
WARRANT LIST CHECKS NO. 45377 THRU 45431
TOTAL FOR COUNCIL APPROVAL = \$215,115.51

2. Proposed adoption of **Resolution No. 19-36**, authorizing approval of signature authority for City Manager application for various permits related to the reconstruction of the Mowry Bridge.
3. Proposed adoption of **Resolution No. 19-37**, approving a contract with Provost & Pritchard Consulting Group to provide preliminary engineering and CEQA planning services in support of the Prop 68 grant application.
4. Proposed adoption of **Resolution No. 19-38**, supporting and implementing timely use of funding for federal transportation project selection.
5. Proposed approval of applications for permits to sell fireworks.

Discussion was held on warrant number 45377.

A motion was made by Councilor Rosales to adopt items 1 through 5 of the Consent Calendar, seconded by Councilor Mendoza; unanimously approved (5 ayes).

PUBLIC HEARING

1. Public hearing and second reading of **Ordinance No. 19-06**, amending the Mendota Municipal Code to eliminate the ban on cannabis dispensaries and to establish regulations for commercial cannabis businesses.

Mayor Silva introduced the item and Assistant City Attorney Cardella summarized the report including the State regulations that were approved earlier this year for cannabis businesses; and the various amendments that the ordinance will make to the municipal code, including regulations for commercial cannabis businesses.

Discussion was held on the location requirements for the commercial cannabis businesses; the requirement for potential businesses to enter into a development agreement; a typographical error in the ordinance that needs to be modified regarding the limit on the number of retail cannabis businesses that are permitted to operate; and the possibility of modifying the location requirements.

At 6:52 p.m. Mayor Silva opened the public hearing.

Bert Escobedo (487 Kate Street) – inquired as to whether the ordinance specifies whether the dispensary has to sell products for medical or recreational use.

Iris Escoto - stated that she is against the ordinance due to the negative impacts that the establishment of a dispensary will have on the community.

Discussion was held on the existing state law regarding cannabis; and companies that are delivering cannabis products to the City.

At 6:58 p.m. Mayor Silva closed the hearing to the public.

Assistant City Attorney Cardella summarized the various options that the City Council has regarding the item.

A motion was made by Councilor Rosales to adopt Ordinance No. 19-06 with the modification of correcting a typographical error so that the ordinance allows one commercial cannabis business for every 20,000 residents, and to direct staff to draft an amendment to modify the location requirements, seconded by Mayor Pro Tem Castro; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

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

Chief of Police Andreotti provided his report for the Animal Control Department including the monthly log; a personnel update; and stated that the department rescued a raccoon.

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

Chief Andreotti provided his report for the Code Enforcement Department.

Chief Andreotti summarized the report for the Police Department including a personnel update; probation compliance checks that the department performed throughout the city; and upcoming changes on how individuals can retrieve traffic accident reports.

2. City Attorney
 - a) Update

Nothing to report.

3. City Manager

Discussion was held on the status of the Rojas-Pierce Park Improvement project.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Mayor Pro Tem Castro commented on an event that he attended in Parlier; and commented on the San Joaquin carnival.

Councilor Martinez stated that he is working on establishing a relationship with the new members of the Salvadoran consulate.

Councilor Mendoza thanked the staff for their work; and requested that the public report loose dogs, abandoned shopping carts, and items that are illegally dumped.

2. Mayor

Mayor Silva commented on the 2019 Mendota Fireworks Show.

City Clerk Cabrera-Garcia provided an update on the planning activities for the 2019 Mendota Fireworks Show.

Discussion was held on the status of the Highway 180 project.

CLOSED SESSION

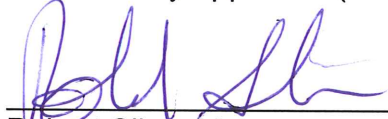
1. PUBLIC EMPLOYMENT
Pursuant to CA Government Code §54957.6
Title: Unrepresented Management MOU
Designated Representative and Negotiator: Cristian Gonzalez, City Manager
2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to CA Government Code §54957.6
Agency Designated Representatives: Cristian Gonzalez, City Manager; Jennifer Lekumberry, Director of Administrative Services
Employee Organization: Mendota Police Officers Association
3. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to CA Government Code §54957.6
Agency Designated Representatives: Cristian Gonzalez, City Manager; Jennifer Lekumberry, Director of Administrative Services
Employee Organization: American Federation of State, County and Municipal Employees
4. REAL PROPERTY NEGOTIATIONS
Pursuant to CA Government Code § 54956.8
 - a) Address: 643 Quince Street, Mendota, CA 93640
 - b) Negotiator: Cristian Gonzalez, City Manager
 - c) Negotiating Party: United Security Bank
 - d) Under Negotiation: Lease of Property

At 7:11 p.m. the Council moved into closed session.

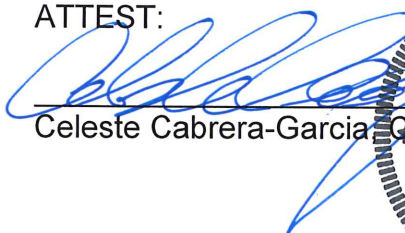
At 8:23 p.m. the Council reconvened in open session and City Manager Gonzalez stated that in regards to items 1 through 4 of the closed session, Council consensus was reached to direct the City Manager to negotiate further with the groups and report back to the City Council.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:23 p.m. by Mayor Pro Tem Castro, seconded by Councilor Mendoza; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:


Celeste Cabrera-Garcia, City Clerk

