



# CITY OF MENDOTA

*"Cantaloupe Center Of The World"*

ROBERT SILVA  
Mayor  
SERGIO VALDEZ  
Mayor Pro Tempore  
JOSEPH AMADOR  
ROLANDO CASTRO  
JOSEPH RIOFRIO

**AGENDA**  
**MENDOTA CITY COUNCIL**  
Special City Council Meeting  
CITY COUNCIL CHAMBERS  
643 QUINCE STREET  
April 21, 2015  
6:00 PM

VINCE DiMAGGIO  
City Manager  
MEGGIN BORANIAN  
City Attorney

The Mendota City Council welcomes you to its meetings, which are scheduled for the 2nd and 4th Tuesday of every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Council may discuss and/or take action on any or all of the items listed on this agenda. **Please turn your cell phones on vibrate/off while in the council chambers.**

Any public writings distributed by the City of Mendota to at least a majority of the City Council regarding any item on this regular meeting agenda will be made available at the front counter at City Hall located at 643 Quince Street Mendota, CA 93640, during normal business hours, 8 AM - 5 PM.

## **CALL TO ORDER**

## **ROLL CALL**

## **FLAG SALUTE**

## **INVOCATION**

## **FINALIZE THE AGENDA**

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

## **CITIZENS ORAL AND WRITTEN PRESENTATIONS**

At this time members of the public may address the City Council on any matter not listed on the agenda involving matters within the jurisdiction of the City Council. Please complete a "request to speak" form and limit your comments to THREE (3) MINUTES. Please give the completed form to City Clerk prior to the start of the meeting. All speakers shall observe proper decorum. The Mendota Municipal Code prohibits the use of boisterous, slanderous, or profane language. All speakers must step to the podium, state their names and addresses for the record. Please watch the time.

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Code Enforcement  
a) Monthly Report

## APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council meeting of March 24, 2015.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

## CONSENT CALENDAR

Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

1. MARCH 19, 2015 THROUGH APRIL 14, 2015  
WARRANT LIST CHECKS NO. 39204 THRU 39276  
TOTAL FOR COUNCIL APPROVAL = \$320,915.78
2. Council perform the first reading of **Ordinance No. 15-04**, amending Section 17.04.110 of Chapter 17.04 and Section 17.86.030 of Chapter 17.86 of Title 17 of the Mendota Municipal Code related to Cottage Food Operations, and set the public hearing for April 28, 2015.
3. Council perform the first reading of **Ordinance No. 15-05**, establishing Chapter 17.81, the Economic Incentive Zone, by amending Title 17 of the Mendota Municipal Code, and set the public hearing for April 28, 2015.
4. Council perform the first reading of **Ordinance No. 15-06**, adding Section 2.28.045 to Chapter 2.28 of Title 2 of the Mendota Municipal Code related to the recruitment and designation of Reserve Police Officers, and set the public hearing for April 28, 2015.
5. Council adopt **Resolution No. 15-31**, approving the purchase contract for the acquisition of 1759 7<sup>th</sup> Street.
6. Council adopt **Resolution No. 15-32**, authorizing staff to submit a second Community Development Block Grant for the Fiscal Year of 2015-2016.
7. Council adopt **Proclamation No. 15-01**, declaring April 20, 2015 "Earth Day" in the City of Mendota and Recognizing April 22, 2015 as "Earth Day" Worldwide.
8. Council direct staff to issue a proclamation honoring Dr. Manuel G. Gonzales.

## **BUSINESS**

1. Council discussion and consideration to adopt **Resolution No. 15-30**, declaring a Stage III Water Emergency.
  - a. *Receive report from Planning & Economic Development Manager Flood*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council adopts Resolution No. 15-30*

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Police Department
  - a) Monthly Report
2. City Attorney
  - a) Update
3. City Manager

## **MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)
2. Mayor

## **CLOSED SESSION**

1. PUBLIC EMPLOYMENT  
CA Government Code § 54957.6  
Title: Unrepresented Management MOU  
Designated Representative and Negotiator: Vince DiMaggio
2. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION  
CA Government Code § 54956.9 (a)  
Edward Warkentine v. City of Mendota, Fresno County Superior Court Case No. 13 CECG 03203
3. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION  
CA Government Code § 54956.9 (a)  
Edward Warkentine et al. v. Hector J. Soria, et al., U.S. District Court Eastern District Case No. 13-cv-01550

4. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION  
CA Government Code § 54956.9 (a)  
Martha Rodriguez v. City of Mendota, Fresno County Superior Court Case No.  
15 CECG 00834

**ADJOURNMENT**

**CERTIFICATION OF POSTING**

I, Celeste Cabrera, Deputy City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota City Council Special Meeting of April 21, 2015, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, April 17, 2015 at 2:50 p.m.



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Celeste Cabrera, Deputy City Clerk



Date: April 21, 2015  
To: Mayor and Council Members  
Via: Vince DiMaggio, City Manager  
From: Matt Flood - Planning and Economic Development Manager  
Subject: Code Enforcement Monthly Report for March 2015

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During the month of March the Code Enforcement Department has been focusing on weed abatements, public nuisances, and violations related to vehicles, such as abandoned or non-operative vehicles in the street (or in public view on their property), and vehicles parked where they are not supposed to be, such as in their yard.

Code Enforcement this month has also been preparing to enforce water regulations in anticipation of the implementation that the California Water Board will be starting to enforce Governor Brown's declaration. Until the Water Board directs differently, staff will be citing violations according to MMC 13.32.070, which directs staff to apply fines to a resident's water bill:

First Violation - Written notice.

Second Violation - Written notice and \$15.00 penalty.

Third Violation - Written notice and \$25.00 penalty.

Fourth Violation - Written notice and \$50.00 penalty.

Fifth and Subsequent Violations - Written notice, \$50.00 penalty and the possibility of "a flow restrictor placed in their service until such time that they can assure that no more waste will occur. All costs, including overhead, for this installation shall be billed to the customer."

Attached is a spreadsheet of citations and written notices given in the month of March.

Address	Type of Case	1st Notice	2nd Notice	Deadline	Status
860 KATE ST	PUBLIC NUISANCE	3/2/2015		3/12/2015	CLEARED
557 4TH ST	WEED ABATEMENT	3/2/2015	3/25/2015	4/18/2015	EXTENSION GRANTED
552 N KAE ST	WEED ABATEMENT	3/2/2015		3/12/2015	CLEARED
697 KATE	WEED ABATEMENT	3/2/2015		3/12/2015	CLEARED
175 ASH	VEHICLE ABATEMENT	3/2/2015		3/12/2015	CLEARED
175 ASH	VEHICLE ABATEMENT	3/2/2015		3/12/2015	CLEARED
225 2ND ST	VEHICLE ABATEMENT	3/3/2015		3/13/2015	CLEARED
840 KATE ST	VEHICLE ABATEMENT	3/3/2015		3/13/2015	CLEARED
1017 RIO FRIO CIRCLE	PUBLIC NUISANCE	3/3/2015		3/13/2015	CLEARED
951 RIO FRIO CIRCLE	PUBLIC NUISANCE	3/3/2015		3/13/2015	CLEARED
N GREGG CT	PROHIBITION OF LIVESTOCK	3/5/2015			CITED
227 S GREGG CT	PROHIBITION OF LIVESTOCK	3/5/2015			CITED
231 MALDONADO	PARKING IN YARD	3/5/2015			CITED
250 FLEMING	PARKING IN YARD	3/5/2015			CITED
950 RIO FRIO CIRCLE	PARKING IN YARD	3/5/2015			CITED
800 GARCIA	PARKING IN YARD	3/5/2015			CITED
800 GARCIA	CVC 4000 (A)	3/5/2015			CITED
468 OLLER	WEED ABATEMENT	3/9/2015		3/29/2015	CLEARED
201 HOLMES	RECREATIONAL VEHICLE	3/4/2015		3/7/2015	CLEARED
EMPTY LOT ON MARIE	WEED ABATEMENT	3/4/2015		3/24/2015	CLEARED
EMPTY LOT ON LOLITA	WEED ABATEMENT	3/4/2015		3/24/2015	CLEARED
6TH ST/ QUINCE	PUBLIC NUISANCE	3/7/2015			CLEARED
6TH ST/ LOLITA	PUBLIC NUISANCE	3/7/2015			CLEARED
1649 10TH ST	PARKING IN YARD	3/8/2015			CITED
1245 6TH ST	PUBLIC NUISANCE	3/8/2015			CLEARED
219 I STREET	VEHICLE ABATEMENT	3/8/2015		3/18/2015	CLEARED
669 4TH ST	PARKING IN YARD	3/9/2015			CITED
1649 10TH ST	PARKING IN YARD	3/9/2015			CITED
1125 PUCHEU	PUBLIC NUISANCE	3/10/2015		3/20/2015	CLEARED
695 LOZANO	VEHICLE ABATEMENT	3/10/2015		3/20/2015	CLEARED
633 DE LA CRUZ	VEHICLE ABATEMENT	3/10/2015		3/20/2015	CLEARED
362 J STREET	VEHICLE ABATEMENT	3/10/2015		3/20/2015	CLEARED
231 I STREET	VEHICLE ABATEMENT	3/11/2015		3/21/2015	CLEARED

108 KATE CT	VEHICLE ABATEMENT	3/11/2015		3/21/2015	<b>CLEARED</b>
450 OLLER	ADVERTISEMENT STRUCTURE	3/11/2015			<b>CITED</b>
654 LOZANO #404	CVC 22500 C	3/12/2015			<b>CITED</b>
800 GARCIA	CVC 4000 (A)	3/12/2015			<b>CITED</b>
619 DE LA CRUZ	VEHICLE ABATEMENT	3/13/2015		3/23/2015	<b>CLEARED</b>
825 BELMONT	PUBLIC NUISANCE	3/16/2015			<b>CLEARED</b>
997 QUINCE	PUBLIC NUISANCE	3/18/2015		3/28/2015	<b>CLEARED</b>
1079 PUCHEU ST	WEED ABATEMENT	3/18/2015	4/10/2015	4/17/2015	<b>NOT CLEARED</b>
1067 PUCHEU	WEED ABATEMENT	3/18/2015	4/11/2015	4/18/2015	<b>NOT CLEARED</b>
1006 OLLER	WEED ABATEMENT	3/18/2015	4/11/2015	4/18/2015	<b>NOT CLEARED</b>
1030 OLLER	WEED ABATEMENT	3/18/2015		4/8/2015	<b>CLEARED</b>
836 RIOFRIO	WEED ABATEMENT	3/18/2015		4/8/2015	<b>CLEARED</b>
818 RIOFRIO ST	WEED ABATEMENT	3/18/2015		4/8/2015	<b>CLEARED</b>
706 LOLITA	WEED ABATEMENT	3/18/2015	4/11/2015	4/18/2015	<b>NOT CLEARED</b>
637 GARCIA	WEED ABATEMENT	3/18/2015		4/8/2015	<b>CLEARED</b>
597 OLLER	WEED ABATEMENT	3/18/2015		4/8/2015	<b>CLEARED</b>
573 STAMOULES	WEED ABATEMENT	3/18/2015	4/11/2015	4/18/2015	<b>NOT CLEARED</b>
631 PUCHEU	WEED ABATEMENT	3/19/2015		4/9/2015	<b>CLEARED</b>
221 HOLMES	PUBLIC NUISANCE	3/19/2015		3/29/2015	<b>CLEARED</b>
108 KATE CT	RECREATIONAL VEHICLE	3/19/2015		3/22/2015	<b>CLEARED</b>
800 GARCIA	CVC 22507.8	3/23/2015			<b>CITED</b>
800 GARCIA #508	VEHICLE ABATEMENT	3/23/2015		4/3/2015	<b>CLEARED</b>
635 GAXIOLA	YARD SALE SIGN	3/23/2015			<b>CITED</b>
191 SORENSON	WEED ABATEMENT	3/24/2015	4/16/2015	4/23/2015	<b>PENDING</b>
824 RIO FRIO	PUBLIC NUISANCE	3/26/2015		4/6/2015	<b>CLEARED</b>
800 GARCIA	CVC 22507.8	3/26/2015			<b>CITED</b>
1084 OLLER	WEED ABATEMENT	3/31/2015		4/20/2015	<b>PENDING</b>



## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

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**Regular Meeting**

**March 24, 2015**

**Meeting called to order by Mayor Silva at 6:05 p.m.**

### **Roll Call**

**Council Members Present:** Mayor Robert Silva, Mayor Pro Tem Sergio Valdez, Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

**Council Members Absent:** None.

**Flag salute led by Councilor Amador.**

### **FINALIZE THE AGENDA**

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

A motion was made by Mayor Pro Tem Valdez to adopt the agenda, seconded by Councilor Riofrio; unanimously approved (5 ayes).

### **PRESENTATIONS**

1. Corporals Chris Tsaris and Joel Warkentin to be commended for heroic action in the line of duty.

Chief of Police Andreotti described the heroic action of Corporals Tsaris and Warkentin in which they helped save the life of a juvenile who was severely injured in a stabbing; commended the Corporals for their heroic actions; and provided an update on the case.

Corporals Tsaris and Warkentin described their first-hand experience of the incident in which they helped save the life of a juvenile that was injured in a stabbing.



Council thanked the Corporals for their heroic actions and for continuing to serve the community of Mendota.

At 6:20 p.m. Mayor Silva announced there would be a 10 minute recess.

At 6:26 p.m. the Council reconvened in open session.

2. Battalion Chief Vince Bergland of CALFIRE to present the 4<sup>th</sup> quarter and 2014 year-end report.

Battalion Chief Vince Bergland of CALfire summarized the statistics for the 4<sup>th</sup> quarter and 2014 year-end report including the decrease of false alarms; an explanation of what false alarms consist of; an update on seasonal hiring; and various personnel changes within Station 96.

Discussion was held on growing weeds on properties creating a fire hazard; CALfire firefighter Emilio Valencia being recognized by Red Cross; commending Emilio Valencia at a future meeting; a roadside sign on Highway 180 regarding smoke detectors; and the importance of carbon monoxide monitors.

### **CITIZENS ORAL AND WRITTEN PRESENTATIONS**

None offered.

### **APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING**

1. Minutes of the Special and Regular City Council meetings of March 10, 2015.
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 Riofrio to approve items 1 and 2, seconded by Councilor Amador; unanimously approved (5 ayes).

### **CONSENT CALENDAR**

1. MARCH 10, 2015 THROUGH MARCH 17, 2015  
WARRANT LIST CHECKS NO. 39139 THRU 39203  
TOTAL FOR COUNCIL APPROVAL = \$334,769.03
2. Council adopt Resolution No. 15-17, authorizing execution of a professional services agreement for the 6<sup>th</sup> Street Improvement project.
3. Council adopt Resolution No. 15-26, approving the notice of completion and acceptance of the CDBG access ramp and City Hall Improvement project.

4. Council approve the cancellation of the April 14, 2015 Regular City Council Meeting and hold a Special City Council meeting on April 21, 2015.

A request to pull item 2 for discussion was made.

A motion was made to approve items 1, 3, and 4 of the consent calendar by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

2. Council adopt **Resolution No. 15-17**, authorizing execution of a professional services agreement for the 6<sup>th</sup> Street improvement project.

Discussion was held on the Mendota Unified School District's involvement with the project and a discussion that City Manager DiMaggio had with Superintendent Dr. Lopez.

A motion was made to approve item 2 of the consent calendar by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).

## **BUSINESS**

1. Council discussion and consideration to adopt **Resolution No. 15-27**, amending the FY 2014-2015 budget and approving a contract with Provost & Pritchard for a revised report on Waste Discharge.

Mayor Silva introduced the item and Public Utilities Director Lewis summarized his report including the 2012 Report of Waste Discharge being deemed incomplete by the state; the state asking for additional information to complete the report; and costs associated with adding additional information to the 2012 Report of Waste Discharge.

Discussion was held on the costs associated with adding additional information to the report; the information that needs to be added to the report; the possibility of meeting with the state and discussing the issues; and following up with the state after the information is added to the report.

A motion was made to adopt Resolution No. 15-27 by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).

2. Council discussion and consideration to adopt **Resolution No. 15-28**, declaring its intention to propose an amendment to the zoning ordinance regarding off-site signage and advertising.

Mayor Silva introduced the item and Planning & Economic Development Manager Flood summarized his report including the process to amend the zoning ordinance; the process in which Code Enforcement will enforce the proposed off-site signage ordinance; and clarification that the off-site signage ordinance will include all businesses.

Discussion was held on the off-site signage ordinance including all businesses.

A motion was made to adopt Resolution No. 15-28 by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).

3. Council discussion and consideration to adopt Resolution No. 15-29, purchasing a new 2013 Ford Police Interceptor vehicle.

Mayor Silva introduced the item and Chief of Police Andreotti summarized his report including the background of the vehicle search and transferring reusable equipment from a soon-to-be retired vehicle into the new vehicle.

Discussion was held on the financing of the vehicle and transferring reusable parts from a soon-to-be retired vehicle to the new vehicle.

A motion was made to adopt Resolution No. 15-29 by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

### **PUBLIC HEARING**

1. Council hold a public hearing and perform the second reading of **Ordinance No. 15-02**, adding an alternate member to serve on the Mendota Planning Commission.

Mayor Silva introduced the item and Planning & Economic Development Manager Flood summarized his report.

At 7:37 p.m. Mayor Silva opened the hearing to the public and, seeing no one present willing to comment, closed it in that same minute.

Discussion was held on other communities that have alternate Planning Commissioners and the positivity that the position will bring to the commission.

A motion was made to adopt Ordinance No. 15-02 by Mayor Pro Tem Valdez, seconded by Councilor Castro; unanimously approved (5 ayes).

### **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Public Works
  - a) Monthly Report

Director of Public Works Gonzalez summarized his report including personnel changes; shade structures being installed at Rojas-Pierce Park; and needing more trees to plant for the Earth Day festivities.

Discussion was held on how the locations which the AOWP crew cleans are determined; parking issues on Gaxiola Street; issues regarding the street sweeper; and oil spill that was caused by a FedEx truck near the high school.

2. Public Utilities
  - a) Monthly Report

Director of Public Utilities Lewis summarized his report including receiving the filter media; replacing a damaged pilot valve; and gathering the additional information that the State of California requested.

Discussion was held on people tapping water from fire hydrants and the process to purchase a meter to do so.

2. City Attorney
  - a) Update

Nothing to report.

3. City Manager
  - a) Report

City Manager DiMaggio reported on meeting between Ian Connors and City Officials at FCI-Mendota; the possibility of having a Memorandum of Understanding between the City and FCI-Mendota in which prisoners are able to come to the City and clean; the good cooperation between the City and the new warden; FCI- Mendota hiring more Mendota residents to work there; an executive order that Governor Brown issued regarding water conservation measures; the possibility of activating stage 3 water conservation measures; the possibility of the State of California mandating a state-wide plastic bag ban(8:02 Councilor Riofrio left the Council Chambers); and an upcoming H&S meeting.

Discussion was held on current water regulations; incidences of panhandling (8:05 Councilor Riofrio returned to the Council Chambers); and water regulations.

## **MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)  
Council reports

Mayor Pro Tem Valdez reported on the Neighborhood Coalition meeting that is held in different community's each month; the upcoming opening day of Mendota Youth Recreation's baseball league; and issues regarding overflowing and open dumpsters.

Councilor Amador reported on having religious organizations attend and begin each City Council meeting with a prayer.

Discussion was held on having religious organizations begin each future City Council meeting with an invocation

Councilor Castro thanked Chief of Police Andreotti and the police officers for their hard work and dedication.

Councilor Riofrio recommended that Councilmembers go on ride-alongs with the Mendota Police Department.

## 2. Mayor

Mayor Silva reported on the impact of water conditions throughout Fresno County; a luncheon that was held in which Brian Pacheco attended; an event he attended in Cantua Creek with Brian Pacheco; Dr. Manuel G. Gonzales' book on Mendota; and the possibility of creating a cross walk at the intersection of 7<sup>th</sup> and Oller.

Discussion was held on the upcoming book signing event that Dr. Manuel G. Gonzales will be having at the Mendota Library on April 25<sup>th</sup> and honoring Dr. Gonzales for his hardwork with a proclamation at a future meeting.

## **CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
CA Government Code Sec. 54956.9 - 1 case  
Rodriguez v. City of Mendota, Fresno County Superior Court (Verified Petition for Writ of Mandamus)
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
CA Government Code § 54957(b)  
Title: City Attorney

At 8:24 p.m. the Council moved into closed session.

At 9:41 p.m. the Council reconvened in open session and City Attorney Boranian reported that in regards to items 1 and 2 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 9:42 p.m. by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

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Robert Silva, Mayor

ATTEST:

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Matt Flood, City Clerk

**CITY OF MENDOTA  
CASH DISBURSEMENTS  
03/19/2015 - 04/14/2015  
Check #39204 - 39276**

Date	Check #	Amount	Vendor	Department	Description
March 19, 2015	39204	VOID			
March 19, 2015	39205	\$192.81	COSTCO	GENERAL-WATER-SEWER	(6) BAGS OF DOG FOOD 55 LBS, COFFEE, CREAMER, PLATES, FORKS, BOWLS, & (2) CASES OF WATER
March 20, 2015	39206	\$2,379.12	RAMIREZ GENERAL CONTRACTOR INC.	GENERAL	20% DEPOSIT TO BEGIN REPAIR AT PUBLIC WORK SHOP-REIMBURSEABLE
March 24, 2015	39207	\$85,151.00	WEST AMERICA BANK	GENERAL	PAYROLL TRANSFER 03/9/2015-03/22/2015
March 31, 2015	39208	\$840.00	ADMINISTRATIVE SOLUTIONS	GENERAL	MONTHLY MEDICAL ADMINISTRATION FEE-APRIL 2015
March 31, 2015	39209	\$283.71	ADT SECURITY SERVICES	GENERAL-WATER-SEWER	SECURITY ALARM SERVICES 04/01/2015-06/30/2015
March 31, 2015	39210	\$36,969.19	AETNA LIFE INSURANCE COMPANY	GENERAL	MEDICAL INSURANCE FOR APRIL 2015
March 31, 2015	39211	\$570.00	AMERICAN SECURITY CABINETS	GENERAL-WATER-SEWER	DROPBOX FOR PAYMENTS AT CITY HALL
March 31, 2015	39212	\$300.00	BAR PSYCHOLOGICAL GROUP	GENERAL	POST PRE-EMPLOYMENT PSYCH SCREEN J.CARDIEL (PD)
March 31, 2015	39213	\$57.45	BEST UNIFORM	GENERAL	(1) MAG HOLDER (1) BADGE HOLDER G. ANDREOTTI (PD)
March 31, 2015	39214	\$250.00	BOGIE'S PUMP SYSTEMS	SEWER	(2) HOURS OF LABOR FOR INSPECTION EBARA PUMP AND REPLACING OIL
March 31, 2015	39215	\$626.00	BSK ASSOCIATES	WATER-SEWER	BACTI-WEEKLY TREATMENT AND DISTRIBUTION, FILTER WATER PLANT PROFILE-EDT, SOURCE MONITORING -EDT
March 31, 2015	39216	VOID			
March 31, 2015	39217	\$228.00	HOFFMAN ELECTRONIC SYSTEMS	GENERAL	SECURITY SERVICES APRIL-JUNE 2015 (EDD&DMV)
March 31, 2015	39218	\$690.52	COBIN WILLITS SY'S INC	WATER-SEWER	ENHANCEMENT FEES FOR-APRIL 2015
March 31, 2015	39219	\$600.00	D&D DISPOSAL	GENERAL	ANIMAL DISPOSAL-ON CALL PICK UP 3/10/2015
March 31, 2015	39220	\$300.00	FASTENAL COMPANY	GENERAL-WATER-SEWER	REFILL & VENDING MACHINE ANNUAL MAINTENANCE
March 31, 2015	39221	\$137.50	FRESNO COUNTY AUDITOR'S OFFICE	GENERAL	PARKING CITATIONS-FEBRUARY 2015
March 31, 2015	39222	\$3,032.50	GIERSCH & ASSOCIATES INC	WATER	WTP CHEMICAL FEED MODIFICATION & FILTER START UP
March 31, 2015	39223	\$69.99	G-NEIL DIRECT MAIL INC.	GENERAL-WATER-SEWER	POST GUARD 1 YEAR STATE/FED RENEWAL
March 31, 2015	39224	\$3,800.00	TOM WHITESIDE	GENERAL	CONSULTING & WORK: RECRUITMENT CHIEF OF POLICE (PD)
March 31, 2015	39225	\$68.72	JORGENSON & COMPANY	GENERAL-WATER-SEWER	FIRE EXTINGUISHER ANNUAL REPORT MAINTENANCE (PUBLIC WORKS)
March 31, 2015	39226	\$306.00	KERWEST INC. DBA	GENERAL-WATER-SEWER	ADVERTISEMENT-HELP WANTED UTILITIES WORKER, ORDINANCE NO. 15-02: ALTERNATE MEMBER (PLANNING COMMISSION)
March 31, 2015	39227	\$2,227.55	LAW & ASSOCIATES	GENERAL	LAW ENFORCEMENT BACKGROUND INVESTIGATION, CONFIDENTIAL-J. CARDIEL (PD)

**CITY OF MENDOTA  
CASH DISBURSEMENTS  
03/19/2015 - 04/14/2015  
Check #39204 - 39276**

March 31, 2015	39228	\$1,240.00	MID VALLEY DISPOSAL	STREETS-REFUSE	(2)ROLLOFF EXCHANGE 10 YARD QTY:1, (1)ROLLOFF EXCHANGE 40 YARD QTY:1
March 31, 2015	39229	\$1,010.12	MUTUAL OF OMAHA	GENERAL	LIFE/AD&S/LTD&STD INSURANCES FOR APRIL 2015
March 31, 2015	39230	\$1,115.75	OFFICE DEPOT	GENERAL-WATER-SEWER	USB,SHARPIE,ENVELOPE CLASP,TAPE DISPENSER,HIGHLIGHTER, FINE HANGING FOLDER(CH) SHARPIE, PORCELAIN BOARD, BULLETIN BOARD (PD)
March 31, 2015	39231	\$42,215.15	PG&E	GENERAL-WATER-SEWER-AIRPORT	CITY WIDE UTILITIES -02/18/2015 THRU 03/18/2015 , CITY WIDE UTILITIES 02/14/2015 THRU 03/17/2015
March 31, 2015	39232	\$3,796.34	PREMIER ACCESS	GENERAL	DENTAL INSURANCE-APRIL 2015
March 31, 2015	39233	\$457.89	RAIN FOR RENT WESTSIDE PUMP	SEWER	FIELD SERVICE FOR ELECTRICAL SYSTEM CHECK & PARTS (WWTP)
March 31, 2015	39234	\$1,976.21	ERNEST PACKING SOLUTONS	GENERAL	(8) CASES BABYWIPES, CLOROX WIPES,LATEX GLOVES,MOPS,TOILET PAPER(PD), GLASS CLEANER, SEAT COVER, CAN LINERS (CITY HALL)
March 31, 2015	39235	\$838.00	STATE WATER RESOURCES CONTROL BOARDS	WATER	PERMIT FEE 10/01/2015-09/30/2015
March 31, 2015	39236	\$475.00	TECH MASTER	GENERAL-WATER	PEST CONTROL SERVICES-MARCH 2015: CITY HALL,PD,EDD,DMV,YOUTH CENTER,SENIOR CENTER,CITY YARD SPECIAL SERVICES:ROJAS-PIERCE PARK
March 31, 2015	39237	\$137.24	THE GOODYEAR TIRE & RUBBER COMPANY	GENERAL	EAGLE RS-A ASB TL TIRE UNIT #85 (1) (PD)
March 31, 2015	39238	\$63.82	UNIFIRST CORPORATION	GENERAL-WATER-SEWER	MONTHLY SERVICE: WET/DRY MOPS,TERRY CLOTHS,MATS-MARCH 2015
March 31, 2015	39239	\$192.65	VERIZON WIRELESS	GENERAL-WATER-SEWER	PUBLIC WORKS/UTILITIES CELL PHONES 02/17/2015-03/06/2015
March 31, 2015	39240	\$94.40	VETERINARY MEDICAL CENTER	GENERAL	(5) EUTHANASIA STRAY DOGS (1) MEDICAL WASTE FEE
March 31, 2015	39241	\$1,200.00	VIDEO INSPECTION SPECIALIST	SEWER	VIDEO INSPECTION OF SEWER LINES-VARIOUS SEWER LINES
March 31, 2015	39242	\$511.74	WEST AMERICA BANK	GENERAL-WATER-SEWER	FOLDING MACHINE PAYMENT- APRIL 2015
March 31, 2015	39243	\$450.10	ZEE MEDICAL SERVICES	GENERAL-WATER-SEWER	BLOOD CLOTTER SPRAY,IBUTAB,BURN SPRAY(PW), BLOOD CLOTTER SPRAY(WTP), COUGH DROPS IBUTAB, REFRESH EYE DROPS (CITY HALL)
March 31, 2015	39244	\$163.45	AT&T	GENERAL-WATER-SEWER	TELEPHONE SERVICES FOR 559-226-5464 03/26/2015-04/25/2015
April 6, 2015	39245	\$300.00	ROBERT SILVA	GENERAL	TRAVEL PER DIEM FOR "ONE VOICE" CAMPAIGN TO WASHINGTON DC
April 7, 2015	39246	\$76,768.00	WEST AMERICA BANK	GENERAL	PAYROLL TRANSFER 03/9/2015-03/22/2015
April 7, 2015	39247	\$1,792.40	AT&T MOBILITY	GENERAL-WATER-SEWER	CITY AND PD CELL PHONES 02/19/2015-03/18/2015, AIR CARDS 02/20/2015-04/19/2015
April 7, 2015	39248	\$441.76	COMCAST	GENERAL-WATER-SEWER	HIGH SPEED INTERNET FOR 04/01/2015-06/30/2015
April 7, 2015	39249	\$1,360.46	THE HOME DEPOT	GENERAL-WATER-SEWER-STREETS	TROWEL, BLADES, PRIMER, VINYL CUTTER, STAPER, SPONGE, LOCK SET, FLARING TOOL, WONDER BAR(SENIOR CENTER) BLINDS FOR (CH)
April 10, 2015	39250	\$1,750.00	ACQUISITION PARTNERS OF AMERICA, LLC	GENERAL-WATER-SEWER	MONTHLY RETAINER:APRIL 2015 GRANT CONSULTING
April 10, 2015	39251	\$325.00	ALL VALLEY ADMINISTRATORS	GENERAL-WATER-SEWER	SECOND QUARTER RETIREMENT ADMINISTRATION FEE
April 10, 2015	39252	\$501.29	AUTOMATED OFFICE SYSTEMS	GENERAL-WATER-SEWER	MAINTENANCE CONTRACT FOR C5501 COPIER -CITY HALL, MAINTENANCE CONTRACT-MPS3503 (PD)



CITY OF MENDOTA  
 CASH DISBURSEMENTS  
 03/19/2015 - 04/14/2015  
 Check #39204 - 39276

April 10, 2015	39253	\$981.39	BEST UNIFORM	GENERAL	(3) BADGES-CLEANED/REFURBISHED WITH FREIGHT (PD) (1) BODY ARMOR, EXTRA CARRIER C. GALPIN
April 10, 2015	39254	\$4,500.00	MEGGIN BORANIAN	GENERAL-WATER-SEWER	GENERAL SERVICES MONTHLY RETAINER-MARCH 2015
April 10, 2015	39255	\$2,604.00	MEGGIN BORANIAN	GENERAL-WATER-SEWER	SPECIAL SERVICES FOR MARCH 2015
April 10, 2015	39256	\$147.00	CENTRAL VALLEY TOXICOLOGY	GENERAL	(1) ABUSE SCREEN, (1)DRUG CONFIRMATION LEVEL, (1) ETHYL ALCOHOL (1) ABUSE SCREEN (PD)
April 10, 2015	39257	\$88.82	CROWN SERVICES CO.	GENERAL	PORTABLE TOILET W SINK 1XWK (WWTP), (1) PORTABLE TOILET 1XWK (PD)
April 10, 2015	39258	\$600.00	D&D DISPOSAL	GENERAL	ANIMAL DISPOSAL ON CALL PICK UP 03/11/2015
April 10, 2015	39259	\$304.96	DATAMATIC INC.	WATER	HANDHELD METER MAINTENANCE-MAY 2015
April 10, 2015	39260	\$936.00	DEPARTMENT OF JUSTICE	GENERAL	(24) BLOOD ALCOHOL ANALYSIS, (3) FINGERPRINT APPS (PD)
April 10, 2015	39261	\$7,708.33	FIREBAUGH POLICE	GENERAL	DISPATCH SERVICES-MARCH 2015
April 10, 2015	39262	\$270.00	FRESNO POLICE DEPARTMENT	GENERAL	RANGE FEES FOR RANGEMSTER COURSE A.CASAS, TASER CLASS: J. WARKENTIN, J.URBIETA, F.RENTERIA
April 10, 2015	39263	\$226.96	FRESNO COUNTY SHERIFF	GENERAL	JAIL MANAGEMENT FEE-FEBRUARY 2015, (15) PRISONER PROCESSING
April 10, 2015	39264	\$15.04	GUTHRIE PETROLEUM	GENERAL-WATER-SEWER	BLK PROPANE QTY: 4.1
April 10, 2015	39265	\$143.00	ID CARDS INC	GENERAL	(14) CUSTOM PVC CARDS/DUAL SIDE HOLOGRAM FRONT (PD)
April 10, 2015	39266	\$1,724.00	MID VALLEY DISPOSAL	STREETS-REFUSE	ROLLOFF EXCHANGE (4) 10 YARD, (1) 30 YARD (1) 40 YARD QTY:1
April 10, 2015	39267	\$6,000.00	MOUNTIAN VALLEY ENVIORNMENTAL SERVICES	WATER	WATER DISTRIBUTION-WASTEWATER SERVICES- MAY 2015
April 10, 2015	39268	\$59.85	SEBASTIAN	GENERAL	ALARM SERVICES-APRIL,MAY,JUNE (PD)
April 10, 2015	39269	\$490.31	TCM INVESTMENTS	GENERAL	MPC 5501 LEASE PAYMENT COPY MACHINE AT CITY HALL, MPC 3503 LEASE PAYMENT, COPY MACHINE (PD)
April 10, 2015	39270	\$238.40	VETERINARY MEDICAL CENTER	GENERAL	(13) EUTHANASIA OF STRAY (1) MEDICAL WASTE FEE
April 10, 2015	39271	\$3,185.88	WEST AMERICA BANK	GENERAL	EDD LEASE PAYMENT-MARCH 2015-FINAL PAYMENT
April 10, 2015	39272	\$25.00	RAFAEL ALFARO	WATER	CUSTOMER REFUND FOR ALF0026
April 10, 2015	39273	\$150.00	JUAN S. GUTIERREZ	WATER	CUSTOMER REFUND FOR GUT0035
April 10, 2015	39274	\$150.00	BONIFACIO VALDEZ	WATER	CUSTOMER REFUND FOR VEL0016
April 14, 2015	39275	\$8,000.00	ADMINISTRATIVE SOLUTIONS	GENERAL	SELF FUNDED MEDICAL CLAIM DEPOSIT 4/14/2015
April 15, 2015	39276	\$4,110.01	MENDOTA SMOG & REPAIR	GENERAL	UNIT# 87, REMOVE REPAIR TRANSMISSION, UNIT# M83, OIL, FILTER, SPOT LIGHT, UNIT# M80 FRONT BREAKS, ROTORS, OIL UNIT#80 FRONT BREAKS
		<b>\$320,915.78</b>			

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MATT FLOOD, PLANNING & ECONOMIC DEVELOPMENT MANAGER  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** FIRST READING OF ORDINANCE NO. 15-04, COTTAGE FOOD OPERATIONS.  
**DATE:** APRIL 21, 2015

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**BACKGROUND**

In 2012 Governor Brown signed into law AB1616 which allows for businesses in the home know as “Cottage Food Operations” (CFO). Part of this law prohibits local governments from not allowing these businesses and requires them to facilitate them in some way.

Since “food preparation” is an acceptable home occupation under the MMC, the option that staff is bringing forward to accomplish the mandate is to specify (in the MMC) that a “food preparation” home occupation includes CFO’s. This would make it so that anyone interested in having a CFO simply conform with the State and County provisions, then come to the City of Mendota to apply for a home occupation permit and business license.

Therefore, the ordinance Council will be considering makes two changes:

- It adds the definition of a Cottage Food Operation to the zoning code (Title 17 of the MMC); and
- It specifies that a Cottage Food Operation is included as a permissible home occupation, as long as County and State requirements are met.

While the City of Mendota creates a relatively simple process on its end, truly becoming certified by passing the County measures is still not an easy task. Attached is a flow chart from Fresno County that outlines their process.

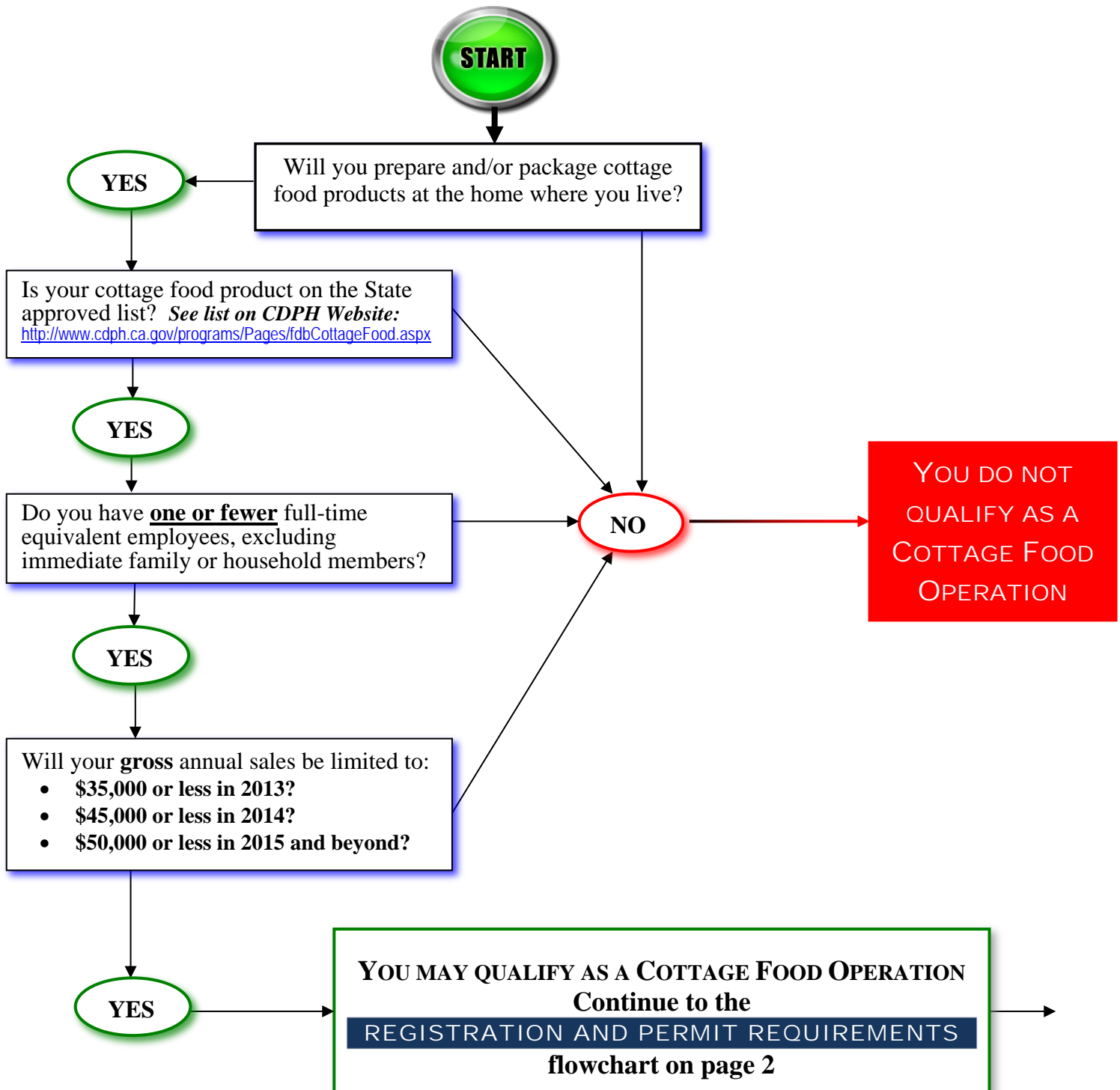
**FISCAL IMPACT**

None.

**RECOMMENDATION**

Council perform the first reading of Ordinance No. 15-04 and set the public hearing for April 28, 2015.

# DO YOU QUALIFY AS A COTTAGE FOOD OPERATION?



# REGISTRATION AND PERMIT REQUIREMENTS

**START**

Have you contacted your local Planning Department to verify if there are any permitting requirements?

**YES**

**NO**

Contact your local Planning Department for more information.

How will you be selling the approved cottage food products you will be making?

**Direct to the consumer and/or Indirect through retailers.**

**Direct to the consumer.**

Production of approved CFO food for indirect sales requires a permit, fee and inspection from Env. Health (EH)

You are classified a "Class A" facility.

You are classified a "Class B" facility.

Complete and submit the following Environmental Health forms and their attachments for approval:

Complete and submit the following Environmental Health forms and their attachments for approval:

- CFO Registration/Permit application
- Self-certification checklist (Class A)
- Environmental Health application
- Pay applicable fees.

- CFO Registration/Permit application
- Operational Statement (Class B)
- Environmental Health application
- Pay applicable fees.

Do you plan off-site direct sales such as at a community event, farmer's market, swap meet? Will products be sold by weight?

Are the retail food facilities for your indirect sales permitted by EH?

**NO**

**NO**

**YES**

**YOUR CLASS A REGISTRATION IS COMPLETE**  
Training Required\*

Indirect sales only allowed at permitted retail facilities.

**YOUR CLASS B PERMIT IS COMPLETE**  
Training Required\*

**ADDITIONAL PERMITS MAY BE REQUIRED:**

- Mobile Food Vendor Permit:**  
May be required for some types of off-site sales. Call 559-600-3357 for more information.
- Temporary Food Facility Permit:**  
These facilities may only operate at community events. Call 559-600-3357 for more information.
- Weights & Measures Permit:**  
Required if selling product by weight. Contact CA Division of Measurement Standards 559-445-5403.

**YOUR CLASS A REGISTRATION IS COMPLETE**  
Training Required\*

**\* Training Required:**

Within 3 months of obtaining permit or registration, all Cottage Food Operators must attend a Food Processor Course instructed by the California Department of Public Health (CDPH). Failure to complete training may result in inactivation of your Cottage Food Registration or Permit. For more information, visit CDPH's website: <http://www.cdph.ca.gov/programs/Pages/fdbCottageFood.aspx>  
→ Until the state develops a course, we will accept the [California Food Handler Card](#).

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AMENDING  
SECTION 17.04.110 OF CHAPTER 17.04  
AND SECTION 17.86.030 OF CHAPTER  
17.86 OF TITLE 17 OF THE MENDOTA  
MUNICIPAL CODE RELATED TO  
COTTAGE FOOD OPERATIONS**

**ORDINANCE NO. 15-04**

**The City Council of the City of Mendota does hereby ordain as follows:**

Section 1. The definition of "Cottage Food Operation" is hereby added to Subsection (C) of Section 17.04.110 of Chapter 17.04 of Title 17 to read as follows:

**"Cottage Food Operation" shall hold the same definition as contained in Section 113758 of the California Health and Safety Code.**

Section 2. Subsection (8) of Subsection (F) of Section 17.86.030 of Chapter 17.86 of Title 17 of the Mendota Municipal Code is hereby amended to read as follows:

8. Food preparation, **including a Cottage Food Operation**, provided that the applicant shows evidence that any and all requirements of the Fresno County Public Health Department **and the State of California** are met, and that no onsite dining facilities are provided;

Section 3. The City Council of the City of Mendota hereby finds that the amendments contained herein solely constitute changes to regulations, and do not authorize or approve any development or physical changes. As such, they have no potential to significantly affect the environment, and are therefore not subject to the California Environmental Quality Act (CEQA) as indicated in CEQA Guidelines §15061(b)(3).

Section 4. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Mendota City Council hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional.

Section 5. Within fifteen (15) days of the adoption of this Ordinance, a summary thereof, including the names of the City Council Members voting for and against it, shall be prepared by the City Attorney for publication in the

*Firebaugh-Mendota Journal*, and a certified copy of the Ordinance shall be posted in the office of the City Clerk.

Section 6. This ordinance shall become effective and in full force at 12:00 midnight on the 31<sup>st</sup> day following its adoption.

\* \* \* \* \*

The foregoing ordinance was introduced on the 21<sup>st</sup> day of April, 2015 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 28<sup>th</sup> day of April, 2015 by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Robert Silva, Mayor

ATTEST:

\_\_\_\_\_  
Matt Flood, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Meggin Boranian, City Attorney

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** CONSIDERATION OF AN ORDINANCE CREATING THE ECONOMIC INCENTIVE ZONE OVERLAY DISTRICT TO THE ZONING CODE  
**DATE:** APRIL 21, 2015

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**BACKGROUND**

One of the struggles Mendota faces is the retention and expansion of commercial businesses. Often business growth is stifled due to a multitude of fees charged by the local government. These include development impact fees, application fees, and building permit and inspection fees. Before the demise of the redevelopment agencies in California, it would be common for the RDA to pay these fees to the City on behalf of applicants and developers who brought forth a tax generating commercial project. However, since the dissolution of the RDA's statewide, there exists no monetary source to incentivize business growth – especially in disadvantaged communities. This leaves cities with few tools available to spur economic development.

It would be irresponsible to waive fees City-wide, as development fees fund various infrastructural improvements and application fees provide for staffing to review and inspect new and expanded developments. However, by targeting certain, specific key areas of the City where economic development is a priority, providing for full or partial fee waivers and accelerated permit processing procedures may act as the incentive necessary to spur infill development.

**ANALYSIS**

The proposal before Council adds a new Chapter to the Zoning Code entitled, “Economic Incentive Zone Overlay District.” If approved, Chapter 17.81 would be added to the Zoning Code and would provide both expedited permit processing time frames and specific financial incentives for new or expanded commercial development by way of fee waivers.

An overlay zone is a planning tool that exists alongside the underlying “base” zoning district. An overlay zone provides for special rules or provisions in addition to those of the underlying zoning.

The Economic Incentive Zone, or EIZ, would exist primarily along the Oller Street and 7<sup>th</sup> Street commercial corridors. All properties in the EIZ are zoned either C-2 or C-3, which are the City's principal "general commercial" zoning districts and would not change.

Depending upon whether a project in the EIZ requires a Site Plan Review or Conditional Use Permit, § 17.81.022 requires that staff process the application within a specified period of time.

Another element of the EIZ, § 17.81.023, provides for either a partial or full waiver of development impact fees and building permit fees depending upon the size of the project, and an across the board 50% reduction in permit application fees regardless of project size.

### **CEQA**

The creation of the EIZ overlay district is a Class 5 Categorical Exemption under the California Environmental Quality Act. This action is also exempt under § 15061 (b)(3) of the California Environmental Quality Act. Projects undertaken as part of the EIZ are still required individually to comply with CEQA.

### **FISCAL IMPACT**

By granting various incentives to project applications and approvals occurring in the EIZ, revenues into the various development impact fee accounts will decrease as will revenues to the General Fund derived from building permit and development application fees. It is impossible to quantify this impact as it is unknown how successful the EIZ will be at encouraging infill development along the two corridors. However, any new commercial land use within the EIZ will generate increased property taxes due to property improvements and increased valuation and likely new sales tax revenue for the City. This will offset all of the fiscal impacts that granting incentives would have on the City's accounts and General Fund.

### **RECOMMENDATION**

Staff recommends that the City Council conduct the 1<sup>st</sup> reading of the Economic Incentive Zone ordinance and set the public hearing for April 28, 2015.



**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA ESTABLISHING  
CHAPTER 17.81, THE ECONOMIC INCENTIVE ZONE,  
BY AMENDING TITLE 17 OF THE MENDOTA  
MUNICIPAL CODE.**

**ORDINANCE NO. 15-05**

**The City Council of the City of Mendota does hereby ordain as follows:**

Section 1. Chapter 17.81 of Title 17 of the Mendota Municipal Code, entitled "***Economic Incentive Zone Overlay District***", is hereby established to read in its entirety as follows:

**Chapter 17.81  
ECONOMIC INCENTIVE ZONE OVERLAY DISTRICT**

**Sections:**

**17.81.010 Purpose**

The purpose of the Economic Incentive Zone is to provide an area within the City that is considered to be a high priority commercial development corridor in which proposed new development will contribute to economic vitality of the City and is eligible to receive various incentives.

**17.81.011 Applicability**

The Economic Incentive Zone overlay may exist with any underlying commercial zoning district and shall be shown on the City's Official Zoning Map by adding an "EIZ" to the zoning designation for properties shown in Section 17.81.012.

**17.81.012 Economic Incentive Zone Map**

**17.81.013 Conflict between regulations**

Where a conflict occurs between the Economic Incentive Zone overlay district and any other section of the Zoning Code, the Economic Incentive Zone overlay district regulations shall prevail.

**17.81.014 Reserved**  
**17.81.015 Reserved**  
**17.81.016 Reserved**  
**17.81.017 Reserved**  
**17.81.018 Reserved**  
**17.81.019 Reserved**

### **17.81.020 Use classifications**

The use classifications allowed in the Economic Incentive Zone overlay district shall be those use classifications allowed in the underlying base zoning district.

### **17.81.021 Development standards**

- A. The development standards for all development within the Economic Incentive Zone shall be those standards of the underlying base zoning district.
- B. Exemptions. The City Planner may administratively exempt the following projects from the underlying zoning district's development standards:
  - a. Additions expanding existing structures by less than 35% of the gross floor area;
  - b. Exterior or interior remodeling;
- C. Conditional Use Permits. Uses shown in the underlying base zoning district as requiring a Conditional Use Permit may be permitted with a Site Plan Review if the City Planner administratively finds that the project is exempt from the California Environmental Quality Act.
- D. Undefined/Uses Not Permitted. Any use proposed in the Economic Incentive Zone that is either undefined or not permitted in the underlying base zoning district, may be permitted with a Conditional Use Permit if the Planning Commission adopts a resolution and specifically finds that the proposed use: 1) is consistent with the purposes of the Economic Incentive Zone; 2) is consistent with the general character of surrounding land uses; 3) is a specific type of commercial use that does not exist elsewhere in the City.

### **17.81.022 Procedures**

- A. Any use proposed to be located within the Economic Incentive Zone shall submit an application in accordance with the requirements of the underlying base zoning district, unless otherwise exempted herein.
- B. The City shall process all Site Plan Review and Conditional Use Permit development applications within the following time frames:
  - a. Requirements for additional information shall be provided to the applicant within two (2) days following the initial submittal of an application.
  - b. Following the resubmittal by the applicant of any additional information required for a Site Plan Review application, the City shall approve the Site Plan Review within seven (7) days.
  - c. Following the resubmittal by the applicant of any additional information required for a Conditional Use Permit, the City shall consider the application within 45 days.

### **17.81.023 Incentives**

The following incentives shall be granted for projects approved in the Economic Incentive Zone:

- A. Development Impact Fees - Projects with new or expanded structures less than 2,000 square feet. All new construction within the Economic Incentive Zone where the new or expanded structure(s) is/are less than 2,000 square feet in floor area shall be entitled to a 100% waiver of development impact fees.
- B. Development Impact Fees - Projects with new or expanded structures greater than 2,000 square feet. All new construction within the Economic Incentive Zone where the new or expanded structure(s) is/are greater than 2,000 square feet in floor area shall be entitled to a 50% reduction in development impact fees.
- C. Development Impact Fees – City Council approval. For projects with new or expanded structures that are greater than 10,000 square feet in floor area, the City Council may, at its sole discretion, approve a reduction in development impact fees greater than 50%.
- D. Application fees. All projects proposed within the Economic Incentive Zone shall be given a 50% reduction for Site Plan Review or Conditional Use Permit application fees.
- E. Building Permits. The following incentive schedule shall apply for building permit fee waivers and reductions:
  - a. Construction of less than 2,000 square feet shall be exempt from building permit fees.
  - b. Construction of between 2,001 square feet and 5,000 square feet shall receive a 75% reduction in building permit fees.
  - c. Construction of between 5,001 and 10,000 square feet shall receive a 50% reduction in building permit fees.
  - d. Construction greater than 10,000 square feet shall receive a 25% reduction in building permit fees.
- F. Development Agreements. The City Council may alter any of the provisions of this Section and grant less, greater, or other incentives through approval of a development agreement and upon finding that the approval of the development agreement will implement the purposes of the Economic Incentive Zone.

**17.81.024 Reserved**  
**17.81.025 Reserved**  
**17.81.026 Reserved**  
**17.81.027 Reserved**

**17.81.028 Reserved**  
**17.81.029 Reserved**

Section 2. The City Council of the City of Mendota hereby finds that the text amendments contained herein solely constitute changes to regulations, and do not authorize or approve any development or physical changes. As such, they have no potential to significantly affect the environment, and are therefore not subject to the California Environmental Quality Act (CEQA) as indicated in CEQA Guidelines §15061(b)(3).

Section 3. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Mendota City Council hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional.

Section 4. Within fifteen (15) days of the adoption of this Ordinance, a summary thereof, including the names of the City Council Members voting for and against it, shall be prepared by the City Attorney for publication in the *Firebaugh-Mendota Journal*, and a certified copy of the Ordinance shall be posted in the office of the City Clerk.

Section 5. This ordinance shall become effective and in full force at 12:00 midnight on the 31<sup>st</sup> day following its adoption.

\* \* \* \* \*

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**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Robert Silva, Mayor

ATTEST:

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Matt Flood, City Clerk

APPROVED AS TO FORM:

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Meggin Boranian, City Attorney

EXHIBIT A

Assessor's Parcel Numbers  
Economic Incentive Zone (EIZ)

012-190-21	013-161-10	013-251-09	013-224-14	013-132-14	013-191-19
012-190-36	013-161-11	013-224-11	013-225-11	013-132-03	013-191-10
013-152-02	013-161-12	013-173-01	013-225-15	013-132-13	013-191-18
013-152-04	013-161-13	013-173-02	013-221-06	013-132-11	013-192-02
012-190-31	013-193-01	013-181-22	013-124-08	013-133-08	013-192-03
013-152-03	013-193-02	013-181-03	013-143-08	013-153-01	013-192-04
013-152-09	013-193-03	013-181-24	013-143-09	013-133-09	013-153-04
013-152-19	013-193-04	013-185-05	013-132-04	013-142-05	013-153-08
013-152-18	013-193-05	013-185-07	013-121-01	013-142-07	013-162-02S
012-190-33	013-161-08	013-185-08	013-151-16	013-143-11	013-162-06S
012-190-32	013-161-07	013-183-01	013-133-05	013-144-06	013-162-12S
013-152-10	013-161-06	013-183-15	013-123-12	013-153-02	013-162-08S
013-162-20	013-173-03	013-183-05	013-123-09	013-143-07	013-162-10S
013-161-15	013-173-04	013-183-06	013-133-07	013-144-05	013-162-16S
013-161-02	013-173-16	013-194-01	013-151-13	013-192-01	013-162-18S
013-161-14	013-173-17	013-194-18	013-143-10	013-151-05	013-152-20S
013-161-03	013-244-17	013-194-22	013-133-06	013-153-03	013-162-19S
013-161-04	013-244-15	013-255-01	013-151-12	013-221-07	013-162-17S
013-244-07	013-172-01	013-255-07	013-124-04	013-221-08	013-162-09S
013-161-05	013-172-02	013-253-01	013-124-05	013-222-01	013-244-13S
013-161-09	013-172-03	013-242-04	013-151-09	013-222-14	013-061-01S
013-244-16	013-172-04	013-242-05	013-124-07	012-190-63	013-123-08S
013-253-27	013-172-05	013-251-08	013-151-08	012-190-62	013-142-10S
013-142-08S	013-142-09S				



EXHIBIT B

# Economic Incentive Zone

## City of Mendota





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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MATT FLOOD, PLANNING & ECONOMIC DEVELOPMENT MANAGER  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** FIRST READING OF ORDINANCE NO. 15-06, RECRUITMENT AND DESIGNATION OF RESERVE POLICE OFFICERS.  
**DATE:** APRIL 21, 2015

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**BACKGROUND**

In the course of speaking with Peace Officer Standards and Training (POST) Regional Training Consultant Jeff Dunn, Chief Andreotti came to the conclusion that the Mendota Municipal Code (MMC) should be updated to ensure compliance with POST requirements related to the designation of reserve officers. While the Code may not be in outright violation of the requirements, Chief Andreotti concluded that it would be prudent to make the specific changes to *ensure* compliance.

In this case, the California Penal Code (PC) specifies two types of reserve officers that can be appointed by the proper authority (the Chief of Police): designated reserves that have the authority and duty of an officer at all times, and a non-designated reserve that only has that duty and authority for the duration of their assignment (and only during their specific shift/assignment).

The interpretation by POST is that each City's municipal code that allows for the hiring of reserve police officers should specify if they are designated or non-designated in order to be compliant with their requirements. The addition of this section to the MMC will make it clear that the City of Mendota adheres to POST requirements and is consistent with State law.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Council perform the first reading of Ordinance No. 15-06 and set the public hearing for April 28, 2015



**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA ADDING  
SECTION 2.28.045 TO CHAPTER 2.28 OF  
TITLE 2 OF THE MENDOTA MUNICIPAL  
CODE RELATED TO THE  
RECRUITMENT AND DESIGNATION  
OF RESERVE POLICE OFFICERS**

**ORDINANCE NO. 15-06**

**The City Council of the City of Mendota does hereby ordain as follows:**

Section 1. Section 2.28.045 is hereby added to Chapter 2.28 of the Mendota Municipal Code and is to read as follows:

**2.28.045 - Recruitment and Designation of Reserve Police Officers**

**A. The Chief of Police, or his or her authorized designee, has the authority to select and appoint any reserve police officer within the "Reserve Police Officer I" job classification as a "designated" reserve police officer as provided by California Penal Code Section 830.6(a)(2). The authority of the reserve police officer so designated includes the full powers and duties of a peace officer as provided by California Penal Code Section 830.1.**

**B. Any reserve police officer within the "Reserve Police Officer I" job classification not appointed as a "designated" reserve police officer as provided in subsection A of this section is a "non-designated" reserve police officer as provided by California Penal Code Section 830.6(a)(1). The authority of a non-designated reserve police officer shall extend only for the duration of the reserve officer's specific assignment.**

Section 2. The City Council of the City of Mendota hereby finds that the text amendments contained herein solely constitute changes to regulations, and do not authorize or approve any development or physical changes. As such, they have no potential to significantly affect the environment, and are therefore not subject to the California Environmental Quality Act (CEQA) as indicated in CEQA Guidelines §15061(b)(3).

Section 3. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Mendota City Council hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional.

Section 4. Within fifteen (15) days of the adoption of this Ordinance, a summary thereof, including the names of the City Council Members voting for and against it, shall be prepared by the City Attorney for publication in the *Firebaugh-Mendota Journal*, and a certified copy of the Ordinance shall be posted in the office of the City Clerk.

Section 5. This ordinance shall become effective and in full force at 12:00 midnight on the 31<sup>st</sup> day following its adoption.

\* \* \* \* \*

The foregoing ordinance was introduced on the 21<sup>st</sup> day of April, 2015 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 28<sup>th</sup> day of April, 2015 by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Robert Silva, Mayor

ATTEST:

\_\_\_\_\_  
Matt Flood, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Meggin Boranian, City Attorney

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** APPROVAL OF A PURCHASE CONTRACT TO ACQUIRE PROPERTY AT 1759 7<sup>TH</sup> STREET  
**DATE:** APRIL 21, 2015

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**BACKGROUND**

The Council and City Manager have been discussing the appropriate location for a new park along 7<sup>th</sup> Street as part of an overall plan to enhance the attractiveness of 7<sup>th</sup> Street as a business corridor.

An opportunity has arisen, through negotiations with local property owner Ernestine Torres, to acquire the property located at 1759 7<sup>th</sup> Street. The parcel measures approximately 12,600 square feet, or roughly 0.28 acres. The property is ideally suited both in size and location for a passive park – that is a park with benches, landscaping, gazebos, a stage, but no active play apparatus.

The purchase price is \$85,000

**ANALYSIS**

Over the past several months, the City Manager has encouraged the Council to consider the purchase of one of the vacant properties along 7<sup>th</sup> Street as a possible site for a future park. The park would contribute to the overall beautification of one of the City's primary commercial corridors and may serve as an impetus for spurring economic development.

The City Manager has conducted negotiations, at Council's direction, with this property owner, Ernestine Torres, and the purchase contract before Council is the result of those discussions.

The purchase price was agreed at \$85,000. The City is requiring that demolition on the existing building prior to the completion of the purchase – which Mrs. Torres has agreed to. Mrs. Torres is requiring "naming rights" in the event a park is developed on the site – a condition that the City has agreed to, subject to the Council's approval.

Upon acquisition, City staff will immediately begin the search for funding sources, i.e., grants, that cover all (or part) of the cost of developing a park on the site. As grant funding is typically cyclical, this may take up to a year.

## **CEQA**

The acquisition of the property is a Class 16 Categorical Exemption under the California Environmental Quality Act – *Transfer of Ownership of Land in order to create Parks.*

## **FISCAL IMPACT**

Staff proposes to finance the purchase of the property over a five year period. At 5.5% interest on \$85,000 amortized over 5 years, the monthly payment would be approximately \$1,624/month.

The source of this payment would be savings realized from the end of the loan payment on the EDD building. Presently, the City pays \$3,050/mo. debt service on the EDD building. This debt service is funded by the rent received on the building from the EDD, which is \$3,427/mo. However, this debt payment is ending in May, leaving more than twice the needed about to service the debt on this property acquisition.

## **RECOMMENDATION**

Staff recommends that the Council adopt the attached resolution approving the purchase contract for the acquisition of 1759 7<sup>th</sup> Street.

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA APPROVING  
A REAL PROPERTY PURCHASE  
CONTRACT TO ACQUIRE PROPERTY  
AT 1759 7<sup>TH</sup> STREET**

**RESOLUTION 15-31**

**WHEREAS**, the City Council has expressed interest in exploring opportunities to beautify the 7<sup>th</sup> Street corridor in an effort to cultivate economic development; and

**WHEREAS**, the City Council believes the best way to accomplish this goal is to acquire a vacant parcel along 7<sup>th</sup> Street with and seek funding in order to development a park on the site; and

**WHEREAS**, the City Council previously directed the City Manager to negotiate with Ernestine Torres, owner of 1759 7<sup>th</sup> Street for the purchase of that property; and

**WHEREAS**, the City Manager has concluded negotiations with said property owner, consistent with direction provided by the City Council, and presents a Real Property Purchase Agreement, attached hereto and made part hereof, for Council's consideration and approval.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota that the City Council hereby approves the Real Property Purchase Contract to acquire 1759 7<sup>th</sup> Street, in Mendota.

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Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 21<sup>st</sup> day of April, 2015, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Matt Flood, City Clerk

**REAL PROPERTY PURCHASE CONTRACT**

1. OFFER

The City of Mendota, (Buyer), offers to purchase residential real property identified as 1759 7<sup>th</sup> Street, Mendota, California (APN 013-222-14) , from Ernestine Torres, (Seller), for the purchase price of \$85,000.00 (eighty five thousand dollars).

2. ACCEPTANCE

Upon acceptance in writing of Buyer’s offer, Buyer shall deposit the sum of \$1,000.00 (one thousand dollars) in an escrow account of Buyer’s choice, which shall be credited towards the purchase price.

Said escrow shall be subject to usual and customary terms and conditions.

3. SPECIAL CONDITIONS

- a. Seller retains the right to name the park, if one is developed on the site of the purchased property, subject to reasonable approval of Buyer.
- b. Seller shall demolish and remove any existing structures on the site of the purchased property prior to completion of purchase.
- c. Buyer shall be responsible for all recordation and other usual and customary costs and fees associated with the purchase of the property.

4. NOTICE

Seller shall be noticed at 3827 N. 1<sup>st</sup> Street, Fresno, California 93726.

Buyer shall be noticed through Vince DiMaggio, City Manager, at City of Mendota, 643 Quince Street, Mendota, California 93640.

The parties agree to the terms and conditions of this Real Property Purchase Contract as follows:

SELLER:

BUYER:

\_\_\_\_\_  
Ernestine Torres

\_\_\_\_\_  
City of Mendota  
By: Vince DiMaggio, City Manager

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CHARLES W. JOHNSON, DIRECTOR OF SUPPORT OPERATIONS  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** GRANT APPLICATION: CDBG 2015-2016  
**DATE:** APRIL 21, 2015

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**BACKGROUND**

Each year, the City of Mendota is allocated funds through Fresno County for the Community Development Block Grant (CDBG). On September 23, 2014 a public hearing was conducted to allow public comment on the Mendota Water System Improvement grant application in the amount of \$300,200 for the fiscal year of 2015-2016.

On March 9, 2015 the City Manager's discussed allocations and proposed activities for the 2015-2016 fiscal year and recommended approval; which the City was awarded the requested amount for the aforementioned project, in addition to the "available balance" of \$54,673.

The City requests to utilize the additional funds to reconstruct our existing City Council Chambers to provide ADA improvements to the dais. Additionally, the project will consist of replacing the existing interior/exterior chamber doors to provide accessibility to our ADA public restrooms.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Council

1. Formal approval and authorization of the submittal of the CDBG application and attached Resolution No. 15-32.



**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AUTHORIZING  
STAFF TO SUBMIT A SECOND COMMUNITY  
DEVELOPMENT BLOCK GRANT FOR THE  
FISCAL YEAR OF 2015-2016**

**RESOLUTION 15-32**

**WHEREAS**, The County of Fresno receives an annual allocation of Community Development Block Grant (“CDBG”) funds from the federal Department of Housing and Urban Development (“HUD”); and

**WHEREAS**, The County makes a portion of these grant funds available to each of its participating cities based on the same HUD formula by which the County receives it funding; and

**WHEREAS**, the City Council of the City of Mendota elected to enter into the CDBG program with the County of Fresno in order to receive CDBG funds; and

**WHEREAS**, funding in the amount of approximately \$54,673 has been allocated to the City of Mendota for the fiscal year of 2015-2016; and

**WHEREAS**, City of Mendota has selected to use the funds for the Mendota Municipal Center ADA Improvements to reconstruct the existing City Council Chambers dais to provide ADA improvements, and to replace the existing interior/exterior chamber doors to provide ADA accessibility to the public restrooms; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Mendota hereby resolves the following:

1. That the City Council of the City of Mendota does hereby approve the submission of CDBG second grant application for the fiscal year of 2015-2016;
2. That the City Council of Mendota does hereby authorize the expenditure of necessary funding to be reimbursed under the Mendota Municipal Center ADA Improvement Project;
3. That the City Manager is authorized to execute all additional documentation as may be required to accomplish the obtaining a grant offer.

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Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 21<sup>st</sup> day of April, 2015, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Matt Flood, City Clerk

City of Mendota  
Proclamation to the Citizens of  
Mendota, California  
Proclamation 15-01

***Declaring April 20, 2015 "Earth Day" in the City of Mendota  
and Recognizing April 22, 2015 as "Earth Day" Worldwide***

**WHEREAS**, Fresno County faces extraordinary challenges, such as health issues, food and water shortages, and economic struggles, which are especially evident and magnified in the City of Mendota; and

**WHEREAS**, all people, regardless of race, gender, income, or geography, have a right to a healthy, sustainable environment with economic growth; and

**WHEREAS**, it is understood that the citizens of Mendota must step forward, be the lead, and take action to create a more healthy, clean, and green community and economy to combat the aforementioned challenges; and

**WHEREAS**, a clean and healthy community can be achieved on the local level through united activity, educational efforts, and civic engagement; and that the leaders of this community can champion these principles so as to achieve maximum success; and

**WHEREAS**, the City of Mendota along with our partners in the private sector, Covanta Energy, Pacific Gas and Electric, as well as many others have taken considerable measures in the past few years to increase activities and awareness revolving around environmental issues; and

**WHEREAS**, parents, youth, government, business, law enforcement, schools, religious institutions, service organizations, media and the general public as well as various additional public and private contributors are encouraged to demonstrate their commitment to sustainable communities by engaging in community-based efforts and activities during Earth Week; and

**WHEREAS**, the City Council of the City of Mendota always challenges its residents to do their fair part in creating an aesthetically pleasing and health conscientious environment that will foster a sense of pride in the community.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the *City of Mendota* does hereby proclaim April 20, 2015 as "**EARTH DAY**" in the City of Mendota, and encourages all Mendota residents to take steps to lessen the impact on our environment; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Mendota, State of California, does hereby support environmental initiatives and strongly encourages others to undertake similar actions by participating in the events and educational activities that take place during the worldwide recognized date of Earth Day on April 22, 2015.

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**Robert Silva, Mayor**

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MATT FLOOD, PLANNING & ECONOMIC DEVELOPMENT MANAGER  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** RESOLUTION DECLARING A STAGE III WATER EMERGENCY.  
**DATE:** APRIL 21, 2015

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**BACKGROUND**

The City is currently under a Stage II Water Emergency as defined by local ordinance and required by state law. Generally, Stage II restricts the hours that car washing can occur, requires that restaurant customers specifically request water as part of their meal, and restricts fountain uses to only those that use recycled water.

In February Council considered a Stage III declaration but decided to wait and see what action the State would take in terms of requirements for local governments. On April 1<sup>st</sup> Governor Brown signed a declaration that, among other things, requires cities to reduce their water usage by 25% compared to 2013 usage. Also part of the declaration that will have a significant effect on our community is the implementation of a tiered-level billing system for water customers, which staff will probably be bringing to Council for consideration at an upcoming meeting in the form of an ordinance.

Given this unprecedented mandate, a Stage III Water Emergency would be appropriate. It would add greater restrictions than Stage II (for example, Stage III allows outdoor yard watering only between the hours of 8pm and midnight). Additionally, non-commercial car washes are prohibited and commercial car washes may only occur during certain specified hours. Lastly, swimming pools are prohibited from being re-filled.

**FINANCIAL IMPACT**

Unknown impact due to reduced use of water by residents and increased fines due to violation of conservation standards.

**RECOMMENDATION**

Staff recommends Council adopt Resolution No. 15-30.

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA DECLARING  
A STAGE III WATER EMERGENCY**

**RESOLUTION 15-30**

**WHEREAS**, it appears that the State is experiencing its fourth year of drought due to substandard rainfall totals; and

**WHEREAS**, the City has become aware of many new private water wells that will be located in proximity to the City's municipal water wells and are scheduled to come online within the next several months; and

**WHEREAS**, Governor Brown has signed Executive Order B-29-15, mandating strict water conservation measures for all Californians; and

**WHEREAS**, in order to comply with the Governor's order, the City Council has determined that it is necessary to declare a Stage III Water Emergency in accordance with § 13.32.060 of the Mendota Municipal Code; and

**WHEREAS**, in addition to the requirements of § 13.32.060, the Council further specifies that the designated days for outdoor watering are Wednesday, Friday, and Sunday for odd numbered properties and Tuesday, Thursday, and Saturday for even numbered properties, from 8 p.m. until midnight; and

**WHEREAS**, the City Council hereby directs staff to enforce all elements of the Stage III Water Emergency in accordance with Chapter 13.32 of the Mendota Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota that the City Council hereby declares a Stage III Water Emergency.

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Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 21st day of April, 2015, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Matt Flood, City Clerk



# Mendota Police Department Memorandum

**Date:** April 1, 2015  
**To:** Vince DiMaggio, City Manager  
Mendota City Council Members  
**From:** Gregg L. Andreotti, Chief of Police  
**Subject:** Monthly Report for March 2015

## **Significant Cases:**

A burglary was reported to the Mendota Day Care Center located at 195 Smoot Street. A rear window was broken with a metal trash can lid. Officers were unable to get a hold of a responsible party and follow up was necessary. On March 2, 2015 a suspect was identified regarding the burglary. Officers were able to contact and interview him. He admitted to entering the building. The bottom of his shoes matched the shoe prints located at the crime scene. Blood stains were located on a trash can lid at the scene and the suspect had several cuts. He was eventually arrested and booked into jail.

Officers were dispatched to the 200 block of Marie Street regarding a traffic collision with injuries. One driver was intoxicated while driving on the wrong side of the roadway when he collided head-on into another vehicle. The other driver received minor injuries and both vehicles had major damage. The intoxicated driver was arrested for DUI and causing the collision.

There was a report of an attempt break in at the Senior Center, 415 Sorenson Ave. Pry marks were located on the rear door. Unknown if this is related to the Day Care incident.

An officer contacted a subject coming out of an abandoned property at 1867 9th Street. The subject was found to be on probation and in possession of a meth pipe. He admitted the pipe was his. He was subsequently arrested and cited for the violation.

Officers responded to the Catholic Church @ Quince/5th Street regarding a homeless man who locked himself in the restroom and was refusing to leave. He had previously been told he wasn't allowed on the property. While trying to take the man into custody he resisted and became combative. He was eventually taken into custody.

MPD was advised of a You Tube video that depicted drivers of pick-up trucks vandalizing the cement pad at the Mendota Pool Park. Personnel were able to identify many of the vehicles and persons on the video. The driver of the truck causing the damage was contacted and a report written. MPD is networking with him for repair of the damage.

Kerman Police initiated a pursuit of a stolen vehicle out of Mendota. The pursuit terminated when the driver of the stolen vehicle lost control and collided with a tree. The driver was a Mendota resident and died as a result of injuries received in the collision. The passenger received injuries and survived. A handgun was located in the stolen vehicle.

MPD received a Crime Stopper tip and was able to locate the wanted subject as a result of the information provided. The felony warrant was confirmed and the subject was arrested.

Officers contacted a known identity theft suspect who was taken into custody without incident. A search warrant was then served at the residence. Newly issued credit cards for people not of the residence, stolen property, methamphetamine and paraphernalia was located and seized. Children were at the residence at the time of the warrant service. CPS was notified.

Officers observed two subjects walking with open containers of beer. As officers approached one of the subjects threw his beer and a loaded handgun onto the lawn of a residence. The subjects were detained. The person who threw the handgun was arrested and found to be on felony probation from Mendota.

Officers were dispatched to the Mendota Drug Store at 497 Oller Street regarding an audible alarm caused by a window sensor. Officers arrived within seconds and verified there was a shattered front window. No one was located inside. Drawers were ransacked and it was determined cash was taken. Some bottles of Promethazine w/ Codeine were taken (see photo below). A large piece of broken concrete similar to that found in the alley behind the business was used to break the window. No suspects known and follow up is ongoing.





Officers responded to Oller St / Belmont Ave regarding a traffic collision with injuries. One vehicle was travelling S/B on Oller Street approaching Belmont Avenue as another vehicle attempted to make a left turn from Belmont onto N/B Oller. The first vehicle did not have time to stop and collided with the turning vehicle. The driver of the first vehicle complained of pain to his right leg and was transported to CRMC by EMS. Both vehicles were towed

Officers responded to 437 Oller Street regarding a hit & run. The victim said someone drive into her building causing moderate damage. Alicia stated the hit & run occurred between the day prior at 2030hrs and the day reported at 0830hrs. No suspects known.

Officers responded to the area of Oller Street & 8<sup>th</sup> Street regarding a non-jury traffic collision. One driver was traveling N/B on Oller Street approaching 8<sup>th</sup> Street when a van pulled out in front of her vehicle causing her to collide with it. While investigating, officers noticed objective symptoms of intoxication with the second driver. He was eventually placed under arrest for DUI and his vehicle was towed. Records showed this was his third (3rd) DUI. His driver's license was suspended from a previous DUI in 2012 where he was found at fault for a traffic collision. A 30 day hold was placed on his vehicle due to this being his third DUI arrest.

Officers contacted a suspicious person at 7<sup>th</sup> and Quince Street, who was found in possession of a meth pipe with residue. He was processed and released with a citation. Later in the evening this person was contacted again, but this time he was riding a bike while balancing a gas powered leaf blower. He said he was taking the blower to a friend. He was photographed with the blower and the incident was documented.

Officers responded to the 500 block of Naples Street in regards to a possible gang related brandishing of a knife. The possible suspect was identified and a warrant for his arrest was discovered. He was located and refused to follow officer's instructions to be taken into custody. He physically resisted and officers use necessary force to take him into custody. He was transported and booked into FCJ.

Officers responded to Central Regional Medical Center in regards to a domestic violence. The victim reported her ex- boyfriend whom she has one child in common with, punched her several times in her face rendering her unconscious. This occurred sometime on either 02/24/15 or 02/25/2015 at around 1800 hours. The victim had been hospitalized for over a month in a comma. The suspect was located later this night and arrested. Follow- up is ongoing.

Officers recognized a subject as being on parole and open to search. Upon contact they conducted a pat down search and located a loaded handgun in his waistband. The gun was found to have been reported stolen. He was arrested, his parole was revoked and he was booked into jail.

Officers respond to a local mini-mart regarding a patron causing a disturbance and refusing to leave. The patron calls 911 and claims he was the victim of a crime. This report was determined to be false and he was ordered to leave the premises. He then continues to call 911 and is belligerent with dispatch. Upon contact for the second time, after refusing to leave, he kicks open the driver's door of his car in a deliberate action to strike an officer who was standing outside the car. He refused to submit to arrest and fights with officers. He is subsequently taken into custody for Trespassing and Fighting with Officers.

Officers conducted a patrol check at City Hall and contacted a person with an outstanding warrant for his arrest. He was taken into custody and booked into jail.

Officers responded to a report of vandalism. The victim said her son (who is the same person arrested by officers for trespassing and resisting arrest at the mini-mart) came to her home and threw a cinder block through her truck window. The victim valued the window damage at \$100 and wanted her son arrested for the vandalism. She signed a citizen's arrest form and her son was later located at his residence and taken into custody. He was cited and released with a promise to appear in court.

Officers responded to the alleyway behind 1171 Oller St. for the report of a fire. Upon arrival Officers located a small trash pile on fire near the alley way. Cal fire was dispatched and extinguished the fire. The fire was ruled arson by Cal fire authorities. There was no damage caused by the fire and no witnesses.

Officers were dispatched to a mini-mart regarding an assault with a deadly weapon. Upon arrival they contacted the Reporting Party (suspect) who stated he was being followed by a subject who was driving a grey truck so he shot at the truck with his BB gun. A BB pistol was located in his vehicle which he stated was used to shoot at the grey truck. A loaded pellet rifle was also located in the back seat of his vehicle. The driver of the grey truck (victim) was not injured in the incident but his vehicle's back window and passenger rear window were both shattered and his truck had approximately 12 pellet shots throughout. The suspect was arrested and booked into jail.

Officers were dispatched to Belmont Ave and Derrick Ave regarding an animal abuse. Cal Fire Firefighters witnessed a subject whipping a pit bull with a dog collar, kicking him, and dragging him by the collar. The subject was later located and identified. He admitted to hitting the dog while trying to train him. He was positively identified by the witnesses. He was taken into custody and also found to be in possession of a glass meth pipe. He was booked into jail.

## **Strategic Planning:**

I completed the month in the Look, Listen and Learn mode. I have made a few changes and offered recommendations regarding some issues. I have networked with some peer Police Chief's and Chief Deputy DA. I am very pleased with the personnel working for the Mendota PD.

There has been one MPD Supervisors Meeting thus far where I introduced myself, identified my expectations and the "Community" path the agency will be travelling upon. I informed the Corporals they are supervisors and will be responsible for shift oversight and the personnel assigned to the shift.

All collateral duties have been assigned a Supervisor (Corporal) for oversight and accountability. The Field Training Program and Policy and Procedure Manual have been identified as priority items to be reviewed and updated.

I have individually met with most of the personnel; given or reiterated my expectations and our direction and solicited their comments, questions, concerns, issues and complaints.

MPD is in the process of acquiring two new vehicles. We should take possession in early April.

We have received five new portable radios and five new desktop computers. These items were purchased with Homeland Security funds. We are now in the implementation stages with the computers. Homeland Security funds are available for us to finish the project.

## **Personnel Changes:**

Corporal John Lemus remains on extended medical leave.

Corporal Chris Tsaris was injured off-duty and was on extended medical leave the remainder of the month.

Contract Police Officer Armando Casas completed the Field Training Program and was assigned to (W)TFS night shift. He is currently backfilling Corporal Lemus' vacancy.

Contract Police Officer Chris Galpin completed the Field Training Program and was assigned to SMT(W) night shift.

Carlos Esqueda was hired as a full time Police Officer. He is currently in the Field Training Program.

With the assigning of the new Contract Officers to regular duty shifts, Officer Jim Lim was moved to (W)TFS swing shift (1500-0300)

Because Contract Officer Casas is backfilling Corporal Lemus' regular duty assignment, this incurred a Contract Officer vacancy. Reserve Officer Oscar Sepulveda was selected to move into the Contract Officer position. He is scheduled to begin Field Training the week of March 30, 2015