



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

June 9, 2015

Meeting called to order by Mayor Silva at 6:01 p.m.

Roll Call

Council Members Present: Mayor Robert Silva, Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

Council Members Absent: Mayor Pro Tem Valdez.

Flag salute led by Mayor Silva.

Invocation led by Pastor Raymond Aquino a member of the Pentecostal Church of God and Pastor at FCI-Mendota.

A moment of silence was held for Ed Petry who had recently passed away and Councilor Riofrio highlighted important events in Mr. Petry's life.

FINALIZE THE AGENDA

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

A motion was made by Councilor Amador to adopt the agenda, seconded by Councilor Riofrio; unanimously approved (4 ayes, absent: Valdez).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Sandra Alvarado (1725 8th Street) – reported that she was advised by Code Enforcement that she needed to move her trailer due to its non-compliance with the Mendota Municipal Code; pointed out other homes that have trailers parked on their property that do not comply with the municipal code; and that municipal code violations should be equally throughout the City.

Discussion was held on other trailers that are parked on properties throughout the City that do not comply with the municipal code; equally enforcing municipal code violations; and further discussing the issue at a later time in the meeting.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council meeting of May 26, 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 (4 ayes, absent: Valdez).

CONSENT CALENDAR

1. MAY 29, 2015 THROUGH JUNE 04, 2015
WARRANT LIST CHECKS NO. 39455 THRU 39510
TOTAL FOR COUNCIL APPROVAL = \$229,149.54

A motion was made to approve items 1 and 2 of the consent calendar by Councilor Amador, seconded by Councilor Riofrio; unanimously approved (4 ayes, absent: Valdez)

BUSINESS

1. Council discussion and consideration to adopt **Resolution No. 15-39**, confirming the appointment of members to serve on the personnel board.

Mayor Silva introduced the item and Director of Support Operations Johnson summarized the report including the purpose of the personnel board; the amount of members on the personnel board; and the length of terms of the members.

Discussion was held on the possible conflict of interest of Mr. S. Leo Capuchino due to him serving as a City Council member in the past; Mr. Capuchino being able to join the personnel board since he does not hold a current salaried position with the City; having City Attorney Boranian research the issue and report back to the Council the next day; having the appointed alternate board member serve as a board member in the case that Mr. Capuchino cannot be a part of the personnel board; the previous members of the personnel board; and other persons that might be interested in filling the second alternate board member position.

A motion was made to adopt Resolution No. 15-39 by Councilor Amador, seconded by Councilor Riofrio; unanimously approved (4 ayes, absent: Valdez).

2. Council discussion and consideration on once-per-week garbage collection of all three bins.

Mayor Silva introduced the item and City Manager DiMaggio stated that the contract with Mid Valley Disposal allowed for once-per-week garbage collection of all three bins; the adoption of state law that will soon mandate the collection of organic waste which would then require the weekly pick-up of all three bins; amending the contract with Mid Valley Disposal to add the new rate schedule which includes a 7.5% rate increase; and Council's discretion to defer the weekly pick-up of all three bins until the state law becomes applicable in 2016.

Discussion was held on the importance of beautifying the community; the issue of overcrowding in homes causing overflowing garbage bins; the increase of scavengers in the City; and ways to reduce the amount of scavengers looking through garbage bins.

Joseph Kalpakoff (Mid Valley Disposal) – stated that residential rates have not changed since 2003; the importance of educating the public on garbage collection; ways to reduce the amount of scavengers looking through garbage bins; Mendota being the last community to convert to weekly pick-up of all three bins; and educating the public on the collection of organic food waste.

Council consensus to direct staff to draft a resolution to amend the contract with Mid Valley Disposal to allow for weekly pick-up of all three garbage bins.

3. Council perform the first reading of **Ordinance No. 15-09**, amending Sections 17.04.110 and 17.88.010 of the Mendota Municipal Code related to the establishment and regulation of off-site temporary signs.

Mayor Silva introduced the item and Planning & Economic Development Manager Flood summarized his report including business owners expressing their concerns in regards to off-site signs being prohibited within the City; Council's direction to staff to draft an ordinance that allows temporary off-site signs for specific uses; the Planning Commission's and staff's recommendation to maintain the current code as it is; and staff drafting an ordinance that allows off-site temporary signs for specific uses.

Discussion was held on the narrow scope of use for the signs that are allowed under the proposed ordinance; the type of material that signs have to be made of; how staff will handle off-site signs that currently exist within the City if the ordinance is not passed; staff sending a letter to all businesses in regards to the prohibition of off-site signs and allowing them to comply with the municipal code;

A motion was made to take no action on the item and direct staff to take appropriate action regarding current illegal off-site signs by Councilor Riofrio, seconded by Councilor Amador; unanimously approved (4 ayes, absent: Valdez).

PUBLIC HEARING

1. Council hold a public hearing and perform the second reading of **Ordinance No. 15-07**, adopting the official map of the Economic Incentive Zone (EIZ) of the City of Mendota.

Mayor Silva introduced the item and Planning & Economic Development Manager Flood summarized his report including the ordinance codifying the parcels within the EIZ; the various incentives included within the EIZ such as flexible development standards, expedited permit processing, and the reduction of fees; the Planning Commission approving the Conditional Use Permit for Autozone; and Autozone and McDonald's benefitting from the EIZ.

Discussion was held on how existing businesses within the EIZ can benefit from it.

At 6:57 p.m. Mayor Silva opened the hearing to the public and, seeing no one present willing to comment, closed it in that same minute.

A motion was made to adopt Ordinance No. 15-07 was made by Councilor Riofrio, seconded by Councilor Castro; approved (3 ayes, abstain: Amador, absent: Valdez)

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report

Planning & Economic Development Manager Flood explained that he has met with Ms. Sandra Alvarado numerous times regarding her trailer not complying with the municipal code; Code Enforcement advised Ms. Alvarado that her trailer had to be moved due to its non-compliance with the municipal code; the regulations that have to be followed in order for trailers to be parked on a property within the City; the way Ms. Alvarado's home is built not allowing her to follow those regulations; Code Enforcement enforcing different types of violations throughout the City; Ms. Alvarado being granted an extension of time to move her trailer; meeting with City Attorney Boranian in regards to the issue; moving forward with weed abatements throughout the City; and enforcing garbage bin regulations.

Discussion was held on possible exemptions regarding trailer parking at homes with unusual circumstances; identifying other violators and warning them as well; the need of compliance in regards to trailer parking; a business along Oller Street that cleared their windows of signs; and whether businesses are allowed to have signs covering their windows.

2. Police Department
 - a) Monthly Report

Chief of Police Andreotti summarized his report including the arrest of an individual involved with auto theft resulting in significantly less auto thefts; the report reflecting the activity of the officers; the status of the Ford Explorer upfitting; various personnel changes within the department; the status of the hiring of the School Resource Officer; and the possibility of acquiring new officer positions through grants.

Discussion was held on the drug problem within the City; the police department's goal to address the drug problem; the increase of officers on foot patrol; the importance of community oriented policing; and thanking Chief Andreotti for his detailed report.

2. City Attorney
 - a) Update

City Attorney Boranian reported on her discussions with the Mendota Unified School District's (MUSD) attorney in regards to transferring the community center deed to the City; the MUSD attorney following up with the school board in regards to the issue; and the interest of I-5 social services transferring property back to the City.

3. City Manager
 - a) Report

City Manager DiMaggio reported on receiving a donation from Provost & Pritchard for the upcoming Driver Awareness event; an upcoming FCI-Mendota Community Relations Board meeting; and a Board of Supervisors Special Joint meeting with the City Manager's of various communities that will be held on June 22nd.

Discussion was held on Federal Aviation Administration regulations in regards to crop dusters flying near the City and the possibility of having them come out to the City to investigate the situation.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Councilor Amador thanked staff for their efforts in planning the upcoming Driver Awareness event.

2. Mayor

Mayor Silva reported on an article about unaccompanied immigrant minors utilizing pro bono resources in their efforts to navigate through the immigration enforcement system and the Mendota residents that are featured in the article.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
CA Government Code § 54956.9 (a)
Lisbeth Martinez v. City of Mendota- EEOC Charge No. 485-2015-0024

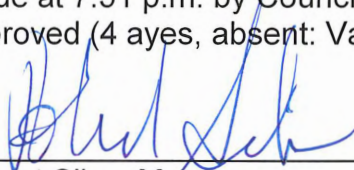
2. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
CA Government Code § 54956.9 (a)
City of Mendota/Nationwide (a/s/o DT Locke, Inc.) – Claim No. FR96193

At 7:31 p.m. the Council moved into closed session.

At 7:50 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 7:51 p.m. by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (4 ayes, absent: Valdez).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

