

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting Tuesday December 10, 2013

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

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Joseph Amador, and Councilors S. Leo Capuchino, Joseph Riofrio, and Sergio Valdez.

Council Members Absent: None.

Flag Salute led by Director of Support Operations Charles Johnson

FINALIZE THE AGENDA

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

Mayor Silva requested to add a business item to spend money from the Community Promotions fund to have a celebratory meal for the Mendota Aztecs High School Football Team. Staff requested to take the presentation item off of the agenda to be done at the next meeting and to remove item number 5 of the Consent Calendar.

A motion was made by Councilor Riofrio to adopt the agenda with the recommended adjustments, seconded by Councilor Valdez; unanimously approved (5 ayes).

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council Meeting of November 26, 2013.
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 Mayor Pro Tem Amador; unanimously approved (5 ayes).

PUBLIC HEARING

1. Council introduce and waive the first reading of **Ordinance No. 13-07** adopting the River Ranch Specific Plan and enacting the requisite zoning text amendments therein, and open the hearing to the public. [City Planner, O'Neal]

Mayor Silva introduced the item and City Planner O'Neal provided information on the City's General Plan; previous plans for industrial uses along State Route 33; the nature of specific plans such as this one, including that they should always be consistent with and implement elements of the General Plan; the Planning Commission passed the resolution supporting it and forwarded a recommendation to the Council to approve the River Ranch Specific Plan (RRSP); what the RRSP contains; the different land uses in the RRSP; the creation of a regional commercial district; the overlay districts; the nature of the RRSP in setting the stage for development; the circulation, on-street parking, open-space, bicycle and pedestrian trail plans; the layout of the proposed streets; the use of roundabouts; conceptions of park layouts; prose water and wastewater systems; the proposed phasing of the construction stages of the RRSP; it is a project under CEQA, and environmental study was done with no significant impact, and a negative declaration was filed; and the recommendation to conduct the public hearing and continue it until a special meeting to be held on December 17th.

Discussion was held on the access points that will be on the future extension of State Route 180; the effects of the future SR 180 on the circulation plan; the small chance of potential litigation; water availability for people that will live in the boundaries of the RRSP; that the RRSP does not grant any owner entitlements; the requirement that at least half of the land has plans for development before annexation; and the ponding basin's capacity during wet years.

At 7:02 p.m. Mayor Silva opened the hearing to the public.

Brandon Broussard stated that as a representative of the current owners of the property covered by the RRSP he is happy to see this project moving forward.

Seeing no more individuals interested in commenting, a motion was made by Councilor Riofrio to waive the first reading of Ordinance No. 13-07 and continue the public hearing to the December 17th meeting, seconded by Councilor Valdez; unanimously approved (5 ayes).

2. Council introduce and waive the first reading of **Ordinance No. 13-08** changing various sections of Title 17 of the Mendota Municipal Code related to planned developments, and **Ordinance No. 13-09** changing the zoning map of the City to reflect a change from R-1 (Single-Family/Medium Density Residential) to R-3, High Density Multiple Family Residential), and open the hearing to the public. [City Planner, O'Neal]

Mayor Silva introduced the item and City Planner O'Neal reported on the need to change the zoning type of this property and ordinances related to planned developments; the recommendation from the Planning Commission to approve the

change; that multi-family residential buildings cannot be built in areas zoned R-1; zoning must be consistent with the General Plan; the need to change the property to R-3 through a change in land use; density bonuses provided when properties have a certain amount of affordable housing units available; the change that would allow for a more efficient method of labeling property; the inclusion of a children's play area; the CEQA requirements regarding these changes as a project with no significant environmental impacts; the notices that were sent out to the appropriate parties; and the staff recommendation to waive the first reading, open the hearing to the public and continue the hearing until the December 17th meeting.

Discussion was held on the requirement to provide the City with information regarding affordable housing so as to maintain eligibility for the density bonus; the use of the alley ingress and egress into parking stalls; and the Planning Commission's requirement to improve the drive approach and alley along his property.

At 7:22 p.m. Mayor Silva opened the hearing to the public.

Seeing no individuals interested in commenting, a motion was made by Mayor Pro Tem Amador to waive the first reading of Ordinance Nos. 13-08 and 13-09, and continue the public hearing to the December 17th meeting, seconded by Councilor Capuchino; unanimously approved (5 ayes).

PRESENTATIONS

1. Representatives from Price, Paige, & Company to report on the Fiscal Year 2012-2013 audit.

(This presentation was moved to the January 14, 2014 meeting)

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None Offered

CONSENT CALENDAR

1. NOVEMBER 26, 2013 THROUGH DECEMBER 5, 2013
WARRANT LIST CHECKS NO. 37124 THRU 37180
TOTAL FOR COUNCIL APPROVAL = \$331,884.49
2. Council approve to cancel the December 24, 2013 Regular Council Meeting due to the Holiday season.
3. Council authorize the Mayor to execute amendment #8 to the Fresno Council of Governments Joint Powers Agreement.
4. Council authorize the Interim City Manager to execute the Administrative

Services Agreement with the Designated Local Authority.

Item 1 was pulled from the Consent Calendar for separate consideration (At 7:23 p.m. Councilor Riofrio stepped out of the chambers). A motion was made by Mayor Pro Tem Amador to approve items 2 through 4 of the Consent Calendar, seconded by Councilor Capuchino; unanimously approved (4 ayes; absent: Riofrio).

At 7:25 p.m. Councilor Riofrio re-entered the Chambers. Councilor Valdez inquired as to the approval given to make repairs.

Councilor Riofrio referred to warrant 37126 and asked why their deposit was refunded and City Engineer responded that when the City requests a deposit, it is an estimated amount, and the project in question was simpler than previous thought. Councilor Riofrio referred to warrant 37147 and asked if the City was still using Ron Demmers. Interim City Manager Pauley explained that Mr. Demmers has the required certification that the City needs and is assisting on some reports that are required.

A motion was made by Councilor Valdez to approve the warrants, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).

BUSINESS

1. Council discussion and consideration to let Mendota Youth Recreation use City equipment for the annual Mendota Christmas Parade. [City Clerk, Flood]

Mayor Silva introduced the item and City Clerk Flood reported that the City received a request from Mendota Youth Recreation (MYR) to use the barricades for the upcoming Christmas Parade; and that MYR was granted encroachment and amplified music permits.

A motion to approve the use of the barricades by MYR was made by Mayor Pro Tem Amador, seconded by Councilor Capuchino; unanimously approved (4 ayes; Abstain: Valdez).

2. Council discussion and consideration to award a contract for LED streetlight conversion to either PG&E or D5 Enterprises. [Interim City Manager, Pauley]

Mayor Silva introduced the item and Interim City Manager Pauley reported that the City has 597 street lighting fixtures that are compatible for an upgrade to eHID Metal Halide light systems; explained the technical specs of these systems including their actual light output (lumens), compatibility with current fixtures, and comparison to common LED lights; the cost of the installation; the terms of the financing program by PG&E that will make it possible; and the timeline for installation.

Discussion was held on the warranties on the different parts of the product; how much the lamps cost; cleaning the lenses as a part of regular maintenance; the advantages of

a white light; the savings that there will be in the long-term; that Mendota would be the first city to be done this way in California; in order to get the maximum rebate, it needs to be done by the end of the year; and that D5 will fill out the paperwork for the City.

A motion was made by Councilor Riofrio to award the contract to D5, seconded by Councilor Capuchino; unanimously approved (5 ayes).

3. Request by Mayor Silva to contribute funds for a celebration for the Mendota Aztecs Football Team.

Mayor Silva introduced the item and reported that he would like to have a celebratory meal at the upcoming special City Council Meeting.

A motion was made by Councilor Riofrio to spend \$400 of the Community Promotions Fund for a meal for the Football Players, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. City Manager

Interim City Manager Pauley reported that in order for Council to replace their iPhone 4's with iPhone 5's it would cost \$679 for the iPhone5c or \$1179 for the iPhone5S, or approximately \$184 to replace their iPhone 4S's; that the budget for Council member phones is projected to have only \$73 remaining at the end of the year, making replacement of all phones in any way outside of the budget.

Discussion was held on how the Council was promised the best equipment; the difficult financial times that will be coming to Mendota; and the Council consensus to bring back the item in 5 months to set aside funds for new phones in the future budget.

2. Code Enforcement
 - a) Monthly Report

Code Enforcement Administrative Assistant Maria Perez reported that Code Enforcement worked on Public Nuisances, significant weed abatement cases, and other activities in the month of November; the high amount of voluntarily compliance within the community; and the number of parking citations given.

Discussion was held on the pile of dirt behind Holmes Ave. and talking to the developer of H&S to deal with it; enforcing illegal parking in stalls designated for the handicapped; an address on Unida street that is not kept clean and has dogs illegally tied up; the importance of sending correspondence by both regular and certified mail; violations related to having stored RV's that are not properly covered or concealed; and some apartments on 8th and Riofrio Streets that are a nuisance.

3. Police Department
 - a) Monthly Report

Chief Galvin reported that there was an increase in crime in November, especially in the theft of automobiles, which are being perpetrated primarily by a certain individual; significant cases related to stabbings and burglary; that crime is down 15% overall in the year; gave a personnel update; that traffic enforcement is down due to more crime; and the arrest of youth and users of drugs.

Discussion was held on drunk drivers and coordinating with other agencies to arrest wanted felons.

4. City Attorney
 - a) Update

City Attorney Boranian reported that she wishes to get with Code Enforcement and other personnel in order to find out how to make processes more efficient and gave an update on a matter of pending litigation.

Discussion was held on the importance of staff communicating with Council.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Riofrio reported that Alcoholics Anonymous would like to use Rojas-Pierce Park for an event on April 26, 2014.

Councilor Valdez asked for an update on repairs to the roof at City Hall and Mendota Youth Recreation; the status of a Caterpillar Tractor; and the importance of the Council taking advantage of high tech equipment.

Mayor Pro Tem Amador commented on how he met Gloria Pink.

2. Mayor

CLOSED SESSION

1. Conference with labor negotiators pursuant to CA Government Code 54957.6
Agency designated representatives: Interim City Manager Don Pauley and Director of Support Operations Charles Johnson
Employee organization: Mendota Police Officers Association

At 8:37 p.m. the Council moved into closed session.

At 9:00 p.m. the Council reconvened in open session.

City Attorney Boranian stated that with regards to item number 1 no reportable action was taken.

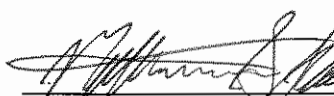
ADJOURNMENT

At the hour of 9:01 p.m., with no more business to be brought before the Council, a motion for adjournment was made by Councilor Riofrio, with a second by Councilor Capuchino; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

