

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting Tuesday April 8, 2014

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 Councilor Capuchino

FINALIZE THE AGENDA

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

Interim City Manager Pauley requested to add a closed session item related to anticipated litigation to the agenda with other closed session items. A motion was made by Councilor Riofrio to adopt the agenda with the requested modification, seconded by Councilor Valdez; unanimously approved (5 ayes).

PROCLAMATION

1. Proclamation No. 14-01 declaring April 25, 2014 as Earth Day in Mendota and recognizing April 22, 2014 as Earth Day worldwide.

City Clerk Flood read the proclamation and discussion was held on upcoming Earth Day activities in Mendota; fostering the participation of adults and children in such activities; and doing all one can to treat the environment in the correct manner.

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

DEPARTMENT REPORT

1. Code Enforcement
 - a) Monthly Report

Code Enforcement Administrative Assistant Maria Perez reported on March activity including their focus on vehicle abatement notices; significant nuisance cases; other miscellaneous infractions; and the revenue generated due to citations.

Discussion was held on problems with open alcohol containers and speeding traffic on 8th and 9th Streets from the hours of midnight to 3 a.m.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular and Special City Council Meetings of March 25, 2014.
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).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Victor Lozano (200 McCabe) – questioned the scope of the Smoot, Sorensen, McCabe Project; damage that was done on private property due to work on that project; and problems with water flow along the gutter in a specific area when it rains.

Discussion was held on the exact area of street that was repaired for the Smoot, Sorensen, McCabe Project, and when the project will be completed; the contractor being required to repair anything that was damaged; and the current narrowness of Sorensen Avenue.

Joe Gomez (2033 7th Street) – stated that no Council members answered his phone calls and that they are being inaccessible; illegal truck parking was taking place; and that there are two other businesses that are in the same situation as he is.

Discussion was held on a message that Mr. Gomez left for one of the Council members.

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 25, 2014 THROUGH APRIL 3, 2014
WARRANT LIST CHECKS NO. 37618 THRU 37699

TOTAL FOR COUNCIL APPROVAL = \$590,180.57

2. Council approve the City's participation in the Fresno County Urban County CDBG Program for years 2015/16, 2016/17, and 2017/18, and authorize the Mayor and City Manager to execute any and all associated documents.

Item number 3 of the Consent Calendar was pulled for separate consideration and a motion was made by Councilor Riofrio to approve items 1 and 2 of the Consent Calendar, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).

3. Council authorize advertisement for bids to supply a natural gas powered street sweeper in accordance with funding specifications.

Councilor Valdez asked if this was the street sweeper that the City has been planning to order. City Engineer McGlasson reported that it is and the City had to get a waiver in order to purchase it as it is only 98% American made.

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

BUSINESS

1. Council discussion and consideration to authorize the City Attorney and City Manager to execute a lease extension with Crown Castle. [Interim City Manager, Pauley]

Mayor Silva introduced the item and Interim City Manager Pauley reported that at the March 11, 2014 Council Meeting staff was authorized to negotiate an agreement with Crown Castle; the counter offer they provided; the provisions of the proposed agreement; and the staff recommendation to approve entering into it.

Discussion was held on how to monitor when they put a new antenna up and the amount of guaranteed revenue for the City each month.

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

2. Council discussion and consideration on the content of an ordinance to address abandoned shopping carts. [Interim City Manager, Pauley]

Mayor Silva introduced the item and Interim City Manager Pauley reported that staff received direction from Council at a previous meeting to explore ordinances that other cities have for addressing this issue in order to bring back a proposed one for Mendota; summarized good provisions from these ordinances; and reported that he would like to base Mendota's proposed ordinance heavily on one that the City of Corcoran uses.

Discussion was held on past practices of the larger grocery stores in town; the homeless using carts for the transportation of personal property; the legal obstacles that are presented in enforcing such an ordinance; the process of sending each business a letter notifying them of the ordinance once it is passed; and the importance of having an ordinance that is still business-friendly.

A motion was made by Mayor Pro Tem Amador for staff to bring back an ordinance for Council consideration, seconded by Councilor Valdez; unanimously approved (5 ayes).

3. Council discussion and consideration to change the composition of the Baseball Commission or appoint a representative of the Planning Commission to the Baseball Commission. [City Clerk, Flood]

Mayor Silva introduced the item and City Clerk Flood reported that Council had previously brought up the idea to consider changing the composition of the Baseball Commission; the recent vacating of a Planning Commission seat that brought up the idea; and the options that are available to Council.

Discussion was held on Mr. Luna's role in the Baseball Commission; and the advantage of having a person on the Baseball Commission that is also a member of the Board of Trustees at the Mendota Unified School District.

A motion was made by Councilor Valdez to change to composition of the Mendota Baseball Commission to 1 representative from the City Council, 1 from the Mendota Unified School District, and 5 at-large citizen seats, seconded by Councilor Riofrio; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. City Manager

Interim City Manager Pauley reported that he was recently contacted by a representative of CalRenew, the owner of the solar plant in the city, notifying him that they are going to sell to SunEdison, a company out of Arizona; and that the new City Manager will start on April 21st.

Discussion was held on the large upcoming solar project near Tranquillity and the obstacles that Covanta Energy faces in receiving approvals from the California PUC.

2. Police Department
 - a) Monthly Report

Chief Galvin gave his monthly report for March including significant cases such as the fire-bombing of an empty police car and multiple stabbings; how leads are followed in the department; the overall crime rate is still dropping; arrests made of people on bikes in possession of drug and burglary paraphernalia; personnel update; traffic accidents

being high this month; the most common crimes; the activities of the Explorer Post; and an update on the future implementation of a School Resource Officer.

Discussion was held on fund-raising activities for Explorers; an incident involving a shotgun on Oller Avenue; and the different views and perceptions related to the operation of the Mendota Police Department.

3. City Attorney
 - a) Update

City Attorney Boranian reported that she will be attending the League of California Cities City Attorney Conference in May.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Valdez reported that the alarms in the concession stand and City Hall need to be set at all times; the need to prevent vandalism of the concession stand and surrounding area; and personnel problems related to hiring procedures, including inconsistent advertising of positions available.

Councilor Riofrio thanked Public Works for its quick reaction to a recent sewer line issue that affected some residents and of employment opportunities that will be available in the area in the near future.

2. Mayor

Mayor Silva reported on a movie that he attended about the 2009 water crisis and of the WELL Conference in Sacramento that he and a few other Council members attended.

CLOSED SESSION

1. Pursuant to California Government Code 54957
PUBLIC EMPLOYMENT
Title: CITY MANAGER
2. Pursuant to California Government Code 54957
PUBLIC EMPLOYMENT
Title: CHIEF PLANT OPERATOR
3. Pursuant to California Government Code 54956.9(a):
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
3 cases

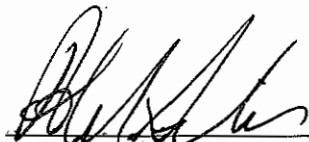
At 7:33 p.m. the Council moved into closed session.

At 9:02 p.m. the Council reconvened in open session.

City Attorney Boranian reported that in regards to item number 1, the City Council consented to approve the contract with Mr. Vince DiMaggio to serve as City Manager, and that in regards to items number 2 and 3, no reportable action was taken.

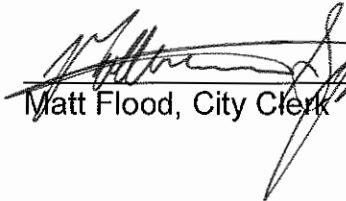
ADJOURNMENT

At the hour of 9:04 p.m., with no more business to be brought before the Council, a motion for adjournment was made by Councilor Valdez, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

