



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

July 11, 2023

Meeting called to order by Mayor Martinez at 6:00 PM.

Roll Call

Council Members Present: Mayor Victor Martinez, Council Members Jose Alonso, Joseph Riofrio, and Oscar Rosales

Council Members Absent: Mayor Pro Tem Libertad “Liberty” Lopez

Flag salute led by Mayor Martinez

Invocation led by Police Chaplain Robert Salinas

FINALIZE THE AGENDA

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

A motion was made by Council Member Rosales to adopt the agenda, seconded by Council Member Riofrio; unanimously approved (4 ayes, absent: Lopez).

PRESENTATION

1. Chief of Police Smith to introduce Police Officers Juliana Lopez, Juan Perez, Shahab Yaghoubi, Brayden Grove, William Cubias, and Jeremy Dao.

Chief of Police Smith requested that Presentation No. 2 be held first.

2. Chief of Police Smith to introduce the new members of the Mendota Police Department’s Explorers Program.

Chief Smith provided information on the Mendota Police Department (“MPD”) Explorers Program, including eligibility requirements and the purpose of the program; and introduced MPD Explorers Geovanni Gutierrez, Denise Conde, Zitlahi Tamayo, Angelie Trejo, Sharlene Barrera and shared their goals.

The Council congratulated the MPD Explorers.

1. Chief of Police Smith to introduce Police Officers Juliana Lopez, Juan Perez, Shahab Yaghoubi, Brayden Grove, William Cubias, and Jeremy Dao.

Chief Smith introduced Officers Grove, Perez, Lopez, Cubias, Yaghoubi, and Dao.

The Council congratulated the Police Officers and commented on their background and work and wished them all well.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of June 27, 2023.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

Council Member Alonso requested that a moment of silence held in honor of Mendota residents Francisco Andrade, Anastacio Macias, and Raymond Snowden at the regular City Council meeting of June 27, 2023 be translated to Spanish.

A motion was made by Council Member Riofrio to approve items 1 and 2, seconded by Council Member Rosales; unanimously approved (4 ayes, absent: Lopez).

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. JUNE 21, 2023 THROUGH JUNE 30, 2023
WARRANT LIST CHECK NOS. 53451 THROUGH 53496
TOTAL FOR COUNCIL APPROVAL = \$1,414,041.20
2. Proposed adoption of **Resolution No. 23-45**, authorizing the final payment of retention to the contractor for the Mendota Junior High School Safe Routes To School Project – ATPL-5285(021).
3. Proposed adoption of **Resolution No. 23-46**, approving a successor Memorandum

of Understanding between the City of Mendota and Operating Engineers Local Union No. 3, on behalf of the Mendota Police Officers Association.

4. Proposed adoption of **Resolution No. 23-47**, granting a Utility Distribution Easement to the Pacific Gas and Electric Company.

A motion was made by Council Member Rosales to approve items 1 through 4, seconded by Council Member Riofrio; unanimously approved (4 ayes, absent: Lopez).

BUSINESS

1. Discussion and consideration of **Resolution No. 23-48**, appointing voting delegates for the League of California Cities' Annual Conference General Assembly.

Mayor Martinez introduced the item and City Clerk Cabrera-Garcia provided the report.

Discussion was held on the item.

A motion was made by Council Member Rosales to appoint Mayor Victor Martinez as the voting delegate and Council Members Alonso and Rosales as the alternate voting delegates and adopt Resolution No. 23-48, seconded by Council Member Alonso; unanimously approved (4 ayes, absent: Lopez).

2. Discussion regarding Noise Ordinances and Enforcement.

Mayor Martinez introduced the item and Assistant City Attorney Castro presented information on the City of Mendota's ("City") noise ordinances and enforcement.

Discussion was held on the information presented.

Chief Smith provided additional information on the enforcement of the City's noise ordinances.

Marcos Martinez – inquired about the City's noise ordinances.

Ofelia Ochoa – stated that her neighbors do not violate the City's noise ordinances; commented on individuals using illegal fireworks; encouraged the Council to increase the amount that individuals can be fined for different violations and requested additional education and enforcement for teenagers regarding reckless driving.

Discussion was held on Ms. Ochoa's comments.

Berta Alvaro – inquired about the City's noise ordinances.

Discussion was held on individuals who violate the City's noise ordinances.

Andres Godoy – stated that residents should abide by the noise regulations; and encouraged everyone to do their part to enforce the regulations.

Discussion was held on the item.

Amparo Maravilla – stated that her son was bit by a dog and requested that the MPD address loose dogs and requested that the MPD assist with reckless driving.

Discussion was held on the comments made by Ms. Maravilla.

Veronica Gill – inquired as to whether animal noises are covered by the City’s noise ordinances.

Discussion was held on the comments made by Ms. Gill and on the item, including revising the City Noise permit application; increasing noise enforcement with decibel meters; looking into what other cities allow regarding noise levels; how the City has addressed the item in the past and potentially modifying the City’s noise ordinances.

Miriam Nunez – requested that the Council discuss concerns that local restaurant owners have.

Discussion was held on the comments made by Ms. Nunez.

A motion was made by Council Member Rosales to direct staff to increase enforcement of the City’s noise ordinances with decibel meters and staff bring the item back to a future meeting agenda to discuss an alternate Noise Permit Application and noise level requirements, seconded by Council Member Alonso; unanimously approved (4 ayes, absent: Lopez).

3. Discussion regarding Food Vendor Regulations and Enforcement.

Mayor Martinez introduced the item and Assistant City Attorney Castro presented information on the City of Mendota’s (“City”) Food Vendor Regulations and Enforcement.

Discussion was held on the information presented.

Miriam Nunez – inquired as to what restaurant owners can do to address the issue that was presented.

Discussion was held on the item.

Ali Ali – commented on his experience as a sidewalk vendor.

Discussion was held on the comments made by Mr. Ali.

Miriam Nunez – inquired as to whether her restaurant can provide delivery services.

Discussion was held on comments made by Ms. Nunez.

Marcos Martinez – commented on regulations for food vendors.

Discussion was held on enforcement of regulations for food vendors.

Raquel Garcia – inquired about the regulations for food vendors.

Discussion was held on the comments made by Ms. Garcia.

Alfredo Arambula – commented on the item.

Discussion was held on the item.

A motion was made by Council Member Alonso to direct staff to research food vendor regulations and enforcements that other cities have in place and bring back to a future meeting for discussion and to increase enforcement of regulations already set in place in the City, seconded by Council Member Rosales; unanimously approved (4 ayes, absent: Lopez).

Ali Ali – commented on the rules regarding promotional signs for businesses.

Discussion was held on the comment made by Mr. Ali.

Miriam Nunez – inquired as to whether her restaurant can sell food via a vehicle.

Discussion was held on the inquiry made by Ms. Nunez.

PUBLIC HEARING

1. Public hearing regarding the adoption of **Resolution No. 23-49**, confirming the diagram and authorizing the levy and collection of assessments for Landscape and Lighting Maintenance District No. 2019-01 for Fiscal Year 2023-2024.

Mayor Martinez introduced the item and Finance Director Banda provided the report.

Mayor Martinez opened the hearing to the public at 8:37 p.m. and hearing no one willing to comment closed it within the same minute.

A motion was made by Council Member Rosales to adopt Resolution No. 23-49, seconded by Council Member Alonso; unanimously approved (4 ayes, absent: Lopez).

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of

Government Code section 54956.9 (two potential cases).

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9 (one potential case).

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

At 8:59 p.m. the City Council reconvened in open session and Assistant City Attorney Castro stated that in regard to Item 2 of the closed session, all four (4) City Council members present unanimously voted in favor of beginning legal proceedings against the William Robert Johnston Municipal Airport basin encampment.

A motion was made by Council Member Rosales to table the remainder of the Agenda for a future meeting, seconded by Council Member Rosales; unanimously approved (4 ayes; absent: Lopez).

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 9:00 p.m. by Council Member Riofrio, seconded by Council Member Rosales; unanimously approved (4 ayes, absent: Lopez).



Victor Martinez, Mayor

ATTEST:



Celeste Cabrera-Garcia, City Clerk

