

MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

August 22, 2023

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

Roll Call

Council Members Present: Mayor Victor Martinez, Mayor Pro Tem Libertad “Liberty” Lopez, Council Members Jose Alonso and Oscar Rosales

Council Members Absent: Council Member Joseph Riofrio

Flag salute led by Chief of Police Kevin Smith

Invocation led by Police Chaplain Ophelia Lugo

FINALIZE THE AGENDA

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

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

PRESENTATION

1. City Council to recognize Mendota Police Lieutenant Gerardo Galaviz and Police Officer Anthony Aguilar for their success at the 2023 World Police & Fire Games.

Chief of Police Smith introduced Police Lieutenant Gerardo Galaviz and Police Officer Anthony Aguilar and shared information on the awards that Lieutenant Galaviz and Officer Aguilar received at the 2023 World Police & Fire Games (“the Games”).

A video highlighting the experience of the Officers at the Games was shown during the meeting.

Lieutenant Galaviz shared his experience at the Games.

The Council congratulated Lieutenant Galaviz and Officer Aguilar for their achievement.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Ramon Gonzalez provided an update on the drag racing event that he recently held, and inquired as to what the City Council thought of the event.

Discussion was held on the comments made by Mr. Gonzalez, including positive feedback that the City Council received from community members and the positive impacts it had on both the City and the Mendota Police Department.

Destiny Vargas stated that she would like to bring awareness to the issue of domestic violence in the community; inquired about ways she could possibly bring awareness to the community, including possibly having events and presenting at schools to bring awareness to the issue.

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

Karina Beltran shared information on a farm project she would like to bring to the City for children with special needs; shared information on the benefits of having a farm for children with special needs and inquired about possible locations for the farm that can either be rented or bought in the City.

Discussion was held on the information shared by Ms. Beltran.

Kevin Romero provided an update on local youth sports.

Discussion was held on the update provided by Mr. Romero.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of August 8, 2023.
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 Council Member Rosales to approve items 1 and 2, seconded by Mayor Pro Tem Lopez; unanimously approved (4 ayes, absent: Riofrio).

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. AUGUST 2, 2023 THROUGH AUGUST 14, 2023
WARRANT LIST CHECK NOS. 53650 THROUGH 53709
TOTAL FOR COUNCIL APPROVAL = \$1,227,945.36
2. Proposed ratification of a general letter of support for the Higher Education For All organization.
3. Proposed ratification of a letter of support for the Higher Education For All organization's Wonderful Grant Program.
4. Proposed ratification of a letter of support for Fresno County's Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) Program.

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

PUBLIC HEARING

1. City Council to continue the Development Agreement Annual Review Hearing for Odyssey Agricultural Development LLC.

Mayor Martinez introduced the item and Assistant City Attorney Castro provided the report.

Discussion was held on the report provided by Assistant City Attorney Castro; including whether Odyssey Agricultural Development LLC ("Odyssey") has provided proof of worker's compensation to the City.

Mayor Martinez opened the public hearing at 6:36 p.m.

Sergio Valdez inquired about who is overseeing Odyssey to ensure that they are complying with the Development Agreement and recommended that the City Council audit Odyssey every few months to ensure they are complying with the Development Agreement.

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

Joseph Amador commented on a recent tour he had of Odyssey's facility; on the large number of Mendota residents who work for Odyssey; on the benefits of the cannabis industry on the City; the drag racing event held by Ramon Gonzalez; and on the positive direction that the City is heading into.

Discussion was held on the comments made by Mr. Amador; the possible expansion of

Odyssey's facility; the need for Odyssey to ensure that they pay their employees; how public benefit fees have been invested into the community; and the investment of funds not associated with the cannabis industry into the City.

Mayor Martinez closed the public hearing at 6:45 p.m.

A motion was made by Council Member Rosales to agree that Odyssey Agricultural Development LLC is in good standing with its compliance with the Development Agreement, seconded by Mayor Pro Tem Lopez; unanimously approved (4 ayes, absent: Riofrio).

Business

1. City Council discussion and consideration of the Community Resilience Center grant program.

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

Discussion was held on the report provided by Finance Director Banda, including proceeding with the City's Community Center project without partnering with Westside Youth, Inc.

Mayor Martinez opened the public comment period.

Dr. Jean provided information on the Community Resilience Center ("CRC") grant; technical assistance that Westside Youth, Inc. received and commented on the possibility

of partnering with the Cities of Firebaugh and San Joaquin to increase the likelihood of receiving the CRC grant.

Discussion was held on the information shared by Dr. Jean; the City's ongoing grant projects and applications; and the City's desire to proceed with no partnerships and possibly look into partnerships in the future.

Mayor Martinez closed the public comment period.

A motion was made by Council Member Rosales to proceed with the Mendota Community Center Project as previously intended without partnering with Westside Youth, Inc., seconded by Council Member Alonso; unanimously approved (4 ayes, absent: Riofrio)

2. City Council discussion and consideration of appointing a resident to the Mendota Recreation Commission.

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

Viviana Munguia shared information on her background; commented on why she would like to serve on the Recreation Commission, and on her visions for the Recreation Commission.

Discussion was held on the information shared by Ms. Munguia.

Mayor Martinez opened the public comment period.

Albert Escobedo stated that he is happy to see young community members interested in serving on the Recreation Commission.

Kevin Romero shared information on his experience serving on various commissions for the City and stated he is happy to see young community members interested in serving on the Recreation Commission.

Mayor Martinez closed the public comment period.

A motion was made by Mayor Martinez to appoint Viviana Munguia to the Recreation Commission; seconded by Council Member Rosales; unanimously approved (4 ayes; absent Riofrio).

3. City Council discussion and consideration of **Ordinance No. 23-03**, amending Title 5 of the Mendota Municipal Code related to the regulation of mobile vending operations.

Mayor Martinez introduced the item and Assistant City Attorney Castro provided the report.

Discussion was held on the report provided by Assistant City Attorney Castro; regulations for motorized and nonmotorized food vendors; the possibility of limiting hours of operation for mobile food vendors; enforcement of regulations already set in place; the City being

limited on what they can do to restrict mobile food vendors due to state laws; and on possible permit restrictions on mobile food vendors who violate laws and regulations.

Mayor Martinez opened the public comment period.

Albert Escobedo requested clarification on the differences between a motorized food vendor and a nonmotorized food vendor and on whether mobile food vendors are allowed to have tables and chairs permanently set up at their business locations.

Discussion was held on the comments made by Mr. Escobedo, including new requirements for mobile food vendors and what will be permitted under Ordinance No. 23-03 (the "Ordinance").

Joseph Amador commented on the possibility of the Fresno County Health Department providing a presentation on health requirements and requested information on commissary requirements for mobile food vendors.

Anthony Martinez requested information on which City department would be responsible for enforcing the proposed regulations.

Discussion was held on the comments made by Mr. Martinez; office hours offered by the Office of Esmeralda Soria at City Hall so residents can share their concerns regarding state matters; and fines associated with violations under the new Ordinance.

Sergio Valdez requested a copy of the Ordinance; commented on whether the Code Enforcement department will have the necessary training to enforce all compliance

measures set under the Ordinance and requested clarification on whether mobile food vendors are permitted to have electrical connections to permanent buildings.

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

Mayor Martinez left the council chambers at 7:26 p.m. and returned within the same minute.

Mayor Pro Tem Lopez left the Council Chambers at 7:27 p.m. and returned at 7:29 p.m.

Alfredo Arambula inquired as to whether mobile food vendors are allowed to have tables, chairs and portable restrooms permanently set up at their business locations.

Discussion was held on the comments made by Mr. Arambula and on what may be considered a public nuisance violation.

Mayor Martinez closed the public comment period.

A motion was made by Council Member Rosales to introduce and waive the first reading Ordinance No 23-03 and schedule its public hearing for September 12, 2023, seconded by Mayor Pro Tem Lopez; unanimously approved (4 ayes, absent Riofrio)

4. City Council to receive presentation on advertisements to be displayed in the City relating to Senate Bill 1383 and illegal dumping.

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

Discussion was held on the report provided by Finance Director Banda, including where the advertisement will be displayed; vehicle service trucks illegally dumping tires outside of the City and ways to address the issue, and on the City's Mattress Recycling Program.

Mary Avitia inquired on how often community clean up events are held in the City.

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

A motion was made by Council Member Rosales to move forward with the advertisement relating to Senate Bill 1383 and illegal dumping; seconded by Council Member Alonso; unanimously approved (4 ayes, absent: Riofrio).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Animal Control, Code Enforcement, and Police Department
 - a) Update

Chief Smith provided an update for the Code Enforcement Department, including the different events that were held by their department in the month of July; provided the update for the Animal Control Department, including an update on the number of dogs in their

facility; provided the update for the Mendota Police Department (“MPD”), including an update on an officer involved shooting, and commending the Fresno County Sheriff’s office for their work in providing assistance to the MPD; commending MPD officers for their response to the incident; commending the efficiency of all agencies involved in this incident; and thanked the community for the support they have offered the MPD.

Discussion was held on the updates provided by Chief Smith and on the police departments of neighboring cities bringing homeless individuals into the City.

2. City Attorney

Assistant City Attorney Castro provided an update on ongoing projects.

3. City Manager

City Manager Gonzalez commented on ongoing projects and thanked everyone who attended the meeting.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Council Member Alonso provided an update on a recent health issue he dealt with; urged community members to visit the emergency room if they experience any negative symptoms after a surgery; stated that he is happy to be back working for the City and thanked everyone who attended the meeting.

Mayor Pro Tem Lopez thanked everyone who attended the meeting; provided an update on the reopening of the health clinic located near the AMOR Wellness Center; commented on mental health services offered by Turning Point; and on stray dogs in the City, including cages being available to assist the community with the capturing of stray dogs.

Council Member Rosales thanked everyone who attended the meeting; commented on the benefits of receiving public benefit fees from the cannabis industry and the positive impact this funding has had on the City; on the deteriorating condition of houses on Lolita Street and the need to address this issue; inquired about the possibility of a City owned gas station; provided an update on grants that he recently applied for to secure new buses for the Golden Plains Unified School District and thanked Mayor Martinez for his assistance in advocating for these grants; thanked Ramon Gonzalez for his drag racing event; and thanked Andres Godoy for his work with the City.

2. Mayor

Mayor Martinez thanked everyone who attended the meeting; thanked staff for their work; provided an update on the grand opening of the all-inclusive playground at Rojas-Pierce Park; commented on the City Council working to address concerns of community members,

including road repairs, a new soccer field, and new parks; urged community members to attend City Council meetings to offer their input; and thanked the City Council for their work.

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).

At 8:08 p.m. the City Council moved into closed session.

At 8:41 p.m. the City Council reconvened in open session and Assistant City Attorney Castro stated that in regard to item 1 of the closed session there was no reportable action.

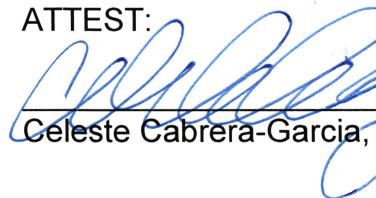
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:41 p.m. by Council Member Alonso, seconded by Mayor Pro Tem Lopez; unanimously approved (4 ayes, absent: Riofrio).



Victor Martinez, Mayor

ATTEST:



Celeste Cabrera-Garcia, City Clerk

