



**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting

February 23, 2016

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

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Sergio Valdez, Councilors Joseph Amador, Rolando Castro (at 6:24 p.m.), and Joseph Riofrio.

Council Members Absent: None.

Flag salute led by Mayor Silva.

Invocation led by Eugenio Rodriguez from the Iglesia de Dios Pentecostal, M.I.

A moment of silence was held in honor of Benny Lozano, Connie Gil, and Luis Larios who had recently passed away.

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 Mayor Pro Tem Valdez; unanimously approved (4 ayes, absent: Castro).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Antonio Gonzales (603 L Street) – stated that he was cited by the Code Enforcement department due to having an illegal sign; explained that he submitted an appeal but it was subsequently denied; inquired as to why his appeal was denied; and explained that regulations regarding signs should be equally enforced throughout the City.

Discussion was held on the sign being illegal since Mr. Gonzales does not have a sign permit for the sign and that such signs are not allowed in the zoning governance of the property; Council deciding to leave the sign ordinance as is; and Mr. Gonzales re-submitting the appeal.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Special City Council meeting of February 2, 2016 and the Regular City Council meeting of February 9, 2016.
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: Castro).

CONSENT CALENDAR

1. FEBRUARY 9, 2016 THROUGH FEBRUARY 18, 2016
WARRANT LIST CHECKS NO. 40558 THRU 40613
TOTAL FOR COUNCIL APPROVAL = \$209,610.74
2. Discussion and possible action on authorization for the City Manager to execute an agreement with Fresno County Superior Court for Remote Video Proceedings services.
3. Proposed adoption of Resolution No. 16-09, approving the purchase of two new 2015 Ford Explorer Police Utility vehicles.

A motion was made to approve item 1, 2, and 3 of the consent calendar by Councilor Riofrio, seconded by Councilor Amador; unanimously approved (4 ayes, absent: Castro).

BUSINESS

1. Receive presentation on the proposed roundabout at the intersection of Oller and Derrick Avenues.

Mayor Silva introduced the item and John Liu of Caltrans introduced himself and reported that the City has received funding from various sources to construct a traffic mitigation measure at the intersection; mitigating traffic at the intersection of Oller and Derrick Avenues by developing a roundabout; the elements of a roundabout (6:24 p.m. Councilor Castro entered the Council Chambers); roundabouts in cities throughout Fresno County; public opinion in regards to the roundabout in Kerman; the benefits of a roundabout such as the increase of safety; and various roundabouts that have been completed or are under construction in Caltrans District 6.

Discussion was held on ensuring that the roundabout can accommodate large truck trailers; educating the public on how to maneuver through a roundabout; which traffic control device can properly mitigate traffic in the area; costs associated with installing a traffic signal at the intersection versus a roundabout; funds that the City has that are specifically for a roundabout; and Caltrans making the final decision as to which traffic control measure to develop at the intersection.

Mark Banuelos (630 Gaxiola Street) – inquired as to whether traffic is anticipated to back up to the railroad tracks.

Antonio Gonzales (601 L Street) – inquired on the negative aspects of developing a roundabout at the intersection.

Discussion was held on the negative aspects of developing a roundabout at the intersection; the amount of land that needs to be acquired to develop either traffic control device; and the amount of funding that is available to develop either project.

A motion was made to direct staff to bring back a formal resolution in favor of the roundabout at a future meeting by Council Riofrio, seconded by Councilor Amador; unanimously approved (5 ayes).

2. Council discussion and consideration to enter into a license agreement with American Ag Aviation, Inc. d/b/a American West Aviation and West Valley Aviation for agricultural aviation services based at the William Robert Johnston Municipal Airport.

Mayor Silva introduced the item and City Manager DiMaggio reported that staff, along with Council Member Castro, met with a individual who was interested in utilizing the airport to refill an airplane with crop dusting chemicals (7:05 Councilor Riofrio left the Council Chambers); the details of the license agreement; the prohibition of such activities at the airport; and the possibility of amending the Mendota Municipal Code to allow the business.

Discussion was held on an accident that occurred in the past in which a crop dusting plane released its chemicals over the City and the subsequent prohibition of such activities at the airport and regulations that crop dusting airplanes have to comply with.

Freddy Serrano – stated that the airport land strip is within a close proximity of a school which has create a possible hazard.

Discussion was held on other possible airport uses.

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

Public Works Director Gonzalez thanked Council for their well wishes in regards to his new born daughter and summarized the report.

Discussion was held on the status of the roadway improvements of Bass Avenue and 2nd Street; the possibility of extending the amount of time that the Proteus employees can work for the City; the welcome sign north of the City needing its lights replaced; the amount of permits that have been pulled for the housing subdivision; and a truck parking business on Naples Street.

2. City Attorney
 - a) Update

City Attorney Kinsey reported on ordinance related to medical marijuana being discussed at the Planning Commission meeting of March 15th and working with staff to clarify certain ordinances.

Discussion was held on an organization that keeps track on what each City is doing in regards to the medical marijuana issue and what would occur if the public were to vote in favor of legalizing medical marijuana.

3. City Manager

City Manager DiMaggio reported on the upcoming joint meeting with the Mendota Unified School Board and the various issues that will be discussed at the meeting.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
 - Council reports

Councilor Amador stated that he provided staff business cards for Habitat of Humanity and reported on the new area commander for the area.

Discussion was held on the adoption of a new law regarding water sustainability and the possibility of leaving Westlands Water District and joining the Delta-Mendota District.

Councilor Castro inquired as to whether the code enforcement officers will receive training.

Mayor Pro Tem Valdez inquired as to whether individuals have applied for the police lieutenant position; whether the new police vehicles would replace older vehicles that are in service; and when the speed trailer would be back in service.

2. Mayor

Mayor Silva reported on a Chamber of Commerce meeting that he recently attended and on an upcoming JPA meeting related to Prop 1 funding.

CLOSED SESSION

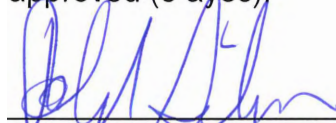
1. CONFERENCE WITH LEGAL COUNSEL -- PENDING LITIGATION
Pursuant to Paragraph (1) of subdivision (d) of Govt. Code Section 54956.9; Edward Warkentine et al. v. Hector J. Soria, et al., U.S. District Court Eastern District Case No. 13-cv-01550.
2. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
Pursuant to Paragraph (1) of subdivision (d) of Govt. Code Section 54956.9; *Lemus v. City of Mendota*, Workers' Compensation Appeals Board, Case Nos. ADJ9178080, ADJ9178149, ADJ9178159, and ADJ9563329.
3. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
Pursuant to Paragraph (2) of subdivision (d) of Section 54956.9 ([1] potential case).

At 7:36 p.m. the Council moved into closed session.

At 8:36 p.m. the Council reconvened in open session and City Attorney Kinsey reported that in regards to item 1 of the closed session, the settlement would be memorialized by staff (8:37 Mayor Pro Tem Valdez entered the Council Chambers). In regards to items 2 and 3 of the closed session, there was nothing to report.

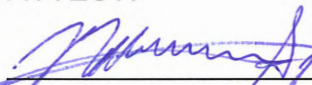
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:38 p.m. by Councilor Castro, seconded by Councilor Amador; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:


Matt Flood, City Clerk

Minutes of Regular City Council Meeting



2/9/2016