



**MINUTES OF MENDOTA  
REGULAR CITY COUNCIL MEETING**

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**Regular Meeting**

**April 28, 2015**

**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 (at 6:03 p.m.), Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

**Council Members Absent:** None.

**Flag salute led by Councilor Riofrio, in honor of those who serve in the military.**

**Invocation led by Mario Plascencia from Christian Life Tabernacle.**

**FINALIZE THE AGENDA**

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

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

**SWEARING IN**

1. Deputy City Clerk Cabrera to swear in Reserve Police Officer Jacob Cardiel.

Deputy City Clerk Cabrera swore in Reserve Police Officer Jacob Cardiel.

Discussion was held on Reserve Officer Cardiel's background; and Council congratulated Reserve Officer Cardiel and thanked his family for attending the meeting.

At 6:10 p.m. Mayor Silva announced there would be a 10 minute recess.

At 6:18 p.m. the Council reconvened in open session.

### CITIZENS ORAL AND WRITTEN PRESENTATIONS

1. **Bryn Forhan (The Forhan Company)**- provided a brief background a brief background of her company and being of assistance to the City in the future.

### APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Special City Council meeting of April 21, 2015.
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 Castro; unanimously approved (5 ayes).

### CONSENT CALENDAR

1. APRIL 21, 2015 THROUGH APRIL 24, 2015  
WARRANT LIST CHECKS NO. 39277 THRU 39340  
TOTAL FOR COUNCIL APPROVAL = \$255,703.74
2. Council adopt **Proclamation No. 15-03**, declaring May 16, 2015 Kids to Parks day.

A motion was made to approve items 1 and 2 of the consent calendar by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).

### PUBLIC HEARING

1. Council hold a public hearing and perform the second reading of **Ordinance No. 15-04**, amending Section 17.04.110 of Chapter 17.04 and Section 17.86.030 of Chapter 17.86 of Title 17 of the Mendota Municipal Code related to Cottage Food Operations.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report.

At 6:21 p.m. Mayor Silva opened the hearing to the public and, seeing no one present willing to comment, closed it in that same minute.

Discussion was held on instances in the past when an individual received the proper certification to sell goods out of their home; the enforcement of cottage food operations; and Cathy Baker, an individual who was the first person to apply for a Cottage Food Operation permit.

A motion was made to adopt Ordinance No. 15-04 by Mayor Pro Tem Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).

2. Council hold a public hearing and perform the second reading of **Ordinance No. 15-05**, establishing Chapter 17.81 the Economic Incentive Zone Overlay District by amending Title 17 of the Mendota Municipal Code.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report.

Discussion was held on the possibility of amending the parcels within the Economic Incentive Zone (EIZ) and the businesses interested in the EIZ.

At 6:33 p.m. Mayor Silva opened the hearing to the public.

Ramiro Espinoza (837 Stamoules)- stated that he is speaking on behalf of the Chamber of Commerce; the positivity that the EIZ will bring to the business community; and asked about the residential zoned properties within the EIZ.

At 6:35 p.m. Mayor Silva closed the hearing to the public (At 6:35 p.m. Councilor Amador left the Council Chambers).

Discussion was held on the various incentives included within the EIZ (At 6:37 Councilor Amador returned to the Council Chambers).

A motion was made to adopt Ordinance No. 15-05 by Councilor Riofrio, seconded by Mayor Pro Tem Valdez; approved (4 ayes, abstain: Amador).

4. Council hold a public hearing and perform the second reading of **Ordinance No. 15-06**, adding Section 2.28.045 to Chapter 2.28 of Title 2 of the Mendota Municipal Code related to the recruitment and designation of Reserve Police Officers.

Mayor Silva introduced the item and Chief of Police Andreotti summarized the report including the clarification of Reserve Officer designation.

A motion was made to adopt Ordinance No. 15-06 by Mayor Pro Tem Amador, seconded by Councilor Riofrio; unanimously approved (5 ayes).

## **BUSINESS**

1. Council discussion and consideration to adopt **Resolution No. 15-33**, establishing the parcels included within the Economic Incentive Zone Overlay District.

Mayor Silva introduced the item and City Manager DiMaggio summarized the report.

A motion was made to adopt Resolution No. 15-33 by Councilor Riofrio, seconded by Councilor Castro; approved (4 ayes, abstain: Amador).

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Public Works
  - a) Monthly Report

Director of Public Works Gonzalez summarized his report including the Earth activities and the status of the street sweeper.

Discussion was held on PG&E fixing part of the road they partially destroyed on Smoot Avenue (At 6:42 p.m. Councilor Castro left the Council Chambers); the possibility of replacing lifeless trees with new ones; and an incident in which dispatch was unable to contact the Public Works personnel on weekend duty to turn on the water at the Housing Authority (At 6:45 p.m. Councilor Castro returned to the Council Chambers).

2. City Attorney
  - a) Update

Nothing to report.

3. City Manager
  - a) Report

City Manager DiMaggio reported on Director of Public Utilities Lewis' condition and various certifications that were received by personnel of the Public Utilities Department.

Discussion was held on Senator Dianne Feinstein assigning some her staff members to focus on California water issues.

## **MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)  
Council reports

Councilor Riofrio reported on the Dr. Manuel G. Gonzales' book signing and reception and on the status of Sarah Horton's book about Mendota.

Councilor Amador reported on the Dr. Manuel G, Gonzales' book signing and reception and on an upcoming basketball game between Law Enforcement and Mendota High School Staff to benefit Mendota High School Sober Grad.

Discussion was held on the Dr. Manuel G. Gonzales' book signing and reception.

Mayor Pro Tem Valdez requested an update on the status of purchasing the shade structures at I-5 school.

2. Mayor

Mayor Silva reported on the upcoming opening day of the First Five child center and the possibility of EOC representatives coming to Mendota to discuss how they can benefit the community.

## **CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION  
CA Government Code § 54956.9 (a)  
Edward Warkentine v. City of Mendota, Fresno County Superior Court Case  
No. 13 CECG 03203
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
CA Government Code § 54957(b)  
Title: City Manager

At 7:04 p.m. the Council moved into closed session.

At 8:53 p.m. the Council reconvened in open session and City Attorney Boranian reported that in regards to items 1 and 2 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 8:54 p.m. by Councilor Amador, seconded by Mayor Pro Tem Valdez; unanimously approved (5 ayes).

  
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Robert Silva, Mayor

ATTEST:

  
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Matt Flood, City Clerk

