

**MINUTES OF MENDOTA
SPECIAL MEETING IN LIEU OF
REGULAR CITY COUNCIL MEETING**

Regular Meeting November 12, 2014

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

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Joseph Amador, Councilors S. Leo Capuchino, Joseph Riofrio, and Sergio Valdez.

Council Members Absent: None.

Flag salute led by Councilor Riofrio in honor of Veterans

FINALIZE THE AGENDA

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

City Manager DiMaggio requested that an additional case of potential litigation be added to closed session item 1 and City Clerk Flood noted a correction to closed session item 2, in which the APN's and owners were initially incorrectly listed. A motion was made by Councilor Valdez to adopt the modified agenda, seconded by Councilor Riofrio; unanimously approved (5 ayes).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Council approve the minutes of the Regular City Council meeting of October 28, 2014 and the minutes of the November 3, 5, and 7, 2014 Special City Council meetings.
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).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Code Enforcement
 - a) Monthly Report

Code Enforcement Administrative Assistant Perez gave her report for October including activity related to weed abatements, public nuisances, and vehicle abatement; warnings and citations issued; and revenue received through citations.

Discussion was held on the cessation of funding for costs related to vehicle abatements; weeds that are growing in empty lots that may cause a nuisance in the future; a house on Tule street that was burned down and became a nuisance; and properties that have been abandoned and need to be dealt with.

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. OCTOBER 28, 2014 THROUGH NOVEMBER 7, 2014
WARRANT LIST CHECKS NO. 38575 THRU 38633
TOTAL FOR COUNCIL APPROVAL = \$197,835.86

Councilor Valdez inquired about the use of Zee Medical Services provided on a regular basis to stock City first aid kits and if the City is receiving the appropriate service value for what is paid.

Discussion was held on how much the materials are used and what products are contained in the kits.

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

PUBLIC HEARING

1. Council hold a public hearing and perform the second reading of **Ordinance No. 14-06**, amending the Mendota Municipal Code by modifying the City of Mendota Local Vendor Preference.

Planning and Economic Development Manager Flood introduced changes that the ordinance would make and a change that was made from a previous version of the ordinance due to a possible conflict with State law.

Discussion was held on the state law that would have been a conflict and the possibility of continuing the consideration of the ordinance to a future meeting.

At 6:20 p.m. Mayor Silva opened the hearing to the public and, seeing no one present wishing to comment, closed the hearing in that same minute.

A motion was made by Councilor Valdez to adopt Ordinance No. 14-06, seconded by Councilor Riofrio; unanimously approved (5 ayes).

BUSINESS

1. Council discussion and direction to staff to proceed with preparation of the design and right-of-way agent contracts necessary for the Derrick/Oller Avenue roundabout project.

Mayor Silva introduced the item and City Engineer McGlasson reported that Council input led us to this project; the significant role Caltrans plays in the formation and completion of this project, and the basics elements of the proposed project.

Caltrans Deputy Director of District 6 John Liu presented on Caltrans' new mission statement, the existing intersection where the project will be; the difficulties of the current setup; roundabouts in different cities in Fresno County; the advantages of roundabouts; the basic elements of a roundabout; Highway 33 being part of the Extra Legal Load Network; the importance of having a correctly engineered roundabout to avoid accidents and promote safety; different roundabouts in California and their advantages and disadvantages; statistics related to accidents in roundabouts compared to signaled intersections; the reduced delay and increased capacities in roundabouts compared to signals; the increased safety to bicyclists and pedestrians in a roundabout; the ability of roundabouts to handle trucks with extra large loads; what Caltrans has been doing to provide outreach and education to the public about roundabouts; the proposed roundabout concept for Mendota; and a concept for 9th Street and Oller.

Discussion was held on semi-trucks that will pass thorough the roundabout at high numbers during the agricultural season; safety issues related to roundabouts; past projects that might or might not have worked well with a roundabout; the timeline for completing the project; the construction challenges related to environmental studies and land acquisition; the sources being used to fund the project; the railroad crossing near Bass Avenue and Highway 33 that is in poor condition; the accidents that happen at 7th and Oller; and the possibility of getting a roundabout there.

Council direction was given for staff to move forward with the items necessary to complete the project.

2. Council discussion and consideration to adopt **Resolution No. 14-44** authorizing the use of storm drainage impact fees for a new detention pond.

Mayor Silva introduced the item and Director of Public Works Gonzalez reported on a requested detention basin near the water treatment plant to assist in storm discharge management including the location of the project; how the water would flow; and the need of using \$30,000 storm drain impact fees to fund this project.

Discussion was held on who would perform the work; how deep the detention basin would be dug; the condition of the fence that currently covers that property; the City standards related to detention basins; the improvements that this project could provide; the fact that the detention basin is practically done, just with a need to install piping;

A motion was made by Mayor Pro Tem Amador to adopt Resolution No. 14-44, seconded by Councilor Valdez; unanimously approved (5 ayes).

3. Council discussion and consideration to adopt **Resolution No. 14-45** approving the proposal from the city engineer (Provost & Pritchard) to develop a Water and Sewer Master Plan.

Mayor Silva introduced the item and City Manager DiMaggio reported that the City does not have updated water and sewer master plans; requested that City Engineer be allowed to update them; and the need to do this to guide the City on a Capital Improvement Plan.

City Engineer McGlasson provided a history of how the need for this plan came up; the improvements made to the water treatment plant recently; the need to raise utility rates soon to cover the costs of providing the service and for depreciation planning; and the timeline for the project.

A motion was made by Councilor Riofrio to adopt Resolution No. 14-45, seconded by Councilor Valdez; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Police Department
 - a) Monthly Report

Interim Police Chief Doug Johnson summarized the report from the Police Department for October including the crime rate; a significant case involving a man with a machete; update on personnel levels; a recruitment process that has been started for hiring officers; and the excellent welcome that he has received at the Police Department and at City Hall.

Discussion was held on how Interim Chief Johnson has viewed the community while travelling in it and the requirements for recruitment of police officers.

2. City Attorney

a) Update

Nothing to report.

3. City Manager

Nothing to report.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Valdez provided information on the senior citizen Thanksgiving luncheon coming up and reported disrespect that has been shown towards the American Flag by staff.

Discussion was held about putting America Flags on 7th street again like had been done in the past.

Councilor Capuchino reported on the open house that was held today at the Westside Mosquito Abatement District's new offices.

Councilor Riofrio gave an update on Mendota football and the upcoming playoffs.

2. Mayor

Mayor Silva gave an update on the elections; the service that Mr. Capuchino has rendered on the board for the Westside Mosquito Abatement District Board; and a community meeting that PG&E will be having in Kerman soon.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
CA Government Code § 54956.9 – 2 cases

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
CA Government Code § 54956.8
Properties: APN 013-221-06; 013-221-07
Agency Negotiator: Vince DiMaggio, City of Mendota
Negotiating Parties: Ernestine Torres, Owner; David Hernandez, Owner

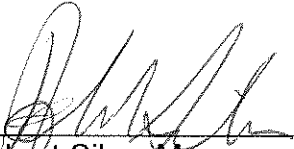
At 7:56 p.m. the Council moved into closed session.

At 8:24 p.m. the Council reconvened into open session.

City Attorney Boranian reported that in regards to items 1 and 2 of the closed session, there is nothing to report.

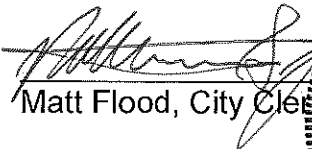
ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:24 p.m. by Councilor Valdez, seconded by Councilor Riofrio; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

