

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting **Tuesday November 26, 2013**

Meeting called to order by Mayor Robert 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 Director of Public Works Cristian Gonzalez

FINALIZE THE AGENDA

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

Staff requested that an item be added under presentations to receive information on the construction of the new elementary school. With that adjustment, a motion was made by Councilor Riofrio to adopt the agenda, seconded by Councilor Capuchino; unanimously approved (5 ayes).

PRESENTATION

1. Presentation from Andy Souza, President and CEO of Community Food Bank.

Mr. Souza provided an update of recent activities including planned food distributions; general operations within his organization; groups that the Community Food Bank collaborates with; and improvements planned that will make more efficient the distribution of food during times of need.

Discussion was held on the history of water policy and how it has affected Mendota in the last 5 years; efforts to collect resources to mitigate the shortages of work, food, etc.; policy affecting water allocations to farmers; drought relief action taken at the federal level that will facilitate aid this time around; how an emergency declaration at the state level works; the benefits of partnering with other organizations to optimize efficiency; food products that are given away then promptly discarded by recipients and other

abuses by those that receive the food; having culturally appropriate food at the food distributions; the difference in diet between people from Central America and Mexico; and possible ways of increasing efficiency in distributing the food.

2. Presentation on the recent meeting with representatives from the Mendota Unified School District (MUSD) concerning the new elementary school.

City Engineer David McGlasson stated that the architect representing MUSD was not able to be here and reported on the recent meeting held with representatives from MUSD and the City of Mendota, including the issues related to buses travelling through residential zones with narrow streets and general traffic circulation around the site; the resolution related to the buses from creating a turnaround point that allows them to not go through the residential area; and the possibility of adjusting the traffic signal at Bass Avenue and State Route 33 to improve traffic flow.

Discussion was held on the challenges that would arise by promoting the use of Lozano Street; the exact route the buses will travel to and from the school; Washington Elementary traffic circulation compared to the new school site; traffic backing up at 2nd Street and Bass Avenue; pedestrian crossings near the new school; the culvert and median in front of the United Health Center; the impression that Council had that the median was to be removed; and the need for the City to wait and see what neighborhoods will be assigned to go to that school.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the Regular City Council Meeting of November 12, 2013.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

The City Clerk pointed out a correction that Councilor Capuchino had requested in the minutes and a motion was made by Mayor Pro Tem Amador to approve items 1 and 2, seconded by Councilor Riofrio; unanimously approved (5 ayes).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

At this time members of the public may address the City Council on any matter not listed on the agenda involving matters within the jurisdiction of the City Council. Please complete a "request to speak" form and limit your comments to THREE (3) MINUTES. Please give the completed form to City Clerk prior to the start of the meeting. All speakers shall observe proper decorum. The Mendota Municipal Code prohibits the use of boisterous, slanderous, or profane language. All speakers must step to the podium, state their names and addresses for the record. Please watch the time.

1. Mr. Joe Gomez (2033 7th Street) requesting to be heard on a matter concerning his property at 823 Derrick Avenue.

Mr. Gomez stated that he attempted to get on the agenda two weeks ago and wants to know the determination of the Council regarding the lien on his property.

Interim City Manager Pauley stated that Mr. Gomez has exhausted all of his options to appeal to the City. City Attorney Boranian stated that he has no legal remedies with the Council as they had already taken action and Mr. Gomez did not submit an appeal in the manner provided by the Mendota Municipal Code.

Mr. Gomez stated that the City made no effort to make sure the contractor that did the work they claimed they did.

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. NOVEMBER 12, 2013 THROUGH NOVEMBER 21, 2013
WARRANT LIST CHECKS NO. 37066 THRU 37123
TOTAL FOR COUNCIL APPROVAL = \$310,667.61
2. Council adopt **Resolution No. 13-33**: A Resolution of the City Council of the City of Mendota Declaring Surplus Equipment and authorizing the sale or disposal of such property.
3. Council adopt the revised job description for the Public Works Director and establish the new job description for the Public Utilities Director.
4. Council introduce and waive the first reading of **Ordinance No. 13-07** regarding the River Ranch Specific Plan and set the public hearing for December 10, 2013.
5. Council introduce and waive the first reading of **Ordinance No. 13-08** regarding a Zoning Text Amendment in the Mendota Municipal Code, and set the public hearing for December 10, 2013.
6. Council introduce and waive the first reading of **Ordinance No. 13-09** regarding a change of zoning of Assessor's Parcel Number 013-223-21 from R-1(Single-Family/Low-Density Residential) to R-3 (High-Density Multiple Family Residential), and set the public hearing for December 10, 2013.
7. Council approve Amendment No. 1 to the Engineering Services Agreement with Provost &Pritchard Consulting Group for the Smoot, Sorensen &McCabe Project.

There was a request to pull items 2 and 5 from the Consent Calendar for separate consideration. A motion to approve items 1,3,4,6, and 7 of the Consent Calendar was made by Councilor Riofrio, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).

2. Council adopt **Resolution No. 13-33**: A Resolution of the City Council of the City of Mendota Declaring Surplus Equipment and authorizing the sale or disposal of such property.

Councilor Valdez stated that members of the volunteer Laton Fire Department; that he made the decision that the equipment that the City had should go to the Laton Fire Department; that this equipment has been used 4 times since being acquired in 2000; and that Fresno County and CALFIRE would not benefit from it as much.

Andrew Barkley and Miguel Vasquez from the Laton Fire Department were present to receive the equipment.

A motion was made by Councilor Valdez to adopt Resolution No. 13-33, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).

5. Council introduce and waive the first reading of **Ordinance No. 13-08** regarding a Zoning Text Amendment in the Mendota Municipal Code, and set the public hearing for December 10, 2013.

A question was asked concerning the definition of a zoning text amendment. City Engineer McGlasson stated that the staff reports for this item are incorrect and after a brief discussion, staff recommended to withdraw the vote of approval on items 4 and 6 of the consent calendar and make a motion to table items 4 through 6, and they will be brought forth for consideration at a later meeting.

A motion was made by Councilor Riofrio to withdraw the vote on items 4 and 6 of the Consent Calendar, seconded by Councilor Valdez; unanimously approved (5 ayes).

A motion was made by Councilor Riofrio to continue items 4 through 6 of the Consent Calendar, seconded by Councilor Valdez; unanimously approved (5 ayes).

BUSINESS

1. Council discussion and consideration to approve the addition of the City Clerk and Finance Director as signees on the City accounts at Westamerica Bank, and remove the former City Manager from the same. [Finance Administrative Supervisor, Diaz]

Mayor Silva introduced the item and Finance Administrative Supervisor Diaz summarized her report that has as its purpose the addition of the City Clerk Matt Flood and Finance Director Rudy Marquez as signees on the checking accounts at

Westamerica Bank, and the removal of the former City Manager Bryce Atkins from the same.

Discussion was held on how this will alleviate the problem of not being able to get checks signed when the Mayor and Mayor Pro Tem are out of town.

A motion was made by Councilor Riofrio to approve the item, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).

2. Discussion and consideration to appoint a member of the community to one of the vacant positions on the City of Mendota Baseball Commission. [City Clerk, Flood]

Mayor Silva introduced the item and City Clerk Flood reported that the City of Mendota Baseball Commission currently has two vacancies on it; that he received an application from Mr. John Flores to be appointed to it; and that this decision is to be made by the City Council.

Discussion was held on Mr. Flores' experience with baseball and civic service.

A motion was made by Mayor Pro Tem Amador to appoint John Flores to the City of Mendota Baseball Commission, seconded by Councilor Capuchino; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. City Manager

Interim City Manager Pauley reported on changes that will be made to the water distribution system, specifically in the SCADA programming, to alleviate recent water pressure problems by having booster pumps turn on when appropriate and needed; a discussion held with Mayor Pro Tem Amador on the merits and allowance of social halls in C-3 districts with CUP's and wishes to take the matter to the Planning Commission in the future; and provided an update on the recruiting process for a new City Manager and Public Utilities Director.

Discussion was held on the pros and cons of having social halls allowed in that manner.

2. Public Works
 - a) Monthly Report

Director of Public Works Gonzalez summarized his report and stated that they were able to send some puppies to a no-kill shelter; and that his next report will include a planning and building update.

Discussion was held on street sweepers starting at 4 a.m. and its route and schedule; the dirt and mud by the ponding basin that should be cleaned by the contractor doing the Smoot, Sorensen and McCabe reconstruction project; and the importance of preventing the growth of tumbleweeds.

3. City Attorney

City Attorney Boranian stated that she will be giving an update on the new laws that affect local government at the beginning of the year.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Valdez reported on the positive outcome of Mendota Youth Recreation's Senior Thanksgiving Luncheon and thanked all those that helped; and inquired on a large dirt mound that has been near Holmes Avenue for a while.

Councilor Riofrio reminded everyone about the High School Football playoff semifinal versus Firebaugh this coming Friday.

2. Mayor

Mayor Silva reported on the recent Community Relations Board meeting with FCI-Mendota; a meeting with the COG on the Sustainable Communities Strategy; a meeting with the State of California and Westside Youth Recreation to get a Community Center; and a meeting about the San Joaquin River Restoration.

CLOSED SESSION

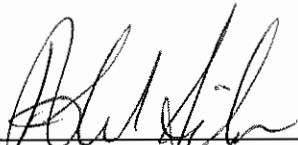
1. Conference with Real Property Negotiators pursuant to California Government Code 54956.8
Properties: 697 Derrick Avenue and 796 Unida Street.
Agency Negotiator: Interim City Manager Don Pauley

At 7:41 p.m. the Council went into closed session.

At 8:09 p.m. Mayor Silva reconvened the Council to Open Session and City Attorney Boranian stated that in regards to closed session items 1 and 2, no reportable action was taken.

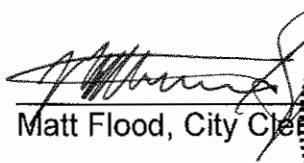
ADJOURNMENT

At the hour of 8:10 p.m., with no more business to be brought before the Council, a motion for adjournment was made by Councilor Valdez, seconded by Mayor Pro Tem Amador; unanimously approved (5 ayes).



Robert Silva, Mayor

ATTEST:



Matt Flood, City Clerk

