

MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

Tuesday February 23, 2010

6:00 p.m.

Meeting called to order by Mayor Robert Silva at 6:06 p.m.

Roll Call

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

Council Members Absent: None

Pledge of Allegiance led by Resident Joe Gil Gomez

FINALIZE THE AGENDA

1. Adjustments to Agenda
2. Adoption of final Agenda

A motion to finalize the agenda with business item number 5 tabled by Mayor Silva until the next regularly scheduled City Council meeting and moving business item number 3 after finalizing the agenda by Council Member Riofrio, was made by Mayor Pro Temp Amador, seconded by Council Member Flores; unanimously approved (5 ayes).

PRESENTATION

1. Presentation by Brandon Broussard from Yamabe & Horn Engineering, Inc. to present the proposed development project: River Ranch Specific Plan Concept.

Brandon Broussard provided a power point that showed possible future growth and development in the city of Mendota. Council expressed their support of the concept and is looking forward to the development.

APPROVAL OF MINUTES AND NOTICE OF WAIVING READING

1. Minutes of Regular Meeting of February 23, 2010.
2. Notice of Waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

A motion for approval of the revised minutes was made by Mayor Pro Temp Amador,

seconded by Council Member Riofrio; unanimously passed (5 ayes).

PUBLIC HEARING

1. **Second Reading of, and Public Comment on, Ordinance No. 10-01:** An ordinance of the City Council of the City of Mendota, repealing Title 15 of the Mendota Municipal Code and providing for the re-establishment thereof, related to adoption by reference of the 2007 California Building Code and associated trade codes, and to building regulations in general, and amending subsections (A)(1) and (A)(2) of section 8.28.030 of chapter 8.28 of Title 8 of the Mendota Municipal Code related to correction of cross-references.

Council Action: Adopt Ordinance No. 10-01: An ordinance of the City Council of the City of Mendota, repealing Title 15 Of the Mendota Municipal Code and providing for the re-establishment thereof, related to adoption by reference of the 2007 California Building Code and associated trade codes, and to building regulations in general, and amending subsections (A)(1) and (A)(2) of section 8.28.030 of chapter 8.28 of Title 8 of the Mendota Municipal Code related to correction of cross-references.

A motion to approve was made by Council Member Riofrio, second by Mayor Pro ten Amador; unanimously (5 ayes).

2. **Second Reading of, and Public Comment on, Ordinance No. 10-02:** An ordinance of the City Council of the City of Mendota adding section 5.04.025 to chapter 5.04 of Title 5 of the Mendota Municipal Code related to regulatory agency compliance prior to the issuance of business licenses.

Council Action: Adopt Ordinance No. 10-02: An ordinance of the City Council of the City of Mendota adding section 5.04.025 to chapter 5.04 of Title 5 of the Mendota Municipal Code related to regulatory agency compliance prior to the issuance of business licenses.

A motion to approve was made by Council Member Riofrio, second by Council Member Capuchino; unanimously (5 ayes).

3. **Second Reading of, and Public Comment on, Ordinance No. 10-03:** An ordinance of the City Council of the City of Mendota adding chapter 9.05 of Title 9 of the Mendota Municipal Code relating to excessive noise.

Council Action: Adopt Ordinance No. 10-03: An ordinance of the City Council of the City of Mendota adding chapter 9.05 of Title 9 of the Mendota Municipal Code relating to excessive noise.

A motion to approve was made by Council Member Flores, second by Council Member Riofrio; unanimously (5 ayes).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

1. **Christina Martinez and Glenda Salinas**- Representative from the "Out of School Youth" program from F.C.D.E. Migrant Program explained to the City Council about their services to the community and how the program would help both youth and adults to get their High School diploma.
2. **Joe Gil Gomez** – 2033 7th Street, inquired about the progress Code Enforcement was with regards to the overcrowding of homes. He added that it is unhealthy and many contagious diseases spread this way. The Police Chief responded by adding that the Code Enforcement Officer is working on various duties but they are trying to address the concern.

CONSENT CALENDAR

1. FEBRUARY 09, 2010 THROUGH FEBRUARY 18, 2010
WARRANT LIST CHECK NO. 31121 THRU 31195
TOTAL FOR COUNCIL APPROVAL = \$219,822.61
2. Council approval to enter into a procurement Agreement with the County of Fresno for Census outreach activities and authorize the City Manager to execute all associated agreements and documents.
6. **Adopt Resolution No. 10-08:** A resolution of the City Council of the City of Mendota, authorizing examination of sales and use tax records.
7. **Adopt Resolution No. 10-11:** A resolution of the City Council of the City of Mendota, objecting to increases in the permitted discharge limits of the Sacramento Regional Wastewater Treatment Plant until and unless, (1) there is a conclusive scientific finding that such discharges will have no significant negative impact on endangered and threatened Delta fish species or, (2) effective ammonia removal equipment is installed at the Sacramento Regional Wastewater Treatment facility.

Items 3, 4, and 5 were pulled for further discussion. A motion to approve 1, 2, 6, and 7 was made by Council Member Riofrio, seconded by Council Member Flores; passed unanimously (5 ayes).

3. Council approving the grant deed for an easement in the City's Public Right-of-Way to Abdulla Ali Obaid, business owner of Mendota Valley Food, 1840 7th Street, for a total amount of \$1,350.00.

Council held a discussion and requested clarification from staff and legal council as to why consent item 3 did not have a Public Hearing. City Manager referred to legal council to which legal council explained that a Public Hearing was not required because the city was not selling the under line soil the city is only allowing him to use the easement until the building be rebuilt. Mayor Pro temp Amador emphasized; he would support the item as long as everything is being done legally. A motion to approve was made by Council Member Riofrio, seconded by Council Member Capuchino; unanimously (5 ayes).

4. **First Reading of Ordinance No. 10-06:** An ordinance of the City Council of the City of Mendota, amending chapter 9.2 of the Mendota Municipal Code, amending section 9.20.020 of Chapter 9.20 of title 9 relating to curfews for minors.

Council held a discussion and requested clarification from staff with regards to the method of implementing the curfews by the police department. A motion to approve was made by Council Member Riofrio, seconded by Council Member Flores; unanimously (5 ayes).

5. **Adopt Resolution No. 10-07:** A resolution of the City Council of the City of Mendota, establishing the 2010 Fee Schedule for planning, engineering, and building services.

Council held a discussion and requested clarification from staff and city engineer with regards to the permit cost for an encroachment permit. The city engineer clarified that the fee stated in the fee chart of \$205 covered the regular administrative fee and two inspections. A motion to approve was made by Mayor Pro Temp, seconded by Council Member Capuchino; unanimously (5 ayes).

BUSINESS

1. Council discussion and consideration to participate in the County of Fresno 80/20 Program, and authorize the City Manager to execute all associated agreements and documents between the City of Mendota and Fresno County. [City Manager Gonzalez]

Council held a discussion and expressed their support for the program. A motion to approve was made by Mayor Pro Tem Amador, seconded by Council Member Riofrio; unanimously (5 ayes).

2. Council discussion and consideration to authorize the City Manager to notify the California Department of Transportation (Cal-TRANS) to de-obligate funding for the 2nd Street pedestrian crossing. [City Manager Gonzalez]

Council held a discussion and came to a consensus.

3. Council discussion and consideration of a proposal to name the City Hall complex the Ed Petry Civic Center, honoring long-time Mendota resident Ed Petry for his many significant contributions to the community. [Council Member Riofrio]

Council held a discussion and Council Member Riofrio expressed his believes about naming the City Hall complex "The Edward Petry Civic Center". Council Member Riofrio believes Mr. Petry has gone beyond to help the community thru church, Planning Commission, Chamber of Commerce, and as a local resident. Mayor Silva supported the idea of honoring Mr. Petry but suggested it be done by naming something that deals with water instead. Mayor Pro Temp agreed with Council Member Riofrio and expressed his thanks to Mr. Petry for his many years of service to the community. A motion to approve was made by Council Member Riofrio, seconded by Mayor Pro Tem Amador; unanimously (5 ayes).

4. Council discussion and consideration to **Adopt Resolution No. 10-09:** A resolution of the City Council of the City of Mendota, amending bylaw 3A and 3B of the bylaws for the operation of the City of Mendota Beautification Committee. [Council Member Capuchino]

Council Action: Adopt Resolution No. 10-09.

Council held a discussion and a motion to adopt was made by Council Member Capuchino, seconded by Council Member Flores; passed unanimously (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Chief of Police Galvin
 - a.) The Chief of Police provided the Council with a monthly report for the month of January which included; traffic stops, unlicensed drivers, uninsured drivers, and loose dogs. Council also expressed concerns about loose dogs, drug activity and crimes, and door to door vendors.
2. City Manger
 - a.) City Manager gave an update about the Task Force meeting coming up and an update on the mobile Mexican Consulate. City Manager would provide further updates in his weekly reports.

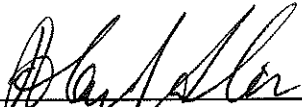
MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
 - a) **Council Member Capuchino** shared some information from the General Membership meeting of the South San Joaquin Valley Division he attended.
 - b) **Council Member Flores** informed the City Council that the Rivers of Living Waters food giveaway was a great success.
 - c) **Mayor Pro Tem Amador** addressed the City Council and informed that he is looking in to some possible funding thru a program from the First Lady called "Lets Move." Would follow up with more information.
2. **Mayor**

- a) Mayor Silva expressed his concern about City Hall being closed for various reasons and wanted to express he feels we need to provide proper customer service.

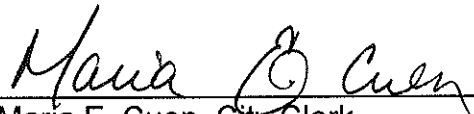
ADJOURNMENT

At the hour of 8:34 PM, with no more business to be brought before the Council, a motion was given by Council Member Riofrio, seconded by Council Member Capuchino to adjourn the meeting, and was carried by a unanimous vote (5 ayes).



Robert Silva, Mayor

ATTEST:



Maria E. Cuen, City Clerk