

**MINUTES OF MENDOTA
REGULAR CITY COUNCIL MEETING**

Regular Meeting

Tuesday February 9, 2010

6:00 p.m.

Meeting called to order by Mayor Robert Silva at 6:01 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 Mayor Silva

FINALIZE THE AGENDA

1. Adjustments to Agenda
2. Adoption of final Agenda

A motion to finalize the agenda with the revised minutes was made by Council Member Riofrio, seconded by Council Member Capuchino, unanimously approved (5 ayes).

PRESENTATION

1. Proclamation 10-01; A Proclamation to recognize Roger Palomino, former executive director of the Fresno County Economic Opportunities Commission, for his many contributions to the Mendota community.

Staff read out loud the Proclamation and a discussion was held by City Council expressing their gratitude and support for Mr. Palomino. A motion was made by Council Member Riofrio, second by Council Member Capuchino, unanimously approved (5 ayes).

2. Proclamation 10-02; A Proclamation to recognize Faces of Prevention Youth Counseling, for their youth prevention services to the community.

Staff read out loud the Proclamation and a discussion was held by City Council expressing their support of all the great work Faces of Prevention Youth Counseling is doing in the community. To receive the Proclamation was Dino Perez and some of the youth members. A motion was made by Council Member Riofrio, second by Council Member Capuchino, unanimously approved (5 ayes).

APPOINTMENT

1. Mayoral appointment of Jose Zavala to the vacant seat on the City of Mendota Planning Commission.

Mayor Silva addressed Mr. Zavala and thanked him for his interest in serving the community and continuing interest to participate in as a Planning Commissioner. A motion was made by Council Member Flores, second by Mayor Pro Tem Amador, unanimously approved (5 ayes).

APPROVAL OF MINUTES AND NOTICE OF WAIVING READING

1. Minutes of Regular Meeting of January 26, 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 Tem Amador, seconded by Council Member Capuchino; unanimously passed (5 ayes).

CITIZENS ORAL AND WRITTEN PRESENTATIONS

1. Larry Westerlund; Council Member for City of Fresno District Four. Mr. Westerlund presented to the City Council a resolution that was presented to the City of Fresno that supports water efforts. The resolution objects to the 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. Council expressed their support and directed staff to follow up with Mr. Westerlund's office and include the resolution in the next agenda for Council to review.

CONSENT CALENDAR

1. FEBRUARY 3, 2010 THROUGH FEBRUARY 4, 2010
WARRANT LIST CHECK NO. 31076 THRU 31120
TOTAL FOR COUNCIL APPROVAL = \$184,136.62
2. Council approval of professional services agreement with Provost & Pritchard Consulting Group for construction management and inspection services related to the Waste Water Treatment Plant expansion phase II project and authorize the City manager to execute the agreement, subject to approval of the form by USDA-Rural Development.
3. **Adopt Resolution No. 10-03:** A resolution of the City Council of the City of Mendota authorizing the San Joaquin Valley Air Pollution Control District to apply for SEP-3 funds on behalf of the City of Mendota.

6. **First Reading of 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 and set the Public Hearing for February 23, 2010.
7. **First Reading of Ordinance No. 10-04:** An ordinance of the City Council of the City of Mendota adding section 200 of chapter 10.12 of Title 10 of the Mendota Municipal Code relating to storage of vehicles and set the Public Hearing for March 9, 2010.
8. **First Reading of Ordinance No. 10-05:** An ordinance of the City Council of the City of Mendota adding section 210 of chapter 10.12 of Title 10 of the Mendota Municipal Code relating to storage of vehicles and set the Public Hearing for March 9, 2010.

Items 4 and 5 were pulled for further discussion. A motion to approve 1, 2, 3, 6, 7, and 8 was made by Council Member Riofrio, seconded by Council Member Capuchino; passed unanimously (5 ayes).

Council Member Riofrio stepped out 6:30 p.m.

Council Member Riofrio returned 6:32 p.m.

4. **First Reading of 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 and set the Public Hearing for February 23, 2010.
5. **First Reading of 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 and set the Public Hearing for February 23, 2010.

Council requested clarification on item 4 about the height of the fence, staff provided clarification saying that the height of the fence varied depending on the zoning as it differed from residential to commercial. Council inquired about the current locations with razor or barbed wire, would they be grand fathered in or asked to remove it, legal council provided clarification saying that these situations do not qualify to be grand fathered in. A motion to approve was made by Mayor Pro Tem Amador, seconded by Council Member Capuchino; unanimously (5 ayes).

BUSINESS

1. Council discussion and consideration to make a financial contribution to West Valley Futbol League, to be utilized for equipment. [Mayor Pro Tem Amador]

Council held a discussion and a motion to approve was made by Council Member Riofrio, seconded Mayor Pro ten Amador; unanimously (5 ayes).

2. Council discussion of two matters; 1.) Overcrowding in residential zoned areas; and 2.) Illegal boarding houses in residential areas. [Mayor Pro Tem Amador and City Manager Gonzalez]

Council held a discussion about overcrowding issues around the city and staff recommended a task force be put together to address the issues. Staff would research and follow up with Council. Resident Joe Gomez addressed Council about the overcrowding in homes and the lack of enforcement.

3. Council discussion and consideration to **Adopt Resolution 10-04**; A resolution of the City Council of the City of Mendota establishing bylaws for the operation of the City of Mendota Beautification Committee. [City Manager Gonzalez]

Council Action: Adopt Resolution No. 10-04. A motion to approve was made by Council Member Riofrio, seconded by Council Member Capuchino; unanimously (5 ayes).

4. Council discussion and consideration of hosting the Mexican Consulate's proposed consulate service visits to Mendota. [City Manager Gonzalez]

Council held a discussion about the need for the Consulate's services in the community. A motion to approve was made by Council Member Riofrio, seconded by Council Member Capuchino; unanimously (5 ayes).

5. Council discussion and consideration to **Adopt Resolution No. 10-05**: A resolution of the City Council of the City of Mendota approving the application for State Wide Park Program Grant Funds. A resolution approving for state wide funds and approval to commit local city funds to pay for additional project costs beyond the grant. [City Manager Gonzalez]

Council Action: Adopt Resolution No. 10-05. A motion to approve was made by Mayor Pro Tem Amador, seconded by Council Member Capuchino; unanimously (5 ayes).

6. Council discussion and consideration to **Adopt Resolution No. 10-06**; A resolution of the City Council of the City of Mendota directing city staff to install improvements at various intersection within the city limits. [City Engineer McGlasson]

Council Action: Adopt Resolution No. 10-06. A motion to approve was made by Council Member Riofrio, second by Mayor Pro ten Amador; unanimously (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Chief of Police Galvin
 - a. The Chief of Police provided the Council with an update about the Police Departments assistance to the capture of a suspect wanted in Santa Cruz, CA and the number of citations issued.
2. City Manger
 - a. City Manager provided power point that covered the budget review. City Manager referred to staff to provide a power point presentation of the updated city website.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

Council Member Riofrio stepped out 8:03 p.m.
 Council Member Riofrio returned 8:04 p.m.

1. Council Member(s)
 - a) **Council Member Capuchino** shared some information about the 78th Annual Mosquito Abatement Conference he attended.
 - b) **Mayor Pro Tem Amador** reminded everyone about the friendship dance.
2. **Mayor**
 - a) Mayor Silva shared information about various meeting he attended during the previous weeks.

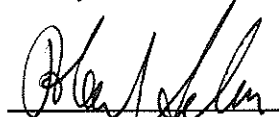
CLOSED SESSION

1. Pursuant to California Government Code Section 54956.8
 Instruction to Real Estate Negotiator: APN 013-030-68ST
 Negotiator for City: City Manager

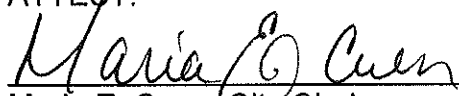
Council entered closed session at 8:08 p.m.
 Council returned 8:25 p.m. with no reportable items.

ADJOURNMENT

At the hour of 8:26 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