

**MINUTES OF MENDOTA  
REGULAR CITY COUNCIL MEETING**

**Regular Meeting**

**Tuesday March 23, 2010**

**6:00 p.m.**

**Meeting called to order by Mayor Robert Silva at 6:03 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** Council Member Capuchino

**Moment of Silence for Mrs. Rasmussen, local member of the community.**

**FINALIZE THE AGENDA**

1. Adjustments to Agenda
2. Adoption of final Agenda

A motion to finalize the agenda was made by Council Member Riofrio, second Council Member Capuchino; unanimously approved (5 ayes).

**PRESENTATION**

1. Presentation by Sara McNeely, Facility Accountant for Covanta Energy, regarding possible ways Covanta could contribute to the City of Mendota for Earth Day 2010.

Sara McNeely addressed the council and provided some information about some plants, trees, and seeds donations that Covanta Energy is proposing to give the community in support of Earth Day 2010. Council expressed their thanks and directed staff to work together with Miss McNeely.

**APPROVAL OF MINUTES AND NOTICE OF WAIVING READING**

1. Minutes of Regular Meeting of March 9, 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 minutes was made by Mayor Pro Tem Amador, second by Council Member Riofrio; unanimously passed (5 ayes).

### **PUBLIC HEARING**

1. To receive comments, objections, or protests by any interested parties of the Cost Report and Account of the nuisance abatement costs for APN 013-153-08 (1084 Oller Street, Mendota, CA 93640,) prior to Council consideration and approval to place said amounts on the 2010-2011 tax roll of each individual property as a lien assessment. At the request of the City Attorney this item will be continued to the next regularly scheduled City Council meeting.

At the request of the attorney the item was continued to the next regularly scheduled City Council meeting, no action was taken.

2. **Second Reading of, and Public Comment on, 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 Action:** Adopt 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.

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

### **CITIZENS ORAL AND WRITTEN PRESENTATIONS**

1. **David Garcia** – addressed the council requesting their support for the Agua Viva Teatro events that will be taking place next month. Mr. Garcia was requesting any type of donations, monetary or material, to help the group with their theatrical play.
2. **Carl Castro** – 873 Quince Street, addressed the council with regards to an insurance claim he has pending due to a sewer back into his home. Mr. Castro expressed that the claim has taken forever and that this was not the first time this incident happens to the home. The City Manager responded to Mr. Castro and informed him that earlier that day, Mr. Castro's wife had come in to City Hall and went over the situation. City Manager informed council that staff would follow up and contact the Castro's with more information.

### **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 Minutes of Regular City Council

Consent Calendar and will be considered separately.

1. MARCH 05, 2010 THROUGH MARCH 17, 2010  
WARRANT LIST CHECK NO. 31259 THRU 31329  
TOTAL FOR COUNCIL APPROVAL = \$234,664.87
2. **Adopt Resolution No: 10-14:** A resolution of the City Council of the City of Mendota in the matter of declaring April 26 – April 30, 2010 Mosquito and Vector Control and West Nile Virus Awareness Week.

**Council Action:** Adopt Resolution No. 10-14.

Council Member Riofrio requested a brief clarification with regards to check #31294. Council Member Riofrio inquired as to how much training public works received for operating the street sweeper. The City Manager responded that staff did receive some training but the machine needed to be replaced. The finance director would be looking into replacing it and getting some bids. A motion to approve 1 and 2 was made by Mayor Pro Tem Amador, seconded by Council Member Flores; unanimously passed (5 ayes).

## **BUSINESS**

1. **Adopt Resolution No: 10-13:** A resolution of the City Council of the City of Mendota in the matter of authorizing the amount of permit fees for the amplified music ordinance contained within the Mendota Municipal Code.

**Council Action:** Adopt Resolution No. 10-13.

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

2. 1,) Council approval of Exclusive Use Permit for Alcoholics Anonymous; and 2,) Council consideration to waive rental use fees for said use.

A motion to approve 1 and 2 was made by Mayor Pro Tem Amador, seconded by Council Member Riofrio; unanimously passed (5 ayes).

Council Member Riofrio stepped out at 6:39 p.m.  
Council Member Riofrio returned at 6:44 p.m.

3. Council discussion and consideration of City Council to extend the “Promotores” of Mendota’s request for their use of the Community Garden for an additional year. [City Manager Gonzalez]

A motion to approve was made by Mayor Pro Tem Amador, seconded by Council Member Flores; unanimously passed (5 ayes).

4. Council discussion and consideration to adopt the Community Development Block Grant Capital Projects Engineering Services Selection Process Policy. [City

Manager Gonzalez]

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

### **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

#### 1. Chief of Police

The Chief of Police provided the City Council with a staff report of the criminal activity for the month of February. Council addressed the Chief with concerns the community members share with them for example loose dogs, loud music, and drug activity. The Chief of Police responded that the department is addressing the issues.

#### 2. City Manager

City Manager provided the City Council with a staff report that contained updates about various projects the City is currently on and would continue to provide weekly updates.

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

#### a) Council Member(s)

a) **Council Member Capuchino** shared with the council that he and some community members would be participating with Covanta Energy in the Earth Day community planting and clean up event.

b) **Council Member Riofrio** wanted to share that he has heard from community members that pit-bull owners are fighting their dogs at the park.

c.) **Mayor Pro Tem Amador** informed council that he had gotten a response from the office of the First Lady with regards to some funding that could possibility be used on the proposed new community center.

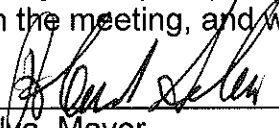
b) **Council Member Flores** invited everyone to attend a play that would be held at the High School in celebration of the Easter Holiday.

#### c) **Mayor**

a) Mayor Silva expressed his concern with regards to the traffic at H/S development and also for the damage that is being done to the Rojas-Pierce Park.

**ADJOURNMENT**

At the hour of 7:30 PM, with no more business to be brought before the Council, a motion was given by Mayor Pro Tem Amador, seconded by Council Member Capuchino to adjourn the meeting, and was carried by a unanimous vote (5 ayes).

  
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Robert Silva, Mayor

ATTEST:

  
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Maria E. Cuen, City Clerk