



# CITY OF MENDOTA

*"Cantaloupe Center Of The World"*

ROLANDO CASTRO  
Mayor

VICTOR MARTINEZ  
Mayor Pro Tem

JESSE MENDOZA

JOSEPH R. RIOFRIO

OSCAR ROSALES

## AGENDA MENDOTA CITY COUNCIL

Regular City Council Meeting  
CITY COUNCIL CHAMBERS  
643 QUINCE STREET  
July 14, 2020  
6:00 PM

CRISTIAN GONZALEZ  
City Manager

JOHN KINSEY  
City Attorney

The Mendota City Council welcomes you to its meetings, which are scheduled for the 2nd and 4th Tuesday of every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Council may discuss and/or take action on any or all of the items listed on this agenda. **Please turn your cell phones on vibrate/off while in the council chambers.**

Any public writings distributed by the City of Mendota to at least a majority of the City Council regarding any item on this regular meeting agenda will be made available at the front counter at City Hall located at 643 Quince Street Mendota, CA 93640, during normal business hours, 8 AM - 5 PM.

In compliance with the Americans with Disabilities Act, individuals requiring special assistance to participate at this meeting please contact the City Clerk at (559) 655-3291. Notification of at least forty-eight hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to the meeting.

If you require interpretation services to participate at this meeting, please contact the City Clerk at (559) 655-3291 between the hours of 8 a.m. – 5 p.m. Monday through Friday. Notification of at least twenty-four hours prior to the meeting will enable staff to make the necessary arrangement to ensure participation at the meeting.

**If you would like to participate at this meeting via Zoom, please use the following information:**

Dial-in number: 1(669) 900-6833 Meeting ID: 481 456 459 Password: 93640

<https://zoom.us/j/481456459?pwd=S1ZEc0VYaXRRTFp6c293cHMyQIA1dz09>

Si se solicitan servicios de interpretación en español, participe en esta reunión a través de Zoom, utilizando la siguiente información:

Número de marcación: 1(669) 900-6833 ID de la reunión: 998 0352 7013 Contraseña: 93640

<https://zoom.us/j/99803527013?pwd=ZG5ueTZybCtCSDIURFRHckco2OEIKQT09>

### CALL TO ORDER

### ROLL CALL

### FLAG SALUTE

### FINALIZE THE AGENDA

1. Adjustments to Agenda
2. Adoption of final Agenda

### PRESENTATIONS

1. Davena Witcher with the Alliance for Medical Outreach & Relief (AMOR) to provide an update on the AMOR Wellness Center.
2. Jeff Tamkin with Public Facilities Investment Corporation to present information on the proposed combined City Hall/Police Department project.

## **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.

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

1. Minutes of the regular City Council meeting of June 23, 2020.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

## **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. JUNE 16, 2020 THROUGH JULY 08, 2020  
WARRANT LIST CHECKS NO. 46967 THROUGH 47045  
TOTAL FOR COUNCIL APPROVAL = \$435,944,23
2. Proposed adoption of **Resolution No. 20-46**, concerning Local Transportation Purpose Funds (Measure C Extension Funds).
3. Proposed adoption of **Resolution No. 20-47**, authorizing the execution of an agreement with the Fresno County Rural Transit Agency for Safety and Security Services.
4. Proposed adoption of **Resolution No. 20-48**, ratifying the Letter of Authorization submitted to Fresno County for the submittal of a grant application to CalRecycle for the Oil Payment Program Cycle 11.
5. Proposed adoption of **Resolution No. 20-49**, awarding the bid for the Bass & Barboza Roundabout project to Cal Valley Construction, Inc. in the amount of \$969,092.00.
6. Proposed adoption of **Resolution No. 20-50**, accepting the Engineer's Report for Landscape and Lighting Maintenance District 2019-01 for Fiscal Year 2020/2021, declaring the intention to levy and collect assessments for Fiscal Year 2020/2021, and scheduling a public hearing for consideration of same.



## **BUSINESS**

1. Council discussion and direction to staff regarding potential Mendota Municipal Code amendments requested by Canna-Hub to allow for the commercial distribution of cannabis.
  - a. *Receive report from City Attorney Kinsey*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council provides direction to staff on how to proceed*
  
2. Council discussion and consideration of **Resolution No. 20-51**, authorizing the formation of a City Council subcommittee to negotiate with commercial cannabis businesses.
  - a. *Receive report from City Manager Gonzalez*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council takes action as appropriate*
  
3. Council discussion and consideration of **Resolution No. 20-52**, approving a reimbursement agreement with Firebaugh Canal Water District for the use of well number 3.
  - a. *Receive report from City Manager Gonzalez*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council takes action as appropriate*
  
4. Council discussion and consideration of **Resolution No. 20-53**, approving a lease agreement extension with the California Department of General Services for the premises located at 655 Quince Street.
  - a. *Receive report from City Manager Gonzalez*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council takes action as appropriate*

**PUBLIC HEARING**

1. Public hearing and proposed adoption of **Ordinance No. 20-13**, amending the Mendota Municipal Code to establish a penalty for the possession or use of dangerous or illegal fireworks.
  - a. *Receive report from City Manager Gonzalez*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens the public hearing, accepting comments from the public*
  - d. *Mayor closes the public hearing*
  - e. *Council provide any input, and consider Ordinance No. 20-13 for adoption*
  
2. Public hearing and proposed adoption of **Emergency Ordinance No. 20-14**, amending Chapter 2.44 of Title 2 of the Mendota Municipal Code to provide for administrative fines for violations of state and local orders addressing the COVID-19 pandemic.
  - a. *Receive report from City Manager Gonzalez*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens the public hearing, accepting comments from the public*
  - d. *Mayor closes the public hearing*
  - e. *Council provide any input, and consider Ordinance No. 20-14 for adoption*

**DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Animal Control, Code Enforcement, and Police Department
  - a) Monthly Report
  
2. City Attorney
  - a) Update
  
3. City Manager

**MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)
  
2. Mayor

**CLOSED SESSION**

1. CONFERENCE WITH LABOR NEGOTIATORS  
Pursuant to CA Government Code §54957.6  
Agency Designated Representatives: Cristian Gonzalez, City Manager; Jennifer Lekumberry, Director of Administrative Services  
Employee Organization: Mendota Police Officers Association
  
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
CA Government Code § 54957(b)  
Title: City Manager

**ADJOURNMENT**

**CERTIFICATION OF POSTING**

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota City Council Regular Meeting of July 14, 2020, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, July 10, 2020 at 4:45 p.m.

  
\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk



## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

---

**Regular Meeting**

**June 23, 2020**

**Meeting called to order by Mayor Castro at 6:01 p.m.**

### **Roll Call**

**Council Members Present:** Mayor Rolando Castro, Councilors Jesus Mendoza, Joseph Riofrio, and Oscar Rosales

**Council Members Absent:** Mayor Pro Tem Victor Martinez

**Flag salute led by Fresno County Supervisor Brian Pacheco**

### **FINALIZE THE AGENDA**

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

A motion was made by Councilor Mendoza to adopt the agenda, seconded by Councilor Rosales; unanimously approved (4 ayes, absent: Martinez).

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

**Fresno County Supervisor Brian Pacheco** – commented on a local event that he recently attended; the Council's requests for masks; that masks that he is providing to the City; the possibility of having a mobile COVID-19 testing station in the City; the County rolling over the current budget for the upcoming fiscal year; and the financial impact that COVID-19 has had on the County's revenues.

The Council thanked Mr. Pacheco for his contributions to the community, and discussion was held on a local event that was recently held; issues with individuals who not reside within the City coming to the City to be tested for COVID-19; issues with farmworkers continuing to work even if they have symptoms of the disease; issues with multiple families living in a single-family home; the possibility of the County acquiring trailers to house

individuals; the need for individuals to follow precautionary measures to prevent the spread of the disease; the status of Fresno County's Helping Underserved Businesses grant; the City's COVID-19 statistics; the need for local businesses to comply with the County's guidelines; issues with schools reopening in the fall; and the City's need for additional resources to combat COVID-19.

**Angela Gonzalez** – inquired as to what the consequences are for individuals who do not comply with COVID-19 regulations.

Discussion was held on the consequences of individuals not complying with COVID-19 regulations, including those caused by individuals who have tested positive for COVID-19; the possibility of limiting the business hours of local businesses; and ways to control the spread of COVID-19.

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

1. Minutes of the regular City Council meeting of June 9, 2020 and the special City Council meeting of June 16, 2020.
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 Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

### **CONSENT CALENDAR**

1. JUNE 09 2020 THROUGH JUNE 16, 2020  
WARRANT LIST CHECKS NO. 46917 THROUGH 46966  
TOTAL FOR COUNCIL APPROVAL = \$288,201.85
2. Proposed adoption of **Resolution No. 20-41**, requesting that the Fresno County Clerk render specified services to the City of Mendota in order to conduct the municipal election to be held on November 3, 2020.
3. Proposed adoption of **Resolution No. 20-42**, adopting a list of street projects for Fiscal Year 2020-2021 funded by SB1: The Road Repair and Accountability Act of 2017.
4. Proposed adoption of **Resolution No. 20-43**, authorizing the City Manager or his designee to execute all documents necessary to receive the Active Transportation Program funding for ATPL-5285(021) "Mendota Junior High Safe Routes to School Project".
5. Proposed adoption of **Resolution No. 20-44**, authorizing application for and receipt of AB101 Local Early Planning Grant ("LEAP") Program Funds.

6. Proposed approval of an application from Westside Youth Inc. for a permit to sell firework.

Requests were made to pull items 1 and 6 for discussion.

A motion was made by Councilor Riofrio to approve items 2 through 5 of the Consent Calendar, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

1. JUNE 09 2020 THROUGH JUNE 16, 2020  
WARRANT LIST CHECKS NO. 46917 THROUGH 46966  
TOTAL FOR COUNCIL APPROVAL = \$288,201.85

Discussion was held on warrant number 46966; the condition of Black Street; and the need to install better quality speed humps.

6. Proposed approval of an application from Westside Youth Inc. for a permit to sell firework.

Discussion was held on the application being submitted late; Westside Youth, Inc requesting that the Council consider the item; whether staff needed to have taken action on the item, versus the Council; the Mendota Municipal Code's provisions on fireworks stand permits; and the reason why the application was submitted late.

**Dino Perez (Westside Youth, Inc.)** – stated the reason why the application was submitted late; the organization's need for revenue; that the organization has submitted the application in a timely manner in the past; and requested that the Council grant the application.

Discussion was held on the precedent that the Council's consideration and approval of the application may create; the need for staff to take action on late applications; a late application being considered and approved at the June 9<sup>th</sup> City Council meeting; the various events and programs that Westside Youth, Inc holds; and the name of the other organization that submitted its application late.

A motion was made by Councilor Riofrio to approve items 1 and 6 of the Consent Calendar, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

## **BUSINESS**

1. Council discussion and consideration of **Resolution No. 20-45**, ratifying and modifying Emergency Order No. 20-07 issued in response to the continuing COVID-19 pandemic emergency.

Mayor Castro introduced the item and City Manager Gonzalez stated that Westside Youth,



Inc. would like the City Council to consider authorizing open markets to operate, and that the organization has provided its operational plan should their open market be authorized to operate.

**Dino Perez and Sonya Mejia (Westside Youth, Inc.)** – provided information on the organization’s operational plan for holding the event.

Discussion was held on the implications associated with authorizing open markets to operate; the amount of vendors that the organization anticipates will participate at the market; when the organization plans to begin operations; the location where the event will be held; the possibility of limiting the amount of vendors that are permitted; the amount of local vendors that will participate at the event; whether the City will be held liable if someone were to acquire the disease at the event; and whether the City will be able to repeal the authorization should individuals not comply with the regulations.

**Carlos Quintanar (Westside Youth, Inc.)** – provided information on the organization’s operational plan for holding the event, including how the organization will ensure that vendors and customers comply with COVID-19 regulations

Discussion was held on the organization’s operational plan; whether the organization will screen vendors for COVID-19.

**Denise Anguiano** – introduced herself; thanked the Council for approving the organization’s fireworks stand permit; commented on the positive impact that the organization has had on the community; the need for the organization to acquire revenue; and the organizational plan that the organization submitted.

The Council thanked the organization for submitting their organizational plan.

A motion was made by Councilor Rosales to take no action on the item, seconded by Councilor Riofrio; unanimously approved (4 ayes, absent: Martinez).

2. Introduction and first reading of **Ordinance No. 20-13**, amending the Mendota Municipal Code to establish a penalty for the possession or use of dangerous or illegal fireworks.

Mayor Castro introduced the item and City Manager Gonzalez summarized the report including issues with an increase in the possession and use of illegal fireworks in the community, and the proposed ordinances establishing local administrative fines.

Discussion was held on whether the police department has zero tolerance on the possession or use of illegal fireworks.

A motion was made by Councilor Rosales to conduct the first reading and schedule the public hearing for Ordinance No. 20-13, seconded by Councilor Riofrio; unanimously approved (4 ayes, absent: Martinez).

3. Council discussion and consideration of appeals submitted regarding the outcome of the scoring process following the Formal Invitation for the Submittal of Applications to Enter into a Development Agreement for Commercial Cannabis Activity.

Mayor Castro introduced the item and City Attorney Kinsey summarized the report, including the background of the item, including the proposals that were received and the results of the scoring committee; the appeals that were received in response the results of the scoring committee; COVID-19 pushing back the appeal hearing; the options that are available to the council; SG Mendota expressing that they would like to utilize a different property; and the issue with SG Mendota's deposit resulting in a return check not being something that would disqualify them from the process.

Discussion was held on potential legal ramifications that that City would face if the Council elects to pursue either option; the City Attorney's disagreeing with the legal arguments of both appeals; and the Council being able to consider the three applicants and make a decision on how to proceed.

**Daniel Parra** – stated that he is concerned with the City Attorney's statements regarding his legal opinion on SG Mendota's submission of a returned check.

**Daniel Pocius (Terra Retail Group)** – stated that he is available to answer any questions that the Council may have.

**Melissa Sanchez (SG Mendota)** – stated that SG Mendota has a valid lease with the location they intend to locate the business; and that she is confused about the appeal hearing process that were presented to the Council.

Discussion was held on issues that SG Mendota has had regarding their proposal; and the Council making a decision based on the merits of the various applicants.

**Amber Norwood (Element 7)** – stated that the Council should take into consideration the appeals that were submitted; and stated that she is available to answer any questions that the Council may have.

Discussion was held on the options that are available to the Council; appeals that were submitted.

A motion was made by Mayor Castro to grant Element 7's appeal to reconsider the Scoring Committee's findings, deny SG Mendota's appeal on the merits, and direct staff to commence negotiations with Terra and Element 7 as the two (2) remaining applicants who are to be placed on the qualified applicants list maintained by the City Manager, seconded by Councilor Riofrio; unanimously approved (4 ayes, absent: Martinez).

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

### 1. Finance Officer

Finance Director Diaz presented her grant update, including the activity occurring on various grants.

### 2. City Engineer

City Engineer Osborn presented the City Engineer's report, including ongoing projects.

### 3. City Attorney

Nothing to report.

### 4. City Manager

City Manager Gonzalez reported on the upcoming community clean-up event that will occur in August.

Discussion was held on the status of the combined police department and city hall project; the status of the United Security Bank opening; and the status of the AMOR Wellness center.

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

### 1. Council Member(s)

Councilor Riofrio reported on an individual who preaches on a city property; and the posts that police department has posted on Facebook deterring illegal activity.

Councilor Rosales reported on a significant amount of parties that occur throughout the City; whether the police department is issuing fines for violations of COVID-19 regulations; local businesses that are not complying with COVID-19 regulations; and expressed his concerns regarding Cresco Labs' measures to prevent COVID-19.

Discussion was held on the status of the 2020 Mendota Fireworks Show, and the possibility of livestreaming the Council meetings on Facebook.

### 2. Mayor

Nothing to report.

**ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 8:44 p.m. by Councilor Rosales, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

---

Rolando Castro, Mayor

ATTEST:

---

Celeste Cabrera-Garcia, City Clerk



CITY OF MENDOTA  
CASH DISBURSEMENTS  
6/16/2020 - 7/8/2020  
Check# 46967 - 47045

Date	Check #	Check Amount	Vendor	Department	Description
6/17/2020	46967	\$ 5,000.00	PG&E	WATER	MOWRY BRIDGE-EP 3126 BASS AVE ENGINEERING REVIEW
6/17/2020	46968	\$ 800.00	GLASS CENTERS	GENERAL	COVID 19 TEMPER GLASS SOLARCOOL BRZ-DOWN PAYMENT
6/23/2020	46969	\$ 143,847.00	CITY OF MENDOTA PAYROLL	GENERAL	PAYROLL TRANSFER 6/8/2020-6/21/2020
6/25/2020	46970	\$ 6,400.00	ADAMS, LORIE ANN	GENERAL	PORTFOLIO MGMT JAN- JUNE 2020 PAYOFF DEMANDS & CASA DE ROSA LONG TERM MONITORING 2020
6/25/2020	46971	\$ 2,000.00	ADMINISTRATIVE SOLUTIONS	GENERAL	MEDICAL CHECK RUN 6/16/2020
6/25/2020	46972	\$ 33.87	AIRGAS USA, LLC	WATER	(1) RENTAL CYLINDER SMALL CARBON DIOXIDE FOR JULY 2019
6/25/2020	46973	\$ 558.43	AT&T MOBILITY	GENERAL	POLICE DEPARTMENT CELL PHONE SERVICES 6/19/2020
6/25/2020	46974	\$ 740.00	BC LABORATORIES, INC.	WATER	DRINKING WATER-EDT TTHM/HA5 HALOACETIC ACID SAMPL
6/25/2020	46975	\$ 1,324.71	BSK ASSOCIATES	WATER-SEWER	GENERAL EDT WEEKLY TREATMENT & DISTRIBUTION & MONTHLY WASTEWATER
6/25/2020	46976	\$ 272.00	CENTRAL VALLEY	GENERAL	(2) ABUSE SCREEN & DRUG CONFIRMATION LEVEL & (1) ETHYL ALCOHOL ABUSE SCREEN DRUG (PD)
6/25/2020	46977	\$ 408.47	CROWN SERVICES CO.	GENERAL	TOILET 1XWK - 1000 AIRPORT BLVD BUILDING A (PD) TOILET W/SINK 1XWK (WWTP) FINAL TOILET RENTAL POOL PARK/LOZANO
6/25/2020	46978	\$ 570.00	US COMPUTER & NETWORK SERVICES	GENERAL	COVID19-(4)TECH SERV 6/5/20 SET-UP FIREWALL & VPN
6/25/2020	46979	\$ 324.78	HARBOR FREIGHT TOOLS	GENERAL-WATER-SEWER	(3) LED TRAILER LIGHT KIT (1) 2000 LB DROP LEG, RETRACT AIR HOSE, DUAL CHUCK INFLATOR, STEEL STAMP
6/25/2020	46980	\$ 22.09	ID CARDS, INC.	GENERAL	CUSTOM PVC CARD DUAL SIDE WITH PHOTO (PD)
6/25/2020	46981	\$ 7,200.00	FRESNO LOCAL AGENCY FORMATION	GENERAL-STREETS	ANNEXATION:EASTSIDE AMADOR AVE & BELMONT AVE
6/25/2020	46982	\$ 3,062.97	PURCHASE POWER	GENERAL-WATER-SEWER	POSTAGE METER REFILL 5/13/2020, 5/29/2020 & 6/9/2020
6/25/2020	46983	\$ 1,845.81	SORENSEN MACHINE WORKS	GENERAL-WATER-SEWER-STREETS	MULTIPLE DEPARTMENT SUPPLIES FOR MAY 2020
6/25/2020	46984	\$ 608.63	HOME DEPOT	GENERAL-WATER-SEWER-STREETS	WEED EATER DRILLS-(1) 21PC BIT SET(1) RYOBI 1+TRIMM; (2) 4.53 GALLON BEHR PAINT STREET LIGHT MAINTENANCE
6/25/2020	46985	\$ 43,413.82	WOOD ENVIRONMENT & INFRASTRUCTURE	GENERAL	PROF SERV THRU 2/28/2020 AXIOM AG CANNABIS
6/25/2020	46986	\$ 266.27	ZEE MEDICAL SERVICE	WATER-SEWER	FIRST AID KIT SUPPLIES-BLOOD CLOTTER,LG PATCH-WTP/PW
6/30/2020	46987	\$ 700.85	ALERT-0-LITE	GENERAL-STREETS	(1) VINYL SIGN W4-2 MERGE LT& RT; (5) STRIPING PAINT WHITE FOR STREETS; (1) VEST 2XL ORANGE MESH BACK
6/30/2020	46988	\$ 35.00	KERWEST NEWSPAPER	GENERAL-WATER-SEWER	REGULAR SUBSCRIPTION RENEWAL FOR 12 MONTHS
6/30/2020	46989	\$ 1,130.14	OFFICE DEPOT	GENERAL-WATER-SEWER	(1)HP INK CARTRIDGE 90A (1) STAPLER (1) HIGHLIGHTER PK; RECEIPT BOOK; NOTE PADS; CERTIFICATE WITH FOIL
6/30/2020	46990	\$ 50.00	EJ VALDEZ	GENERAL	REFUND MENDOTA H.S. BOYS BASKETBALL FIREWORK STAND DEPOSIT
7/7/2020	46991	\$ 33.41	ALERT-0-LITE	STREETS	(1) 12OZ COP MET SPRAY PAINT(2) 11OZ AER GOLD (1) PAINT
7/7/2020	46992	\$ 350.00	ALL VALLEY	GENERAL-WATER-SEWER	3RD QUARTER 2020 RETIREMENT PLAN ADMINISTRATION
7/7/2020	46993	\$ 214.25	AMERIPRIDE SERVICES INC	GENERAL-WATER-SEWER	UNIFORM RENTALS 6/11/2020; 6/11/2020; 6/25/2020
7/7/2020	46994	\$ 1,588.36	AUTOMATED OFFICE SYSTEMS	GENERAL-WATER-SEWER	RICOH MPC 3503-COPY MAINTENACE CITY HALL; RICOH COPY MAINTENANE PD
7/7/2020	46995	\$ 736.03	AT&T	GENERAL-WATER-SEWER	CITYWIDE TELEPHONE SERVICE 5/25/2020-6/24/2020; POLICE DEPARTMENT DISPATCH PHON 5/27/202-6/26/2020
7/7/2020	46996	\$ 580.33	BSK ASSOCIATES	WATER-SEWER	WEEKLY TREATMENT & DISTRIBUTION 6/9/2020; MONTHLY WASTEWATER
7/7/2020	46997	\$ 382.70	COLONIAL LIFE	GENERAL	LIFE INSURANCE FOR JUNE 2020
7/7/2020	46998	\$ 265.76	COOK'S COMMUNICATIONS	GENERAL	M#86-REPLACEMENT SPOTLIGHT HANDLE ASSEMBLY (PD)
7/7/2020	46999	\$ 434.00	FRESNO MOBILE RADIO INC.	GENERAL	(31) POLICE DEPARTMENT RADIOS FOR JUNE 2020
7/7/2020	47000	\$ 20.00	FRESNO COUNTY RECORDER	GENERAL	RECONVEYANCE FEE FOR 755 RIOFRIO
7/7/2020	47001	\$ 1,345.12	INDUSTRIAL CHEMICAL LAB	GENERAL-WATER-SEWER-STREETS	(10) GALLON ELIMINATOR; (5) GALLON TRI-LETE
7/7/2020	47002	\$ 256.00	J & S TRANSMISSION	WATER	(1) RADIATOR 2007 F-150
7/7/2020	47003	\$ 1,135.45	KOPPEL & GRUBER	CFD	CFD NO.2006-1 ANNUAL ADMINISTRATION APRIL-JUNE 2020
7/7/2020	47004	\$ 600.00	LAW & ASSOCIATES	GENERAL	LAW ENFORCEMENT BACKGROUND INVESTIGATION-BARRERA
7/7/2020	47005	\$ 300.00	LEXIS NEXIS	GENERAL-WATER-SEWER	SUBSCRIPTION SERVICES FOR JUNE 2020

CITY OF MENDOTA  
CASH DISBURSEMENTS  
6/16/2020 - 7/8/2020  
Check# 46967 - 47045

7/7/2020	47006	\$ 225.97	MENDOTA SMOG & REPAIR	SEWER	(2) COOLANT (1) HEATER HOSE 2007 FORD LIC 1193238
7/7/2020	47007	\$ 1,453.99	METRO UNIFORM	GENERAL	J.GURROLA 2-CLASS B 3-VEST 2-LSSH 10-PATCH 10-HASH; P.CLARK 1-HAT, 2-SHIRT 1-HANDCUFF; J.ARCIGA 2-VEST, 2-PATCH
7/7/2020	47008	\$ 56,078.31	MID VALLEY DISPOSAL, INC	REFUSE	SANITATION CONTRACT SERVICES FOR MAY 2020
7/7/2020	47009	\$ 2,542.07	NORTHSTAR CHEMICAL	WATER	(540) GALLON SODIUM HYPOCHLORITE 12.5%; (700) GALLON SODIUM HYPOCHLORITE 12.5%
7/7/2020	47010	\$ 227.07	PETTY CASH	GENERAL-WATER-SEWER	PETTY CASH EXPENSES TAG 662-668
7/7/2020	47011	\$ 69,035.76	PG&E	GENERAL-WATER-SEWER-STREETS-AVIATION	CITYWIDE UTILITY SERVICES 5/9/2020-6/9/2020
7/7/2020	47012	\$ 31,041.26	PROVOST & PRITCHARD	GENERAL-WATER-SEWER	MOWRY BRIDGE PROFESSIONAL SERVICES MAY 2020;ROJAS-PIERCE PARK IMPROVEMENTS; RETAINER FOR MAY 2020
7/7/2020	47013	\$ 110.50	R.G. EQUIPMENT COMPANY	GENERAL	(12) CHAMPION CYCLE MIX BOTTLE (2) TRIMMER LINE
7/7/2020	47014	\$ 293.10	RAMON'S TIRE &	GENERAL-WATER-SEWER	(1) RADIAL TRUCK TIRE (1) ROTATION FORD F-250; (1) RAD TUBE FIRESTONE; (1) TIRE REPAIR BACKHOE; (1) TIRE REPAIR (PD)
7/7/2020	47015	\$ 1,053.70	ERNEST PACKING SOLUTIONS	GENERAL-WATER-SEWER	6-FRESH WAVE URINAL SCREEN 5-CAN LINER 2-CLOROX; CLEANER & DEGREASER
7/7/2020	47016	\$ 164.81	SITEONE LANDSCAPE SUPPLY LLC	GENERAL	(20) RAIN BIRD 5004 PART-CIRCLE ROTOR 4-IN; TORO RETROFIT KIT
7/7/2020	47017	\$ 593.98	BANKCARD CENTER	GENERAL	CREDIT CARD EXPENSES 5/27/2020-6/23/2020
7/7/2020	47018	\$ 1,075.00	TECH MASTER PEST CONTROL	GENERAL-WATER-SEWER	CITY WIDE PEST CONTROL SERVICES; GOPHER/SQUIRREL ROJAS-PIERCE PARK JUNE 2020
7/7/2020	47019	\$ 10.29	THOMASON TRACTOR COMPANY	GENERAL-WATER-SEWER-STREETS	(6) HOSE (2) FITTING TRACTOR
7/7/2020	47020	\$ 275.78	USA BLUEBOOK	WATER-SEWER	(1) (OR) FREE CHLORINE REAGENT SET; (1) COAL TAR EPOXY QUART CAN; (1) 3/8 IN DI X 1/2 OD NATURAL
7/7/2020	47021	\$ 85.23	GERARDO VACA	GENERAL	UNIFORM REIMBURSEMENT-G.VACA
7/7/2020	47022	\$ 63.00	WECO	GENERAL-WATER-SEWER	RENTAL CYL ACETYLENE #4 & OXYGEN FOR JUNE 2020
7/7/2020	47023	\$ 626.66	ADT SECURITY SERVICES	GENERAL-WATER-SEWER	CITYWIDE SECURITY SERVICES FOR JULY-AUGUST 2020
7/7/2020	47024	\$ 25,235.15	AETNA LIFE INSURANCE COMPANY	GENERAL	MEDICAL INSURANCE FOR JULY 2020
7/7/2020	47025	\$ 599.11	ALEX AUTO DIAGNOSTICS	GENERAL	4-BRAKE ROTOR/2-PAD SET (PD-#M81)
7/7/2020	47026	\$ 50.00	COOK'S COMMUNICATIONS	GENERAL	UNIT#M83-RADIO ISSUES LOOSE CONNECTOR (PD)
7/7/2020	47027	\$ 920.60	CORBIN WILLITS SY'S INC.	GENERAL-WATER-SEWER	MOMS SYSTEM ENCHANCEMENT MONTHLY SERVICE & SPECIAL SERVICE JULY 2020
7/7/2020	47028	\$ 160.00	KERWEST NEWSPAPER	GENERAL	ORD#20-13 CODE VIOLATIONS FOR ILLEGAL FIREWORKS
7/7/2020	47029	\$ 1,729.59	MUTUAL OF OMAHA	GENERAL	LIFE, AD&D, LTD, & STD INSURANCE FOR JULY 2020
7/7/2020	47030	\$ 194.36	PITNEY BOWES INC.	GENERAL-WATER-SEWER	POSTAGE METER RENTAL 7/1/2020 - 9/30/2020
7/7/2020	47031	\$ 19.95	SEBASTIAN	GENERAL	SECURITY SERVICES FOR JUNE 21-JULY 20 (PD)
7/7/2020	47032	\$ 331.73	UNION PACIFIC RAILROAD COMPANY	STREETS	PUBLIC ROADWAY ENCROACHMENT JULY 2020
7/7/2020	47033	\$ 194.85	TCM INVESTMENTS	GENERAL	MPC 3503 COPIER MACHINE RENTAL-PD
7/7/2020	47034	\$ 29.92	JENNIFER E. LOPEZ MARTINEZ	WATER	UTILITY DEPOSIT CUSTOMER REFUND FOR LOP0096
7/7/2020	47035	\$ 39.13	SAN JUANA PRIETO	WATER	UTILITY DEPOSIT CUSTOMER REFUND FOR PRI0006
7/7/2020	47036	\$ 26.49	ANA L. RODRIGUEZ	WATER	UTILITY DEPOSIT CUSTOMER REFUND FOR ROD0099
7/7/2020	47037	\$ 18.54	GUTHRIE PETROLEUM INC	GENERAL	7.15 GALLON FUEL PURCHASE (PD G.ANDREOTTI)
7/7/2020	47038	\$ 2,004.00	SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT	GENERAL-WATER-SEWER	19/20 ANNUAL AIR TOXIC ASSESSMENT FEE FOR CITYWIDE PERMITS
7/8/2020	47040	\$ 8,500.00	ADMINISTRATIVE SOLUTIONS	GENERAL	MEDICAL CHECK RUN 7-7-2020
7/8/2020	47041	\$ 31.81	ALERT-0-LITE	GENERAL	2-11OZ GOLD ENAMEL 3-PDS 12OZ SPRAY-WELCOME SIGN
7/8/2020	47042	\$ 127.14	BATTERIES PLUS BULBS	WATER	(2) SLAA 12-18NB BATTERY WTP
7/8/2020	47043	\$ 809.00	GLASS CENTERS	GENERAL	CITY HALL WINDOW INSTALL-SPEAKER/MAILSLOT(COVID)
7/8/2020	47044	\$ 990.00	GOVERNMENTJOBS.COM, INC.	GENERAL-WATER-SEWER	SUBSCRIPTION FEE GOVERNMENT JOBS 2020-2021
7/8/2020	47045	\$ 120.13	SIGNMAX	GENERAL	1-CUSTOM SIGN 1-PLASTICADE FOR COVID-19

CITY OF MENDOTA  
CASH DISBURSEMENTS  
6/16/2020 - 7/8/2020  
Check# 46967 - 47045

\$ 435,944.23

---

---

**AGENDA ITEM – STAFF REPORT**

---

---

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** NANCY M. DIAZ, FINANCE OFFICER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** RESOLUTION NO. 20-46, LOCAL TRANSPORTATION PURPOSE FUNDS (MEASURE “C” EXTENSION FUNDS)  
**DATE:** JULY 14, 2020

---

**ISSUE**

Should the City Council adopt Resolution No. 20-46, concerning Local Transportation Purpose Funds (Measure “C” Extension Funds)?

**BACKGROUND**

The Transportation Development Act (TDA) of 1971 provides funding to be allocated to transit and non-transit related purposes that comply with regional transportation plans. This funding is allocated by the California Department of Tax and Fee Administration, which takes the amount of sales tax collected and returns the general sales tax revenue to the Council of Fresno County Governments. They in turn, allocate it to each City in the County based on population for the projects that were budgeted for the 2020-2021 fiscal year.

**ANALYSIS**

The attached resolution, certification and claim forms for each applicable funding program are routine and required by Fresno County Transportation Authority in order to receive the funding for Measure C Pass-Through Funds. With the funding provided by Fresno County Transportation Authority, the City is able to fund street projects approved during the budget for each fiscal year.

**FISCAL IMPACT**

\$338,881.00 to the City of Mendota Measure “C” Fund.

**RECOMMENDATION**

Council approve Resolution No. 20-46, claiming Measure C Extension Local Transportation Pass-Through Revenues for Fiscal Year 2020-2021.

**Attachment(s):**

1. Resolution No. 20-46 Local Transportation Purpose Funds (Measure “C” Extension Funds)
2. Resolution 2020-01 Fresno County Transportation Improvement Act California Public Utilities Code Section 142257 – Retail Transactions and Use Tax Funds for Extension Local Transportation Purposes Pass-Through Projects and Programs for FY 2020-21
3. Measure C Extension Local Transportation Pass Through Revenues Certification and Claim for FY 2020-21 – Street Maintenance



4. Measure C Extension Local Transportation Pass Through Revenues Certification and Claim for FY 2020-21 – ADA Compliance
5. Measure C Extension Local Transportation Pass Through Revenues Certification and Claim for FY 2020-21 – Flexible Funding

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA IN THE  
MATTER CONCERNING LOCAL  
TRANSPORTATION PURPOSE FUNDS  
(MEASURE C EXTENSION FUNDS)**

**RESOLUTION NO. 20-46**

**WHEREAS**, the City of Mendota is an eligible claimant of funds for Measure C Extension Local Transportation Pass-Through Projects and Program Funds pursuant to California Public Utilities Code Section 142257; and

**WHEREAS**, the Fresno County Transportation Authority has adopted Resolution 2020-01 designating Apportionments for FY 2020-2021 Measure C Extension Local Transportation Pass-Through Projects and Program Funds, and setting the City of Mendota's percentages at the following:

- 1.39% of \$11,007,248 (\$152,587) for the Local Transportation Program, Local Allocation – Street Maintenance Category sub program;
- 1.40% of \$382,235 (\$5,341) for the Local Transportation Program, Local allocation – ADA Compliance Category sub program; and
- 1.65% of \$10,990,932 (\$180,953) for the Local Transportation Program, Local Allocation – Flexible Funding Category sub program

which shall be the proportionate share of Measure C Extension Local Transportation Pass-Through Projects and Program Funds that the City shall be entitled to within the fiscal year; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota as follows:

- 1) The City of Mendota hereby submits its Local Transportation Purposes Certification and Claims for Fiscal Year 2020-2021 Measure C Extension Local Transportation Pass-Through Projects and Program Funds;
- 2) The City of Mendota hereby requests the release of funds to the City on a monthly payment basis consistent with the adopted percentages listed above, based on actual receipts;
- 3) The City Council of the City of Mendota further certifies:
  - a) That Local Transportation Purpose Funds will not be used as a substitute for property tax funds which the City of Mendota had previously used for local transportation purposes; and

- b) That the City of Mendota has and will continue to segregate property tax revenues used to support local transportation purposes so that verification of non-substitution can be proved through audit; and
  - c) That the City of Mendota shall separately account for Local Transportation Purposes Funds received, pursuant to Public Utilities Code Section 142257. The City shall maintain records in accordance with generally accepted accounting principles, shall separately record expenditures for each type of eligible purpose, shall file a separate claim form for each sub program allocation, and the City shall make such records available to the Authority for inspection or audit at any time; and
  - d) The City of Mendota shall complete the applicable reporting requirements no later than November 15, 2020, when claim forms are submitted.
- 4) The City of Mendota understands that, should a financial or compliance audit reveal that the City of Mendota violated any of the requirements set forth in paragraph 3 (a) (b) or (c), the Fresno County Transportation Authority may seek to take immediate steps to resolve the violation in accordance with its adopted procedures.
  - 5) The City Council of the City of Mendota hereby authorizes the City Manager or Finance Officer to submit and execute any and all necessary documents related to the City's acceptance of these funds.

\_\_\_\_\_  
Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 14<sup>th</sup> of July, 2020 by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

**BEFORE THE  
FRESNO COUNTY TRANSPORTATION AUTHORITY BOARD  
RESOLUTION NO 2020-01**

In the Matter of:	)	
FRESNO COUNTY TRANSPORTATION	)	RETAIL TRANSACTIONS AND USE
IMPROVEMENT ACT	)	TAX FUNDS FOR EXTENSION
CALIFORNIA PUBLIC UTILITIES	)	LOCAL TRANSPORTATION
<u>CODE SECTION 142257</u>	)	PURPOSES PASS-THROUGH
	)	PROJECTS AND PROGRAMS FOR
	)	<u>FY 2020-21</u>

**WHEREAS**, the Fresno County Transportation Authority is the administrator of the Retail Transactions and Use Tax (½ percent) Funds collected pursuant to the Fresno County Transportation Improvement Act as provided by Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Public Utilities Code Sections 142000, et seq.,

**WHEREAS**, California Public Utilities Code Section 142257 provides that the 2006 Measure C Extension Expenditure Plan, which was approved prior to and provided the basis for the ballot measure considered by the voters at the November 7, 2006 election, shall specify the amount and the formula by which the retail transactions and use tax shall be allocated to each participating jurisdiction for Measure C Extension Program and Project Funds Local Transportation Purposes determined to be priority projects by local governments to which funds are allocated, and

**WHEREAS**, the 2006 Measure C Extension Expenditure Plan creates a number of transportation programs to be funded by participating jurisdictions with Measure C funds passed-through from the Authority to the jurisdiction submitting eligible project claims, and

**WHEREAS**, these various programs have differing requirements, exemptions, and formulas for calculating pass-through funding levels, and

**WHEREAS**, the programs and subprograms identified below are eligible for pass-through funding,

Regional Public Transit Program

Public Transit Agencies  
Public Transportation Infrastructure Study (PTIS)  
ADA/Seniors/Paratransit  
Ag-worker/Car/Van Pools

Local Transportation Program

Local Allocation  
Pedestrian/Trails  
Bicycle Facilities



Regional Transportation Program  
Fresno Airports

Administration/Planning Program  
Council of Fresno County Governments

and

**WHEREAS**, the program requirements and exemptions for these programs may change from time to time as local jurisdiction population changes or mandated programs are satisfied, and

**WHEREAS**, in an effort to fully explain the various program provisions, the Authority, together with the Fresno Council of Governments, created and will update as needed the Measure C Extension Strategic Implementation Plan which among other things discusses each pass-through program in detail and provides the basis for calculating pass-through funding levels for each program in the 2020-21 fiscal year, and

**WHEREAS**, the Authority procedures for administration of funds for local transportation purposes as identified in the Measure C Extension Administrative Code calls for an annual Resolution of Apportionment to determine the percentage and amount of funds to be available within the forthcoming fiscal year, and

**WHEREAS**, the attached schedule of apportionment for FY 2020-21 is based upon the Measure C Extension Strategic Implementation Plan.

**NOW THEREFORE, BE IT RESOLVED**, that the Fresno County Transportation Authority hereby approves the attached schedule of apportionment for FY 2020-21 as indicated in the Measure C Extension Strategic Implementation Plan, which schedule is hereby made a part of this resolution, and approves the allocations, to be distributed as they are received and in accordance with claims submitted by eligible claimants.

**BE IT FURTHER RESOLVED**, that the Fresno County Auditor-Controller/Treasurer-Tax Collector cause the revised Resolution of Apportionment to be paid in the manner and time directed by the Executive Director of the Fresno County Transportation Authority.

**THE FOREGOING RESOLUTION** was passed and adopted by the Fresno County Transportation Authority Board this 3rd day of June, 2020.

AYES: (8) Mendes, Ashbeck, Brand, Brandau, Caprioglio, Cardenas, Dhaliwal, Sihota

NOES: (0)

ABSTAIN: ( )

ABSENT: ( )

VACANT: (1)

SIGNED:   
Ernest "Buddy" Mendes, Chairman  
Fresno County Transportation Authority

**ATTEST:**

I hereby certify that the foregoing is a true copy of a resolution of the Fresno County Transportation Authority duly adopted at a regular meeting thereof held on June 3, 2020.

SIGNED:   
Mike Leonardo, Executive Director  
Fresno County Transportation Authority

/dd/reso/PassThru-Allocation-2020-01

**RESOLUTION OF ALLOCATION 2020-01  
 FY2020-21 MEASURE C EXTENSION ESTIMATED ALLOCATIONS**

**Table 1  
 Measure C Sales Tax Revenue  
 2020/21  
 Approved by the FCTA Board 6/3/20**

Sales Tax Estimate	\$72,711,059
Program Services and Supplies	\$768,262
Net Distributed Sales Tax Estimate	\$71,942,797

Funding Allocation Programs	Percent	Allocation
Regional Public Transit Program		
Public Transit Agencies		
Fresno Area Express (FAX)	13.70%	9,856,163
Clovis Transit	1.97%	1,417,273
Fresno County Rural Transit Agency (FCRTA)	3.99%	2,870,518
Public Transportation Infrastructure Study (PTIS)	0.29%	208,634
ADA / Seniors / Paratransit	0.79%	568,348
Farmworker / Car / Van Pools		
Farmworker Van Pools	0.58%	417,268
Car/Van Pools	0.58%	417,268
New Technology Reserve	2.10%	1,510,799
Local Transportation Program		
Local Allocation	30.60%	22,014,496
Pedestrian/Trails		
Urban (Fresno/Clovis)	2.15%	1,546,770
Rural	0.95%	683,457
Bicycle Facilities	0.90%	647,485
Regional Transportation Program		
Urban	14.70%	10,575,591
Rural	14.70%	10,575,591
Airports	1.00%	719,428
Alternative Transportation Program		
Grade Separation	6.00%	4,316,568
Environmental Enhancement		
School Bus Replacement	2.30%	1,654,684
Transit Oriented Infrastructure for In-Fill	1.20%	863,314
Administration/Planning Program		
Fresno County Transportation Authority (FCTA)	1.00%	719,428
Fresno Council of Governments (FCOG)	0.50%	359,714
<b>Total</b>	<b>100.00%</b>	<b>71,942,797</b>

RESOLUTION OF ALLOCATION 2020-01  
 LOCAL TRANSPORTATION SUB PROGRAM FY2020-21 ALLOCATIONS

Table 2  
 FRESNO COUNTY TRANSPORTATION AUTHORITY  
 MEASURE C FUND APPORTIONMENT  
 Local Allocation Sub Program  
 FY2020/21

6/3/2020 Presented to the FCTA Board

	Street Maintenance	ADA Compliance	Flexible Funding	Ped/Trails Urban	Ped/Trails Rural	Bicycle Facilities	Total
Clovis	1,090,243	9.90%	1,052,084	16.81%	0	65,987	2,506,498
Coalinga	201,071	1.83%	241,000	0	0	0	449,107
Firebaugh	118,035	1.07%	135,567	0	0	0	257,732
Fowler	111,671	1.01%	125,703	0	0	0	241,282
Fresno	4,761,442	43.26%	4,594,792	76.99%	0	298,865	11,012,547
Huron	109,581	1.00%	125,390	0	0	0	238,805
Kerman	188,067	1.71%	224,912	0	0	0	419,561
Kingsburg	173,782	1.58%	203,554	0	0	0	383,417
Mendota	152,587	1.39%	180,953	0	0	0	338,880
Orange Cove	133,998	1.22%	155,189	0	0	0	293,876
Parlier	180,275	1.64%	216,767	0	0	0	403,352
Reedley	277,956	2.53%	268,228	0	56,333	14,460	626,704
San Joaquin	86,206	0.78%	97,506	0	0	0	183,712
Sanger	290,855	2.64%	280,675	0	59,089	15,278	656,077
Selma	264,747	2.41%	322,216	0	0	0	596,228
County of Fresno	2,866,736	26.04%	2,766,400	6.20%	276,334	178,677	6,284,430
TOTAL	11,007,248		10,990,932		391,756	573,267	24,892,208

## RESOLUTION OF ALLOCATION 2020-01 LOCAL TRANSPORTATION PROGRAM SUB PROGRAM FY2020-21 CALCULATIONS

**Table 3  
FRESNO COUNTY TRANSPORTATION AUTHORITY  
MEASURE C FUND APPORTIONMENT CALCULATIONS**  
Local Allocation Sub Program  
FY2020/21  
6/3/2020 Presented to the FCTA Board

	2020			2016			Percent	Percent	Formula Above Minimum	Local Allocation Program	Street Maint. 50% of Local Allocation Program	Total Allocable to Local Allocation Program	Redistribute Ped/Trails	Redistribute Bic.Fac.	ADA Compliance	Flexible Funding	Ped/Trails Urban	Ped/Trails Rural	Bicycle Facilities	Total
	Population	Road Miles	75%	25%	Percent	Percent														
Clovis	119,175	386.9	0.087341136	0.014571042	10.19%	100,000	2,080,466	2,180,466	1,060,243	2,506,468	0	0	0	0	38,159	1,052,084	260,025	0	65,987	2,506,468
Coalinga	17,199	56.3	0.012604827	0.002195487	1.48%	100,000	302,141	402,141	201,071	449,107	37,363	9,583	7,037	0	0	241,000	0	0	0	449,107
Firebaugh	7,981	21.7	0.00549126	0.000816198	0.67%	100,000	136,069	236,069	118,035	257,732	17,347	4,316	4,131	0	0	135,567	0	0	0	257,732
Fowler	6,454	34.8	0.004730016	0.001311868	0.60%	100,000	123,342	223,342	111,671	241,262	14,028	3,912	3,908	0	0	125,703	0	0	0	241,262
Fresno	545,769	1,635.3	0.399893926	0.061594159	46.16%	100,000	9,422,884	9,522,884	4,761,442	11,012,547	0	0	166,650	4,594,792	1,190,798	4,594,792	1,190,798	0	298,865	11,012,547
Huron	7,299	13.0	0.005349301	0.00048776	0.58%	100,000	119,161	219,161	109,581	238,805	15,865	3,779	3,835	0	0	125,390	0	0	0	238,805
Kerman	15,960	48.8	0.011689458	0.001836917	1.35%	100,000	276,134	376,134	188,067	419,561	34,669	8,758	6,582	0	0	224,912	0	0	0	419,561
Kingsburg	12,883	71.3	0.009441711	0.002685131	1.21%	100,000	247,963	347,963	173,782	383,417	28,002	7,852	6,082	0	0	203,354	0	0	0	383,417
Mendota	12,514	23.3	0.009171277	0.000879099	1.01%	100,000	205,173	305,173	152,587	338,680	27,200	6,507	5,341	0	0	180,953	0	0	0	338,680
Orange Cove	9,456	34.5	0.006930126	0.001290062	0.82%	100,000	167,995	267,995	133,998	293,876	20,553	5,328	4,690	0	0	155,189	0	0	0	293,876
Parlier	15,890	29.7	0.011644685	0.001117518	1.28%	100,000	260,550	360,550	180,275	403,352	34,538	8,264	6,310	0	0	216,767	0	0	0	403,352
Readley	25,917	88.6	0.018994066	0.003338617	2.23%	100,000	455,911	555,911	277,956	626,704	9,003	2,297	9,728	0	0	268,228	56,333	0	14,460	626,704
San Joaquin	4,142	13.6	0.003035595	0.000511488	0.35%	100,000	72,412	172,412	86,206	183,712	0	0	0	0	0	97,566	0	0	0	183,712
Sanger	21,185	97.5	0.01952338	0.003573081	2.36%	100,000	481,710	581,710	290,855	656,077	0	0	10,180	0	0	280,675	0	59,089	15,278	656,077
Selma	24,436	83.1	0.017908689	0.003129553	2.10%	100,000	429,493	529,493	264,747	596,228	53,113	13,622	9,266	0	0	322,216	0	0	0	596,228
County of Fresno	171,108	3,997.2	0.125401863	0.150552619	27.60%	100,000	5,633,472	5,733,472	2,866,736	6,284,430	0	0	100,336	2,766,400	95,947	2,766,400	95,947	276,334	178,677	6,284,430
<b>TOTAL</b>	1,023,358	6,637.5	0.750000	0.250000	100.00%	1,600,000	20,414,466	22,014,466	11,007,248	24,882,208	291,701	74,218	382,235	10,990,932	1,546,770	391,756	1,546,770	391,756	573,267	24,882,208

FY20 LTP Allocation  
20,414,466

	Urban Population		Rural Population		Pedestrian Trails		Bicycle Fac. Sub Program	Redistribute to Flexible Funding	Bicycle Fac. Sub Program	Redistribute to Flexible Funding
	Urban	Rural	Urban	Rural	Urban	Rural				
Clovis	119,175				260,025		0	65,987	0	0
Coalinga	17,199				37,363		0	9,583	9,583	0
Firebaugh	7,981				17,347		0	4,316	4,316	0
Fowler	6,454				14,028		0	3,912	3,912	0
Fresno	545,769				1,190,798		0	298,865	0	0
Huron	7,299				15,865		0	3,779	3,779	0
Kerman	15,960				34,669		0	8,758	8,758	0
Kingsburg	12,883				25,002		0	7,852	7,852	0
Mendota	12,514				27,200		0	6,507	6,507	0
Orange Cove	9,456				20,553		0	5,328	5,328	0
Parlier	15,890				34,538		0	8,264	8,264	0
Readley	25,917				56,333		0	14,460	14,460	0
San Joaquin	4,142				9,003		0	2,297	2,297	0
Sanger	21,185				59,089		0	15,278	15,278	0
Selma	24,436				53,113		0	13,622	13,622	0
County of Fresno	43,975				95,947		0	178,677	178,677	0
<b>TOTAL</b>	708,919	314,439	1,546,770	683,457	291,701	647,485	74,218	391,756	573,267	647,485

2,230,227

**MEASURE C EXTENSION  
LOCAL TRANSPORTATION PASS THROUGH REVENUES  
CERTIFICATION AND CLAIM FOR FY2020-21**

TO: Fresno County Transportation Authority

FROM: City of Mendota  
*Local Agency Name*

Address: 643 Quince Street, Mendota, CA 93640

Contact: Nancy M. Diaz, Finance Officer

Telephone: (559) 655-3291 x114 FAX: (559) 655-4064 Email Address: nancy@cityofmendota.com

**1. Applicable Funding Program: (Check One)**

- |   |  |  |
|---|--|--|
| <i>Regional Public Transit Program</i>              | <i>Local Transportation Program</i>                    | <i>Alternative Transportation Program</i>                            |
| <input type="checkbox"/> Fresno Area Express        | <input checked="" type="checkbox"/> Street Maintenance | <input type="checkbox"/> Rail Consolidation Subprogram               |
| <input type="checkbox"/> Clovis Transit             | <input type="checkbox"/> ADA Compliance                | <i>Environmental Enhancement Program</i>                             |
| <input type="checkbox"/> FCRTA                      | <input type="checkbox"/> Flexible Funding              | <input type="checkbox"/> School Bus Replacement                      |
| <input type="checkbox"/> PTIS/Transit Consolidation | <input type="checkbox"/> Pedestrian/Trails Urban       | <input type="checkbox"/> Transit Oriented Infrastructure for In-Fill |
| <input type="checkbox"/> ADA/Seniors/Paratransit    | <input type="checkbox"/> Pedestrian/Trails Rural       | <i>Administrative/Planning Program</i>                               |
| <input type="checkbox"/> Farmworker Van Pools       | <input type="checkbox"/> Bicycle Facilities            | <input type="checkbox"/> Fresno COG                                  |
| <input type="checkbox"/> Car/Van Pools              | <i>Regional Transportation Program</i>                 |  |
| <input type="checkbox"/> New Technology Reserve     | <input type="checkbox"/> Fresno Airports               |  |

2. The City of Mendota ("claimant") is an eligible claimant of funds for local transportation purposes pursuant to *Local Agency Name* California Public Utilities Code Section 142257.

3. The Fresno County Transportation Authority has adopted a Resolution of Apportionment for Fiscal Year 2020-2021 setting 1.39% of \$11,007,248 (or \$152,587) for the Subprogram or Category of funds checked above and available to the claimant. On behalf of claimant, I hereby request release of the funds to claimant in accordance with:

- (a) Monthly payments consistent with adopted percentage, based on actual receipts
- (b) Compliance with Steps A and B of the Strategic Implementation Plan (SIP) – Local Agency Pass-Through Funding programs and Other Revenue Program Funding

4. On behalf of claimant, I hereby certify as follows:

- (a) That the Subprogram or Category of funds checked above are not being used to substitute for property tax funds which claimant had previously used for local transportation purposes. Such substitution of property tax funds is prohibited by California Public Utilities Code Section 142257.
- (b) That claimant has segregated property tax revenues from claimant's other general fund revenues used to support the Subprogram or Category of funds checked above so that verification of non-substitution can be proved through audit or that the non-substitution of funds shall apply to claimant's entire general fund.
- (c) That claimant shall account for Subprogram or Category of funds checked above and received pursuant to Public Utilities Code Section 142257. Claimant shall maintain current records in accordance with generally accepted accounting principles and shall separately record expenditures for each type of eligible purpose. Claimant shall make such records available to the Authority for inspection or audit at any time.

5. Claimant understands that should financial or compliance audit exceptions be found, the Fresno County Transportation Authority will take immediate steps to resolve the exceptions in accordance with its adopted procedures.

Authorized Signature: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: Finance Director

ATTACHMENT: Evidence of Formal Action for Approval and Submittal

Approved by: Fresno County Transportation Authority Board on: \_\_\_\_\_



**MEASURE C EXTENSION  
LOCAL TRANSPORTATION PASS THROUGH REVENUES  
CERTIFICATION AND CLAIM FOR FY2020-21**

TO: Fresno County Transportation Authority

FROM: City of Mendota  
*Local Agency Name*

Address: 643 Quince Street, Mendota, CA 93640

Contact: Nancy M. Diaz, Finance Officer

Telephone: (559) 655-3291 x114 FAX: (559) 655-4064 Email Address: nancy@cityofmendota.com

**1. Applicable Funding Program: (Check One)**

- |   |  |  |
|---|--|--|
| <i>Regional Public Transit Program</i>              | <i>Local Transportation Program</i>                | <i>Alternative Transportation Program</i>                            |
| <input type="checkbox"/> Fresno Area Express        | <input type="checkbox"/> Street Maintenance        | <input type="checkbox"/> Rail Consolidation Subprogram               |
| <input type="checkbox"/> Clovis Transit             | <input checked="" type="checkbox"/> ADA Compliance | <i>Environmental Enhancement Program</i>                             |
| <input type="checkbox"/> FCRTA                      | <input type="checkbox"/> Flexible Funding          | <input type="checkbox"/> School Bus Replacement                      |
| <input type="checkbox"/> PTIS/Transit Consolidation | <input type="checkbox"/> Pedestrian/Trails Urban   | <input type="checkbox"/> Transit Oriented Infrastructure for In-Fill |
| <input type="checkbox"/> ADA/Seniors/Paratransit    | <input type="checkbox"/> Pedestrian/Trails Rural   | <i>Administrative/Planning Program</i>                               |
| <input type="checkbox"/> Farmworker Van Pools       | <input type="checkbox"/> Bicycle Facilities        | <input type="checkbox"/> Fresno COG                                  |
| <input type="checkbox"/> Car/Van Pools              | <i>Regional Transportation Program</i>             |  |
| <input type="checkbox"/> New Technology Reserve     | <input type="checkbox"/> Fresno Airports           |  |

2. The City of Mendota ("claimant") is an eligible claimant of funds for local transportation purposes pursuant to *Local Agency Name* California Public Utilities Code Section 142257.

3. The Fresno County Transportation Authority has adopted a Resolution of Apportionment for Fiscal Year 2020-2021 setting 1.40% of \$382,235 (or \$5,341) for the Subprogram or Category of funds checked above and available to the claimant. On behalf of claimant, I hereby request release of the funds to claimant in accordance with:  
(a) Monthly payments consistent with adopted percentage, based on actual receipts  
(b) Compliance with Steps A and B of the Strategic Implementation Plan (SIP) – Local Agency Pass-Through Funding programs and Other Revenue Program Funding

4. On behalf of claimant, I hereby certify as follows:  
(a) That the Subprogram or Category of funds checked above are not being used to substitute for property tax funds which claimant had previously used for local transportation purposes. Such substitution of property tax funds is prohibited by California Public Utilities Code Section 142257.  
(b) That claimant has segregated property tax revenues from claimant's other general fund revenues used to support the Subprogram or Category of funds checked above so that verification of non-substitution can be proved through audit or that the non-substitution of funds shall apply to claimant's entire general fund.  
(c) That claimant shall account for Subprogram or Category of funds checked above and received pursuant to Public Utilities Code Section 142257. Claimant shall maintain current records in accordance with generally accepted accounting principles and shall separately record expenditures for each type of eligible purpose. Claimant shall make such records available to the Authority for inspection or audit at any time.

5. Claimant understands that should financial or compliance audit exceptions be found, the Fresno County Transportation Authority will take immediate steps to resolve the exceptions in accordance with its adopted procedures.

Authorized Signature: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: Finance Director

ATTACHMENT: Evidence of Formal Action for Approval and Submittal

Approved by: Fresno County Transportation Authority Board on: \_\_\_\_\_

**MEASURE C EXTENSION  
LOCAL TRANSPORTATION PASS THROUGH REVENUES  
CERTIFICATION AND CLAIM FOR FY2020-21**

TO: Fresno County Transportation Authority

FROM: City of Mendota  
*Local Agency Name*

Address: 643 Quince Street, Mendota, CA 93640

Contact: Nancy M. Diaz, Finance Officer

Telephone: (559) 655-3291 x114 FAX: (559) 655-4064 Email Address: nancy@cityofmendota.com

**1. Applicable Funding Program: (Check One)**

- |   |  |  |
|---|--|--|
| <i>Regional Public Transit Program</i>              | <i>Local Transportation Program</i>                  | <i>Alternative Transportation Program</i>                            |
| <input type="checkbox"/> Fresno Area Express        | <input type="checkbox"/> Street Maintenance          | <input type="checkbox"/> Rail Consolidation Subprogram               |
| <input type="checkbox"/> Clovis Transit             | <input type="checkbox"/> ADA Compliance              | <i>Environmental Enhancement Program</i>                             |
| <input type="checkbox"/> FCRTA                      | <input checked="" type="checkbox"/> Flexible Funding | <input type="checkbox"/> School Bus Replacement                      |
| <input type="checkbox"/> PTIS/Transit Consolidation | <input type="checkbox"/> Pedestrian/Trails Urban     | <input type="checkbox"/> Transit Oriented Infrastructure for In-Fill |
| <input type="checkbox"/> ADA/Seniors/Paratransit    | <input type="checkbox"/> Pedestrian/Trails Rural     | <i>Administrative/Planning Program</i>                               |
| <input type="checkbox"/> Farmworker Van Pools       | <input type="checkbox"/> Bicycle Facilities          | <input type="checkbox"/> Fresno COG                                  |
| <input type="checkbox"/> Car/Van Pools              | <i>Regional Transportation Program</i>               |  |
| <input type="checkbox"/> New Technology Reserve     | <input type="checkbox"/> Fresno Airports             |  |

2. The City of Mendota ("claimant") is an eligible claimant of funds for local transportation purposes pursuant to *Local Agency Name* California Public Utilities Code Section 142257.

3. The Fresno County Transportation Authority has adopted a Resolution of Apportionment for Fiscal Year 2020-2021 setting 1.65% of \$10,990,932 (or \$180,953) for the Subprogram or Category of funds checked above and available to the claimant. On behalf of claimant, I hereby request release of the funds to claimant in accordance with:

- (a) Monthly payments consistent with adopted percentage, based on actual receipts
- (b) Compliance with Steps A and B of the Strategic Implementation Plan (SIP) – Local Agency Pass-Through Funding programs and Other Revenue Program Funding

4. On behalf of claimant, I hereby certify as follows:

- (a) That the Subprogram or Category of funds checked above are not being used to substitute for property tax funds which claimant had previously used for local transportation purposes. Such substitution of property tax funds is prohibited by California Public Utilities Code Section 142257.
- (b) That claimant has segregated property tax revenues from claimant's other general fund revenues used to support the Subprogram or Category of funds checked above so that verification of non-substitution can be proved through audit or that the non-substitution of funds shall apply to claimant's entire general fund.
- (c) That claimant shall account for Subprogram or Category of funds checked above and received pursuant to Public Utilities Code Section 142257. Claimant shall maintain current records in accordance with generally accepted accounting principles and shall separately record expenditures for each type of eligible purpose. Claimant shall make such records available to the Authority for inspection or audit at any time.

5. Claimant understands that should financial or compliance audit exceptions be found, the Fresno County Transportation Authority will take immediate steps to resolve the exceptions in accordance with its adopted procedures.

Authorized Signature: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: Finance Director

ATTACHMENT: Evidence of Formal Action for Approval and Submittal

Approved by: Fresno County Transportation Authority Board on: \_\_\_\_\_



---

---

**AGENDA ITEM – STAFF REPORT**

---

---

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** NANCY M. DIAZ, FINANCE OFFICER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** AGREEMENT WITH THE FRESNO COUNTY RURAL TRANSIT AGENCY (FCRTA) FOR SAFETY AND SECURITY SERVICES  
**DATE:** JULY 14, 2020

---

**ISSUE**

Shall the City Council adopt Resolution No. 20-47, approving the agreement with Fresno County Rural Transit for safety and security services?

**BACKGROUND**

The City has had prior agreements with FCRTA to provide safety and security services where they compensated the City each year for such services.

**ANALYSIS**

The Mendota Police Department has provided the service requested in past years and recognized that the service do not hinder the Police Department from fulfilling its service obligation to the citizens of Mendota. The FCRTA agrees to compensate the City of Mendota in the amount of \$10,000.00 per year to provide the requested service.

The City's obligations would entail a Police Officer, at a minimum of one day per week (Monday – Saturday) to:

1. A uniformed officer shall board the stopped vehicle at any designated bus stop
2. Make visual observations while inside the vehicle
3. Greet driver of vehicle
4. Assist passengers or driver with any questions
5. Provide bus shelter safety and security

**FISCAL IMPACT**

A \$10,000.00 revenue for the General Fund.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 20-47, approving the agreement with FCRTA for safety and security services.

**Attachment(s):**

1. Resolution No. 20-47
2. Exhibit "A" – Agreement for Services between the Fresno County Rural Transit Agency and the City of Mendota

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AUTHORIZING  
THE EXECUTION OF AN AGREEMENT WITH  
THE FRESNO COUNTY RURAL TRANSIT  
AGENCY FOR SAFETY AND SECURITY  
SERVICES**

**RESOLUTION NO. 20-47**

**WHEREAS**, it is necessary and desirable that the City of Mendota contract with the Fresno County Rural Transit Agency ("FCRTA") to provide law enforcement services to FCRTA vehicles operating within the City's jurisdiction; and

**WHEREAS**, FCRTA represents that it is authorized by Section 3 of the Joint Powers Agreement that created FCRTA to contract for the services to be provided by the City under the agreement attached hereto as "Exhibit A"; and

**WHEREAS**, the City represents that it is authorized by law to provide the services described in the attached agreement to FCRTA.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota hereby approves the Agreement for Services between the Fresno County Rural Transit Agency and the City of Mendota, in substantially the form attached hereto as "Exhibit A", and authorizes the City Manager to execute the Agreement.

\_\_\_\_\_  
Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 14<sup>th</sup> day of July, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

## Exhibit A

**AGREEMENT FOR SERVICES BETWEEN  
THE FRESNO COUNTY RURAL TRANSIT AGENCY AND THE  
CITY OF MENDOTA**

This AGREEMENT, made and entered into this 1<sup>st</sup> day of June, 2020 (hereinafter referred to as "Effective Date") by and between the FRESNO COUNTY RURAL TRANSIT AGENCY, a joint powers Public Agency (hereafter referred to as "FCRTA"), and the CITY OF MENDOTA, a California municipal corporation and general law city (hereafter referred to as "CITY"). FCRTA and CITY are sometimes collectively referred to herein as the "Parties" and individually as a "Party."

**WITNESSETH:**

WHEREAS, it is necessary and desirable that CITY contract with FCRTA to provide law enforcement, safety, security, and other services as described in this Agreement to FCRTA vehicles and facilities operating within CITY'S boundaries; and

WHEREAS, FCRTA represents that it is authorized by Section 3 of the Joint Powers Agreement that created FCRTA, which was originally executed on September 27, 1979, to contract for the services to be provided by the CITY under this Agreement; and

WHEREAS, CITY represents that it is authorized by law to provide the services hereinafter described to FCRTA.

NOW, THEREFORE, it is agreed by FCRTA and CITY as follows:

**I. CITY'S OBLIGATIONS**

A. A police officer employed by CITY shall provide following services to FCRTA at a minimum of one day per week (Monday – Saturday), as selected by CITY:

1. A uniformed officer shall Board the stopped vehicle at any designated bus stop
2. Make visual observations while inside vehicle
3. Greet driver of vehicle
4. Assist passengers or driver with any questions
5. Provide bus shelter safety and security

B. CITY shall complete and submit the FCRTA Police Officer Observation Report attached hereto as Exhibit A and incorporated herein by reference.

C. CITY will make available to FCRTA all documents, studies, or other information in its possession that is not protected by the attorney-client privilege related to the services provided by CITY under this Agreement.

## **II. FCRTA's OBLIGATIONS**

A. FCRTA shall compensate CITY as provided in section III of this Agreement.

B. FCRTA will make available to CITY all documents, studies, or other information in its possession that is not protected by the attorney-client privilege related to the services provided by CITY under this Agreement.

## **III. COMPENSATION AND INVOICING**

A. Notwithstanding any other provision in this Agreement, payment by FCRTA to CITY for the services rendered under this Agreement, shall be limited by an amount not to exceed the sum of \$10,000.00.

B. CITY shall submit two semi-annual invoices to FCRTA. Each invoice shall specify: (1) the total amount previous charged by CITY to FCRTA for services provided under this Agreement; (2) total hours of services rendered during the period covered by the invoice; multiplied by (3) the CITY's approved billing rate of \$21.77 per hour, equaling (4) the amount owed to CITY for the services provided during the period covered by the invoice.

## **IV. TERMINATION**

A. Termination Without Cause.

This Agreement may be terminated without cause at any time by FCRTA or CITY upon thirty (30) calendar days written notice. If either Party terminates this Agreement, CITY shall be compensated for services satisfactorily completed to the date of termination based upon the compensation rates and subject to the maximum amounts payable agreed to in Section III.

B. Breach of Contract.

FCRTA or CITY may suspend or terminate this Agreement in whole or in part, where in the determination of FCRTA or CITY there is:

1. An illegal or improper use of funds;
2. A failure to comply with the terms of this Agreement, and after due notice, failure to cure;

3. Improperly performed services under this Agreement.
4. Failure to pay for services appropriately rendered.

In no event shall any payment by FCRTA constitute a waiver by FCRTA of any breach of this Agreement or any default which may then exist on the part of the CITY. Neither shall such payment impair or prejudice any remedy available to FCRTA with respect to the breach or default.

#### **V. INDEPENDENT CONTRACTOR**

In performance of the work, duties, and obligations assumed by CITY to be provided under this Agreement, it is mutually expressly understood and agreed that CITY, including any and all of CITY's officers, agents, and employees will at all times be acting and performing as an independent contractor, and shall act in an independent capacity and not as an officer, agent, servant, employee, joint venture, partner, or associate of FCRTA. Furthermore, FCRTA shall have no right to control or supervise or direct the manner or method by which CITY shall perform its work and function. However, FCRTA shall retain the right to administer this Agreement so as to verify that CITY is performing its obligations in accordance with the terms and conditions thereof. CITY and FCRTA shall comply with all applicable provisions of law and the rules and regulations, if any, of governmental authorities having jurisdiction over matters the subject thereof.

Because of its status as an independent contractor, CITY shall have absolutely no right to employment rights and benefits available to FCRTA employees. CITY shall be solely liable and responsible for providing to, or on behalf of, its employees all legally-required employee benefits. In addition, CITY shall be solely responsible and save FCRTA harmless from all matters relating to payment of CITY's employees, including compliance with Social Security, withholding, and all other regulations governing such matters. It is acknowledged that during the term of this Agreement, CITY may be providing services to others unrelated to FCRTA or to this Agreement.

#### **VI. ASSIGNMENT**

CITY shall not assign or subcontract its duties under this Agreement without the prior express written consent of the FCRTA. No such consent shall be construed as making the FCRTA a Party to such subcontract, or subjecting the FCRTA to liability of any kind to any subcontractor.

No subcontract whether existing or later entered into as set forth herein, under any circumstances shall relieve CITY of its liability and obligation under this contract, and all transactions with the FCRTA must be through CITY. Subcontractors may not be changed by CITY without the prior express written approval of FCRTA.

#### **VII. BINDING NATURE OF AGREEMENT; MODIFICATION**

The Parties agree that all of the terms of this Agreement shall be binding upon them and that together these terms constitute the entire Agreement of the Parties with respect to the subject matter hereof. No variation or modification of this Agreement and no waiver of any of its provisions or conditions shall be valid unless in writing and signed by duly authorized representatives of the Parties. This Agreement shall be binding upon FCRTA, CITY, and their successors in interest, legal representatives, executors, administrators, and assigns with respect to all covenants as set forth herein.

### **VIII. INDEMNITY**

The CITY and FCRTA (hereafter individually referred to as a “PARTY”) shall hold harmless, and indemnify the other PARTY and its respective governing board, officers, directors, employees, authorized agents, contractors or subcontractors from and against any and all claims, damages, losses, liabilities, costs, and expenses (including reasonable attorneys’ and expert witness fees and costs) that arise out of or as a result of any negligent act or omission or willful misconduct of the indemnifying PARTY or its governing board, officers, directors, employees, authorized agents, contractors or subcontractors in carrying out the indemnifying PARTY’s obligations under this Agreement, except to the extent that such expense, liability or claim is proximately caused by the negligence or willful misconduct of the PARTY indemnified or its governing board, officers, directors, employees, authorized agents, contractors or subcontractors.

### **IX. NON DISCRIMINATION AND DBE**

CITY shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. CITY shall carry out all applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the CITY to carry out these requirements is a material breach of this contract, which may result in the termination of this contract and such other remedy as the recipient deems appropriate.

### **X. INSURANCE**

Without limiting either Parties right to obtain indemnification, CITY shall require its subcontractors, at their sole expense to maintain in full force and effect the following insurance policies throughout the term of this Agreement:

- A. General liability insurance with coverage of not less than \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If the Commercial General Liability Form or any other policy with a general aggregate limit is used, either the aggregate limit shall be endorsed to apply separately to this project or the aggregate limit shall be twice the above occurrence limit.
- B. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.

- C. Automobile Physical Damage: Subject to existing law, collision and other types of physical damage coverage, including repair or replacement with comparable equipment.
- D. The above liability limits may consist of a combination of a primary policy limit and an excess policy limit to total at least \$1,000,000.
- E. Workers compensation insurance as required by law.

General liability insurance policies shall name the FCRTA, its officers, and employees, individually and collectively, as additional insured, but only insofar as the operations under this Agreement are concerned. Such coverage for additional insured shall apply as primary insurance and any other insurance, or self-insurance, maintained by FCRTA, its officers, agents, and employees, shall be excess only and not contributing with insurance provided under the CITY's subcontractors policies herein.

CITY shall not cancel or change any insurance policy required by this Agreement without a minimum of thirty (30) days advance, written notice given to FCRTA.

CITY shall provide certification of all insurance policies required by this Agreement to FCRTA within twenty-one (21) days of the date of the execution of this Agreement.

#### **XI. CONFLICT OF INTEREST**

CITY and FCRTA covenant they have no interest, and will not have any interest, direct or indirect, which would conflict in any manner with the performances of the services required hereunder.

#### **XII. EFFECTIVE DATE, TERM**

This Agreement shall become effective as of the the Effective Date above and shall remain in full force and effect through June 30, 2021, unless sooner terminated or unless its term is extended. Upon the mutual written Agreement of the Parties hereto, this Agreement may be extended beyond that date.

#### **XIII. NOTICES**

Any and all notices between FCRTA and the CITY provided for or permitted under this Agreement or by law shall be in writing and shall be deemed duly served when personally delivered to one of the Parties, or in lieu of such personal service, when deposited in the United States Mail, postage prepaid, addressed to such Party, at such addresses set forth below:



**FCRTA**

Moses Stites, General Manager  
Fresno County Rural Transit Agency  
2035 Tulare, Suite 201  
Fresno, CA 93721

**CITY**

Cristian Gonzalez, City Manager  
City of Mendota  
643 Quince Street  
Mendota, California 93640

**XIV. VENUE; GOVERNING LAW**

Venue for any claim or action arising under this Agreement shall be in Fresno County, California. This Agreement shall be governed in all respects by the laws of the State of California.

**XV. LEGAL AUTHORITY**

Each Party represents and warrants to the other Party that such Party is duly authorized and empowered to execute, enter into, and perform its obligations set forth in this Agreement, and that the individual signing this Agreement on behalf of such Party has been duly authorized to execute this Agreement on behalf of such Party, and will, by signing this Agreement on such Party's behalf, legally bind such Party to the terms, covenants, and conditions of this Agreement. Each Party further represents and warrants to the other Party that no other person or entity is required to give its approval or consent to this Agreement in order for such Party to authorize, enter into, and perform its obligations under this Agreement, or that if such approval or consent to this Agreement is required, that such approval or consent has been obtained.

**XVI. DRUG FREE WORK PLACE**

CITY and FCRTA shall certify compliance with Government Code Section 8355 pertaining to providing a drug-free workplace per Exhibit B - "Drug Free Workplace Certification".

**XVII. FEDERAL FUNDS**

CITY and FCRTA shall acknowledge the participation of federal funds in this PROJECT by causing to have printed on the cover page of any final document provided subsequent to this Agreement, "The preparation of this report has been financed in part through grants from the United States Department of Transportation."

(Signature page follows.)

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed as of the date and year first above written.

FRESNO COUNTY RURAL TRANSIT

By \_\_\_\_\_  
MOSES STITES, General Manager

CITY OF MENDOTA

By \_\_\_\_\_  
CRISTIAN GONZALEZ, City Manager

APPROVED AS TO LEGAL FORM ON BEHALF OF FCRTA:  
DANIEL C. CEDERBORG, County Counsel

By \_\_\_\_\_  
BRYAN ROME, Deputy County Counsel

APPROVED AS TO LEGAL FORM ON BEHALF OF CITY:

By \_\_\_\_\_  
MENDOTA CITY ATTORNEY

---

---

**AGENDA ITEM – STAFF REPORT**

---

---

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CELESTE CABRERA-GARCIA, CITY CLERK  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** RATIFYING THE LETTER OF AUTHORIZATION FOR THE OIL PAYMENT PROGRAM  
CYCLE 11 (OPP11)  
**DATE:** JULY 14, 2020

---

**ISSUE**

Shall the City Council adopt Resolution No. 20-48, ratifying the Letter of Authorization submitted to Fresno County for the submittal of a grant application to CalRecycle for the Oil Payment Program Cycle 11 (OPP11)?

**BACKGROUND**

The City of Mendota has participated in the Oil Payment Program (OPP) for many years. This program allows businesses to register with Fresno County and receive reimbursement for accepting used oil. The County has coordinated this program for over 20 years and is preparing another grant application for OPP Cycle 11 (OPP11).

**ANALYSIS**

Fresno County is planning to once again be the lead agency on the program application to the California Department of Resources Recycling and Recovery (CalRecycle) and is asking for Letters of Authorization from the cities that wish to participate. There is no cost to our City for participating in the program and it provides a benefit by subsidizing the cost of accepting used oil, so residents can exchange it to be recycled for free.

Attached is an Oil Payment Program Highlights letter that was provided to staff that contains information about the program. Additionally, attached is the Letter of Authorization that the City needs to provide to the County so that they can submit the grant application on the City's behalf. Due to the County requiring that the letter be submitted to them no later than July 9, 2020, staff has executed and submitted the letter to the County and is requesting that the City Council ratify the Letter of Authorization.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 20-48, ratifying the Letter of Authorization submitted to Fresno County for the submittal of a grant application to CalRecycle for the Oil Payment Program Cycle 11 (OPP11).

**Attachment(s):**

1. Oil Payment Program Highlights letter
2. Resolution No. 20-48
3. Exhibit "A" – Letter of Authorization



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E. WHITE, DIRECTOR

June 19, 2020

Cristian Gonzalez, City Manager  
City of Mendota

## **RE: Used Oil Payment Program**

Dear Mr. Gonzalez:

Fresno County looks forward to a continued partnership with the City of Mendota to actively maintain and improve the Used Oil/Filter Recycling program (UOP). The County manages the UOP on a regional basis that allows for the creation of partnerships with the public and private agencies to promote and educate the public in the proper disposal and handling of this waste. These partnerships create a synergy, allow for economies of scale, and maximize funds to extend the message of used oil and filter recycling to all residents.

On an annual basis, the County of Fresno on behalf of the City of Mendota and the 13 other jurisdictions, submits applications to the California Department of Resources, Recycling and Recovery (CalRecycle) to recoup grant funds to help aid in the effort of educating the public on hazardous waste and proper disposal of used oil/filters. The **Oil Payment Program (OPP)** grant is awarded on a per capita basis. As a result, when the 14 jurisdictions and the County of Fresno collaborate, the grant award is increased significantly. For the OPP9 and OPP10 cycles, the 14 jurisdictions and the County of Fresno were collectively awarded \$148,189.00 and \$150,278.00 respectively. Based on the grant requirements, the City of Mendota was awarded a share based on population.

Through advertising campaigns, community outreach, and maintaining communication and relationships with our Certified Collections Centers throughout Fresno County, it is the County's goal to assist your jurisdiction and respective City Representation in whatever way we can. If you have any questions or suggestions where we can help, feel free to contact me at [nmurphy@fresnocountyca.gov](mailto:nmurphy@fresnocountyca.gov) or by phone at (559) 600-0510.

Sincerely,

Naomi Murphy- Staff Analyst  
Resources Division  
Department of Public Works and Planning

c: Jerod Weeks, Principal Analyst

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA RATIFYING THE  
LETTER OF AUTHORIZATION SUBMITTED TO  
FRESNO COUNTY FOR THE SUBMITTAL OF A  
GRANT APPLICATION TO CALRECYCLE FOR  
THE OIL PAYMENT PROGRAM CYCLE 11**

**RESOLUTION NO. 20-48**

**WHEREAS**, Fresno County (“County”) has acted as the lead applicant for the region in submitting grant applications to the California Department of Resources Recycling & Recovery (“CalRecycle”) for assistance in disposing used oil and filters; and

**WHEREAS**, the County has requested that the City of Mendota (“City”) submit a Letter of Authorization to formalize the City’s participation in the program and authorize the County to submit the application on the City’s behalf; and

**WHEREAS**, the Letter of Authorization, attached hereto as Exhibit “A” and incorporated herein by this reference, formalizes the City’s participation in the Oil Payment Program Cycle 11 (“OPP11”); and

**WHEREAS**, the City Manager has executed and submitted the Letter of Authorization to the County in order to ensure that staff has adequate time to process the City’s letter and upload it to CalRecycle’s grant application database.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota hereby ratifies the Letter of Authorization submitted to Fresno County for the submittal of a grant application to CalRecycle for the Oil Payment Program Cycle 11.

\_\_\_\_\_  
Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 14<sup>th</sup> day of July, 2020, by the following vote:

**AYES:  
NOES:  
ABSENT:  
ABSTAIN:**

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

## Exhibit A



# CITY OF MENDOTA

*"Cantaloupe Center Of The World"*

July 7, 2020

Department of Resources Recycling and Recovery (CalRecycle)  
1001 "I" Street  
P.O. Box 4025  
Sacramento, CA 95812-4025

Dear CalRecycle:

**RE: Letter of Authorization for Oil Payment Program, Cycle 11 (OPP11)**

I am the City Manager for the City of Mendota. I am authorized to contractually bind the City of Mendota. Pursuant to this authority, I hereby authorize the **County of Fresno** to submit a regional application and to act as Lead Agency on behalf of the City of Mendota. The County of Fresno is hereby authorized to execute all documents necessary to implement the project and secure payment under the OPP11 program. This authorization is and shall remain effective until the end of the OPP11 performance period, which is **June 30, 2022**.

Sincerely,

Cristian Gonzalez  
City Manager  
City of Mendota  
(559) 655-3291



---

---

**AGENDA ITEM – STAFF REPORT**

---

---

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MICHAEL OSBORN, CITY ENGINEER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** AWARD OF CONTRACT TO THE LOWEST RESPONSIVE BIDDER BASS & BARBOZA  
ROUNDAABOUT PROJECT  
**DATE:** JULY 14, 2020

---

**ISSUE**

Should the City Council adopt Resolution No. 20-49, awarding a construction contract to the lowest responsive bidder and authorizing the City Manager or his designee to execute all documents necessary for the completion of the Project?

**BACKGROUND**

At the April 23, 2019 City Council Meeting, Amendment No. 3 to the Development Agreement by and between the City of Mendota and KSA Homes, Inc. relating to the development of the property commonly known as the La Colonia Property (Tract 6218) was approved which changed the intersection control of the improved Bass Avenue and Barboza Street intersection from signalized to a roundabout.

The developer retained their traffic engineer, Peters Engineering, to prepare the construction plans and cost opinion for the roundabout.

The City Engineer has worked with Fresno Council of Governments (FCOG) and Caltrans District Local Assistance Engineers to program and receive authorization for funds for construction. The Amendment No. 6 to the 2019 Federal Transportation Improvement Plan (FTIP) was prepared by FCOG and included \$990,738 in Federal funds from the Congestion Mitigation and Air Quality (CMAQ) program and the Surface Transportation Block Grant (STBG). On June 1, 2020 the City received authorization for \$877,100 to fund construction, based on the engineer's final opinion of probable construction cost.

The project was advertised in the Business Journal and construction documents (plans and specifications) have been available to contractors through local Builder's Exchanges since Monday, June 8, 2020.

On Tuesday, July 7, 2020 at 2:00 p.m. the public bid opening was held. Five general contractors attended and submitted bids, along with staff and the City Engineer. The five bids were as follows:

<b>CONTRACTOR</b>	<b>AMOUNT</b>
DOD Construction	\$ 1,454,915.00
Bush Engineering	\$ 1,439,910.00
Avison Construction	\$ 1,053,795.00
Cal Valley Construction	\$ 969,092.00
American Paving Company	\$ 1,136,843.00

**ANALYSIS**

Although the Engineer’s Opinion of Probable Construction Cost (EOPCC) for the Project was \$848,574.65 after the design was finalized, the estimated amount programmed in the FTIP was \$990,738; therefore, while the bids received are higher than the EOPCC, the lowest bid represent a good value to the City. Staff believes that the project can proceed in accordance with the Construction Documents and is scheduled to be completed this fall.

This project is scheduled to start by the end of July and be completed by the end of November. This schedule minimizes the potential for weather delays from rain and relatively low daytime temperatures (highs around 55 degrees) that typically occur starting in late November.

**FISCAL IMPACT**

The approved Fiscal Year 2020/2021 Budget allocated Street Funds from the Gas Tax, Measure C, and Local Transportation Funds (LTF) to finance this Project. The construction contract will be reimbursed with Federal funds up to the authorized amount of \$877,100. Because the project was initially programmed in the FTIP at \$990,738, the City Engineer will be working with FCOG and Caltrans District Local Assistance to receive authorization for additional CMAQ or STBG lifeline funds to cover the full cost of construction (additional \$91,992). If additional lifeline funds are not able to be authorized in a timely manner, then the City will utilize local Street Funds to cover the additional costs. This project will not impact the General Fund.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 20-49, awarding the contract for construction of the Bass & Barboza Roundabout to the lowest responsive bidder, Cal Valley Construction, Inc., and authorizing the City Manager or his designee to execute all documents necessary for the completion of the Project.

**Attachment(s):**

1. Resolution No. 20-49

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AWARDED  
THE BID FOR THE BASS & BARBOZA  
ROUNDBOUT PROJECT TO CAL VALLEY  
CONSTRUCTION, INC. IN THE AMOUNT  
OF \$969,092.00**

**RESOLUTION NO. 20-49**

**WHEREAS**, the City of Mendota staff and the City Engineer have determined that the intersection of Bass Avenue and Barboza Street should be controlled with a roundabout; and

**WHEREAS**, Bass Avenue is classified as a Major (Urban) Collector and is thereby eligible for Federal Funding; and

**WHEREAS**, the project was included in the Fresno Council of Governments' Amendment 6 to the 2019 Federal Transportation Improvement Program ("FTIP"); and

**WHEREAS**, the plans and construction cost estimate were prepared by a professional engineer retained by the developer of the La Colonia development and have been reviewed and approved by the City Engineer per Amendment 3 to the Tract 6218 Development Agreement; and

**WHEREAS**, the City Engineer has compiled the plans, specifications and estimate ("PS&E") for the project; and

**WHEREAS**, the State has determined that the project is a Categorical Exclusion under 23 CFR 771.117(c): activity (c)(27); and

**WHEREAS**, on June 1, 2020 the City has received authorization for the use of Federal funds under the Congestion Mitigation and Air Quality ("CMAQ") Program and Surface Transportation Block Grant ("STBG") "Lifeline" funds for construction of the project (Federal Project No. CMLSTBGL-5285(023)); and

**WHEREAS**, on June 8, 2020, notice was published in the Business Journal and regional Builder's Exchanges notifying all interested parties to submit bids for the Project; and

**WHEREAS**, a bid opening was held promptly after the deadline published in the aforementioned notice on July 7, 2020, at 2:00 p.m. in the Council Chambers of the City of Mendota; and

**WHEREAS**, five companies submitted bids before the deadline, with Cal Valley Construction, Inc., qualifying as the lowest responsible, responsive bidder at \$969,092.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota, that the City of Mendota awards the contract for the construction of the Bass & Barboza Roundabout to Cal Valley Construction, Inc. in the amount of \$969,092.00 and authorizes the City Manager or his designee to execute all documents necessary for the completion of the Project.

\_\_\_\_\_  
Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 14<sup>th</sup> day of July, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

---

---

**AGENDA ITEM – STAFF REPORT**

---

---

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MICHAEL OSBORN, CITY ENGINEER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** APPROVAL OF ENGINEER’S REPORT FOR LANDSCAPE & LIGHTING MAINTENACE  
DISTRICT 2019-01 FOR FISCAL YEAR 2020/2021  
**DATE:** JULY 14, 2020

---

**ISSUE**

Shall the City Council adopt Resolution No. 20-50, accepting the Engineer’s Report for the Landscape and Lighting Maintenance District No. 2019-01 for Fiscal Year 2020/2021, declaring its intention to levy and collect assessments for Fiscal Year 2020/2021, and scheduling a public hearing for the consideration of same?

**BACKGROUND**

At its regular meeting of July 9, 2019, the City Council adopted resolution 19-48 forming the Landscape and Lighting Maintenance District 2019-01 (LLMD 2019-01) to cover the costs for landscape maintenance and park lighting operation and maintenance associated with Tract 6218 (La Colonia).

According to the Landscape and Lighting Act of 1972, which is Part 2 of Division 15 of the California Streets and Highways Code (the “Act”), an engineer shall prepare a report for “each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements described in the report” (§22566 SHC). The Act also requires that the City Council adopt a resolution of intention declaring its intention to levy and collect the assessments for the LLMD 2019-01 and schedule a public hearing to discuss such action.

**ANALYSIS**

The landscape improvements included in LLMD 2019-01 have not yet been completed by the developer; completion is pending the construction of the roundabout which is anticipated to occur over the next few months. The park improvements are completed, but they have not yet been accepted by or dedicated to the City. Because of this, the total levy has not changed from last year and the assessment per parcel will remain the same.

The City Manager and City Attorney have reviewed the Engineer’s Report and are satisfied that it meets the requirements of the Act, and it has been filed with the City Clerk as required by the Act. Once the attached resolution of intention is adopted by the City Council, a public hearing will be scheduled for the July 28<sup>th</sup> City Council meeting where the Council will consider authorizing the levy of the assessments for the LLMD No. 2019-01 on the 2020/2021 tax roll.

**FISCAL IMPACT**

No negative financial impact. The assessment will result in income to the City in excess of \$20,000 per year, which is dedicated to the costs for landscape maintenance and park lighting operation and maintenance within LLMD 2019-01.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 20-50, accepting the Engineer's Report for the Landscape and Lighting Maintenance District No. 2019-01 for Fiscal Year 2020/2021, declaring its intention to levy and collect assessments for Fiscal Year 2020/2021, and scheduling a public hearing for consideration of same.

**Attachment(s):**

1. Resolution No. 20-50
2. Exhibit "A" - Engineer's Report for Landscape and Lighting Maintenance District No. 2019-01 for Fiscal Year 2020/2021

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA ACCEPTING  
THE ENGINEER’S REPORT FOR LANDSCAPE  
AND LIGHTING MAINTENANCE DISTRICT NO.  
2019-01 FOR FISCAL YEAR 2020/2021,  
DECLARING ITS INTENTION TO LEVY AND  
COLLECT ASSESSMENTS FOR FISCAL YEAR  
2020/2021, AND SCHEDULING A PUBLIC HEARING  
FOR CONSIDERATION OF SAME**

**RESOLUTION NO. 20-50**

**WHEREAS**, the Landscape and Lighting Act of 1972, California Streets and Highways Code § 22500 *et seq.* (the “Act”), allows agencies, including cities, to create landscape and lighting maintenance districts to assess property owners for the cost of maintaining landscaping and operating lighting systems which provide special benefit to the property owners in the District over and above the benefits received by City of Mendota (“City”) residents at large; and

**WHEREAS**, on July 9, 2019, the City Council adopted Resolution 19-48 forming the Landscape and Lighting Maintenance District 2019-01 (“LLMD No. 2019-01”) to accommodate the La Colonia subdivision to fund improvement for landscape maintenance, including center median landscaping, parkway landscaping along the major perimeter street (Bass Avenue), public easement (paseo) landscaping, and neighborhood park open space area landscaping, and supplemental park lighting; and

**WHEREAS**, per the Act, an engineer shall prepare a report for “each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements described in the report.” (SHC, § 22566.); and

**WHEREAS**, the City Engineer, in consultation with the City Attorney, prepared the requisite Engineer’s Report for LLMD No. 2019-01 for the upcoming fiscal year, attached hereto as Exhibit “A” and incorporated herein by this reference, which contains a detailed description of the proposed improvements, the boundaries of the assessment district, and the proposed assessments upon assessable lots and parcels of land within the District and filed the report with the City Clerk.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota, State of California, declares as follows:

1. It is the intention of the City Council to order the levy and collection of an assessment for LLMD No. 2019-01 of the City of Mendota for fiscal year 2020/2021.

2. LLMD No. 2019-01 accommodates the La Colonia subdivision to fund improvement for landscape maintenance, including center median landscaping, parkway landscaping along the major perimeter street (Bass Avenue), public easement (paseo) landscaping, and neighborhood park open space area landscaping, and supplemental park lighting.
3. LLMD No. 2019-01 includes the entire boundary of Tract 6218, also known as the La Colonia subdivision.
4. The City Council accepts the Engineer's Report, attached hereto as Exhibit "A" and filed with the City Clerk, without modification.
5. A public hearing shall be held on July 28, 2020, at 6:00 p.m. at the regular meeting place of the Mendota City Council to consider the levy and collection of the proposed assessments.
6. The City Clerk is hereby directed to publish notice of the public hearing in accordance with Streets and Highway Code Sections 22625, 22552, and 22553 at least ten (10) days prior to the date of the public hearing.

---

Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 14<sup>th</sup> day of July, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Celeste Cabrera-Garcia, City Clerk



## Exhibit A

City of Mendota

# ENGINEER'S REPORT

## Landscape and Lighting Maintenance District No. 2019-01

Fiscal Year 2020/2021

July 6, 2020

Prepared for:  
City of Mendota

Prepared by:  
Provost & Pritchard Consulting Group  
286 W. Cromwell Avenue, Fresno 93711

**COPYRIGHT 2020 by PROVOST & PRITCHARD CONSULTING GROUP  
ALL RIGHTS RESERVED**

Provost & Pritchard Consulting Group expressly reserves its common law copyright and other applicable property rights to this document. This document is not to be reproduced, changed, or copied in any form or manner whatsoever, nor are they to be assigned to a third party without first obtaining the written permission and consent of Provost & Pritchard Consulting Group. In the event of unauthorized reuse of the information contained herein by a third party, the third party shall hold the firm of Provost & Pritchard Consulting Group harmless, and shall bear the cost of Provost & Pritchard Consulting Group's legal fees associated with defending and enforcing these rights.

**Report Prepared for:**

**City of Mendota**

643 Quince Street  
Mendota, CA 93640

**Contact:**

Cristian Gonzalez, City Manager

**Report Prepared by:**

**Provost & Pritchard Consulting Group**

Michael Osborn, PE  
City Engineer  
559-449-2700  
[mosborn@ppeng.com](mailto:mosborn@ppeng.com)



# Table of Contents

1	Introduction.....	1
1.1	Background .....	1
1.2	Parcels Included in LLMD 2019-01 .....	2
1.3	Improvements Eligible for Inclusion.....	2
2	Description of LLMD 2019-01 .....	2-1
2.1	LLMD Purpose and Services Provided.....	2-1
2.2	Landscape Maintenance .....	2-1
2.3	Lighting Operation and Maintenance .....	2-2
3	Method of Assessment.....	3-1
3.1	Benefit Analysis .....	3-1
3.2	Potential Special Benefits of Landscaping Improvements .....	3-1
3.3	Potential Special Benefits of Special Lighting Improvements .....	3-2
3.4	Assessment Methodology .....	3-2
3.5	Annual Adjustments to Assessments.....	3-3
3.6	LLMD Budget for Maintenance and Operations .....	3-4
	Appendix A Assessment Diagram .....	1
	Appendix B LLMD 2019-01 Assessment Roll .....	1

# Tables

Table 3-1	Landscape Maintenance Budget.....	3-4
Table 3-2	Lighting Maintenance Budget.....	3-5

# 1 Introduction

## 1.1 Background

This report is prepared pursuant to the Landscape and Lighting Act of 1972, which is Part 2 of Division 15 of the California Streets and Highways Code (the “Act”). The Act allows agencies, including cities, to create Landscape and Lighting Maintenance Districts (LLMD) to assess property owners for the cost of maintaining landscaping, and operating lighting systems which provide special benefit to the property owners included in the LLMD which are over and above the benefits received by the City’s residents at large.

In July 2019 the City Council approved the formation of the Landscape and Lighting Maintenance District 2019-01 (LLMD 2019-01) and the levy of assessments to fund the landscape maintenance and the park lighting operation within Tract 6218, “La Colonia”.

Per the Act, an engineer shall prepare a report for “each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements described in the report.” (§22566 SHC)

This Engineer’s report describes LLMD 2019-01, including its boundaries; the properties which are included; the facilities which will be constructed, operated, and/or maintained; the amount proposed for assessment to the benefitting properties; the method proposed for apportionment of the assessment; and the dollar amount of the assessment proposed to be levied on each property within the LLMD. The assessments adopted by the City Council (the Council) must be prepared in accordance with the Act.

The Council must review the Engineer’s Report and may either order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and the assessments proposed to be levied and placed on the County tax roll for the coming fiscal year, the Council would then order the levy and collection of assessments for the fiscal year pursuant to the Act.

For the purposes of the LLMD 2019-01, the proposed operating and maintenance costs associated with the improvements and the benefitting properties have been closely reviewed and evaluated. The method of apportioning costs has been developed to provide an equitable method of calculating the benefit that various properties receive from the improvements. The assessments established for this fiscal year account for the anticipated operating and maintenance expenses for public areas of landscaping and for operation of special landscape and security lighting systems in the areas identified.

LLMD 2019-01 provides a mechanism to annually adjust the assessment to allow the City to keep income closely related to ongoing expense, without having to hold annual public hearings as would otherwise be required. This assessment adjustment mechanism allows the City Council to annually increase the maximum assessment rates by the greater of inflation (based on the Consumer Price Index) or two percent (2%). Should this automatic increase provision become inadequate to keep pace with actual expenses, a new calculation of costs and proposed assessments can be made and new assessment hearings may be held to confirm the increased assessments.

The area which is included in LLMD 2019-01 is shown on the Assessment Diagram in Appendix A. The Assessment Diagram shows the boundary of the LLMD, the areas to be maintained, and all of the properties that are assessed. This Engineer’s Report (“Report”) describes the LLMD, and the proposed assessments for this fiscal year. The maintenance, operation and servicing of the improvements associated with the LLMD that provide a special benefit to the properties in that area tabulated, and each parcel is assessed

proportionately for those costs that are found to be a special benefit to the properties within the LLMD. The budget and assessments are based on the City's estimated cost to provide these services.

LLMDs can include multiple "Benefit Zones," or areas which are assessed for the costs related to differing improvements related to the properties within each zone. This LLMD may be expanded in the future to include additional properties and Benefit Zones, by vote of the City Council. For this fiscal year, LLMD 2019-01 consists of a single Benefit Zone.

## 1.2 Parcels Included in LLMD 2019-01

The word "parcel", for the purposes of this Report, refers to an individual property assigned its own address and its own Assessor's Parcel Number (APN) as assigned by the Fresno County Assessor's Office. The Fresno County Auditor/Controller uses APNs and specific Fund Numbers to identify properties assessed for Special District Benefit Assessments such as proposed for this LLMD on the property tax roll.

The City Council will review the Engineer's Report and the assessment information will be submitted to the County Auditor/Controller and will be included on the property tax roll for each parcel for this fiscal year.

## 1.3 Improvements Eligible for Inclusion

While not all of the following are included costs in LLMD 2019-01, the Act defines eligible improvements to mean one or any combination of the following, and any or all could be included in future assessments should the need arise:

- The installation or planting of landscaping;
- The installation or construction of statuary, fountains, and other ornamental structures and facilities;
- The installation or construction of public lighting facilities;
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
- The maintenance or servicing, or both, of any of the foregoing;
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5;
- Costs associated with any elections held for the approval of a new or increased assessment.

The Act defines "maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement;
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;
- The removal of trimmings, rubbish, debris, and other solid waste;
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

## 2 Description of LLMD 2019-01

LLMD 2019-01 includes the entire boundary of Tract 6218, also known as the La Colonia subdivision. The boundary and layout of the LLMD 2019-01 are shown on the Assessment Diagram in Appendix A. All parcels within the tract are within a single zone of benefit.

Costs included in the proposed assessments include those associated with operations and maintenance of unique landscaping and lighting elements constructed by the developer and dedicated to the City, as described below. All of these are considered to be over and above the level of improvement customarily provided by the City, and therefore provide a special benefit to the property owners within LLMD 2019-01.

### 2.1 LLMD Purpose and Services Provided

LLMD 2019-01 provides for the ongoing maintenance and operation of landscaping, landscape and security lighting, graffiti abatement and related services within the public spaces located within LLMD 2019-01, as detailed in the sections below.

The costs and assessments set forth in this Report are based upon the City's estimate of the expenses related to the operation and maintenance of the LLMD 2019-01 improvements, including labor, personnel, utilities, equipment, materials, administration and incidental expenses.

Parcels that receive special benefits from the improvements within each Zone share in the cost of the services and improvements associated only with that Zone. For this fiscal year LLMD 2019-01 consists of a single Benefit Zone. The total amount to be assessed within the Zone for the operation and maintenance of the improvements is equitably spread among the benefiting parcels.

### 2.2 Landscape Maintenance

Landscape maintenance areas within the LLMD 2019-01 include center median landscaping and parkway landscaping along Bass Avenue, the major perimeter street; public easement (paseo) landscaping; and the neighborhood park open space area landscaping. Particular services provided may include, but would not be limited to:

- Fertilizing, cultivating, pruning, and replacing plant materials all landscape improvements within the medians, parkways, entryways, paseos and pocket park open space areas within the LLMD including street trees, turf, ground cover, shrubs, irrigation and drainage systems;
- Weed abatement;
- Painting and repairing of all sound walls, fencing, and necessary appurtenances. These may include but are not limited to shade structures, picnic tables, outdoor grills benches, trash and coal receptacles and similar items;
- Solid waste and litter collection

As noted above, LLMD 2019-01 includes only a single Benefit Zone. If additional areas are added to LLMD 2019-01 in the future, each area would be counted as a distinct and separate Benefit Zone. Improvements which would be operated and maintained may vary from zone to zone.



Landscape improvements within LLMD 2019-01 will be maintained and serviced on a regular basis. The frequency and specific maintenance and operations required within LLMD 2019-01 and each Benefit Zone will be determined weekly by City staff. The net costs associated with the improvements will be equitably spread to parcels proportionately according to the special benefits received.

## 2.3 Lighting Operation and Maintenance

LLMD 2019-01 includes supplemental lighting in the Park area. Cost for operation and maintenance of this light are included in the initial assessment. These costs include:

- Electrical power
- Lamp and LED replacement
- Graffiti removal and/or painting
- Replacement of broken or damaged parts

No other lighting improvements are included in LLMD 2019-01 at this time. As additional Benefit Zones are added, the costs of operating and maintaining the full variety of supplemental lighting improvements within those new Benefit Zones may be assessed to properties within those zones.

## 3 Method of Assessment

Pursuant to the Act, the costs incurred by the LLMD may be apportioned by any formula or method which fairly distributes the net amount to be assessed among assessable parcels in proportion to the estimated benefits to be received by each parcel from the assessed improvements. In order to accomplish this requirement, the formula used for calculating special benefits within the LLMD must reflect the land use composition of the parcels, the types of improvements being operated, and the maintenance and operations services provided.

The City must identify all parcels which have special benefits conferred upon them and which are to be assessed, in relationship to the entirety of the public improvement and the maintenance and operation expenses being provided.

### 3.1 Benefit Analysis

In conjunction with the provisions of the Act, the California Constitution, in Article XIIIID, defines a number of terms which are essential to an acceptable and equitable levy of assessments:

Section 2d defines “District” as follows:

“an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property related service.”

Section 2i defines “Special Benefit” as follows:

“a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large. General enhancement of property value does not constitute “special benefit.”

Section 4a defines “Proportional Special Benefit Assessments” as follows:

“An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.”

### 3.2 Potential Special Benefits of Landscaping Improvements

The special benefits of additional landscaping within the LLMD boundaries include:

- Enhanced aesthetic environment
- Additional greenspace and shade within the tract
- Enhanced home values due to increase in overall greenspace within the development.
- Enhanced home values due to increased attractiveness of entrance frontage and entrance road median

### 3.3 Potential Special Benefits of Special Lighting Improvements

The potential benefits of special landscape and lighting within the boundaries of the LLMD include:

- Convenience, safety, and security of property, improvements, and goods
- Improvement of usability of greenspace areas
- Enhanced deterrence of crime and the aid to police protection
- Improved ability of pedestrians to see potential obstacles

### 3.4 Assessment Methodology

Each parcel in LLMD 2019-01 is assigned a weighting factor known as an Assessment Unit (AU) to identify the parcel's proportionate special benefit from specific improvements. Each parcel's AU is calculated based on the parcel's land use, development status and/or size as compared to other parcels within the LLMD, as determined to be appropriate for each type of expense.

A typical single-family residential property will be assigned an AU of 1.00, and all other property types will be assigned an AU proportionate to the special benefits they receive as compared to this single-family residential property.

The total number of Assessment Units in each Zone will then be divided into the total dollar amount to be assessed (also known as the Balance to Levy, a term defined in the Act) to establish the Levy per AU (the Assessment Rate). The Assessment Rate will then be multiplied by the parcel's AU to establish the parcel's Levy Amount.

Put mathematically, the formulas for the method of apportionment will be as follows:

$$\text{Total Balance to Levy} / \text{Total AU in Zone} = \text{Levy per AU (Rate)}$$

$$\text{Levy per AU (Rate)} \times \text{Parcel's Calculated AU} = \text{Parcel's Levy Amount}$$

LLMD 2019-01 provides for operation and maintenance of improvements that enhance the presentation, aesthetics and public safety aspects of the included properties. These improvements will directly benefit the parcels to be assessed within the LLMD 2019-01. The assessments and method of apportionment are based on the premise that the assessments will be used to operate and maintain landscape and lighting improvements within LLMD 2019-01, and that the assessment revenues generated by LLMD 2019-01 will be used solely for such purposes. This reports finds the following:

- The costs of operation and maintenance of the proposed improvements have been identified and allocated to properties within LLMD 2019-01 based on a determined special benefit.
- The LLMD improvements are not required nor necessarily desired by any properties or developments outside the LLMD 2019-01 boundary. Therefore, any public access or use of these local improvements by others is incidental and there is no measurable general benefit to properties outside LLMD 2019-01 or to the public at large.
- The LLMD improvements, associated costs and assessments are localized, and the construction and installation of the improvements are only necessary for the development of properties within LLMD 2019-01.

- The improvements provided by LLMD 2019-01 and for which properties will be assessed have been identified as an essential component and local amenity that provide a direct reflection and extension of the properties within LLMD 2019-01.
- The method of assessment set forth in this Report assumes that each assessed property receives special benefits from the landscape and lighting improvements within LLMD 2019-01, over and above any general community benefit.
- The assessment obligation for each parcel reflects that parcel's proportional share of special benefits as compared to other properties within LLMD 2019-01.
- Pursuant to the provisions of the Act, the improvements and the associated costs described in this Report have been carefully reviewed and have been allocated proportionally to properties within LLMD 2019-01.

Every parcel within LLMD 2019-01 has a land use classification based on the City's designation. While primary land use classification (i.e., Residential versus Non-Residential) can be a factor appropriate to help identify the special benefits conveyed to each property within a LLMD, it is not a factor used here since all properties carry the same residential land use classification.

Because landscape improvements associated with residential properties are usually located on the perimeter of a residential subdivision, or serve the needs of properties located within reasonable walking distance thereof, landscape improvements are typically associated with the entire development and are considered to provide substantially similar and equal benefits to each residential unit. Therefore, all residential properties are assigned 1.00 AU per unit as their proportional allocation of the landscape improvement costs whether a residential unit has been constructed or merely approved for development.

Similarly, for a typical residential tract development with landscaping and/or supplemental lighting within and adjacent to the development, the benefit to each residential property is reasonably equal and each residential parcel is assigned 1.00 AU.

No parcels in the City of Mendota are assessed for standard street lighting, and the same holds true here.

### 3.5 Annual Adjustments to Assessments

Most operations and maintenance budget items are typically impacted by inflation. Generally, any new or increased assessments to offset these increased costs require certain noticing, meeting, and balloting requirements by law. However, Government Code Section 54954.6(o) provides that a "new or increased assessment" does not include "an assessment which does not exceed an assessment formula or range of assessments...previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition of an increased assessment was later confirmed by Senate Bill 919 (the Implementing Legislation for Proposition 218). The following describes the assessment adjustment formula to be applied within LLMD 2019-01:

The maximum assessment amount allowed for each fiscal year may be increased in an amount equal to the greater of: (1) two percent (2.0%), or (2) the percentage increase of the Local Consumer Price Index (CPI). The Consumer Price Index to be applied is for the West Region for All Urban Consumers, as developed by U.S. Bureau of Labor Statistics.

Each fiscal year the City shall compute the percentage difference between the CPI on January 1, and the CPI for the previous January 1, or a similar 12-month time period. This percentage difference shall then establish the range of increased assessments allowed based on CPI. Should the Bureau of Labor Statistics revise such

index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living.

In the event that the City Council determines that the maximum inflation adjustment allowed to the assessments is not required for a given fiscal year, the City Council may adopt an assessment less than the allowable maximum assessment for that year. If the budget and assessments for the LLMD or any Zone requires an increase greater than the adjustment set forth in the formula in order to maintain solvency and cash flow within the LLMD or Zone, the proposed larger increase could be implemented but would be subject to majority protest by the property owners subject to the increased assessment.

### 3.6 LLMD Budget for Maintenance and Operations

The following tables provide summaries of the Landscape and Lighting Maintenance Operation budgets for LLMD 2019-01. These tables identify the costs and assessment rates applied to each Assessment Unit within the initial single Zone that will be necessary to cover the costs and expenses of operating and maintaining the improvements that provide special benefits to properties within LLMD 2019-01.

The improvements within LLMD 2019-01 are either not yet completed by the developer or have not been accepted and dedicated to the City; however, this is expected to occur this year. Therefore, the costs and assessment remain the same for this fiscal year as they did for the initial fiscal year (Fiscal Year 2019/2020).

**Table 3-1** presents the budget for landscape maintenance over the first year of operation.

**Table 3-1 Landscape Maintenance Budget**

<b>Direct Costs</b>	
Contract Landscape Maintenance	\$ 18,326
City Water	\$ 500
City Labor (Streets)	\$ 912
Maintain Park Appertenances	\$ 900
<b>Administration Costs</b>	
City Cost Allocation	\$ 1,000
<b>Balance to Levy</b>	<b>\$ 21,638</b>
<b>Calculation of Assessments</b>	
Number of Parcels Assessed	85
Total Equivalent Benefit Units	85
Levy per AU	\$ 254.56
Maximum Levy per AU, 2020/2021	\$ 254.56

**Table 3-2**, on the following page, presents the budget for lighting maintenance and operation over the first year of operation.

**Table 3-2 Lighting Maintenance Budget**

<b>Direct Costs</b>	
Park Light Electricity	\$ 30
Park Light Maintenance	\$ 100
<b>Balance to Levy</b>	<b>\$ 130</b>
<b>Calculation of Assessments</b>	
Number of Parcels Assessed	85
Total Equivalent Benefit Units	85
Levy per AU	\$ 1.53
Maximum Levy per AU, 2020/2021	\$ 1.53

# Appendix A

## Assessment Diagram

The attached Assessment Diagram shows the boundary of LLMD 2019-01 and all of the parcels included within that boundary. All of the residential parcels are included on the Assessment Roll, which appears as Appendix B. The non-residential and public benefit parcels are not included in the allocation of LLMD costs.



LANDSCAPE MAINTENANCE AREA

XX LOT NUMBER  
XX STREET NUMBER



CITY OF MENDOTA  
LANDSCAPE & LIGHTING MAINTENANCE DISTRICT 2019-01  
APPENDIX A-ASSESSMENT DIAGRAM

DESIGN ENGINEER:
DATE: 03/2019
JOB NO:
SHEET OF



# Appendix B

## LLMD 2019-01 Assessment Roll

An Assessment Roll (a listing of all parcels assessed within LLMD 2019-01 and the amount of their assessment) has been filed with the City Clerk and is, by reference, made part of this Report. The assessment roll will be available for public inspection in the City Clerk's Office during normal City of Mendota office hours.

The Assessment Roll reflects all properties currently identified within LLMD 2019-01 and their proposed assessment amount(s) for this fiscal year. Each lot or parcel listed on the assessment roll is or will be shown and illustrated on the County Assessor's Roll and has been or will be assigned a County Assessor's Parcel Number. These records are, by reference, made part of this Report and shall govern for all details concerning the description of the lots or parcels. All assessments presented on the assessment roll are subject to change as a result of parcel changes made by the County including parcel splits, parcel merges or development changes that occur prior to the County securing the roll and generating tax bills for this fiscal year.

**City of Mendota**  
**Landscape & Lighting Maintenance District No. 2019-01**

**Benefit Zone 01 -- Tract 6218**

**Assessment Roll -- Fiscal Year 2020/2021**

Total Amount to be Assessed:	Landscape:	\$ 21,638.00
	Lighting:	\$ 130.00
	Total Levy:	\$ 21,768.00

<b>Tract 6218</b>				<b>Fiscal Year Levy</b>		
Lot No.	APN	Address	Assigned AU	Landscape	Lighting	Total
1	013 - 442 - 01	107 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
2	013 - 442 - 02	105 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
3	013 - 442 - 03	103 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
4	013 - 442 - 04	101 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
5	013 - 442 - 05	200 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
6	013 - 442 - 06	202 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
7	013 - 442 - 07	204 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
8	013 - 442 - 08	206 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
9	013 - 442 - 09	208 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
10	013 - 442 - 10	210 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
11	013 - 442 - 11	212 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
12	013 - 442 - 12	214 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
14	013 - 442 - 13	216 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
15	013 - 442 - 14	218 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
16	013 - 452 - 01	220 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
17	013 - 452 - 02	222 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
18	013 - 452 - 03	224 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
19	013 - 452 - 04	226 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
20	013 - 452 - 05	228 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
21	013 - 452 - 06	230 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
22	013 - 452 - 07	232 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
23	013 - 452 - 08	234 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
24	013 - 452 - 09	236 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
25	013 - 452 - 10	238 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
26	013 - 452 - 11	240 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
27	013 - 452 - 12	400 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
28	013 - 452 - 13	402 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
29	013 - 452 - 14	404 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
30	013 - 452 - 15	406 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
31	013 - 452 - 16	408 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
32	013 - 452 - 17	410 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
33	013 - 452 - 18	412 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
34	013 - 452 - 19	414 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
35	013 - 452 - 20	416 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
36	013 - 441 - 01	419 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
37	013 - 441 - 02	417 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
38	013 - 441 - 03	415 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
39	013 - 441 - 04	413 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
40	013 - 441 - 05	411 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
41	013 - 441 - 06	409 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
42	013 - 441 - 07	407 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
43	013 - 451 - 01	405 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
44	013 - 451 - 02	403 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
45	013 - 451 - 03	401 Mendoza Court	1.0	\$ 254.56	\$ 1.53	\$ 256.09
46	013 - 451 - 04	330 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09

**City of Mendota**  
**Landscape & Lighting Maintenance District No. 2019-01**

**Benefit Zone 01 -- Tract 6218**

**Assessment Roll -- Fiscal Year 2020/2021**

Total Amount to be Assessed:	Landscape:	\$ 21,638.00
	Lighting:	\$ 130.00
	Total Levy:	\$ 21,768.00

<b>Tract 6218</b>				<b>Fiscal Year Levy</b>		
Lot No.	APN	Address	Assigned AU	Landscape	Lighting	Total
47	013 - 451 - 05	332 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
48	013 - 451 - 06	334 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
49	013 - 441 - 08	336 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
50	013 - 441 - 09	338 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
51	013 - 441 - 10	340 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
52	013 - 441 - 11	342 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
53	013 - 441 - 12	344 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
54	013 - 441 - 13	346 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
55	013 - 441 - 14	348 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
56	013 - 441 - 15	350 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
57	013 - 441 - 16	129 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
58	013 - 441 - 17	127 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
59	013 - 441 - 18	125 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
60	013 - 441 - 19	123 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
61	013 - 441 - 20	121 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
62	013 - 441 - 21	119 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
63	013 - 441 - 22	117 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
64	013 - 441 - 23	115 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
65	013 - 441 - 24	113 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
66	013 - 441 - 25	111 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
67	013 - 441 - 26	109 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
68	013 - 443 - 19	108 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
69	013 - 443 - 18	110 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
70	013 - 443 - 17	112 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
71	013 - 443 - 16	114 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
72	013 - 443 - 15	116 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
73	013 - 443 - 14	118 Ramirez Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
74	013 - 443 - 13	343 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
75	013 - 443 - 12	341 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
76	013 - 443 - 11	339 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
77	013 - 443 - 10	337 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
78	013 - 443 - 09	335 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
79	013 - 443 - 08	333 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
80	013 - 443 - 07	331 Rosales Lane	1.0	\$ 254.56	\$ 1.53	\$ 256.09
81	013 - 443 - 06	225 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
82	013 - 443 - 05	223 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
83	013 - 443 - 04	221 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
84	013 - 443 - 03	219 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
85	013 - 443 - 02	217 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
86	013 - 443 - 01	215 Lua Ave	1.0	\$ 254.56	\$ 1.53	\$ 256.09
Total Levy:				\$ 21,638.00	\$ 130.00	\$ 21,768.00



To: Mr. Cristian Gonzalez, City Manager – City of Mendota  
From: Jonathan Charak and Tim McGraw, Canna-Hub  
CC: John Kinsey  
Date: July 7, 2020  
Re: Request to add Nonstorefront Retail Type 9 License to Permitted Uses for Canna-Hub Site

---

### **Background**

The Development Agreement dated March 13, 2019 between the City of Mendota and Marie Street Development, LLC (dba Canna-Hub) specified certain Permitted Uses for cannabis business activity for the Canna-Hub site. These Permitted Uses included most of the cannabis licenses to be issued by the State of California, but intentionally excluded outdoor growing and retail dispensaries which were not desired by the City at that time.

Since the execution of the Development Agreement, a new license type was added to the mix by the State of California that is officially called “Type 9 License for Non-storefront Retail” and referenced herein as “Delivery”. This is a license to deliver cannabis products to the general public, but does not allow any form of storefront that is open to the public. Canna-Hub would like to formally request that this Delivery license type be added to the Permitted Uses on the site such that its tenants will be allowed to operate a delivery business.

### **Request to Add Delivery**

As Canna-Hub is working hard to lease the remaining space in its current facility with qualified cannabis operators, many prospective tenants are interested in obtaining a Delivery license either exclusively as their sole business or in conjunction with other licenses such as Distribution or Manufacturing. Leasing the remaining space is essential to ensure the long-term viability of the project and will bring additional jobs and economic activity to the City of Mendota. Further, failure to add the Delivery license will greatly hinder Canna-Hub’s ability to lease the remaining space.

As it relates to Delivery, our prospective tenants believe Mendota is a great location to cover the entire Fresno metropolitan area. Although they would prefer to serve the Mendota community, we are willing to discuss a prohibition on local deliveries if there is a concern with over-servicing of the local community.

It is important to note that to the extent there already exists or there may soon be other cannabis delivery services established and operating in another city, they are likely already delivering or will soon be delivering within the City of Mendota since the state has ruled that cities may not preclude delivery if the licensee is otherwise approved for delivery in another jurisdiction. So limiting delivery by your local service providers will not likely limit the ability for Mendota residents to order from other providers outside of the city.

### **Canna-Hub Site**

We believe that the Marie Street Campus is the best suited location in Mendota for delivery operations due to our 24/7 365 armed security coupled with our off site monitoring and on site surveillance technology which includes over 2 dozen cameras.

**Economic Impact**

In addition to the dozens of jobs that will be created by new delivery specific tenants, there is potential for hundreds more jobs created by new multi- license operators like Cresco Labs which will bring demand for all types of jobs from cultivation to chemistry and also entry level processing positions.

Our goal since the beginning has been to see Mendota transformed into economically thriving community. I sincerely believe that with cooperation from the city council we can continue what we started and fill the remaining space and create more than 150 additional jobs which will positively impact city government, residents and local businesses.

---

---

**AGENDA ITEM – STAFF REPORT**

---

---

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CELESTE CABRERA-GARCIA, CITY CLERK  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** AUTHORIZING THE FORMATION OF A CITY COUNCIL SUBCOMMITTEE TO NEGOTIATE WITH COMMERCIAL CANNABIS BUSINESSES  
**DATE:** JULY 14, 2020

---

**ISSUE**

Shall the City Council adopt Resolution No. 20-51, authorizing the formation of a City Council subcommittee to negotiate with commercial cannabis businesses?

**BACKGROUND**

At the June 23, 2020 regular City Council meeting, the City Council provided direction to staff to commence negotiations with the commercial cannabis businesses that were placed on the “qualified applicants” list that is maintained by the City Manager. The two qualified applicants on the list are Element 7 Mendota LLC and Terra Retail Group LLC.

**ANALYSIS**

The proposed subcommittee will consist of two Councilmembers and members of staff. It will be tasked with examining and discussing the proposals of both applicants and negotiating the terms of a potential development agreement between either of the applicants and the City. Once negotiations have concluded, the subcommittee would report back to the City Council with a recommendation on which applicant to invite to apply for a cannabis retail business permit.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Staff recommends that the City Council select two Councilmembers to serve on the subcommittee and adopt Resolution No. 20-51, authorizing the formation of a City Council subcommittee to negotiate with commercial cannabis businesses.

**Attachment(s):**

1. Resolution No. 20-51

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AUTHORIZING  
THE FORMATION OF A CITY COUNCIL  
SUBCOMMITTEE TO NEGOTIATE WITH  
COMMERCIAL CANNABIS BUSINESSES**

**RESOLUTION NO. 20-51**

**WHEREAS**, on June 23, 2020, the City Council provided direction to staff to commence negotiations with Element 7 Mendota, LLC, and Terra Retail Group, LLC, regarding their proposals to open a cannabis retail business in the City of Mendota; and

**WHEREAS**, in an effort to thoroughly discuss and examine the proposals of both applicants in order to select which applicant may apply for an available cannabis retail business permit, staff is recommending that the City Council appoint a subcommittee comprised of two Councilmembers to join staff in negotiating with the applicants; and

**WHEREAS**, the subcommittee would be responsible for examining and discussing all aspects relevant to the proposals with the applicants to enable the subcommittee to report back to the City Council with a recommendation on which applicant to invite to apply for a cannabis retail business permit.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota hereby authorizes the formation of a City Council subcommittee to negotiate with Element 7 Mendota, LLC, and Terra Retail Group, LLC.

**BE IT FURTHER RESOLVED**, that the City Council hereby appoints \_\_\_\_\_ and \_\_\_\_\_ to act on behalf of the full City Council in negotiating with Element 7 Mendota LLC and Terra Retail Group LLC and bring forth recommendations to the City Council.

\_\_\_\_\_  
Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 14<sup>th</sup> day of July, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Celeste Cabrera-Garcia, City Clerk



---

---

**AGENDA ITEM – STAFF REPORT**

---

---

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** APPROVAL OF REIMBURSEMENT AGREEMENT FOR WELL #3  
**DATE:** JULY 14, 2020

---

**ISSUE**

Should the City Council approve Resolution No. 20-52, approving the agreement between Firebaugh Canal Water District (FCWD) and the City of Mendota (COM), for a Reimbursement Agreement for the use of Well Number 3?

**BACKGROUND**

Since 1990, the City has allowed FCWD to pump water out of a city owned well to provide water to the district in order to farm local land. The quality of the water is poor, but when it is blended carefully into FCWD'S canal system, it is acceptable for farming. In 2014 the City and FCWD renewed the contract, that allowed them to recoup their investments to the well, which consisted of work, at its own expense; replacement of motor, column pipe, tube/shaft and bowls. The contract is now expired and FCWD is requesting to extend the agreement and has offered to pay 15% more per acre foot pumped in electrical costs to the city for the use.

**ANALYSIS**

Since the well produces poor quality water, it cannot be used for drinking water, and without having a large quantity of good water, it cannot be blended for ag use either. FCWD have the rare ability to easily blend the water because their canal system runs directly adjacent to the well. Recently, the well received a solar system upgrade, to offset electrical needs, so having a guaranteed user is ideal, in order to receive the solar benefits. FCWD agree to pump at least 400-acre feet per year, which would result in \$28,000 in revenue for the water fund. This agreement would also allow the City to take back the well should there be a need for it.

**FISCAL IMPACT**

The compensation for this agreement is \$28,000 per year minimum, for the water fund.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 20-52, approving the property reimbursement agreement between Firebaugh Canal Water District and the City of Mendota, and authorizing the City Manager to sign all necessary documents.

**Attachment(s):**

1. Resolution No. 20-52

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA APPROVING  
A REIMBURSEMENT AGREEMENT WITH  
FIREBAUGH CANAL WATER DISTRICT  
FOR THE USE OF WELL NUMBER 3**

**RESOLUTION NO. 20-52**

**WHEREAS**, in 1990 the City of Mendota (“City”) entered into an agreement with the Firebaugh Canal Water District (“FCWD”) that permits Well #3 (“Well”) to be drilled on FCWD’s property; and

**WHEREAS**, over time, the City has allowed FCWD to utilize the Well for agricultural purposes and has reimbursed the City for associated costs; and

**WHEREAS**, FCWD is facing an unprecedented drought with water allocations near zero and has the physical ability to utilize the Well in its conveyance system, which it has done in the past; and

**WHEREAS**, once again, FCWD agrees to repair the Well, if needed, maintain the Well, and reimburse the City for the associated costs in utilizing the Well.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota hereby approves the Reimbursement Agreement for Well Number 3 with the Firebaugh Canal Water District, attached hereto as Exhibit “A,” and authorizes the City Manager to execute the same.

\_\_\_\_\_  
Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 14<sup>th</sup> day of July, 2020, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

## Exhibit A

## **Reimbursement Agreement for Well Number 3 Between City of Mendota and Firebaugh Canal Water District**

THIS AGREEMENT is made and entered into this 14th day of July, 2020 , by and between FIREBAUGH CANAL WATER DISTRICT, a local public agency formed under Division 13 of the California Water Code (herein referred to as " District" ), and the CITY OF MENDOTA, a municipal corporation of the State of California, (hereinafter referred to as "City"), which for full and adequate consideration, receipt of which is hereby evidenced and the adequacy of which is stipulated, agree as follows:

1. District is facing an unprecedented drought with water allocations near zero and has the physical ability to utilize City Well #3 in its conveyance system of which it has done over the past few years.
2. City Well #3 was serviced by Firebaugh Canal Company in 2014.
3. District will at its own expense; repair City Well #3, if needed and maintain the well. The process can include: Repair or replacement of motor, column pipe, tube/shaft and bowls. City and its engineer will be consulted, as to repair specifications. City understands that District can make no warranties in regard to the longevity of the well or the availability or reliability of the repairs that will be made.
4. District agrees to reimburse City for electrical energy used to pump the water at a rate of Sixty Dollars (\$70) an acre foot in exchange for the water which will be discharged into the District's Main Intake Canal.
5. District will have a right to utilize City Well #3 for irrigation purposes and recover its capital cost from the repair of City Well #3 at a rate of One Hundred Dollars (\$100) per acre foot pumped until the reimbursement of this cost plus six percent (6%) interest on the amount of cost incurred to District are recovered. If the well shall fail or become unavailable to District because of poor water quality, District shall not be entitled to recover its unreimbursed contribution but may make reasonable attempts to remedy the problems with the well at District's sole cost or to drill a new well at the site if District so elects.
6. District agrees that, at no cost to city, it will test the quality of the water in City Well #3 for Electrical Conductivity, Boron, Selenium, Iron and Manganese and forward results to City and its Engineer. If the quality of the water is unsuitable for District' s use from time to time, District shall cease pumping and may attempt to pump at later times or according to a different regime.

7. Pumped water shall become the property of the District. City shall record the beginning balance and track and record the water pumped on a monthly basis by District for irrigation purposes.
8. City will invoice the District for electricity charges on the basis of monthly meter readings from City Well #3. District will keep track of reimbursement of costs of District and periodically report that progress to City.
9. District will oil and visually inspect Well #3 daily at no cost to City.
10. The District agrees to pump at least 400-acre feet of water year, to meet solar savings for the City.
11. District shall defend, indemnify, and hold harmless the City, its officers, agents, and employees from any all costs, expenses, liabilities, losses , claims and damages including attorney's fees and costs, arising out of or relating to Districts intentional or negligent acts or omissions relating to the operation of the well or use of water pumped from the well City accepts the risk that the well shall become damaged, shall deteriorate over time, or that upon demand for fire flow the well shall provide inadequate water or pressure or fail to produce flows. The duty of District to indemnify and defend City, its officers, agents and employees shall not extend to or include claims that the well was unavailable for fire flow or produced insufficient water or pressure or that damage was caused thereby. There shall be no third-party beneficiaries of the terms of this Agreement in any respect or regard.
12. District agrees that, if City has a demand for Well #3, District operation of well #3 will cease immediately with pumping by District to commence once City no longer has demand for Well #3.
13. The term of this agreement shall extend 5 years following completion of the reimbursement to District and District shall have exclusive right to the use of the well.

\_\_\_\_\_  
Cristian Gonzalez, City Manager, City of Mendota

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jeff Bryant, General Manager  
Firebaugh Canal Water District

\_\_\_\_\_  
Date

---

---

**AGENDA ITEM – STAFF REPORT**

---

---

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** APPROVAL OF PROPERTY LEASE AGREEMENT/EXTENSION FOR DMV BUILDING  
**DATE:** JULY 14, 2020

---

**ISSUE**

Should the City Council approve Resolution No. 20-53, approving the agreement extension between the and the City of Mendota, for the lease of a City owned building located at 655 Quince Street?

**BACKGROUND**

Since 2007, the City has leased out a building located at 655 Quince Street to the California Department of General Services, representing the DMV to provide DMV services for the community. The agreement was extended most recently back in June of 2013, and per the request of DMV, they would like to extend it until June 2024 for \$487 per month.

**ANALYSIS**

Staff reviewed the proposed contract and believe it is a fair proposal, since there is an obvious furtherance of a public purpose and benefit being offered to the community. DMV has been an excellent tenant that keeps the building and area clean. Throughout the years there has even been improvements been made to the building by the tenant.

**FISCAL IMPACT**

The compensation for this agreement is \$487 per month, for the general fund.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 20-53, approving the property lease extension agreement between California Department of General Services and the City of Mendota and authorizing the City Manager to sign all necessary documents.

**Attachment(s):**

1. Resolution No. 20-53

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA APPROVING  
A LEASE AGREEMENT EXTENSION WITH  
THE CALIFORNIA DEPARTMENT OF GENERAL  
SERVICES FOR THE PREMISES LOCATED  
AT 655 QUINCE STREET**

**RESOLUTION NO. 20-53**

**WHEREAS**, in 2007, the City of Mendota (“City”) entered into a lease agreement with the California Department of General Services (“DGS”), acting on behalf of the Department of Motor Vehicles (“DMV”), for the premises located at 655 Quince Street; and

**WHEREAS**, the leased premises is the location of the DMV’s Mendota Field Office; and

**WHEREAS**, DGS has requested to extend the existing lease agreement in order to continue providing DMV services to the community; and

**WHEREAS**, the services that the DMV has provided up to this point have had a positive impact on the City of Mendota and have continued to benefit both the patrons of Mendota and the DMV offices in the surrounding areas.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota hereby approves the lease agreement extension with the California Department of General Services for the premises located at 655 Quince Street, attached hereto as Exhibit “A,” and authorizes the City Manager to execute the same.

\_\_\_\_\_  
Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 14<sup>th</sup> day of July, 2020, by the following vote:

**AYES:  
NOES:  
ABSENT:  
ABSTAIN:**

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

## Exhibit A



June 25, 2020

Lease File No.: 5873-001

Project No.: 7094

Amendment No.: Four (4)

City Of Mendota, Inc  
Attn: Cristian Gonzalez  
643 Quince Street  
Mendota, CA 93640

Dear Lessor:

Under lease dated April 18, 2007, as amended March 17, 2011, July 1, 2011 and June 7, 2013, the State of California hires from City of Mendota, Incorporated, certain premises located at 655 Quince Street, in the City of Mendota, County of Fresno, California, for a term ending June 30, 2021, at a monthly rental of \$486.31.

Effective August 1, 2020, the State desires to continue its occupancy of said premises for an additional period ending June 30, 2024, at the new rental of \$487.00 per month, which shall be paid from legally available funds by the State in arrears on the last day of each month, and shall be subject to the California Constitution during said term and upon all of the same terms and conditions set forth in said lease, including the State's continued right to terminate this lease at any time during the term hereof by providing written notice to the Lessor at least thirty (30) days prior to the effective date of termination.

The State agrees to indemnify and hold harmless the Lessor to the extent authorized by Government Code Section 14662.5 and agrees to repair or pay for any damage proximately caused by reason of the State's use of said premises during the term of this lease, except to the extent that any such damages suffered by Lessor are the result of Lessor's negligent or wrongful acts or the acts of any persons acting under or on behalf of the Lessor and/or where the State is found to have no liability by reason of any immunity arising by statute or common law in connection with the fulfillment of the State's constitutional and statutory public responsibilities.

Lessor agrees to indemnify and hold harmless the State in the event of any claim, demand, cause of action, judgments, obligations, or liabilities, and all reasonable expenses which State may suffer as direct and proximate result of the negligence or other wrongful act or violation of law by the Lessor, its employees, or any person or persons acting under the direct control and authority of the Lessor or its employees, in connection with the State's occupancy of said premises under and during the term of this lease except to the extent that any such damages or expenses suffered by State are the result of State's sole negligence.

Pursuant to California Civil Code §1938, the Lessor states that the leased premises:

- have not undergone an inspection by a Certified Access Specialist (CASp). A CASp can inspect the subject premises and determine whether the subject premises comply with all of the applicable construction-related accessibility standards under state law. Although state law does not require a CASp inspection of the premises, the Lessor may not prohibit the tenant from obtaining a CASp inspection of the premises for occupancy by the tenant, if requested by the tenant. The parties shall mutually agree on the arrangements for the time and manner of the CASp inspection, the payment of the fee for the CASp inspection, and the cost of making any repairs necessary to correct violations of construction-related accessibility standards within the premises.

- have undergone an inspection by a Certified Access Specialist (CASp) and it was determined that the leased premises met all applicable construction-related accessibility standards pursuant to California Civil Code §55.53 et seq. Lessor shall provide a copy of the current disability access inspection certificate and any inspection report to the State within seven days of the date of execution of the lease pursuant to subdivision (b).
- have undergone an inspection by a Certified Access Specialist (CASp) and it was determined that the leased premises did not meet all applicable construction-related accessibility standards pursuant to California Civil Code §55.53 et seq.” Lessor shall provide a copy of any inspection report to the State prior to the execution of the Lease. If the report is not provided to the State at least 48 hours prior to execution of the lease, the State shall have the right to rescind the lease, based upon the information contained in the report, for 72 hours after execution of the lease.

If the State’s continued tenancy of said premises as set forth above is satisfactory to you, please indicate your agreement by signing this document and each of the four copies at the bottom of the page. Keep one copy for your records and return the original and three copies to this office for further processing. This agreement is subject to a final review and approval by the State.

STATE OF CALIFORNIA

APPROVED:

DEPARTMENT OF GENERAL SERVICES  
 REAL ESTATE SERVICES DIVISION  
 ASSET MANAGEMENT BRANCH

DIRECTOR OF THE DEPARTMENT  
 OF GENERAL SERVICES

BY: \_\_\_\_\_  
 RICHARD SCHERER, Real Estate Officer  
 Real Estate Leasing and Planning Section

BY: \_\_\_\_\_  
 KERRY ZADEL, Leasing Manager  
 Real Estate Leasing and Planning Section

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

Receipt of the foregoing letter is acknowledged and the undersigned hereby agrees to the State’s continued occupancy as set forth above.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

cc: Sharnel Crowder, Department of Motor Vehicles  
 2415 First Avenue, Sacramento, CA 95818  
 SCO Claim Audits, Lease Unit  
 Statewide Property Inventory

---

---

**AGENDA ITEM – STAFF REPORT**

---

---

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CELESTE CABRERA-GARCIA, CITY CLERK  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** ADDING SECTION 8.12.130 TO CHAPTER 8.12 OF TITLE 8 OF THE MENDOTA MUNICIPAL CODE TO ESTABLISH A PENALTY FOR THE POSSESSION OR USE OF DANGEROUS OR ILLEGAL FIREWORKS  
**DATE:** JULY 14, 2020

---

**ISSUE**

Should the City Council conduct the second reading, perform the public hearing, and adopt Ordinance No. 20-13, adding Section 8.12.130 to Chapter 8.12 of Title 8 of the Mendota Municipal Code to establish a penalty for the possession or use of dangerous or illegal fireworks?

**BACKGROUND**

The Mendota Police Department has relied on the State Fireworks Law (Section 12500 et seq. of the California Health and Safety Code) to cite individuals who possess or use illegal or dangerous fireworks. Due to a significant amount of illegal and dangerous fireworks being utilized throughout the City in recent weeks and the threat this activity poses to the health and safety of the community, the City Council has expressed its desire in imposing local administrative penalties to further address the issue and deter future occurrences.

At its June 23<sup>rd</sup> regular meeting, the City Council conducted the first reading of the ordinance and scheduled the public hearing for the July 14<sup>th</sup> regular meeting.

**ANALYSIS**

The attached ordinance adds a section to the Mendota Municipal Code that imposes an administrative penalty in the amount of one thousand dollars (\$1,000.00) for the possession or use of dangerous or illegal fireworks. Through these provisions, code enforcement officers and any law enforcement or fire agency designated by the Police Chief may issue an administrative citation per occurrence to all responsible person(s). At present, officers continue to rely on the State Fireworks Law to address the possession and use of illegal fireworks.

**FISCAL IMPACT**

General Fund revenue generated from administrative citations.

**RECOMMENDATION**

Staff recommends that the City Council discuss the proposed ordinance, conduct the second reading of the ordinance, perform the public hearing, and adopt Ordinance No. 20-13 adding

Section 8.12.130 to Chapter 8.12 of Title 8 of the Mendota Municipal Code to establish a penalty for the possession or use of dangerous or illegal fireworks.

**Attachment(s):**

1. Ordinance No. 20-13

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA ADDING  
SECTION 8.12.130 TO CHAPTER 8.12 OF  
TITLE 8 OF THE MENDOTA MUNICIPAL CODE  
TO ESTABLISH A PENALTY FOR THE  
POSSESSION OR USE OF DANGEROUS  
OR ILLEGAL FIREWORKS**

**ORDINANCE NO. 20-13**

***WHEREAS***, the City of Mendota (“City”) is empowered to protect the health and safety of its citizens; and

***WHEREAS***, the City has determined that the possession and use of dangerous or illegal fireworks creates an immediate danger to the public health, safety, and welfare for which immediate correction is required; and

***WHEREAS***, for the purpose of protecting the health and safety of its residents, the City has determined that the Mendota Municipal Code requires an addition in order to allow the imposition of administrative penalties in this regard.

***NOW, THEREFORE***, the City Council of the City of Mendota ordains as follows:

**Section 1.** The Recitals set forth above are incorporated herein and by this reference made an operative part hereof.

**Section 2.** Section 8.12.130 is hereby added to Chapter 8.12 of Title 8 of the Mendota Municipal Code, and reads as follows:

8.12.130. Possession or Use of Dangerous or Illegal Fireworks.

- (A) It shall be unlawful for any person to possess or use illegal or dangerous fireworks in the City as defined by the State Fireworks Law, Section 12500 et seq. of the California Health and Safety Code, and such other fireworks as may be determined to be dangerous by the State Fire Marshal.
- (B) Upon identification of possession or use of illegal or dangerous fireworks, City Code Enforcement Officers and any law enforcement or fire agency designated by the City’s Police Chief may issue an administrative citation of one thousand dollars (\$1,000.00) per occurrence to all responsible person(s).
- (C) For the purposes of this Section, Responsible person(s) includes:
  - 1. The person(s) who owns, rents, leases, or otherwise has possession of the residence or other private property; and

2. The person(s) in immediate control of the residence or other private property; and
  3. The person(s) who organizes, supervises, sponsors, conducts, allows, or controls access to the illegal discharge or illegal possession of dangerous or illegal fireworks.
- (D) There is no requirement that the City provide advance notice to the responsible person(s) prior to issuing an administrative citation under this Section. Responsible person(s) shall be deemed to know the law as is the common standard for Municipal Code violations. Further, fireworks violations create an immediate danger to the public health, safety, and welfare for which immediate correction is required. Additionally, fireworks violations are noncontinuing violations for which it is not possible or practical to provide prior notice and an opportunity to correct.

**Section 3.** Severability. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance, as if such invalid portion thereof had been deleted.

**Section 4.** The City Council hereby finds and determines that its adoption of this Ordinance is not subject to environmental review under the Public Resources Code, § 21000 et seq., the California Environmental Quality Act (“CEQA”), because the amendments do not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and therefore are not considered a “project” under CEQA. (Pub. Res. Code, § 21065; 14 Cal. Code Regs., §§ 15378(a), 15064(d)(3).) Accordingly, the City Clerk is hereby directed to file a Notice of Exemption.

**Section 5.** This ordinance shall take effect thirty (30) days after its passage.

**Section 6.** The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

\* \* \* \* \*

The foregoing ordinance was introduced on the 23<sup>rd</sup> day of June, 2020 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 14<sup>th</sup> day of July, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Rolando Castro, Mayor

ATTEST:

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
John Kinsey, City Attorney

---

---

**AGENDA ITEM – STAFF REPORT**

---

---

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CELESTE CABRERA-GARCIA, CITY CLERK  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** AMENDING CHAPTER 2.44 OF TITLE 2 OF MENDOTA MUNICIPAL CODE TO PROVIDE FOR ADMINISTRATIVE FINES FOR VIOLATIONS OF STATE AND LOCAL ORDERS ADDRESSING THE COVID-19 PANDEMIC  
**DATE:** JULY 14, 2020

---

**ISSUE**

Should the City Council adopt emergency Ordinance No. 20-14, amending Chapter 2.44 of Title 2 of the Mendota Municipal Code to provide for administrative fines for violations of state and local orders addressing the COVID-19 pandemic?

**BACKGROUND**

At its March 16, 2020 special meeting, the City Council adopted Resolution No. 20-18, proclaiming a local emergency in response to the continuing spread of COVID-19. Since that date, the City, as well as Fresno County and the State, have issued guidelines and orders in order to control the spread of COVID-19. Nonetheless, the number of COVID-19 cases throughout the state, including the City, have continued to steadily increase. It has become evident that the conditions caused by COVID-19 warrant the establishment of additional enforcement measures for state and local orders to control the spread of the disease.

**ANALYSIS**

The attached emergency ordinance adds a section to the Mendota Municipal Code that imposes administrative penalties for responsible parties who violate state and local orders that have been issued in response to COVID-19. The term “responsible party” means any individual or legal entity (including businesses) who is responsible for causing, maintaining, permitting, or allowing a violation of state and local orders. Administrative fines issued pursuant to the attached ordinance will be \$100 for the first offense, \$500 for the second offense, and \$1,000 for the third and any additional offenses.

**FISCAL IMPACT**

General Fund revenue generated from administrative citations.

**RECOMMENDATION**

Staff recommends that the City Council discuss the proposed emergency ordinance, perform the public hearing, and adopt emergency Ordinance No. 20-14 amending Chapter 2.44 of Title 2 of the Mendota Municipal Code to provide for administrative fines for violations of state and local orders addressing the COVID-19 pandemic.



**Attachment(s):**

1. Emergency Ordinance No. 20-14

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**AN EMERGENCY ORDINANCE OF THE  
CITY COUNCIL OF THE CITY OF MENDOTA  
AMENDING CHAPTER 2.44 OF TITLE 2 OF  
THE MENDOTA MUNICIPAL CODE TO  
PROVIDE FOR ADMINISTRATIVE FINES  
FOR VIOLATIONS OF STATE AND LOCAL  
ORDERS ADDRESSING THE COVID-19  
PANDEMIC**

**ORDINANCE NO. 20-14**

**WHEREAS**, the City of Mendota (“City”) is empowered to protect the health and safety of its citizens; and

**WHEREAS**, on March 4, 2020, Governor Newsom declared a State of Emergency due to the outbreak and spread of COVID-19 (Novel Coronavirus); and

**WHEREAS**, on March 15, 2020, the County of Fresno declared a State of Emergency in response to the continuing spread of COVID-19; and

**WHEREAS**, at the City of Mendota’s (“City”) March 16, 2020, Special City Council Meeting, the City Council adopted Resolution No. 20-18, proclaiming a local emergency in response to the continuing spread of COVID-19; and

**WHEREAS**, pursuant to Governor Newsom’s Executive Order N-33-20, signed March 19, 2020, all residents of the City of Mendota have been directed to “immediately heed the current State public health directives ... [which] are consistent with the March 19, 2020, Memorandum of Identification of Essential Critical Infrastructure Workers During COVID-19 Response, found at: <https://covid19.ca.gov/>”; and

**WHEREAS**, Executive Order N-33-20 also requires “all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>”; and

**WHEREAS**, pursuant to the authority of Government Code section 8634, and the Mendota Municipal Code (“MMC”) section 2.44.060, the City’s Director of Emergency Services issued Emergency Services Director Orders Nos. 20-01 through 20-07 to address the ongoing spread and impacts of COVID-19; and

**WHEREAS**, on April 28, 2020, the City Council adopted Emergency Ordinance Nos. 20-10 and 20-11, modifying existing COVID-19 response ordinances to provide continued and necessary support to the community; and

**WHEREAS**, on May 4, 2020, Governor Newsom announced that the State was prepared to begin moving toward “Phase 2,” set to begin on May 8, 2020, which will allow “gradual reopening of lower-risk workplaces with adaptations including bookstores, clothing stores, florists and sporting goods stores, with modifications” (See California’s Progress Toward Stage 2 Reopening, found at: <https://www.gov.ca.gov/2020/05/04/governor-newsom-provides-update-on-californias-progress-toward-stage-2-reopening/>); and

**WHEREAS**, on May 4, 2020, Governor Newsom announced the State’s “Phase 2” framework allows “counties to move more quickly through Stage 2 if they attest that they meet the state’s readiness criteria,” which include: (1) stability of hospitalizations; (2) personal protective equipment inventory; (3) health care surge capacity; (4) testing capacity; (5) contact tracing capability; and (6) public health guidance in place (See State Report Card, found at: <https://www.gov.ca.gov/wp-content/uploads/2020/05/5.4-Report-Card-on-California-Resilience-Roadmap.pdf>); and

**WHEREAS**, on May 5, 2020, the County of Fresno Department of Public Health issued Interim Guidance for Reopening Fresno County Businesses While Maintaining Customer Safety and Public Health, which addresses non-essential businesses seeking to reopen as part of “Phase 2.” Among other things, these businesses have been directed to consider: (1) employee safety; (2) customer/visitor safety; (3) 6-Foot distancing protocol; and (4) sanitation (See Fresno County Public Health Notice COVID-19 Interim Guidance for Reopening, found at: <https://www.co.fresno.ca.us/Home/ShowDocument?id=44523>); and

**WHEREAS**, on May 7, 2020, Governor Newsom released the State’s Updated Industry Guidance, found at: <https://www.gov.ca.gov/2020/05/07/governor-newsom-releases-updated-industry-guidance/>. Among other things, this guidance directs businesses seeking to reopen to: (1) Perform a detailed risk assessment and implement a site-specific protection plan; (2) Train employees on how to limit the spread of COVID-19, including how to screen themselves for symptoms and stay home if they have them; (3) Implement individual control measures and screenings; (4) implement disinfecting protocols; and (5) Implement physical distancing guidance; and

**WHEREAS**, on May 8, 2020, the City’s Director of Emergency Services issued Emergency Order No. 20-06, ratified by Resolution No. 20-31 of the City Council on May 12, 2020, relating to initiating Phase 2 operations in response to the ongoing COVID-19 pandemic emergency; and

**WHEREAS**, on May 11, 2020, the City of Fresno authorized what it termed “Authorized Businesses” to physically open their doors for business based on an occupancy of one (1) customer per 500 square feet of space. These “Authorized Businesses” include, but are not limited to: auto, truck, boat, motorcycle, RV and mobile home sales; new construction; furniture stores; electronics and camera stores; spa and pool stores; lawn and garden equipment stores; building and remodeling supply stores;

and auctions (See City of Fresno Authorized Business Information, found at: <https://www.fresno.gov/coronavirus-old/authorized-businesses-information/>; Authorized Business Categories and Conditions, found at: [https://www.fresno.gov/wp-content/uploads/2020/05/ENGLISH-FresnoCityHall\\_AuthorizedBusiness\\_Boards\\_24x36.pdf](https://www.fresno.gov/wp-content/uploads/2020/05/ENGLISH-FresnoCityHall_AuthorizedBusiness_Boards_24x36.pdf)); and

**WHEREAS**, on May 12, 2020, Governor Newsom released additional updated State guidance regarding retail businesses, found at: <https://covid19.ca.gov/pdf/guidance-retail.pdf>. Among other things, this guidance directs retailers seeking to reopen to: (1) Establish a written, worksite-specific COVID-19 prevention plan, perform a comprehensive risk assessment of all work areas, and designate a person at each facility to implement the plan; (2) Train employees on how to prevent and limit the spread of COVID-19, including how to screen themselves for symptoms and the importance of not coming to work if they have them or someone they live with has been diagnosed with COVID-19; (3) Implement individual control measures and screenings; (4) implement disinfecting protocols throughout the premises; and (5) Implement physical distancing guidance to ensure physical distancing of at least six (6) feet between workers and customers; and

**WHEREAS**, following public discussions during the May 12, 2020, regular City Council meeting, the City Council indicated its desire that, in the near future, the Director of Emergency Services do the following: (1) repeal the business and service curfews imposed by Emergency Order No. 20-03; (2) repeal the authorization for farmers' markets and open air markets to operate within the City allowed by Emergency Order No. 20-06; and (3) authorize specific types of non-essential retail activity throughout the City; and

**WHEREAS**, on May 21, 2020, the County of Fresno received a variance from the State, allowing non-essential retail businesses and "dine-in" restaurant services to reopen throughout the County subject to State and County guidelines; and

**WHEREAS**, on May 26, 2020, the City Council adopted Resolution No. 20-35 which modified Emergency Order No. 20-06 to defer to County and State guidance regarding reopening businesses throughout the City, reflecting the City's commitment to following County and State guidelines issued in response to the continuing COVID-19 pandemic emergency; and

**WHEREAS**, on June 9, 2020 the City Council adopted Resolution No. 20-38 which modified Emergency Order No. 20-07 to defer to County and State guidance regarding reopening businesses throughout the City, reflecting the City's commitment to following County and State guidelines issued in response to the continuing COVID-19 pandemic emergency; and

**WHEREAS**, on June 18, 2020, due to an increase in COVID-19 cases throughout the state, the California Department of Public Health released guidance that requires Californians to wear a face covering in high-risk settings (See California

Department of Public Health Guidance, found at [https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings\\_06-18-2020.pdf](https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf)); and

**WHEREAS**, on June 28, 2020, due to the continued increases in COVID-19 cases throughout the state, Governor Newsom released guidance mandating the closure of bars for counties on the County Monitoring List, including mandating the closure of bars in Fresno County; and

**WHEREAS**, on July 1, 2020 due to the continued increases in COVID-19 cases throughout the state, Governor Newsom directed counties that have been on the County Monitoring List, including Fresno County, to close indoor operations for certain sectors to slow community transmission of the disease; and

**WHEREAS**, as of July 8, 2020, there were 289,468 positive cases of COVID-19 in California with 6,562 deaths, and 7,281 positive cases with 84 deaths in Fresno County, with public health officials expecting the number of confirmed cases to increase as testing continues; and

**WHEREAS**, as of July 8, 2020, the City has 357 confirmed COVID-19 cases within its boundaries, with more cases expected to be confirmed as testing continues; and

**WHEREAS**, due to the new emergent circumstances regarding the continuing spread of COVID-19, it is imperative to prepare for and implement measures to respond to and reduce the spread of the disease; and

**WHEREAS**, it is imperative to have the necessary tools to ensure the health and safety of community members within the City; and

**WHEREAS**, the aforesaid conditions warrant and require immediate action to mitigate potential public calamity as the COVID-19 pandemic emergency continues; and

**WHEREAS**, violations of state and local orders adopted to control the spread of COVID-19 present and immediate threat to the public health and safety; and

**WHEREAS**, immediate enforcement of state and local orders adopted to control the spread of COVID-19 is necessary to ensure their consistent, effective implementation and to achieve their intended purposes of protecting the public health and safety; and

**WHEREAS**, for the purposes of protecting the health and safety of its residents, the City has determined that the Mendota Municipal Code requires an addition in order to allow the imposition of administrative penalties in order to ensure compliance with state and local orders that have been issued in response to the continuing COVID-19 pandemic.

***NOW, THEREFORE***, the City Council of the City of Mendota ordains as follows:

**Section 1.** The Recitals set forth above are incorporated herein and by this reference made an operative part hereof.

**Section 2.** Section 2.44.150 is hereby added to Chapter 2.44 of Title 2 of the Mendota Municipal Code, and reads as follows:

2.44.150. Administrative Fines for Violations of State and Local Orders Issued in Response to COVID-19

- (A) It shall be unlawful for any person to violate State and Local Orders, guidelines, and regulations adopted to control the spread of COVID-19.
- (B) For the purposes of this Section, the following terms shall have the following meanings:
  - a. “State and Local Orders” shall mean:
    - i. Orders issued by the Fresno County Public Health Officer; and
    - ii. Orders issued by the State Public Health Officer; and
    - iii. State guidance documents issued for businesses and activities that have been adopted or approved by the Fresno County Public Health Officer, as well as any state guidance and directives posted on covid19.ca.gov that are described as mandatory, binding, or otherwise presented as enforceable obligations.
  - b. “Responsible Party” shall mean an individual or legal entity, or the agent or legal guardian of such individual or entity, whose action or failure to act permits a violation a State or Local Order. This term specifically means and includes any of the following:
    - i. Any person or entity that causes, maintains, permits, or allows a violation of this section.
    - ii. Any person or entity that that owns, possesses, or controls any parcel of real property in the City upon which a violation of this section is maintained.
    - iii. Any trustee of any trust that holds legal title to any parcel of real property in the City upon which a violation of this section is maintained.
    - iv. Any person or entity that owns, possesses, operates, manages, or controls any business within the City that is responsible for causing, maintaining, permitting, or allowing a violation of this Section.
- (C) City Code Enforcement Officers and any law enforcement agency and personnel designated by the Director of Emergency Services may issue an administrative citation to any Responsible Party violating the provisions of this section. Officers may issue a citation for a violation not committed in their presence if they determine through investigation that the Responsible Party did commit or is otherwise responsible for the violation.

- (D) Administrative Fines issued pursuant to this section shall be \$100 for the first offense, \$500 for the second offense, and \$1,000 for the third and any additional offenses.

**Section 3.** This Ordinance is necessary for the immediate preservation of public health, peace, property, and safety of the City of Mendota’s residents.

**Section 4.** Severability. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance, as if such invalid portion thereof had been deleted.

**Section 5.** The City Council hereby finds and determines that its adoption of this Ordinance is not subject to environmental review under the Public Resources Code, § 21000 et seq., the California Environmental Quality Act (“CEQA”), because the amendments do not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and therefore are not considered a “project” under CEQA. (Pub. Res. Code, § 21065; 14 Cal. Code Regs., §§ 15378(a), 15064(d)(3).) Accordingly, the City Clerk is hereby directed to file a Notice of Exemption.

**Section 6.** This Ordinance shall take effect immediately pursuant to California Government Code section 36937, subdivision (b).

**Section 7.** The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

\*\*\*\*\*

The foregoing emergency ordinance was introduced and duly passed and adopted on the 14<sup>th</sup> day of July, 2020 by the City Council of the City of Mendota at a regular meeting thereof by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Rolando Castro, Mayor

ATTEST:

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
John Kinsey, City Attorney





Code Enforcement  
Monthly Log

June 2020

ADDRESS	TYPE OF CASE	1ST NOTICE	DEADLINE	STATUS	FINE AMOUNT
670 GAXIOLA	MUNICODE VIOLATION / YARD MAINTENANCE	6/1/2020	N/A	WARNING	\$0.00
616 GARCIA	VEHICLE CHECK	6/1/2020	N/A	CHECKS OKAY	\$0.00
319 L ST	MUNICODE VIOLATION	6/1/2020	N/A	WARNING	\$0.00
4TH/ H ST	VEHICLE CHECK	6/1/2020	6/4/2020	RED-TAGGED	\$0.00
CITY HALL	COMMUNITY CONTACT	6/1/2020	N/A	COMPLETE	\$0.00
225 MARIE	FOLLOW UP/ OTHER	6/1/2020	N/A	COMPLETE	\$0.00
1908 7TH ST	FOLLOW UP/ OTHER	6/1/2020	N/A	COMPLETE	\$0.00
KATE/ 7TH	FOLLOW UP/ OTHER	6/1/2020	N/A	COMPLETE	\$0.00
977 MARIE	FOLLOW UP/ OTHER	6/1/2020	N/A	COMPLETE	\$0.00
4TH/ J ST	FOLLOW UP/ OTHER	6/1/2020	N/A	COMPLETE	\$0.00
260 L ST	COMMUNITY CONTACT	6/1/2020	N/A	COMPLETE	\$0.00
CORNER QUINCE/ BELMONT	FOLLOW UP/ WEEDS	6/1/2020	N/A	COMPLETE	\$0.00
1668 8TH ST	FOLLOW UP/ WEEDS	6/1/2020	N/A	COMPLETE	\$0.00
773 QUINCE	FOLLOW UP/ WEEDS	6/1/2020	N/A	COMPLETE	\$0.00
755 QUINCE	FOLLOW UP/ WEEDS	6/1/2020	N/A	COMPLETE	\$0.00
1782 4TH ST	FOLLOW UP/ WEEDS	6/1/2020	N/A	COMPLETE	\$0.00
568 BARAJAS CT	PARKING VIOLATION	6/1/2020	N/A	CITED	\$50.00
INEZ/ 7TH ST	VEHICLE CHECK	6/2/2020	N/A	CHECKS OKAY	\$0.00
140 TUFT	COMMUNITY CONTACT	6/2/2020	N/A	COMPLETE	\$0.00
CITY HALL	COMMUNITY CONTACT	6/2/2020	N/A	COMPLETE	\$0.00
1036 OLLER	FOLLOW UP/ WEEDS	6/2/2020	N/A	COMPLETE	\$0.00
730 KATE	FOLLOW UP/ OTHER	6/2/2020	N/A	COMPLETE	\$0.00
280 ARNAUDON DR	VEHICLE CHECK	6/2/2020	N/A	CITED/ TOWED	\$50.00
MENDOTA POST OFFICE	COMMUNITY CONTACT	6/3/2020	N/A	COMPLETE	\$0.00
8TH/ JUANITA	FOLLOW UP/ OTHER	6/3/2020	N/A	COMPLETE	\$0.00
885 STAMOULES	FOLLOW UP/ OTHER	6/3/2020	N/A	COMPLETE	\$0.00
BARBOZA/ PEREZ	VEHICLE CHECK	6/3/2020	6/7/2020	RED-TAGGED	\$0.00
MENDOTA PD	LOBBY TRAFFIC	6/3/2020	N/A	COMPLETE	\$0.00
QUINCE/ 9TH	VEHICLE CHECK	6/3/2020	6/7/2020	RED-TAGGED	\$0.00
6TH/ OLLER	VEHICLE CHECK	6/3/2020	N/A	CHECKS OKAY	\$0.00
930 2ND ST	VEHICLE NUISANCE	6/3/2020	6/7/2020	RED-TAGGED	\$0.00
524 KATE	VEHICLE CHECK	6/3/2020	6/7/2020	RED-TAGGED	\$0.00
595 I ST	VEHICLE CHECK	6/3/2020	N/A	WARNING	\$0.00
FOURTH CT	PARKING VIOLATION	6/3/2020	N/A	CITED	\$50.00
HOLMES/ CASTRO	MUNICODE VIOLATION / YARD MAINTENANCE	6/3/2020	N/A	WARNING	\$0.00
ROWE/ HOLMES	VEHICLE CHECK	6/3/2020	6/7/2020	RED-TAGGED	\$0.00
TUFT/ SORENSON	MUNICODE VIOLATION / LITTERING	6/3/2020	N/A	WARNING	\$0.00
1070 9TH ST	FOLLOW UP/ OTHER	6/7/2020	N/A	COMPLETE	\$0.00
LOZANO/ PEREZ	VEHICLE CHECK	6/7/2020	N/A	CITED	\$50.00
2ND/ OLLER	PARKING VIOLATION	6/7/2020	N/A	CITED	\$100.00
L ST/ DIVISADERO	VEHICLE CHECK	6/7/2020	N/A	CHECKS OKAY	\$0.00
LST/ LOLITA	VEHICLE CHECK	6/7/2020	N/A	TOWED	\$0.00
SILVA/PETRY	PARKING VIOLATION	6/7/2020	N/A	WARNING	\$0.00
2ND/ KATE	PARKING VIOLATION	6/7/2020	N/A	WARNING	\$0.00
9TH/ QUINCE	FOLLOW UP/ TIRES	6/7/2020	N/A	CITED	\$0.00
918 QUINCE	FOLLOW UP/ OTHER	6/7/2020	N/A	COMPLETE	\$0.00
PUCHEU/ BELMONT	FOLLOW UP/ WEEDS	6/8/2020	N/A	COMPLETE	\$0.00

Code Enforcement  
Monthly Log

June 2020

1161 OLLER	FOLLOW UP/ WEEDS	6/8/2020	N/A	COMPLETE	\$0.00
1037 OLLER	FOLLOW UP/ WEEDS	6/8/2020	N/A	COMPLETE	\$0.00
1006 OLLER	FOLLOW UP/ WEEDS	6/8/2020	N/A	COMPLETE	\$0.00
MENDOTA PD	LOBBY TRAFFIC	6/8/2020	N/A	COMPLETE	\$0.00
573 KATE	MUNICODE VIOLATION/ OTHER	6/8/2020	N/A	WARNING	\$0.00
ROWE/ HOLMES	FOLLOW UP/ RED TAG	6/8/2020	6/7/2020	COMPLETE	\$0.00
STAMOULES/ 8TH	MUNICODE VIOLATION / SUBSTANDARD DWELLING	6/8/2020	N/A	NECESSARY ACTION TAKEN	\$0.00
225 MARIE	FOLLOW UP/ WEEDS	6/8/2020	N/A	COMPLETE	\$0.00
481 ARNAUDON	COMMUNITY CONTACT	6/8/2020	N/A	COMPLETE	\$0.00
2ND/ I ST	VEHICLE CHECK	6/9/2020	6/11/2020	RED-TAGGED	\$0.00
DERRICK/ 6TH	MUNICODE VIOLATION/ OTHER	6/9/2020	N/A	WARNING	\$0.00
OLLER/ 3RD	PARKING VIOLATION	6/9/2020	N/A	WARNING	\$0.00
5TH/ OLLER	COMMUNITY CONTACT	6/9/2020	N/A	COMPLETE	\$0.00
BANDONI/ PETRY	PARKING VIOLATION	6/9/2020	N/A	CITED	\$50.00
1043 QUINCE	FOLLOW UP/ OTHER	6/10/2020	N/A	COMPLETE	\$0.00
543 QUINCE	MUNICODE VIOLATION/ OTHER	6/10/2020	N/A	COMPLETE	\$0.00
791 LOLITA	FOLLOW UP/ OTHER	6/10/2020	N/A	COMPLETE	\$0.00
510 FOURTH ST	PARKING VIOLATION	6/10/2020	N/A	CITED	\$50.00
525 RIO FRIO	VEHICLE CHECK	6/10/2020	N/A	CHECKS OKAY	\$0.00
6TH/ LOLITA	COMMUNITY CONTACT	6/10/2020	N/A	COMPLETE	\$0.00
600 BLK FOURTH ST	VEHICLE CHECK	6/11/2020	N/A	CITED	\$50.00
PUCHEU/ 8TH ST	COMMUNITY CONTACT	6/11/2020	N/A	COMPLETE	\$0.00
76 GAS STATION	COMMUNITY CONTACT	6/13/2020	N/A	COMPLETE	\$0.00
NAPLES/ 9TH	VEHICLE CHECK	6/14/2020	6/17/2020	RED-TAGGED	\$0.00
ROWE/ SMOOT	COMMUNITY CONTACT	6/14/2020	N/A	COMPLETE	\$0.00
SORENSON/ SMOOT	VEHICLE NUISANCE	6/14/2020	N/A	CHECKS OKAY	\$0.00
7TH/ RIO FRIO	MUNICODE VIOLATION/ COVID-19 NO MASK	6/14/2020	N/A	WARNING	\$0.00
2ND/ L ST	VEHICLE CHECK	6/15/2020	N/A	CITED/ TOWED	\$50.00
655 LOLITA	FOLLOW UP/ OTHER	6/15/2020	N/A	COMPLETE	\$0.00
DERRICK/ 6TH	MUNICODE VIOLATION/ COVID-19 NO MASK	6/15/2020	N/A	WARNING	\$0.00
INEZ/ 7TH ST	PARKING VIOLATION	6/15/2020	N/A	CITED	\$50.00
QUINCE/ 4TH	VEHICLE CHECK	6/15/2020	6/18/2020	RED-TAGGED	\$0.00
207 L ST	COMMUNITY CONTACT	6/16/2020	N/A	COMPLETE	\$0.00
FAMILY DOLLAR	MUNICODE VIOLATION/ WEEDS	6/16/2020	N/A	WARNING	\$0.00
919 RIO FRIO	PARKING VIOLATION	6/16/2020	N/A	CITED	\$50.00
543 STAMOULES	FOLLOW UP/ PUBLIC NUISANCE	6/16/2020	N/A	COMPLETE	\$0.00
53 VERA CIR	PARKING VIOLATION	6/16/2020	N/A	CITED	\$50.00
1161 OLLER	VEHICLE CHECK	6/17/2020	6/20/2020	RED-TAGGED	\$0.00
PUCHEU/ 7TH	VEHICLE CHECK	6/17/2020	N/A	CHECKS OKAY	\$0.00
101 TUFT	VEHICLE CHECK	6/17/2020	N/A	CITED/ TOWED	\$50.00
6TH/ LOLITA	MUNICODE VIOLATION/ JUNK	6/17/2020	N/A	NECESSARY ACTION TAKEN	\$0.00
1690 7TH ST	MUNICODE VIOLATION/ APPLIANCE	6/17/2020	N/A	NECESSARY ACTION TAKEN	\$0.00
DE LA CRUZ/ GOMEZ	MUNICODE VIOLATION/ WEEDS	6/17/2020	N/A	NECESSARY ACTION TAKEN	\$0.00
578 LOLITA	MUNICODE VIOLATION/ ILLEGAL DUMPING	6/17/2020	N/A	CITED	\$50.00
CITY HALL	COMMUNITY CONTACT	6/18/2020	N/A	COMPLETE	\$0.00
MENDOTA SMOG	COMMUNITY CONTACT	6/18/2020	N/A	COMPLETE	\$0.00
CITY OF MENDOTA	MISC. INVESTIGATION/ COVID-19 CONTACT LIST	6/18/2020	N/A	COMPLETE	\$0.00
725 QUINCE	PARKING VIOLATION	6/19/2020	N/A	WARNING	\$0.00

Code Enforcement  
Monthly Log

June 2020

617 GARCIA	MUNICODE VIOLATIONS/ LIVESTOCK,CANNABIS,JUNK	6/19/2020	7/3/2020	CITED (8)	\$1,300.00
1161 OLLER	FOLLOW UP/ RED TAG	6/22/2020	6/17/2020	COMPLETE	\$0.00
MENDOTA PD	LOBBY TRAFFIC	6/22/2020	N/A	COMPLETE	\$0.00
CITY HALL	COMMUNITY CONTACT	6/22/2020	N/A	COMPLETE	\$0.00
MENDOTA PD	LOBBY TRAFFIC	6/22/2020	N/A	COMPLETE	\$0.00
578 LOLITA	FOLLOW UP	6/22/2020	N/A	COMPLETE	\$0.00
657 4TH ST	PARKING VIOLATION	6/23/2020	N/A	CITED	\$50.00
CITY HALL	COMMUNITY CONTACT	6/23/2020	N/A	COMPLETE	\$0.00
1441 7TH ST	MUNICODE VIOLATION/ ILLEGAL DUMPING	6/24/2020	N/A	NECESSARY ACTION TAKEN	\$0.00
570 4TH ST	VEHICLE NUISANCE/ BLOCKING PRIVATE DRIVEWAY	6/24/2020	N/A	CITED/ TOWED	\$50.00
1161 OLLER	FOLLOW UP/ PUBLIC NUISANCE	6/24/2020	N/A	COMPLETE	\$0.00
10TH/ OLLER	FOLLOW UP/ WEEDS	6/24/2022	N/A	COMPLETE	\$0.00
231 GREGG CT	PARKING VIOLATION	6/24/2020	N/A	CITED	\$100.00
270 GREGG CT	PARKING VIOLATION	6/24/2020	N/A	CITED	\$50.00
519 LOLITA	FOLLOW UP/ PUBLIC NUISANCE	6/24/2020	N/A	COMPLETE	\$0.00
584 NAPLES	COMMUNITY CONTACT	6/25/2020	N/A	COMPLETE	\$0.00
280 MALDONADO	MUNICODE VIOLATION/ WATER USAGE	6/25/2020	N/A	WARNING	\$0.00
630 KATE	FOLLOW UP/ PUBLIC NUISANCE	6/25/2020	N/A	COMPLETE	\$0.00
636 LOLITA	FOLLOW UP/ PUBLIC NUISANCE	6/25/2020	N/A	COMPLETE	\$0.00
1167 PUCHEU	FOLLOW UP/ PUBLIC NUISANCE	6/25/2020	N/A	COMPLETE	\$0.00
103 RAMIREZ	COMMUNITY CONTACT	6/26/2020	N/A	COMPLETE	\$0.00
617 GARCIA	FOLLOW UP	6/26/2020	7/3/2020	UNABLE TO LOCATE	\$0.00
1008 8TH ST	FOLLOW UP/ DOG BITE	6/26/2020	N/A	COMPLETE	\$0.00
CITY OF MENDOTA	SPECIAL DETAIL/ WEED ABATEMENT (FORCED)	6/27/2020	N/A	COMPLETE	\$0.00
408 BANDONI	MUNICODE VIOLATION/ LIVESTOCK	6/29/2020	6/30/2020	WARNING	\$0.00
417 HOLMES	MUNICODE VIOLATION/ LIVESTOCK	6/29/2020	N/A	CHECKS OKAY	\$0.00
408 BANDONI	FOLLOW UP	6/30/2020	N/A	COMPLETE	\$0.00
				<b>TOTAL:</b>	\$2,300.00



# POLICE

M E N D O T A

## MEMORANDUM

**Date:** July 1, 2020  
**To:** Cristian Gonzalez, City Manager  
Mendota City Council Members  
**From:** Gregg L. Andreotti, Chief of Police  
**Subject:** Monthly Report for June 2020

Disturbance at a residence by Kate/J Street resulted in the suspect hitting the victim and stealing property. The suspect fled prior to officers arriving. He was located a few days later, arrested and transported to Jail.

A possible known suspect was captured on video surveillance breaking a business' window on Oller Street.

Disturbance at a residence on Quince discovered one subject was disruptive. He was Fled for information.

Parole compliance check of a parolee at his residence of record on I Street. He was found in violation and in possession of stolen property, narcotics, and paraphernalia. He was arrested and transported to Jail.

Unwanted subject at a residence on Tuft Street. Upon arrival officers located the subject in the driver's seat of a vehicle in front of the residence. He was found to be intoxicated and arrested for DUI. He was cited and released to a sober adult.

An unknown suspect stole stereo equipment from the victim's vehicle while it was parked on Oller Street.

A subject who previously threw rocks at a building but did not cause any damage was contacted along the RR tracks south of 9<sup>th</sup> Street. He was Fled for information.

Subject check by Naples/9<sup>th</sup> discovered he was in possession of an illegal knife, meth pipe and vehicle theft tools. It was discovered he was out of Jail on Bail. He was arrested and transported to Jail.

An unknown suspect entered a store on Oller and stole clothing.

An unknown suspect stole the victim's vehicle while it was parked on Oller.

Non-injury hit and run. An unknown driver hit the victim's vehicle while it was parked in a lot on Bass Avenue and then fled the scene.

An unknown suspect(s) stole two rims and tires from the victim's vehicle while it was parked on Oller Street.

Officers were notified of a possible intoxicated driver on Kate Street. He was located parked in a running vehicle at Kate/I Street in possession of an open container of alcohol. He was found to be intoxicated and arrested for DUI. He was cited and released to a sober adult.

Vehicle stop at Oller/9<sup>th</sup> discovered the driver did not have a CDL and was intoxicated. He was arrested for DUI, cited and released to a sober adult.

Non-injury traffic collision in the parking lot of a local store on 7<sup>th</sup> Street. A passenger in the vehicle was found to have an outstanding warrant for his arrest. He was arrested and transported to Jail.

Officers responded to Amador/Castaneda Street for a report of racing. Officers contacted three subjects who were Fled for information.

An unknown subject stole alcoholic beverage from a store on 7<sup>th</sup> Street and then fled on foot.

Vehicle stop at Oller/5<sup>th</sup> discovered the driver was intoxicated. He was arrested for DUI, cited and released to a sober adult.

An unknown subject stole a laptop from the MUSD office on McCabe Avenue.

Subject check by 6<sup>th</sup>/Lolita discovered he was in possession of methamphetamine. He was arrested, cited and released.

An unknown suspect damaged the mailboxes at an apartment complex on 2<sup>nd</sup> Street.

Subject check by 9<sup>th</sup>/Marie resulted in an FI for information.

Vehicle stop at Tule/7<sup>th</sup> resulted in an FI for information.

An unknown suspect stole the victim's personal documents from his vehicle while it was parked on Oller Street.

Subject check in front of City Hall discovered he was intoxicated and in possession of an open container of alcohol. He was cited and released to a sober adult.

An unknown driver hit the victim's vehicle while it was parked on L Street and then fled the scene.

Vehicle stop at Pucheu/7<sup>th</sup> discovered a passenger was a wanted parolee who was also in possession of methamphetamine. He was arrested and transported to Jail.

Vehicle stop at Derrick/6<sup>th</sup> discovered the driver was driving on a suspended CDL and in possession of methamphetamine and meth pipes. He was arrested, cited and released.

Disturbance at a residence on Stamoules discovered the subject causing was in possession of a toy handgun and showed others the toy. He was found to be wanted on an outstanding warrant. He was arrested, cited and released.

An unknown suspect stole the victim's vehicle while it was parked on Rio Frio Street.

An unknown suspect stole the victim's vehicle while it was parked in front of his residence.

Subject check resulted in a FI for information.

An unknown suspect damaged the window to a health clinic on Oller.

Subject check at Stamoules/6<sup>th</sup> resulted in an FI for information.

An unknown suspect damaged the window to the victim's residence on Quince Street.

A vehicle was located illegally parked at Quince/7<sup>th</sup>. The engine was discovered to be running with a person unconscious in the driver's seat. Officers could not wake the subject up therefore they broke a passenger window to gain entry. Inside they discovered the driver was passed out due to intoxication. He was arrested for DUI, cited and released to a sober adult.

Disturbance at a residence on Derrick Street discovered the suspect hit the victim. Officers located the suspect and arrested him. He was transported to Jail.

An unknown suspect painted graffiti on the exterior wall of a business on Quince Street.

A possible known suspect vandalized the victim's vehicle while it was parked on 4th Street.

Non-injury traffic collision at Lozano/Perez. Driver causing veered off the road and hit two parked cars. He remained on scene.

Report of illegal fireworks in the area of Sorensen/Elm Street. Two subjects were contacted, unknown if related, and FI'ed for information.

Subject check by Jennings/9<sup>th</sup> resulted in an FI for information.

Found 2yr old walking in the area of Derrick/McCabe. Officers discovered he walked away from his home where a sibling was placed in charge. Parent contacted and responded. CPS Notified.

Subject check of a juvenile who claimed to be homeless. The investigation determined the subject was lying and family members were contacted who responded and took custody of the juvenile.

Suspicious person looking into vehicles by Tule/7<sup>th</sup> Street. Officers located him at Quince/7<sup>th</sup> and discovered he was in possession of an illegal knife and burglary tools. He was arrested and transported to Jail.

An unknown person attempted to extort funds from a resident by contacting her on social media demanding money be provided on a pre-paid card. No funds were sent.

A known driver nearly ran a vehicle off the road and then parked in a mini mart parking lot on Oller Street. Officers contacted the driver and discovered he was under the influence of alcohol. Witnesses provided information and the subject was arrested for DUI. He was cited and released to a sober adult.

An unknown suspect damage the window to a local store by Oller/6<sup>th</sup> Street.

Subject check at Naples/6<sup>th</sup> discovered he was in possession of a meth pipe. He was cited and released.

An unknown suspect forced entry into the victim's vehicle and damaged the stereo to remove it.

Disturbance at a residence resulted in the suspect hitting the victim. The suspect fled the scene prior to officers arriving. He was later contacted and arrested. He was transported to Jail.

Vehicle stop at Belmont/9<sup>th</sup> discovered the driver was in possession of methamphetamine and a meth pipe. He was arrested, cited and released.

Vehicle stop discovered the driver was wanted on an outstanding warrant. He was arrested and transported to Jail.

While officers were attempting to locate the site of illegal fireworks launching along Marie Street, they conducted a subject check that resulted in a FI for information.

Subject check of two on L Street discovered one was in possession of theft tools and the other was in possession of methamphetamine and a meth pipe. Both were arrested; One was cited and released and the other was transported to Jail.

Subject check by 6<sup>th</sup>/Stamoules discovered he was wanted on an outstanding warrant. He was arrested and transported to Jail.

Subject check on 7<sup>th</sup> discovered he was illegally selling items on the sidewalk without a vendor license. He was Fled and packed up his items prior to leaving.

An unknown subject damaged a window on the victim's vehicle while it was parked on Segovia Street.

An unknown suspect stole the victim's personal papers from her unlocked vehicle while it was parked on Divisadero.

An unknown suspect damaged the window to a vehicle parked on 7<sup>th</sup> Street.

A resident reported he was receiving threatening messaged on his phone stating he needed to send money to an unknown subject.

Search warrant service at a residence on Garcia Street. Illegal fireworks were seized, and one suspect was arrested. The suspect was also cited for possession of illegal animals, an illegal marijuana cultivation, and operating an unlicensed business in her garage. She was transported to Jail.

Disturbance by Arnaudon/Sorensen. Officers discovered an intoxicated male was exposing himself to young females. He was arrested and transported to Jail.

Officers assisted Cal Fire at the scene of a grass fire by Pool Park.

Disturbance at a residence resulted in the intoxicated suspect threatening the two victims. He was arrested and transported to Jail.

Report of illegal fireworks being ignited by Kate Court resulted in an FI of a suspicious subject in the area.

Non-injury hit and run occurred by Hwy33/Bass earlier in the day. The victim reported the incident after contacting an officer by Oller/9<sup>th</sup>.

Non-injury hit and run on black Street. The suspect vehicle hit the victim's parked vehicle and then fled.

Subject check at 7<sup>th</sup>/Stamoules resulted in an FI for information.

Disturbance at a residence on 9<sup>th</sup> Street resulted in the suspect hitting the victim. The victim pressed charges and the suspect was arrested, cited and released.



An unknown suspect broke into a contractor's truck on Rosales Street and stole construction tools.

An unknown suspect damaged a window on the victim's vehicle while it was parked on Black Street.

Disturbance by Marie/2<sup>nd</sup> resulted in an FI for information on the subject causing.

Two unknown subjects entered a local store on Derrick and stole property.

Search warrant service at a residence by Lolita/6<sup>th</sup> resulted in the seizure of narcotics for sale and two arrests.

Subject check of two on Lolita discovered both were wanted on outstanding warrants. Both were arrested and transported to Jail.

A possible known subject tampered with the fire sprinkler system at a local market on 7<sup>th</sup> Street.

Subject check at Bass/Barboza discovered he was in possession of an open container of alcohol. He was cited and released.

Subject check resulted in an FI for information.

Disturbance at a residence on L Street discovered the subject causing was wanted on an outstanding warrant. He was arrested and transported to Jail.

An unknown suspect damaged the window to the victim's vehicle while it was parked on Kate Street.

An unknown suspect stole checks from the victim's unlocked vehicle while it was parked on I Street.

An unknown suspect entered the victim's parked vehicle on Marie Street and attempted to steal the in-dash stereo radio.

Personnel staffed the Mendota Fireworks Event – There were no reported issues associated with the event.

Officers witnessed a suspect ignite and launch an illegal aerial firework on Straw Street. He was contacted, arrested, cited and released for the violation.

Vehicle stop on I Street discovered the driver was intoxicated. He was arrested for DUI, cited and released to a sober adult.

Vehicle stop on Rio Frio/5<sup>th</sup> discovered the driver was under the influence of an illegal narcotic and impaired to drive. He was arrested for DUI and transported to Jail.

An unknown suspect climbed a fence to a business storage area on 7<sup>th</sup> Street and stole property.

Disturbance at a residence on Santa Cruz resulted in the suspect hitting the victim. Officers located the suspect and arrested him. He was transported to Jail.

Disturbance at a residence on Juanita Street resulted in the suspect hitting the victim. The suspect was arrested and transported to Jail.

Vehicle stop by 9<sup>th</sup>/Marie discovered the driver was wanted on outstanding warrants. He was arrested and transported to Jail.

Subject check of a known parolee on Lolita Street. As officers approached to conduct a compliance check he fled on foot. After a short chase he was apprehended. His parole agent violated his parole and he was transported to Jail.

Vehicle stop by Quince/7<sup>th</sup> discovered the driver was wanted on an active warrant. He was arrested, cited and released.

Vehicle stop by Oller/Belmont discovered the driver was in possession of drug paraphernalia and on probation. She was arrested, cited and released.

Disturbance at a residence on 6<sup>th</sup> street discovered the suspect hit the victim and then fled the scene. Officers located the suspect and found her to be intoxicated with minor injuries. She was turned over to EMS for treatment and transportation to the hospital for evaluation.

Disturbance at a location on Oller. None of the parties wanted to pursue a complaint. Officers discovered one of the subjects was wanted on active warrants and appeared unstable. He was arrested, cited and then turned over to EMS for evaluation.

Subject check on 6<sup>th</sup> Street resulted in an FI for information.

Disturbance on 6<sup>th</sup> Street discovered the victim was hit with a bat by an unknown suspect. The victim was uncooperative with officers and did not provide much information.

Subject check discovered she was wanted on an outstanding warrant. She was arrested and transported to Jail.

**Strategic Planning:**

- Continued monitoring COVID regulation compliances

**Personnel Information:**

- Police Officer candidate accepted job offer and entered hiring process.
- Interviewed second Police Officer Candidate for reinstated position
- *The frozen Police Officer position will be reinstated in July 2020*
- *The following Police Department position remains vacant and frozen:*
  - *One Administrative Assistant*