



# 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  
September 22, 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.

Si necesita servicios de interpretación para participar en esta reunión, comuníquese con la Secretaria de la Ciudad al (559) 655-3291 o (559) 577-7692 entre las 8 a.m. y las 5 p.m. De lunes a viernes. La notificación de al menos veinticuatro horas antes de la reunión permitirá al personal adoptar las disposiciones necesarias para garantizar su participación en la reunión.

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=S1ZEc0VYaXRRTFp6c293cHMvQIA1dz09>

### CALL TO ORDER

### ROLL CALL

### FLAG SALUTE

### FINALIZE THE AGENDA

1. Adjustments to Agenda
2. Adoption of final Agenda

### PRESENTATION

1. Geno Andrade with Mid Valley Disposal to present the 1<sup>st</sup> and 2<sup>nd</sup> Quarter Recycling Updates.

### 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.

City Council Agenda

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9/22/2020

## APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of September 8, 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. SEPTEMBER 15, 2020 THROUGH SEPTEMBER 17, 2020  
WARRANT LIST CHECKS NO. 47285 THROUGH 47341  
TOTAL FOR COUNCIL APPROVAL = \$207,821.31
2. Proposed adoption of **Resolution No. 20-70**, authorizing City staff to purchase a replacement lawn tractor for the Department of Public Works.

## BUSINESS

1. Council discussion on a letter submitted by Westside Youth, Inc. concerning the organization's eligibility for Community Development Block Grant funding.
  - 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*
2. Council discussion and consideration of **Resolution No. 20-71**, authorizing the formation of a City Council Ad Hoc Subcommittee to meet with potential buyers of the property located at 1269 Marie 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 considers Resolution No. 20-71 for adoption*

3. Council discussion and consideration of **Resolution No. 20-72**, directing staff to express interest in Westlands Water District land west of Rojas-Pierce Park and requesting conveyance of said land.
  - a. *Receive report from City Engineer Osborn*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council considers Resolution No. 20-72 for adoption*

### **PUBLIC HEARING**

1. Public hearing and proposed adoption of **Ordinance No. 20-15**, amending Sections 2.24.010 and 2.24.030 of Chapter 2.24 of Title 2 of the Mendota Municipal Code to update the City of Mendota's Conflict of Interest Code.
  - a. *Receive report from City Clerk Cabrera-Garcia*
  - 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. 20-15 for adoption*
2. Public hearing and proposed adoption of **Ordinance No. 20-16**, amending Chapter 17-99 of Title 17 of the Mendota Municipal Code's Provisions regarding the Commercial Cannabis Overlay District.
  - 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. 20-16 for adoption*

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

1. Finance Officer
  - a) Grant Update
2. City Engineer
  - a) Update
3. City Attorney
  - a) Update
4. City Manager

**MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)
2. Mayor

**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 September 22, 2020, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, September 18, 2020 at 3:50 p.m.

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



## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

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**Regular Meeting**

**September 8, 2020**

**Meeting called to order by Mayor Castro at 6:04 p.m.**

### **Roll Call**

**Council Members Present:** Mayor Rolando Castro, Mayor Pro Tem Victor Martinez; Councilors Jesus Mendoza, Joseph Riofrio, and Oscar Rosales (via Zoom)

**Council Members Absent:** None

**Flag salute led by Mayor Castro**

### **FINALIZE THE AGENDA**

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

A motion was made by Councilor Riofrio to adopt the agenda, seconded by Councilor Mendoza; unanimously approved (5 ayes).

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

None offered.

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

1. Minutes of the regular City Council meeting of August 25, 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 Mayor Pro

Tem Martinez; unanimously approved (5 ayes).

### **CONSENT CALENDAR**

1. SEPTEMBER 2, 2020 THROUGH SEPTEMBER 2, 2020  
WARRANT LIST CHECKS NO. 47241 THROUGH 47284  
TOTAL FOR COUNCIL APPROVAL = \$185,641.68
2. Proposed adoption of **Resolution No. 20-68**, authorizing the City Manager to execute a Conditional Will-Serve Letter for the proposed Valley Agricultural Holdings Project.
3. Proposed adoption of **Resolution No. 20-69**, authorizing City staff to purchase a replacement lawn tractor for the Department of Public Works.

A request was made to pull item 3 for discussion.

A motion was made by Councilor Riofrio to approve items 1 and 2 of the Consent Calendar, seconded by Councilor Mendoza; unanimously approved (5 ayes).

3. Proposed adoption of **Resolution No. 20-69**, authorizing City staff to purchase a replacement lawn tractor for the Department of Public Works.

Discussion was held on the item.

A motion was made by Mayor Pro Tem Martinez to approve item 3 of the Consent Calendar, seconded by Councilor Riofrio; unanimously approved (5 ayes).

### **BUSINESS**

1. Introduction and first reading of **Ordinance No. 20-15**, amending Section 2.24.030 of Chapter 2.24 of Title 2 of the Mendota Municipal Code to update the City of Mendota's Conflict of Interest Code.

Mayor Castro introduced the item and City Clerk Cabrera-Garcia summarized the report.

Discussion was held on the item.

A motion was made by Mayor Pro Tem Martinez to waive the first reading and set the second reading and public hearing for the September 22<sup>nd</sup> City Council meeting, seconded by Councilor Mendoza; unanimously approved (5 ayes).

2. Introduction and first reading of **Ordinance No. 20-16**, amending Chapter 17-99 of Title 17 of the Mendota Municipal Code's Provisions regarding the Commercial Cannabis Overlay District.

Mayor Castro introduced the item and City Manager Gonzalez summarized the report.

Discussion was held on the item.

A motion was made by Mayor Pro Tem Martinez to waive the first reading and set the second reading and public hearing for the September 22<sup>nd</sup> City Council meeting, seconded by Councilor Mendoza; unanimously approved (5 ayes).

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Animal Control, Code Enforcement, and Police Department
  - a) Monthly Report

Chief of Police Smith stated that a vehicle was upfitted for the Code Enforcement department; summarized the statistics for the Animal Control and Code Enforcement departments; provided the report for the Police Department including an arrangement where the department was able to borrow an all-terrain vehicle in order to conduct trespassing enforcement in the outskirts of the City; and additional personnel that were dispatched to work over the Labor Day weekend.

Discussion was held on the possibility of the police department purchasing and utilizing drones or body cameras to assist with enforcement efforts; illegally parked trailers; and threatening posts that are made on social media regarding the Police Department.

2. City Attorney
  - a) Update

Nothing to report.

3. City Manager

City Manager Gonzalez reported on the ongoing COVID-19 testing events; current COVID-19 statistics; and the status of Fresno County on the Governor's COVID-19 watchlist.

Discussion was held on the current COVID-19 statistics; and ongoing COVID-19 testing events.

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

1. Council Member(s)

Councilor Rosales apologized for not attending the meeting in person and commented on the importance of the Council working together.

Councilor Riofrio encouraged everyone to receive the flu shot; stated that it is dangerous

to cross Derrick Avenue; and the need for additional lighting on Derrick Avenue and 7<sup>th</sup> Street.

Discussion was held on the need for additional lighting throughout the City.

Councilor Mendoza inquired about the status of the railroad project; and thanked Chief Smith and the police department for taking the initiative to enforce a variety of state and local statutes.

Mayor Pro Tem Martinez inquired about the status of the Mowry Bridge Replacement Project; status of the AMOR project; status of the Rojas-Pierce Park Expansion project; status of the Belmont Estates, and Westland's Water District willingness to work with the City on related projects; and the status of the City/Police Department Expansion Project.

## 2. Mayor

Mayor Castro commented on an upcoming COVID-19 testing event; a Mask Up Central Valley event that was recently held (at 7:08 p.m. Councilor Riofrio left the Council Chambers and returned at 7:10 p.m.); a company who submitted a business license application; the status of the Little Caesar's project; and the status of the Miranda Apartments demolition.

Discussion was held on the status of the United Security Bank; the possibility of enhancing the city-wide camera system; the status of various grant applications; and the possibility of having a dialysis center in the City.

## **CLOSED SESSION**

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
  - a. Property: 1269 Marie Street, Mendota, CA 93640
  - b. Agency Negotiator: Cristian Gonzalez, City Manager
  - c. Negotiating Party: Byline Bank
  - d. Under Negotiation: Price and Terms of Payment

At 7:18 p.m. the Council moved into closed and Councilor Rosales left the meeting.

At 7:56 p.m. the Council reconvened in open session and City Attorney Kinsey stated that in regard to item 1 of the closed session, there was no reportable action.



## **ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 7:56 p.m. by Mayor Pro Tem Martinez, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Rosales).

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Rolando Castro, Mayor

ATTEST:

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Celeste Cabrera-Garcia, City Clerk

CITY OF MENDOTA  
CASH DISBURSEMENTS  
9/15/2020 - 9/17/2020  
Check# 47285 - 47341

Date	Check #	Check Amount	Vendor	Department	Description
9/15/2020	47285	\$ 855.00	ADMINISTRATIVE SOLUTIONS	GENERAL	(7)HRA ADMINISTRATION-SEPTEMBER 2020, MONTHLY MEDICAL ADMIN FEES-SEPTEMBER 2020
9/15/2020	47286	\$ 669.84	AFLAC	GENERAL	AFLAC INSURANCE FOR THE MONTH OF SEPTEMBER 2020
9/15/2020	47287	\$ 34.60	AIRGAS USA, LLC	WATER	RENT CYL. IND. SMALL CARBON DIOXIDE AUG 2020
9/15/2020	47288	\$ 1,021.84	ALERT-0-LITE	GENERAL-STREETS	YELLOW CAUTION TAPE COVID 19, 16" LOOP CHAIN (1) FULL BRIM HARD HATS (11)
9/15/2020	47289	\$ 195.43	ALEX AUTO DIAGNOSTICS	WATER	2007 FORD PICKUP F150 REPLACED IDLER PULLEY & BELT
9/15/2020	47290	\$ 170.73	AMERIPRIDE SERVICES, INC	GENERAL-WATER-SEWER	UNIFORM RENTALS FOR 9/03/2020 , 9/9/2020
9/15/2020	47291	\$ 490.58	AQUA NATURAL SOLUTIONS	SEWER	(2) MICROBE LIFT IND 5 GAL (3) SLUDGE AWAY-WWTP
9/15/2020	47292	\$ 226.65	AT&T	GENERAL	POLICE DISPATCH PHONE SERVICES 7/27/20-8/26/2020
9/15/2020	47293	\$ 60.30	BATTERIES PLUS BULBS	WATER	(1) 12V LEAD DURA12-5F (WTP), (2) 12V LEAD DURA12-F (WTP)
9/15/2020	47294	\$ 420.00	BSK ASSOCIATES	WATER	GENERAL ADT WEEKLY TREATMENT & DISTRIBUTION
9/15/2020	47295	\$ 2,750.00	CENTRAL VALLEY CLEAN WATER ASS	SEWER	MEMBERSHIP RENEWAL JULY 1 2020-JUNE 30 2021 WASTEWATER
9/15/2020	47296	\$ 382.70	COLONIAL LIFE	GENERAL	LIFE INSURANCE FOR AUG 2020
9/15/2020	47297	\$ 474.13	COMCAST BUSINESS	GENERAL	FRESNO SHERIFF TO MENDOTA PD CIRCUIT SEPT 2020
9/15/2020	47298	\$ 159.14	CORELOGIC INFORMATION	GENERAL-WATER-SEWER	REALQUEST SERVICE FOR AUGUST 2020
9/15/2020	47299	\$ 88.80	CROWN SERVICES CO.	GENERAL-WATER	TOILET 1XWK 1000 AIRPORT BLVD BLDG #A (PD), TOILET WSINK 1XWK 1300 2ND ST.
9/15/2020	47300	\$ 327.02	DATAMATIC, INC.	WATER	MONTHLY SOFTWARE LICENSE AND SERVICES OCT 2020
9/15/2020	47301	\$ 12,833.33	FIREBAUGH POLICE	GENERAL-WATER-SEWER	POLICE DEPARTMENT DISPATCH SERVICES AUGUST 2020, DIFFERENCE FOR JULY BILLING DISPATCH
9/15/2020	47302	\$ 434.00	FRESNO MOBILE RADIO INC.	GENERAL	(31) POLICE DEPARTMENT RADIOS FOR AUGUST 2020
9/15/2020	47303	\$ 123.14	JUAN GURROLA	GENERAL	REIMBURSEMENT BOOTS (J.GURROLA-PD)
9/15/2020	47304	\$ 272.10	HAVEN'S FOR TOTAL SECURITY, IN	WATER	(1)GRADE ONE ENTRY LOCK (4)BASIC KEY (20)BRASS TAG
9/15/2020	47305	\$ 2,124.75	ICAD INC.	WATER	(12.25)HRS SERVICE WORK (138) MILES TRAVEL WATER TREATMENT
9/15/2020	47306	\$ 150.31	INDUSTRIAL CHEM LAB	GENERAL-WATER-SEWER	DISINFECTANT CLEANER FOR COVID-19
9/15/2020	47307	\$ 470.29	JORGENSEN & COMPANY	GENERAL-WATER-SEWER	FIRE EXT. ANNUAL MAINT. HYDRO TEST, VALVE STEAM, SAFETY GLASSES 3M SECURE FIT ALL DEPTS
9/15/2020	47308	\$ 300.00	LEXIS NEXIS	GENERAL-WATER-SEWER	SUBSCRIPTION SERVICES FOR AUGUST 2020
9/15/2020	47309	\$ 950.00	JOSE GALLARDO	WATER	WATER HEATER 220V CIRCUIT (WTP)
9/15/2020	47310	\$ 470.86	MENDOTA SMOG & REPAIR	GENERAL-WATER-SEWER	2016 FORD F-350 #9 REPLACED FRONT BRAKES, MOTOR OIL & AIR FILTERS CHANGED C.M. TRUCK
9/15/2020	47311	\$ 858.40	METRO UNIFORM	GENERAL	RAZOR BODY ARMOR- E. BARRERA (PD)
9/15/2020	47312	\$ 548.00	MID VALLEY DISPOSAL, INC	STREETS	ROLL OFF BIN EXCHANGE 10Y (6.92), ROLL OFF BIN EXCHANGE 10Y (4.04)
9/15/2020	47313	\$ 6,000.00	MOUNTAIN VALLEY ENVIRONMENTAL	WATER-SEWER	OCTOBER 2020 CITY WATER/DISTRIBUTION/WWTP/ICPO
9/15/2020	47314	\$ 900.00	MUNICIPAL CODE	GENERAL-WATER-SEWER	ANNUAL ONLINE CODE HOSTING 9/1/2020-8/31/2021
9/15/2020	47315	\$ 19.36	ALEXIS NAVARRO	GENERAL	REFUND FOR RUBBER MATS FOR ASSIGNED VEHICLE
9/15/2020	47316	\$ 508.48	OFFICE DEPOT	GENERAL-WATER-SEWER	OFFICE SUPPLIES-PAPER LETTER SIZE, PRINTING PAPER, HANGING FILE FOLDERS(PACK OF 25), DESK CHAIR 9000
9/15/2020	47317	\$ 438.58	AT&T	GENERAL-WATER-SEWER	SERVICE FOR 559-266-6456 AUG 26-SEP 25
9/15/2020	47318	\$ 1,119.88	PG&E	GENERAL-WATER-STREETS	WATER DEPARTMENT UTILITIES 8/7/20-9/7/20
9/15/2020	47319	\$ 17,390.60	PROVOST & PRITCHARD	GENERAL	645 LA COLONIA (BASS AVE SUBDIVISION) 2/1-2/29/20, 645 LA COLONIA (BASS AVE. SUBDIVISION) ROUNDABOUT
9/15/2020	47320	\$ 4,550.20	QUINN COMPANY	GENERAL-WATER-SEWER	FILTER, ONAN WELL#7 , #9, SEWER, PUBLIC WORKS ANNUAL SERVICE OIL AND AIR FILTERS CHANGE

CITY OF MENDOTA  
 CASH DISBURSEMENTS  
 9/15/2020 - 9/17/2020  
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9/15/2020	47321	\$ 741.47	R.G. EQUIPMENT COMPANY	GENERAL	60" ZMASTER 6000 SERIES, 26.5HP KOHLER- PARKS
9/15/2020	47322	\$ 40.00	RAMON'S TIRE & REPAIR	GENERAL	EXPLORER #82 LEFT REAR TIRE REPAIR(INSIDE PATCH)PD, FORD CROWN VICTORIA #86 FRONT LEFT TIRE REPAIR(PD)
9/15/2020	47323	\$ 1,010.66	RED TRIANGLE OIL COMPANY	STREETS	5 GAL PAIL CONTAINER QTY: 4.0 BINDER SPEED BUMPS, 5 GAL PAIL CONTAINER QTY: 10.0 BINDER SPEED BUUMPS
9/15/2020	47324	\$ 375.00	RIGHT NOW PHLEBOTOMY	GENERAL	PHLEBOTOMY SERVICES 20-1854 9/08/20 G.GALAVIZ (PD), 20-1883 9/8/20 E. JIMENEZ(PD), 20-1886 9/8/20 P. CLARK (PD)
9/15/2020	47325	\$ 107.98	INTERSTATE BATTERIES	GENERAL	VEH #80(1) BATTERY REPLACEMENT (PD), VEH #86 (1)BATTERY REPLACEMENT (PD)
9/15/2020	47326	\$ 14,915.00	SAFETY STRIPING SERVICE, INC.	STREETS	LOZANO ST. & DERRICK AVE. RESTRIPIING PROJECT
9/15/2020	47327	\$ 380.67	SIGNMAX	GENERAL-STREETS	TRAFFIC SIGN (BUMP) (7) 24X24 BLK/YEL, (1) HANDICAP 12X24,(1)ADA SYMBOL 6X6 DECAL FOR EDD
9/15/2020	47328	\$ 1,371.25	SORENSEN MACHINE WORKS	GENERAL-WATER-SEWER-STREETS	FOR SPEED BUMPS, SUPPLIES FOR STREET LIGHTS REPAIRS, PARTS AND SERVICE FOR STREET SWEEPER
9/15/2020	47329	\$ 194.85	TCM INVESTMENTS	GENERAL	MPC3503 RENTAL PAYMENT FOR POLICE DEPARTMENT COPIER
9/15/2020	47330	\$ 16.78	THARP'S FARM SUPPLY	GENERAL	SHACKLE BOLT 9/16-18X3 FOR TRAILER #65
9/15/2020	47331	\$ 2,253.33	TRIANGLE ROCK PRODUCTS,LLC	STREETS	HYBRID HMA AGG & ASPHALT SPEED HUMPS -ESPINOZA ST. QTY:8.02, 7.99, VALENZUELA STREET QTY: 10.51, 7.84.
9/15/2020	47332	\$ 99.34	TRU TRAILERS, INC.	GENERAL	PARTS & U-BOLT KIT FOR TRAILER
9/15/2020	47333	\$ 110.02	UNIFIRST CORPORATION	GENERAL-WATER-SEWER	JANITORIAL SERVICES FOR 09/2020 RUGS, MOPS, CLOTHS
9/15/2020	47334	\$ 80.53	USA BLUEBOOK	WATER	M18 FUEL 4-1/2" 5"GRINDER PADDLE, CHLORINE REAGENT
9/15/2020	47335	\$ 900.90	VERIZON WIRELESS	GENERAL-WATER-SEWER	CITY WIDE CELLPHONE SERVICE 8/7/20-9/6/20
9/15/2020	47336	\$ 458.89	VULCAN MATERIALS COMPANY	STREETS	ST 3/8 CM SC3000 AGG&ASPHALT QTY:7.00 FOR POTHOLES
9/15/2020	47337	\$ 10,448.50	WANGER JONES HELSLEY PC ATTORNEY	GENERAL-WATER-SEWER	RANCH THRU 8/15/20, RE: CA SPORTSFISHING PROTECTION 8/15/20, RE: COVID-19 RESPONSE THRU 8/15/20
9/15/2020	47338	\$ 65.10	WECO	GENERAL-WATER-SEWER	(6) RENTAL ACETYLENE #4 & OXYGEN D&K AUGUST 2020
9/17/2020	47339	\$ 111,462.00	CITY OF MENDOTA PAYROLL	GENERAL	CITY OF MENDOTA PAYROLL 8/17/2020-8/30/2020
9/17/2020	47340	\$ 1,000.00	CENTRAL VALLEY FLOOD PROTECTION	WATER	ENCROACHMENT PERMIT NO.19505- MOWRY BRIDGE
9/17/2020	47341	\$ 3,000.00	REGROUP	GENERAL-WATER-SEWER	REGROUP ANNUAL SUBSCRIPTION 9/10/2020-9/9/2021
		\$ 207,821.31			

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** LAWN TRACTOR REPLACEMENT  
**DATE:** SEPTEMBER 22, 2020

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**ISSUE**

Shall the City Council adopt Resolution No. 20-70, authorizing staff to purchase a replacement lawn tractor?

**BACKGROUND**

On August 24, 2020, the City’s diesel 60” lawn tractor caught fire while it was being operated. The lawn tractor obtained damages beyond repair. A claim was submitted to the City’s insurance and the insurance will reimburse the City for the replacement; however, the City is subject to the deductible of \$5,000. City staff has found the lawn tractor to be an important component of operations and as such is seeking a replacement to maintain and exceed the current operational needs. Per the Mendota Municipal Code section 2.48.100 (A), if the amount of any purchase or contract exceeds five thousand dollars (\$5,000.00), the purchase or contract shall be awarded by the City Council.

On September 8, 2020, staff brought forth three quotes for the replacement of the lawn tractor. The lowest quote that was presented to Council was from Baker Supplies and Repairs; however, they mistakenly provided a quote for the wrong lawn tractor. Staff requested the correct quote for a new Toro 72267 25 HP Kubota Diesel w/60” Turbo Force Deck lawn tractor and have attached the quote as Exhibit “B”.

**ANALYSIS**

Staff has solicited and received bids for the purchase of a new Toro 72267 25 HP Kubota Diesel w/60” Turbo Force Deck lawn tractor. The new lawn tractor will be used to mulch the lawns at City owned parks and facilities. Below are the bid results.

**Toro 72267 25 HP Kubota Diesel w/60” Turbo Force Deck**

<b>Company</b>	<b>Bid Amount</b>	<b>Comment</b>
R.G. Equipment	\$13,199.72 <u>\$1,052.68 Tax</u> <b>Total \$14,252.40</b>	Lawn Tractor is not in stock, but can be obtained in 2-3 weeks
Baker Supplies and Repairs	\$14,022.99 <u>\$1,227.01 Tax</u> <b>Total \$15,250.00</b>	Lawn Tractor is not in stock, but can be obtained in 2-3 weeks
Turf Star	\$14,401.00 <u>\$1,149.20 Tax</u> <b>Total \$15,550.20</b>	Lawn Tractor is not in stock, but can be obtained in 2-3 weeks

**FISCAL IMPACT**

The purchase of the lawn tractor will impact the General Fund by \$5,000. This expense was not budgeted for.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 20-70, authorizing staff to award the bid to R.G. Equipment for the purchase of a Toro 72267 25 HP Kubota Diesel w/60” Turbo Force Deck Lawn Tractor.

**Attachment(s):**

1. Exhibit A- R.G. Equipment Quote
2. Exhibit B- Baker Supplies and Repairs Quote
3. Exhibit C- Turf Star Quote
4. Resolution No. 20-70

## Exhibit A

Q U O T A T I O N



TURF • TREE • INDUSTRIAL | SALES • PARTS • SERVICE  
 5877 E. Clinton Ave Fresno, CA 93727  
 Phone: 559-292-8975 Fax: 559-292-7383  
 WWW.RGEQUIPMENT.COM

PHONE #: (559)577-7691      DATE: 8/26/2020  
 CELL #: (559)630-5905      ORDER #: 46354  
 ALT. #:      CUSTOMER #: 100016  
 P.O.#: 60" DIESEL TORO      CP: Jeff B  
 TERMS: Net 15th EOM      LOCATION: 1  
 SALES TYPE: Quote      STATUS: Active

**BILL TO 100016**

City of Mendota  
 643 QUINCE ST.  
 MENDOTA, CA 93640

**SHIP TO**

City of Mendota  
 643 Quince St.  
 Mendota, CA 93640

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
TOR	72267	25 HP Kubota Diesel w/ 60" TURBO FORCE Deck	1	\$21,498.75	\$13,199.72	\$13,199.72
TOR	140-8017	60" RECYCLER KIT	1	\$279.99	\$0.00	\$0.00
TOR	140-4881	6 PACK BLADE KIT RECYCLER	1	\$119.99	\$0.00	\$0.00

GIVE US A 5 STAR RATING ON GOOGLE!!

Prices reflected on this quote are valid for 30 days and while current supplies last. However, prices are subject to change if the program or promotion the prices were quoted under is no longer in effect.

SUBTOTAL:      **\$13,199.72**  
 TAX:      **\$1,052.68**  
**ORDER TOTAL:      \$14,252.40**

Authorized By: \_\_\_\_\_

## Exhibit B



Baker Supplies and Repairs

209-827-9252  
 P.O. BOX 626  
 LOS BANOS, CA. 93635

# Estimate

Date	Estimate #
9/11/2020	3334

Name / Address
CITY OF MENDOTA 643 QUINCE ST MENDOTA CA 93640

Project

Description	Qty	U/M	Cost	Total
72267 25 HP KUBOTA DIESEL W 60 INCH TURBO FORCE DECK WITH A RECYCLER KIT	1		14,022.99	14,022.99T
Sales Tax			8.75%	1,227.01
PLEASE LET US KNOW			<b>Total</b>	\$15,250.00

Phone #
209-827-9252

Customer Signature
_____
E-mail
bakersuppliesandrepairs@yahoo.com

## Exhibit C



# Sitework Systems

US and CANADA DEALER QUOTER  
Underground, Large Construction, Compact Construction,  
Small Construction / Landscape Equipment

Prices Subject To Change. Effective Dates: December 1, 2018 to October 31, 2019

Populate highlighted fields to show products and pricing

Dealer #:	580	USD
Dealer Name:	TURF STAR	
Quote Date:	9/1/2020	
Contact Name:	Mark Banuelos	
Company:	City Of Mendota	
Street Address:	643 Quince Street	
City, State, Zip:	Mendota Ca. 93640	
Mobile Phone:	(559) 577-7012	

Order Type:	28%	% off MSRP
<b>ORDER TOTAL:</b>		
<b>\$14,401</b>		

Model	Description	Qty	MSRP	Total	\$\$ off per unit	Total Discount	TOTAL
72267	Toro 7000 Series Z-Master 25 HP Kubota Diesel 60"	1	\$19,701	\$19,701	\$5,516	\$5,516	\$14,185
140-8017	Recycler Kit For 7000 60"	1	\$280	\$280	\$78	\$78	\$202
140-4855	Recycler Blades 60" 7000	1	\$21	\$21	\$6	\$6	\$15

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--Wkhvh#kqW#ihtxlnh#idfhwvruhv#rvg#kuxjk#kch#vur#d#w#|v#p 1
Iru#E#p p huf#d#xvwp huf#kq#suryhg#uhg#q#xvqhv#ru#e r#hdu#8333# 1
Qr#rz q#d|p hqW#htxlnh#rf#hvh#ssj#
P r#q#d#d|p hqW#dvhg#q#B (#ru#5#P r#q#v---#Q r#h#q#d#|#ru#d#d|p hqW
----E#dvhg#q#suryhg#uhg#W#
IQ VWUX F WIR Q V #bbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbb
V I J Q D W X U H #bbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbb
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P VUS#Wrvdo#	'#####3835
Wrvdo#	'#####7734
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VWDWH#ND [=	: k ; ( 447<5
QHW#EXH=	488835
P R Q WKO\=	'#####
GDIO\=	'#####

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AUTHORIZING  
CITY STAFF TO PURCHASE A REPLACEMENT  
LAWN TRACTOR FOR THE DEPARTMENT OF  
PUBLIC WORKS**

**RESOLUTION NO. 20-70**

**WHEREAS**, the City of Mendota (“City”) maintains City parks and other City grounds; and

**WHEREAS**, on August 24, 2020, the City’s diesel lawn tractor caught fire and is damaged beyond repair; and

**WHEREAS**, the Public Works Department needs a replacement diesel lawn tractor to efficiently complete park maintenance operations; and

**WHEREAS**, the City is subject to a \$5,000 deductible from the City’s property insurance for the replacement of said lawn tractor.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota that the City Council directs staff to use approximately \$5,000 from the General Fund for the purchase of the necessary lawn tractor for use by the Public Works Department.

\_\_\_\_\_  
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 22<sup>nd</sup> day of September, 2020, by the following vote:

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

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

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CELESTE CABRERA-GARCIA, CITY CLERK  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** LETTER SUBMITTED BY WESTSIDE YOUTH INC. CONCERNING THE ORGANIZATION'S ELIGIBILITY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING  
**DATE:** SEPTEMBER 22, 2020

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**ISSUE**

Shall the City Council discuss the letter submitted by Westside Youth, Inc. concerning the organization's eligibility for Community Development Block Grant funding and take action as appropriate?

**BACKGROUND**

In March 2020, the City Council authorized the City's participation in the Fresno County Community Development Block Grant program for years 2021 through 2024.

On September 14, 2020, staff received the letter attached hereto from Mr. Augie Perez on behalf of Westside Youth. Inc.

**ANALYSIS**

The letter discusses the impact that Westside Youth, Inc. has had on the community, its need for financial assistance, and requests the City Council's support in acquiring grant funding.

**FISCAL IMPACT**

Unknown at this time.

**RECOMMENDATION**

Staff recommends that the City Council discuss the letter submitted by Westside Youth, Inc. concerning the organization's eligibility for Community Development Block Grant funding and take action as appropriate.

**Attachment(s):**

1. Letter from Westside Youth, Inc.

September 11, 2020

Dear Honorable Members of the Mendota City Council It has come to our attention that the City of Mendota has submitted to the Fresno County Board of Supervisors for Community Development Block Grant (C.D.B.G) funding.

The Mendota Westside Youth 501-C3 Agency is supportive that the City of Mendota receives appropriate funding from Fresno County and requests that the City of Mendota in it's application for the funding immediately **amends** it so to mention that the Mendota Westside non-Profit Agency is also eligible to apply for CDBG County funding.

This request is based on the fact that when the City of Mendota withdrew from receiving CDBG funding from Fresno County, the Westside Youth Agency funding which it was receiving from Fresno County was also withdrawn. It was an unfortunate situation that caused and is still causing a financial hardship on the Westside Youth Agency.

Initially, years ago the Mendota City Council (City of Mendota) initiated a partnership with the Westside Youth agency for the purpose that the Westside Youth Agency provide community services that would **improve the quality of life of/for Mendota Families**. Emphasis was placed on youth which would be our next generation. East Mendota was the first project initiated by Westside Youth Members. At no cost to the City of Mendota, Federal and State financial resources of several million dollars were acquired for infrastructure of streets/roads, sidewalks, street lighting and connection to the Mendota City sewer and water. It was then that East Mendota was annexed to the City and new homes could be built which increased the tax revenue for Mendota.

Just as important, the Westside Youth Center volunteers initiated and supported for Mendota to have a local High School for students. The development of the K-12 local school district has been extremely beneficial to everyone in Mendota. It has provided careers and pride for Mendota.

In the nearly 40 years of the Westside Youth 501-C3 existence, it has provided essential educational programs to encourage youth to acquire their education. Many former school district students are now professionals and have returned as role models to present school district students.

We humbly request for the City of Mendota support to continue being a partner with the Westside 501-C3 to provide essential services to benefit the lives of Mendota residents and especially the youth who will be our next generation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


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**AGENDA ITEM – STAFF REPORT**

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**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 MEET WITH THE POTENTIAL BUYERS OF THE PROPERTY LOCATED AT 1269 MARIE STREET  
**DATE:** SEPTEMBER 22, 2020

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**ISSUE**

Shall the City Council adopt Resolution No. 20-71, authorizing the formation of a City Council subcommittee to meet with the potential buyers of the property located at 1269 Marie Street?

**BACKGROUND**

The property located at 1269 Marie Street will soon be available for purchase. Given that the property is located within the City’s Commercial Cannabis Overlay District, the actual buyer of the property will be required to enter into a development agreement with the City prior to conducting any business.

**ANALYSIS**

The proposed subcommittee will consist of two Councilmembers and members of staff. It will be tasked with meeting with all potential buyers of the property and discuss their proposals. Once the subcommittee has met with all potential buyers, it would report back to the City Council on the outcome of the discussions.

**FISCAL IMPACT**

None at this time. However, the actual buyer will be required to enter into a development agreement with the City which includes the payment of development fees.

**RECOMMENDATION**

Staff recommends that the City Council select two Councilmembers to serve on the subcommittee as regular members, and one Councilmember to serve as the alternate and adopt Resolution No. 20-71, authorizing the formation of a City Council subcommittee to meet with the potential buyers of the property located at 1269 Marie Street.

**Attachment(s):**

1. Resolution No. 20-71



**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  
AD HOC SUBCOMMITTEE TO MEET  
WITH POTENTIAL BUYERS OF THE  
PROPERTY LOCATED AT 1269 MARIE  
STREET**

**RESOLUTION NO. 20-71**

**WHEREAS**, the property at 1269 Marie Street, Mendota, California 93640 (the "Property") is located within the City of Mendota's ("City") Commercial Cannabis Overlay District ("CCOD"); and

**WHEREAS**, the Property will be placed for sale and potential buyers will have the opportunity to submit offers to purchase the Property; and

**WHEREAS**, because the Property is located within the CCOD, the actual buyer of the Property would need to enter into a development agreement with the City to continue conducting commercial cannabis activities thereon; and

**WHEREAS**, in an effort to meet with all potential buyers, staff is recommending that the City Council appoint an ad hoc subcommittee comprised of two (2) Councilmembers to join staff in meeting with potential buyers, discussing their proposals, and reporting back to the City Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota hereby authorizes the formation of a City Council ad hoc subcommittee to meet with potential buyers of the Property, discuss their proposals, and report back to the City Council during open session.

**BE IT FURTHER RESOLVED**, that the City Council hereby appoints \_\_\_\_\_ and \_\_\_\_\_ to serve on this ad hoc subcommittee.

\_\_\_\_\_  
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 22<sup>nd</sup> day of September, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MICHAEL OSBORN, CITY ENGINEER & JEFFREY O'NEAL, CITY PLANNER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** REQUEST FOR CONVEYANCE OF LAND FROM WWD  
**DATE:** SEPTEMBER 22, 2020

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**ISSUE**

Should the City Council adopt Resolution No. 19-72, directing staff to send the attached letter to Westlands Water District (WWD) expressing the City's interest in acquiring 4.61 acres of land west of Rojas Pierce Park?

**BACKGROUND**

Staff has been working with WWD for several months to obtain a letter of landowner consent, as requested by LAFCo, for the annexation of a City parcel and approximately 4.61 acres of WWD land (portion of APN 012-190-56ST), as shown on the attached exhibit. WWD's Deputy General Manager for Resources has expressed hesitation with providing this letter because annexation will create a separate Assessor's Parcel that will be taxed as property owned by WWD but lying outside its boundary; the remainder of the parcel would continue to be tax-exempt.

The annexation of the City's parcel 012-190-55ST is critical to allow the City to obtain approximately \$500,000 in CDBG funds to continue improvements to Rojas Pierce Park. Annexation of the WWD land between the City's parcel and Amador Avenue would also facilitate the City to extend and connect Amador Avenue and Smoot Avenue. These improvements are important to relieve traffic in the Las Palmas subdivision to the north.

Additionally, APN 012-190-56ST has been the topic of sale negotiations between WWD and a potential developer (KSA Homes). As of Friday, August 28, 2020 KSA Homes has stopped the purchase and any plans to develop the property. This left has the City with questions on how to proceed.

**ANALYSIS**

On Wednesday, September 9, 2020 City Staff had a telephone call with the Deputy General Manager to discuss the options moving forward. During the call, the request was made by City staff for WWD to convey the 4.61 acres of land to the City, similar to how it had conveyed the 10-acre parcel in 2008. The Deputy General Manager requested that the City provide a letter to WWD formally requesting this conveyance of land, as this would require approval of the WWD Board.

It was also agreed that the discussion and processing of a land transfer would happen in parallel with the City's continued process to annex the 14.61 acres into the City without the landowner

consent. This provides the most expeditious route to annexation of the park parcel to prevent delays in allocation of CDBG funds.

**FISCAL IMPACT**

No direct fiscal impact at this time.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 20-72, directing staff to send the attached letter to WWD stating the City's interest in the 4.61 acres of land and requesting the conveyance of the land from WWD to the City, and to continue to have follow-up conversations and meetings as necessary with WWD regarding this request.

**Attachment(s):**

1. Resolution No. 20-72
2. Letter to WWD requesting conveyance of land for City Park and Roads purposes
3. Exhibit map showing annexation and area of interest

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA DIRECTING STAFF  
TO EXPRESS INTEREST IN WESTLANDS WATER  
DISTRICT LAND WEST OF ROJAS-PIERCE PARK  
AND REQUESTING CONVEYANCE OF SAID LAND**

**RESOLUTION NO. 20-72**

**WHEREAS**, the City Council adopted Resolution Nos. 19-94 and 20-06 requesting that the Fresno Local Agency Formation Commission undertake proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 for the Amador-Smoot Reorganization, including detachment from Westlands Water District; and

**WHEREAS**, in 2008 Westlands Water District conveyed a 10-acre parcel of land immediately west of the existing Rojas-Pierce Park to the City of Mendota (“City”); and

**WHEREAS**, the City has recently completed an expansion of the Rojas-Pierce Park onto that 10-acre parcel of land; and

**WHEREAS**, the Amador-Smoot Reorganization includes the City’s 10-acre parcel as well as approximately 4.61 acres of Westlands Water District land to the west of the City’s 10-acre parcel; and

**WHEREAS**, the Amador-Smoot Reorganization includes the necessary street right-of-way to extend and connect Amador Avenue and Smoot Avenue; and

**WHEREAS**, the City desires to further expand Rojas-Pierce Park west to Amador Avenue.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota that staff is hereby directed to send a letter to Westlands Water District stating the City’s interest in the 4.61 acres of land and requesting the conveyance of said land from Westlands Water District to the City,

**BE IT FURTHER RESOLVED**, that staff is hereby directed to continue to have follow-up conversations and meetings with Westlands Water District regarding this request.

\_\_\_\_\_  
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 22<sup>nd</sup> day of September, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Celeste Cabrera-Garcia, City Clerk



# CITY OF MENDOTA

*“Cantaloupe Center Of The World”*

September 22, 2020

Jose Gutierrez  
Chief Operating Officer  
Westlands Water District  
3130 N. Fresno Street  
P.O. Box 6056  
Fresno, California 93703-6056

**SUBJECT: REQUEST FOR CONVEYANCE OF LAND FOR CITY PARK AND ROADS PURPOSES**

Mr. Gutierrez:

On December 10, 2019 the Mendota City Council initiated an application related to the annexation to the City of Mendota of approximately 14.61 acres of property located north of the Smoot Street alignment between Rojas Pierce Park to the east and the centerline of Amador Avenue to the west in the unincorporated portion of the City of Mendota’s Sphere of Influence.

In 2008, the City accepted the grant of 10 acres of land (APN 012-190-55ST) west of Rojas Pierce Park from Westlands Water District (WWD) with the intention of developing it as an expansion of the park. The site has never been annexed and remains within the unincorporated area of Fresno County. However, as part of a City-wide rezoning effort undertaken in 2009-2010 after adoption of the City’s General Plan Update and in anticipation of future annexation, the site and the abutting 4.61 acres to the west (portion of APN 012-190-56ST) were rezoned O (Open Space and Recreation) and R-2 (Medium/High Density Residential), respectively.

The western component of the proposed annexation area is a portion of APN 012-190-56ST, which itself extends south to Belmont Avenue. It is currently owned by WWD but was recently approved for sale to a private developer. While the entire parcel of approximately 67.5 acres was to be purchased and eventually annexed and developed, the northwestern 4.61 acres was to be dedicated as public street right-of-way and an “outlot” conveyed to the City as a condition of development. On August 28, 2020 the developer informed the City that he is no longer pursuing development of this land. The northwestern 4.61 acres is proposed for annexation at this time along with the City’s 10-acre parcel.

For several years, the City has wanted to create a connection between Amador Avenue and Smoot Avenue to improve circulation in northwestern Mendota. While it is possible for the City to acquire right-of-way and construct street improvements outside the city limits, the desire is for the streets to be within the City.

The City has recently completed an expansion of Rojas Pierce Park onto the 10 acres that was formerly conveyed to the City by WWD; adding a new baseball/softball diamond and soccer field. Once opened, this will be a great benefit to the residents of the City. The City would like to expand the park further, all the way to Amador Avenue. This would allow for additional soccer fields and other amenities.

In order to expand the park and connect Amador Avenue and Smoot Avenue, the City requests that WWD consider the conveyance the 4.61 acres of land to the City in a similar manner as the previous 10 acres.

Additionally, the City would also like to discuss the dedication of a 42-foot wide strip of land along the length of the western property line of APN 012-190-56ST as an easement for the purposes of public streets and utilities. This will allow the City to extend Amador Avenue to Belmont Avenue, further improving vehicle access to homes on the western side of the City.

Please contact me at (559) 655-3291 or [cristian@cityofmendota.com](mailto:cristian@cityofmendota.com) to discuss this proposal further.

Respectfully,

Cristian Gonzalez  
City Manager, City of Mendota

Enclosure: Assessor's Parcel Map 012-19 showing area of annexation and area of interest

Copy via email: Russ Freeman, Deputy General Manager - Resources  
Jeff O'Neal, City Planner  
Michael Osborn, City Engineer

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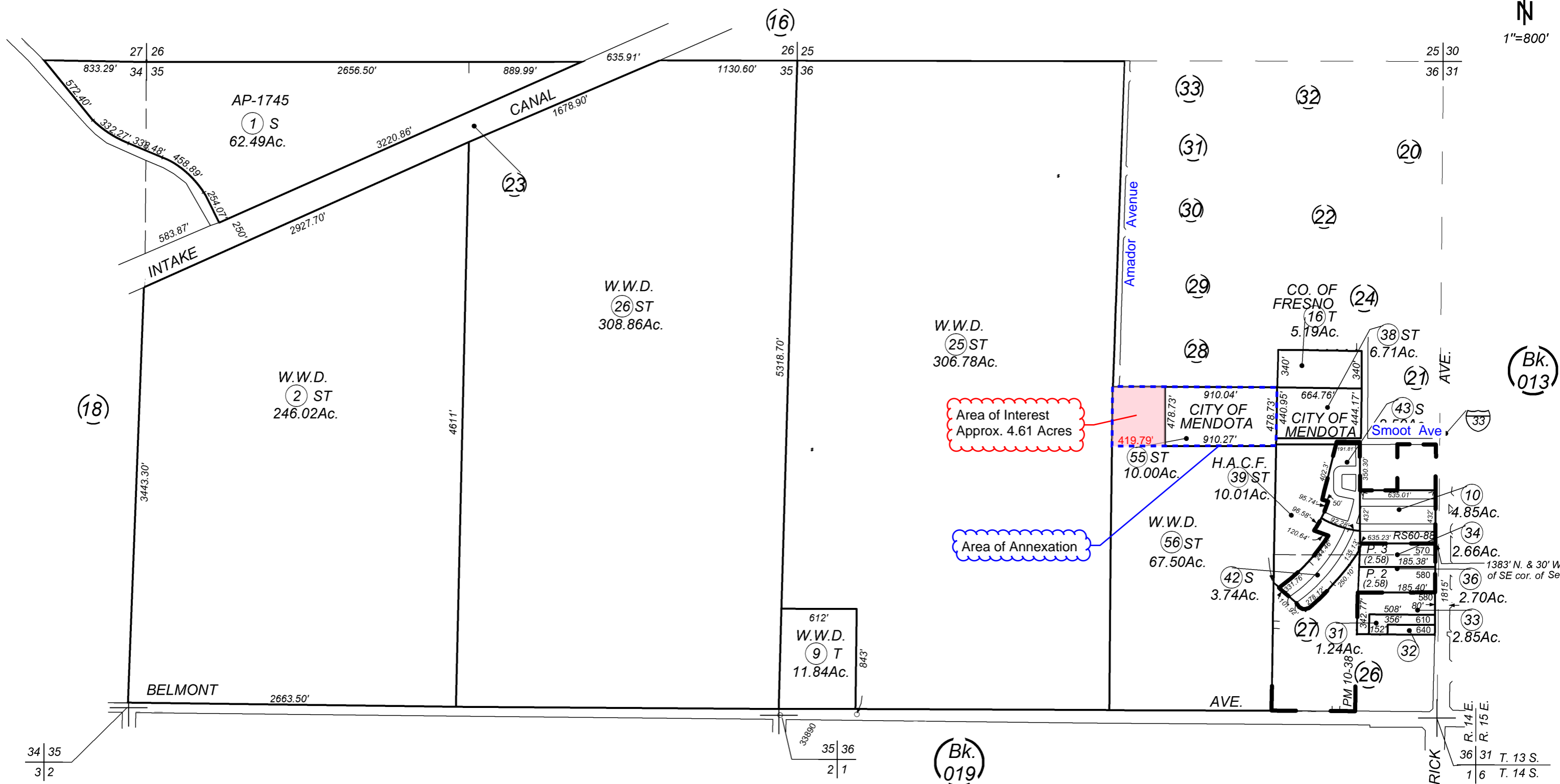


-NOTE-  
 This map is for Assessment purposes only.  
 It is not to be construed as portraying legal  
 ownership or divisions of land for purposes  
 of zoning or subdivision law.

POR. SEC'S. 34, 35 & 36 T. 13 S., R. 14 E., M. D. B. & M.

Tax Rate Area  
 12-001 140-000  
 12-015 140-013

012-19



Agricultural preserve  
 Parcel Map No. - Bk. 10, Pg. 38  
 Record of Survey - Bk. 60, Pgs. 88-90

Assessor's Map Bk.012 - Pg.19  
 County of Fresno, Calif.

Note - Assessor's Block Numbers Shown in Ellipses  
 Assessor's Parcel Numbers Shown in Circles

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CELESTE CABRERA-GARCIA, CITY CLERK  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** AMENDING SECTION 2.24.030 OF CHAPTER 2.24 OF TITLE 2 OF THE MENDOTA MUNICIPAL CODE TO UPDATE THE CONFLICT OF INTEREST CODE  
**DATE:** SEPTEMBER 22, 2020

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**ISSUE**

Should the City Council conduct the second reading, perform the public hearing, and adopt Ordinance No. 20-15, amending Section 2.24.030 of Chapter 2.24 of Title 2 of the Mendota Municipal Code to update the Conflict the Interest Code?

**BACKGROUND**

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. A Conflict of Interest Code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700).

At its August 11<sup>th</sup> regular meeting, the City Council accepted and filed the 2020 Conflict of Interest Code Biennial Notice for the City of Mendota. Upon reviewing the conflict of interest code contained in Chapter 2.24 of the Mendota Municipal Code (MMC), staff determined that amendments needed to be made to the Code. Such amendments are required to be forwarded to the City Council for consideration and approval within 90 days from the Council's acceptance of the Biennial Notice.

At the September 8<sup>th</sup> regular meeting, the City Council motioned to waive the first reading and scheduled the second reading and public hearing for the September 22<sup>nd</sup> regular meeting.

**ANALYSIS**

The attached ordinance will amend Section 2.24.030 of Chapter 2.24 of the MMC to ensure that new positions and abolished positions are reflected in the MMC. The new positions that are included within the MMC will be required to complete Form 700s.

**FISCAL IMPACT**

None.

**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. 20-15 amending

Section 2.24.030 of Chapter 2.24 of Title 2 of the Mendota Municipal Code to update the Conflict the Interest Code.

**Attachment(s):**

1. Ordinance No. 20-15

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

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AMENDING  
SECTIONS 2.24.010 AND 2.24.030 OF  
CHAPTER 2.24 OF TITLE 2 OF THE  
MENDOTA MUNICIPAL CODE TO UPDATE  
THE CITY OF MENDOTA'S CONFLICT  
OF INTEREST CODE**

**ORDINANCE NO. 20-15**

***WHEREAS***, the Political Reform Act (the "Act") requires every local agency to review its conflict of interest code biennially and file a Biennial Notice with its Code Reviewing Body; and

***WHEREAS***, the City of Mendota's ("City") conflict of interest code was reviewed by City staff, and it was determined that amendments were necessary to ensure new positions are specifically addressed therein and the titles of positions that have since been abolished or that no longer make or participate in making governmental decisions be deleted; and

***WHEREAS***, on August 11, 2020, the Biennial Notice for the City was filed with the City Council, its Code Reviewing Body, informing the Council of the determinations that have been made.

***NOW, THEREFORE***, the City Council of the City of Mendota hereby 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 2.24.030 of Chapter 2.24 of Title 2 of the Mendota Municipal Code is hereby amended to read as follows:

**Section 2.24.010 – Filing of Disclosure.**

Pursuant to ~~s~~**Sections 4(a), 5, 5.5, 6, and 7** of the **Fair Political Practices Commission's** Standard Code, **located at Title 2 California Code of Regulations section 18730**, designated employees shall file statements of economic interest with **the eCity**. Upon receipt of the statements **of economic interest** by the **eCity eClerk** ~~of the city~~, the **eCity** shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission.

**SECTION 3.** Section 2.24.030 of Chapter 2.24 of Title 2 of the Mendota Municipal Code is hereby amended to read as follows:

**2.24.030 – Designated Employees.**

The following are designated employees who must make disclosures:

- A. The ~~m~~**Mayor** and the ~~m~~**Members** of the ~~e~~**City e****Council**;
- B. The ~~p~~**Planning e****Commission** and its alternate Planning Commissioner;
- C. The ~~e~~**City m****Manager**;
- D. The ~~e~~**Chief** of ~~p~~**Police**;
- E. The ~~e~~**City a****Attorney**;
- F. The ~~e~~**City e****Engineer**;
- G. ~~The city treasurer.~~ The Finance Director;
- H. The Finance Officer;
- I. The Director of Administrative Services; and
- J. The City Clerk.

**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 thirty (30) days after its passage.

**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 ordinance was introduced on the 8<sup>th</sup> day of September, 2020, and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 22<sup>nd</sup> day of September, 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

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CELESTE CABRERA-GARCIA, CITY CLERK  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** AMENDING CHAPTER 17.99 OF TITLE 17 OF THE MENDOTA MUNICIPAL CODE  
REGARDING THE COMMERCIAL CANNABIS OVERLAY DISTRICT  
**DATE:** SEPTEMBER 22, 2020

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**ISSUE**

Should the City Council conduct the second reading, perform the public hearing, and adopt Ordinance No. 20-16, amending Chapter 17.99 of Title 17 of the Mendota Municipal Code regarding the Commercial Cannabis Overlay District?

**BACKGROUND**

In December 2018, the City Council published a Request for Proposals (RFP) for the sale of City-owned land within the City’s wastewater treatment plant property and included within the City’s Commercial Cannabis Overlay District (CCOD). The RFP was aimed to companies interested in developing a cannabis business on the property that would encourage economic development for the City. While several proposals were received, the Council selected Valley Agricultural Holdings, LLC (VAH) to exclusively negotiate with the City for the purchase of the property.

In June 2019, the Council approved an Agreement for Preparation of an Environmental Document and Related City Services with VAH for the project. This agreement provided VAH the exclusive right to negotiate with the City for the purchase of the property in exchange for its agreement to reimburse the City costs incurred in connection with its preparation, assessment, and approval of a complete draft and final environmental document, and the performance of any other work required or requested in connection with the environmental document or VAH’s project.

In October 2019, the Council approved a Purchase and Sale Agreement with VAH for the purchase of the 59-acre parcel located within the City’s wastewater treatment plant property and included within the CCOD.

Since then, staff and VAH have held ongoing discussions, including VAH requesting that the Council approve modifications to Chapter 17.99 of the Mendota Municipal Code (MMC). At the September 8<sup>th</sup> regular meeting, the City Council motioned to waive the first reading and scheduled the second reading and public hearing for the September 22<sup>nd</sup> regular meeting.

## **ANALYSIS**

Both VAH and the City Attorney's office have reviewed Chapter 17.99 of the MMC and have determined that certain amendments would be beneficial in accommodating commercial cannabis projects within the CCOD. The proposed amendments include:

1. Enhancing the definitions contained within Section 17.99.020 to more accurately reflecting current governing state statute.
2. Section 17.99.060(A)(1) will be modified to remove the word "indoor" in order to permit indoor and outdoor cannabis cultivation.
3. Various sub-sections of Section 17.99.060(B) will also be modified, including:
  - a. Modifying sub-section 2 to state "That a plan has been developed to mitigate site odors to the maximum extent feasible using best management practices."
  - b. Modifying subsection 3 to state "That all commercial cannabis activities except cultivation with occur within a fully- or partially- enclosed building, or within a temporary structure, and will not be visible from the property boundary or public right-of-way."
  - c. Subsection 4 regarding light emittance will be deleted as well as subsection 6 addressing water management for projects.
  - d. Subsection 8 will be modified to include clarifying legal language.
4. Section 17.99.070(A)(3) will be modified to remove the specified development costs and include the language "mutually agreeable terms between the City and the Applicant" for projects larger than 500,000 square feet or greater.

## **FISCAL IMPACT**

The modifications of the MMC will assist VAH in moving forward with their project. The compensation from VAH's project, based on current rates, is approximately \$100,000 per year for the Water Account (but it will depend on how much water is actually used), and \$1,000,000 per year for year one, and then more the following year for the City's General fund.

## **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. 20-16, amending Chapter 17.99 of Title 17 of the Mendota Municipal Code regarding the Commercial Cannabis Overlay District.

### **Attachment(s):**

1. Ordinance No. 20-16



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

**AN ORDINANCE OF THE COUNCIL  
OF THE CITY OF MENDOTA AMENDING  
CHAPTER 17.99 OF TITLE 17 OF THE  
MENDOTA MUNICIPAL CODE'S PROVISIONS  
REGARDING THE COMMERCIAL CANNABIS  
OVERLAY DISTRICT**

**ORDINANCE NO. 20-16**

**WHEREAS**, pursuant to the authority granted to the City of Mendota ("City") by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote the public health, the public morals, or public safety; and

**WHEREAS**, comprehensive zoning regulations and regulations upon the use of land and property lie within the City's police power; and

**WHEREAS**, in 1996, the voters of the State of California adopted the Compassionate Use Act of 1996 ("CUA"), the intent being to enable persons who are in need of cannabis for medical purposes to be able to obtain and use it without fear of state criminal prosecution under limited, specified circumstances; and

**WHEREAS**, in 2003, Senate Bill 420, titled the "Medical Marijuana Program Act" ("MMPA"), was enacted to clarify the scope of the CUA and to promulgate rules by which counties and cities can adopt and enforce regulations consistent with its provisions; and

**WHEREAS**, in 2011, Assembly Bill 2650 was enacted, affirming that counties and cities can under state law adopt ordinances that control and restrict the location and establishment of a medical cannabis cooperative, collective, dispensary, operator, establishment, or provider; and

**WHEREAS**, in late 2015, the Legislature passed, and the Governor signed, three pieces of legislation, AB 266, AB 243, and SB 643, collectively called the Medical Marijuana Regulation and Safety Act ("MMRSA"), which provides a statewide program for the licensing and regulation of commercial medical cannabis activity, specifically, the operation of medical cannabis dispensaries and the delivery and cultivation of medical cannabis; and

**WHEREAS**, in November 2016, the voters of the State of California adopted the Adult Use of Marijuana Act ("AUMA"), the intent being to establish a comprehensive system to legalize, control, and regulate the cultivation, processing, manufacturing, distribution, testing, and sale of nonmedical cannabis, including cannabis products, for

use by adults 21 years and older, and to tax the commercial growth and retail sale of cannabis; and

**WHEREAS**, in 2012, as amended in 2016 and 2017, the City adopted Chapter 8.36 of the Mendota Municipal Code pertaining to recreational and medical cannabis activities, which banned commercial cannabis cultivation, commercial deliveries of cannabis, and cannabis dispensaries in the City based upon various health, safety, welfare, and land use findings relating to cannabis cultivation, dispensing, and consumption; and

**WHEREAS**, in 2017, the Legislature passed, and the Governor signed, SB 94 and AB 133, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”), integrating the MCRSA and AUMA to create a general framework for the regulation of commercial medicinal and adult-use cannabis in California; and

**WHEREAS**, in 2017, the City added Chapter 17.99 to the Mendota Municipal Code (“MMC”) establishing the Commercial Cannabis Overlay District (“CCOD”) in order to address a number of health, safety, and welfare concerns associated with cannabis activities, and amended Chapter 8.36 for consistency therewith; and

**WHEREAS**, since then, it has been determined that amendments need to be made to various sections of MMC Chapter 17.99 to support future developments in the CCOD and to reflect existing state statute; and

**WHEREAS**, under the MMRSA, AUMA, and MAUCRSA, the City has retained its police powers and land use authority regulate or ban cannabis activities, including commercial cannabis activities, for the health, safety, and welfare of the citizens of Mendota; and

**WHEREAS**, in order to preserve and promote the public health, safety, and welfare of the citizens of Mendota, to facilitate the establishment of permitted commercial cannabis businesses within the City while ensuring such businesses do not interfere with other lawful land uses, and to provide new sources of revenue to fund City services, the City desires to amend its CCOD to bring its provisions in line with MAUCRSA, and provide for additional types of commercial cannabis cultivation within the City.

**NOW THEREFORE**, the City Council of the City of Mendota does hereby ordain as follows:

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

**SECTION 2.** Chapter 17.99 of Title 17 of the Mendota Municipal Code is hereby amended to read as follows:

**17.99.010 - Purpose and intent.**

- A. There is created a commercial cannabis overlay district, the boundaries of which are shown on the map entitled, "Commercial Cannabis Overlay District," which is on file at city hall. Said map is adopted and made a part of this ordinance.
- B. This chapter is enacted to preserve and promote the public health, safety, and welfare of the citizens of Mendota, to facilitate the establishment of permitted commercial cannabis businesses within the city while ensuring that such businesses do not interfere with other lawful land uses, and to provide new sources of revenue to fund city services.

**17.99.020 - Definitions.**

- A. "Applicant" shall mean the individual or entity applying for a conditional use permit pursuant to the provisions of this section.
- B. **"Cannabis" means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this Chapter, "cannabis" does not mean "industrial hemp" as defined by Section 11018.5 of the California Health and Safety Code.**
- C. "Cannabis dispensary" means any facility or location, whether fixed or mobile, where cannabis is offered, provided, sold, made available or otherwise distributed for commercial purposes to more than two (2) persons.
- D. **"Cannabis products" means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.**
- E. "Commercial cannabis activity" ~~shall have the same meaning set forth in Business and Professions Code Section 26001, subd. (d)~~ **includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale of cannabis and cannabis products as provided for in Division 10 of the California Business and Professions Code.**

~~"Commercial cannabis business" means any business engaged in commercial cannabis activity.~~

- ~~F. "Cultivation" shall have the same meaning set forth in Business and Professions Code Section 26001, subd. (e) means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.~~
- ~~G. "Delivery" shall have the same meaning set forth in Business and Professions Code Section 26001, subd. (h) means the commercial transfer of cannabis or cannabis products to a customer. "Delivery" also includes the use by a retailer of any technology platform.~~
- ~~H. "Distribution" shall have the same meaning set forth in Business and Professions Code Section 26001, subd. (j) means the procurement, sale, and transport of cannabis and cannabis products between entities licensed pursuant to Division 10 of the California Business and Professions Code.~~
- ~~I. "Manufacture" or "manufacturing" shall have the same meaning set forth in Business and Professions Code Section 26001, subd. (q) means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product.~~
- ~~J. "Testing laboratory" or "testing service" shall have the same meaning set forth in Business and Professions Code Section 26001, subd. (bb) means a laboratory, facility, or entity in that offers or performs tests of cannabis or cannabis products and that is both of the following: (1) accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the state; and (2) licensed by the Bureau of Cannabis Control.~~

**17.99.030 - Conflict between regulations.**

Where a conflict occurs between the Commercial Cannabis Overlay District and any other section of the zoning code, or any provision of the Mendota Municipal Code, the Commercial Cannabis Overlay District regulations shall prevail.

**17.99.040 - Use classifications.**

The use classifications allowed in the Commercial Cannabis Overlay District shall be those use classifications allowed in the underlying base zoning district.

**17.99.050 - Development standards.**

The development standards for all development within the Commercial Cannabis Overlay District shall be those standards of the underlying base zoning district.

**17.99.060 - Permitted uses.**

A. The following uses shall be permitted in the Commercial Cannabis Overlay District if a conditional use permit is obtained:

1. ~~Indoor c~~Cannabis cultivation.
2. Cannabis manufacturing.
3. Cannabis testing services.
4. Cannabis distribution.

B. In addition to the findings required by Section 17.08.050, the following findings shall also be made before any conditional use permit for commercial cannabis activity is granted:

1. That a development agreement has been entered into by and between the city and the applicant, which is consistent with the provisions of this chapter, promotes the purposes and intent of the Commercial Cannabis Overlay District, and ensures that the property will be used for commercial cannabis activity only.
2. That a cannabis odors will not be detectable from the property boundary or public right-of-way and that, in multi-tenant buildings, cannabis odors will not be detectable from the building exterior plan has been developed to mitigate site odors to the maximum extent feasible using best management practices.
3. That all commercial cannabis activities except cultivation will occur within a fully- or partially- enclosed building, or within a temporary structure, and will not be visible from the property boundary or public right-of-way. That all commercial cannabis activities will occur within an enclosed building and will not be visible from the property boundary or public right-of-way.

~~4. If buildings are proposed for growing purposes that would cause light to be emitted from any building roof or window (sometimes referred to as "light-assisted" or "mixed-light" greenhouses), that no light will be visible through the roof and windows of grow areas from dusk to dawn.~~

- ~~4.~~ 5. That all pesticide use will comply with the State Department of Pesticide Regulations.

~~6. That a water recycling management plan has been prepared demonstrating sufficient water supply for the proposed use, including a certification that the applicant may use that water legally under state law, and, if water is used for irrigation purposes, that irrigation water will be recycled to the maximum extent feasible using best management practices.~~

- ~~5.~~ ~~7.~~ That a site security plan has been prepared demonstrating sufficient site security measures to prevent all unauthorized access to the site.
- ~~6.~~ ~~8.~~ That a power use plan has been prepared demonstrating sufficient power supply for the proposed use.
- ~~7.~~ ~~9.~~ That the applicant has obtained all necessary state permits and authorizations to engage in the proposed use.
- ~~8.~~ ~~10.~~ That the applicant has provided ~~to~~ the city all information required by state authorities pursuant to Division 10 of the California Business and Professions Code Section 26050 et seq.
- ~~9.~~ ~~11.~~ That the applicant will provide ~~to~~ the city all information required by the state for any renewal of a state license related to commercial cannabis activity as well as the state licensing authority's decision on any such renewal.
- ~~10.~~ ~~12.~~ That the applicant has consented to the city's inspection, without notice, of any and all records required to be maintained under any local, state, or federal law.
- ~~11.~~ ~~13.~~ That the applicant will immediately provide notice to the city of any suspension or revocation of any state license issued pursuant to Business and Professions Code Section 26050 et seq.

**17.99.070 - Conditions of development.**

The development agreement required pursuant to Section 17.99.060(B)(1) shall include the following terms:

- A. The applicant agrees to pay an annual fee based on the total square footage of the developed portions of the property in an amount as follows:
  1. Five dollars (\$5.00) per square foot for so long as the developed portions of the property are less than two hundred thousand (200,000) square feet.
  2. Four dollars (\$4.00) per square foot for so long as the developed portions of the property are between two hundred thousand (200,000) square feet and four hundred ninety-nine thousand, nine hundred ninety-nine (499,999) square feet.
  3. ~~Three dollars and fifty cents (\$3.50) per square foot for~~ Mutually agreeable terms between the city and applicant so long as the developed portions of the property are five hundred thousand (500,000) square feet or greater.
- B. The fee required pursuant to subdivision (A) shall be paid by the applicant in quarterly installments at times and locations specified by the city, and may not be paid in cash.
- C. The applicant shall be responsible for paying the fee required pursuant to subdivision (A) for all developed portions of the property regardless of whether portions of the developed property are leased or otherwise conveyed to third parties. Any transfer of the applicant's interest in the developed property shall not

affect the applicant's obligation to pay the fee required pursuant to subdivision (A) unless the recipient assumes the applicant's obligation to pay the fee for all developed portions of the property as required by this Section 17.99.070.

**17.99.080 - Prohibited uses.**

The following uses shall be prohibited in the Commercial Cannabis Overlay District:

~~A. Outdoor cannabis cultivation.~~

A. B. Cannabis dispensaries.

**17.99.090 - Severability.**

If any part of this chapter is for any reason held to be invalid, unlawful, or unconstitutional, such invalidity, unlawfulness or unconstitutionality shall not affect the validity, lawfulness, or constitutionality of any other part of this chapter.

**SECTION 3.** The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act, Public Resources Code, Section 21000, *et seq.* ("CEQA"), pursuant to Section 15060(c)(2) of the CEQA Guidelines, on the ground that the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, and Section 15060(c)(3) of the CEQA Guidelines, on the ground that the activity is not a project as defined in Section 15378 of the CEQA Guidelines, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under Section 15061(b)(3) of the CEQA Guidelines because it has no potential for causing a significant effect on the environment.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held for any reason to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Mendota hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

**SECTION 5.** 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.

**SECTION 6.** This ordinance shall become effective and in full force at 12:00 midnight on the 31<sup>st</sup> day following its adoption.

\* \* \* \* \*

The foregoing ordinance was introduced on the 8<sup>th</sup> day of September, 2020 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 22<sup>nd</sup> day of September, 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



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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** NANCY M. DIAZ, FINANCE OFFICER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** GRANTS UPDATE  
**DATE:** SEPTEMBER 22, 2020

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GRANTS UPDATE

- County of Fresno, Urban Community Development Block Grant (CDBG) Program – Staff will be advertising a public notice in our local publication to consider proposals. This is a requirement to be fulfilled by the agency receiving CDBG funding for projects.
- County of Fresno, Urban Community Development Block Grant Program for Eligible Activities to Support Coronavirus and Other Infectious Disease Response – Staff is pending approval from U.S. Department of Housing and Urban Development (HUD) to implement the “City of Mendota Broadband Assistance Program (BAP)Grant”. This program will allow the City to pay up to (3) months of broadband/internet service for qualifying applicants. The City will be in partnering with the Office of Community and Economic Development, located at California State University, Fresno to implement the program. This is partial funding provided by the County of Fresno. The remaining allocation is being used to purchase equipment for the local Fire Department. County of Fresno will be administering the purchasing and oversight of those funds.
- FEMA-4482-DR-CA California Covid-19 Pandemic – Staff is in the process of submitting for reimbursement.
- San Joaquin Valley Air Control District (SJVACD), Public Benefits Grants Program, New Alternative Fuel Vehicle Purchase – The grant funding has been approved by SJVACD to purchase (2) Ford Explorer Interceptors and (1) Tropos Truck. Each approved purchase is for \$20,000.00. The USDA has approved to cover the remaining cost of the (2) Ford Explorer Interceptors. Staff submitted all required documents requested by the USDA. We are waiting for USDA to give the green light to move forward with the purchase for the Ford Explorers.
- Office of Traffic Safety (OTS) Grant – The City of Mendota has received approval to get quotes for the fire equipment. Staff is working with CalFire on getting quotes for approval on fire equipment prior to purchasing the fire equipment.
- COPS Hiring Program – Staff contacted the COPS Office to update our grant agreement for the COPS Hiring Grant Program. We are still in the process of submitting all required signatures.
- Statewide Park Development and Community Revitalization Program (SPP) – Staff will be meeting on Monday, September 21 to go over required environmental reports needed for anticipated parks projects. Staff intends to submit (3) applications.
- Coronavirus Relief Funds – Department of Finance is administering funding through the Federal CARES act. The City of Mendota has been allocated \$154,512.00. Staff submitted the first obligation and expenditure report on September 4, 2020. Based on needs of the City’s operations during COVID-19, we plan to purchase MDT’s for the Mendota Police Department. The City has

submitted a forecasted budget for the following breakdown: \$68,512.00 for the purchase of (14) MDT's; \$80,000.00 for small business assistance; and \$6,000.00 for food programs. Staff will be reaching out to County of Fresno to get a list of businesses who may have received COVID relief funding to

- Tobacco Grant Program – Staff is submitted a grant application for the Tobacco Grant Program. The requested grant amount is \$246,361.00 for a 36-month grant term. This grant program would fund a "Tobacco Enforcement Officer" and a media campaign directed to the youth. The Fresno County Health Department submitted a letter of support. Grantees have not been released.
- Per Capita Program – The City of Mendota will be receiving \$184,921.92 in grant funds. Staff is in the process of preparing the application to submit to the Office of Grants and Local Services. This funding will be allocated to the Rojas-Pierce Park Expansion Project.
- Wonderful Community Grants – Staff applied for a grant through The Wonderful Company for COVID-19 relief funds. Two grant applications were submitted on behalf of the City of Mendota for \$100,000.00 and the Mendota Community Corporation for \$50,000.00. Both grants are in response to COVID-19 needs, specifically for rental assistance.

Attachments:  
Grants Spreadsheet

Grant Information

Grant Name	Application Due Date	Award Date	Agency: Federal/State/County/Private	Pass-thru	Matching	Award Amount	Purpose of Grant	Notes	Comments by Council or Staff
Rubberized Pavement Grant Program	10/3/2021	12/31/2021	State	N	N	up to \$350,000	City-wide street projects for FY 21/22		
Statewide Park Development and Community Revitalization Program (SPP)	12/14/2020	TBD	State	N	N	Maximum \$8,500,000	1) Community Center - Rojas-Pierce Park; 2) Fitness Court - Veterans Park; 3) Renovation - Pool Park		
Coronavirus Relief Funds (CRF)	10/1/2020	TBD	State	N	N	\$ 154,512.00	Expenditures incurred for COVID-19 - Use funds for Police Department MDT's		
FEMA-4482-DR-CA	TBD	TBD	State	N	Y	TBD	Expenditures incurred for COVID-19	25% match	
CDGB -Coronavirus and Other	TBD	7/1/2020	County	N	N	\$ 104,796.00	Fire Department Equipment & Broadband for Mendota Residents		
Wonderful Community Grants	8/31/2020	9/15/2020	Private	N	N	up to \$100,000.00	COVID-19 relief funds		
Tobacco Grant Program	8/7/2020	TBD	State	N	N	TBD	Add new tobacco language to our municipal code for enforcement; overtime for educational awareness to local vendors.		
Urban Community Development Block	7/31/2021	7/1/2021	County	N	N	\$ 150,000.00	Phase III Rojas-Pierce Park Expansion Project		
California Aid to Airports Program	7/9/2020	10/31/2019	State	N	N	\$ 10,000.00	Annual credit grant to fund operational costs at the airport		
Community Facilities Grant	7/1/2020	8/1/2020	Federal	N	Y	\$ 50,000.00	Purchase (2) Police Explorers, upfit and equipment. This grant is in conjunction with the New Alternative Fuel Vehicle Purchase Grant.	USDA	
New Alternative Fuel Vehicle Purchase	6/22/2020	TBD	Local	N	N	Up to \$20,000 per vehicle			
CARES Act Airport Grant	6/18/2020	TBD	Federal	N	N	\$ 1,000.00	Reimburse operational and maintenance expenses or debt service payments for the William Robert Johnston Municipal Airport		
Urban Flood Protection Grant Program	6/15/2020	TBD	State	N	N	\$ 4,500,000.00	Removal and replacement of undersized and critically damaged storm drain from 8th Street southeasterly past 10th Street to an existing ditch.		
COPS Hiring Program	3/11/2020	10/1/2020	Federal	N	Y	\$ 125,000.00	Hire (1) Full-time Police Officer for 3 years.	25% match	
Office of Traffic Safety Grants	1/30/2020	10/1/2020	State	N	N	\$ 81,527.00	DUI Saturations, Traffic Enforcements, Car Seat Installation/Giveaway Event, Emergency Medical Services for the Fire Department	We received 2/3 grants applied. Car Seat Installation was not approved.	
Fresno COG 2019-2020 CMAQ	1/1/2020	5/1/2020	Federal	Y	Y	\$ 458,304.00	Alley Paving Project for 7U & 7U1 (near Unida/Belmont/Derrick) and about 1/3 of the alleys on the eastside.	11.47% match	
SB 2 Planning Grant Program	12/20/2019	6/1/2020	State	N	N	up to \$160,000	Update planning documents and processes of housing approvals/production		
New Alternative Fuel Vehicle Purchase	12/20/2019	6/1/2020	Local	N	N	Up to \$20,000 per vehicle	Purchase (1) Public Works/Utilities Trades Vehicle & (2) Police Explorers Interceptors Vehicles	(2) Police Explorers Vehicles to be paid with funding from USDA	
Beverage Container Recycling City/County Payment Program	12/17/2019	2/28/2020	State	N	N	\$ 5,000.00	Billboard Advertisement and Radio Advertisement to promote beverage container recycling.	If you don't expend the full \$5,000.00, you must repay CalRecycle.	
Automatic Meter Read Construction		10/21/2019	State	N	Y	\$ 3,074,561.00	Install City-wide Automatic Meter Reading Meters	Grant Component \$2,724,912.00	
Access to Historical Records: Archival Projects	10/3/2019	7/1/2020	Federal	N	Y	\$ 95,907.00	Digitize public records and make freely available online.		
National Fitness Campaign 2020	8/1/2019	10/1/2020	Private	N	Y	\$ 30,000.00	Outdoor Fitness Court	If the City wishes to pursue this grant, we would need to match \$100,000.00.	
Urban Community Development Block	7/31/2019	7/1/2020	County	N	N	\$ 150,000.00	Phase II Rojas-Pierce Park Expansion Project		
California Aid to Airports Program	7/31/2019	10/31/2019	State	N	N	\$ 10,000.00	Annual credit grant to fund operational costs at the airport		
Urban County Per Capita Grant Program	6/3/2019	2020	State	N	N	\$ 6,969.92	Rojas-Pierce Park Expansion	One-time basis	
Per Capita Grant Program	6/3/2019	2020	State	N	N	\$ 177,952.00	Rojas-Pierce Park Expansion	One-time basis	

Key: **Applied for Grants**  
In process  
Approved  
Denied

Potential Grant Opportunities

Grants	Council	Application Due Date	Agency	Matching	Award Amount	Purpose of Grant	Comments by Council or Staff
Fire-Derived Product Grant Program		TBD	State	TBD	up to \$150,000	Landscape Projects or Playground Projects with fire-derived products	Next cycle available April 2021.
Clean, Safe and Reliable Drinking Water		Open	State	TBD	TBD	Planning grant for water storage, pressure booster and water quality	
Walmart Community Grant		12/31/2020	Private	N	up to \$5,000	Quality of life: Community and economic development; Public Safety; Environmental sustainability	
Clean Green Yard Machines: Commercial		TBD	District	TBD	TBD	Replacement of landscaped maintenance equipment	
Airport Improvement Plan Grant		TBD	State	TBD	TBD	Improvements to Airport	Need to complete a NEPA for the pre-application process: Cost
Caltrans Sustainable Transportation Grant		10/11/2019	State			Local and regional multimodal transportations and land use planning projects to further the region's RTP SCS.	City will apply for this type of grant when population reaches 25,000 or above.

## Memorandum

To: City Council via Cristian Gonzalez, City Manager

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From: Michael Osborn, City Engineer

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Subject: City Engineer's Report to City Council

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Date: September 15, 2020

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### Engineering Projects:

1. Rojas Pierce Park:
  - *90-day landscape maintenance period closed on July 30, 2020; City has taken over maintenance of baseball field.*
  - *Contractor continues to maintain and monitor soccer field, contractor is committed leaving a good turf*
2. Bass & Barboza Roundabout:
  - *Work has begun and will continue until mid-November*
3. Mowry Bridge Replacement Project (MBRP):
  - *Contract has been awarded and preconstruction meeting is on 9/15/20*
  - *NTP tentatively 10/5/20*
4. Well 10 and Water Main Relocation
  - *On hold; working with USBR and BB Limited to reduce costs*
5. Mendota Meter Reading Project
  - *Data collection kicked-off in July*
  - *Construction in Spring of 2021*
6. Citywide RRXG Improvements:
  - *STBG funded, RFP to be issued for design services in September*
7. MJHS Safe Routes to School Project:
  - *ATP funded, RFA for design phase in October, RFP in November*
8. Safe Routes to School Master Plan
  - *RFA for report preparation in October, RFP in November*
9. WWTP Ponds 1 & 6
  - *Preparing pond completion report to bring on-line*

## Planning Projects

1. Rojas Pierce Park Annexation
  - a. *To LAFCo in September*

## Grant Applications:

1. Mendota Stormwater Improvement Project
  - *EOPCC \$4.2 million*
  - *Prop 68 Urban Flood Protection Grant Program*
    - *Application submitted on 6/15/20; received follow-up call*
  - *Prop 1 Storm Water Grant Program, Round 2*
    - *Application submitted on 7/1/20*
2. CMAQ Alley Paving
  - *Awarded \$483,000 funding from competitive FCOG solicitation;*
  - *Alleys to be included are between Belmont & Unida and 3 of the 5 alleys between Marie & Lolita*
  - *Construction in Spring 2021*

## Development Projects:

1. CES Mendota
  - *Initial meetings with applicant; anticipating formal application*
2. Axiom
  - *Continuing discussions with applicant; anticipating formal application*

## On-going (this month):

1. Representation of the City at FCOG TTC meetings
2. Representation of the City and westside cities at FCOG RTP/SCS roundtable

## Overall P&P Staff engaged (month of August):

- Engineers: 5
- Surveyors: 2
- Planners: 5
- Environmental Specialist: 0
- GIS/CAD Specialists: 1
- Construction Manager: 1
- Project Administrator: 3

## Abbreviations:

EOPCC – Engineer's Opinion of Probable Construction Cost  
NTP – Notice to Proceed  
CUCCAC – California Uniform Construction Cost Accounting Commission  
STBG – Surface Transportation Block Grant  
CMAQ – Congestion Mitigation and Air Quality (grant)  
ATP – Active Transportation Plan (grant)  
RFP – Request for Proposal

RFA- Request for Authorization (for grant funding)  
FCOG – Fresno Council of Governments  
ADA – Americans with Disabilities Act  
DBE – Disadvantaged Business Enterprise  
TTC – Technical Transportation Committee (through FCOG)  
RTP/SCS – Regional Transportation Plan, Sustainable Communities Strategies