



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
October 27, 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. Finance Officer Diaz to present information on the Statewide Parks Program – Round 4 Meeting for the Mendota Community Center.

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 October 13, 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. OCTOBER 08, 2020 THROUGH OCTOBER 20, 2020
WARRANT LIST CHECKS NO. 47417 THROUGH 47464
TOTAL FOR COUNCIL APPROVAL = \$322,920.71
2. Proposed adoption of **Resolution No. 20-79**, approving the agreement with the County of Fresno for the Mendota Internet Connectivity, Project No. 19471-CV.
3. Proposed adoption of **Resolution No. 20-80**, approving the application for Statewide Park Development and Community Revitalization Program Grant Funds.

BUSINESS

1. Council discussion and consideration of **Resolution No. 20-78**, approving the CARES Act and COVID-19 funding sources programs and reimbursements.
 - a. *Receive report from Finance Officer Diaz*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens floor to receive any comment from the public*
 - d. *Council provide direction to staff and considers Resolution No. 20-78 for adoption*
2. Council discussion and consideration of **Resolution No. 20-81**, approving the recommendation from the Ad Hoc Subcommittee to pursue development agreement modifications with Left Bank Holdings in connection with the property 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 takes action as appropriate*

PUBLIC HEARING

1. Public hearing to consider activities that could be financed by the Federal Community Development Block Grant (CDBG) Program.
 - a. *Receive report from Finance Officer Diaz*
 - 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*

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

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

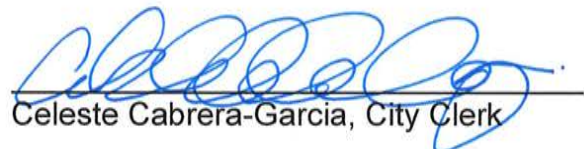
MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

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 October 27, 2020, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, October 23, 2020 at 4:20 p.m.


Celeste Cabrera-Garcia, City Clerk



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

October 13, 2020

Meeting called to order by Mayor Castro at 6:00 p.m.

Roll Call

Council Members Present: Mayor Rolando Castro, Mayor Pro Tem Victor Martinez (via Zoom & arrived in person at 6:53 p.m.), Councilors Jesus Mendoza, Joseph Riofrio, and Oscar Rosales

Council Members Absent: None

Flag salute led by City Clerk Cabrera-Garcia

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).

PRESENTATION

1. Chief of Police Smith to introduce K-9 Officer Roud.

Chief of Police Smith presented the new uniforms for the Police Department office staff.

Chief of Police Smith introduced K-9 Officer Roud.

At 6:24 p.m. Mayor Castro announced that there would be a recess.

At 6:30 p.m. the Council reconvened in open session.

2. Chief of Police Smith to present the new uniforms for the Police Department office staff.

Item was presented concurrently with Presentation No. 1.

3. Finance Officer Diaz to present information on the Statewide Parks Program – Round 4 Meeting for the Mendota Community Center.

Finance Officer Diaz presented information on the Statewide Parks Program application for the proposed Community Center.

Discussion was held on the item.

Sergio Valdez (Mendota Youth Recreation, Inc.) – inquired about the purpose of the item.

Sabrina Noah (Cresco Labs) – commented on the item.

Dino Perez (Westside Youth, Inc.) – commented on the item.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

City Clerk Cabrera-Garcia read Jean Lang’s comment into the record.

Seth Brown (CALFIRE Battalion Chief) – introduced himself and provided information about CalFire Station 96.

At 6:53 p.m. Mayor Pro Tem Martinez entered the Council Chambers.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of September 22, 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 Mayor Pro Tem Martinez to approve items 1 and 2, seconded by Councilor Riofrio; unanimously approved (5 ayes).

CONSENT CALENDAR

1. SEPTEMBER 22, 2020 THROUGH OCTOBER 07, 2020
WARRANT LIST CHECKS NO. 47342 THROUGH 47416
TOTAL FOR COUNCIL APPROVAL = \$662,828.69

2. Proposed adoption of **Resolution No. 20-73**, approving the estimate and authorizing Anderson Pump Company, Inc. to proceed with the replacement of an Agricultural Well Electrical Panel at the City's Wastewater Treatment Plant.
3. Proposed adoption of **Resolution No. 20-74**, approving the estimate and authorizing ECS House Industries, Inc. to proceed with the replacement of an aerator at the City's Wastewater Treatment Plant.
4. Proposed adoption of **Resolution No. 20-75**, cancelling the November 24th and December 22nd regular City Council meetings and authorizing the City Manager to execute any necessary warrants.
5. Proposed adoption of **Resolution No. 20-76**, approving the Engagement/Program Management Agreement with Public Facilities Investment Corporation, LLC and authorizing the City Manager to execute the same.

A request was made to pull item 5 for discussion.

A motion was made by Councilor Riofrio to approve items 1 through 4 of the Consent Calendar, seconded by Mayor Pro Tem Martinez; unanimously approved (5 ayes).

5. Proposed adoption of **Resolution No. 20-76**, approving the Engagement/Program Management Agreement with Public Facilities Investment Corporation, LLC and authorizing the City Manager to execute the same.

Discussion was held on the item.

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

BUSINESS

1. Council discussion and consideration of **Resolution No. 20-77**, reopening public parks throughout the City.

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

Discussion was held on the item.

Carlos Quintanar – inquired as to whether the City Council would consider allowing Westside Youth, Inc. to have a drive through Open Market at Rojas-Pierce Park.

Discussion was held on Mr. Quintanar's inquiry.

At 7:13 p.m. Councilor Riofrio left the Council Chambers and returned at 7:15 p.m.

Sergio Valdez – commented on the item and on Mr. Quintanar’s inquiry.

Discussion was held on the item.

A motion was made by Mayor Pro Tem Martinez to adopt Resolution No. 20-77, seconded by Councilor Rosales; unanimously approved (5 ayes).

2. Council discussion and consideration of **Resolution No. 20-78**, approving the CARES Act and COVID-19 funding sources programs and reimbursements.

Mayor Castro introduced the item and Finance Officer Diaz summarized the report.

City Manager Gonzalez provided additional information on the item.

Discussion was held on the item.

A motion was made by Mayor Pro Tem Martinez to table the consideration of the item until the October 27th 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 provided the report for the Code Enforcement and Animal Control departments including information on COVID-19 related citations that have been issued; current COVID-19 regulations and enforcement efforts; the status of the animal control truck; and an issue relating to individuals playing basketball at the AMOR Wellness Center;

At 7:59 p.m. Mayor Castro left the Council Chambers and returned at 8:01 p.m.

Discussion was held on beautifying the community by implementing a landscaping ordinance.

Maria – suggested that that City look into providing spay and neuter vouchers to residents and shared her concerns regarding the significant number of stray dogs and cats in the community.

Chief of Police Smith provided the report for the Police Department, including the statistics for the month of September regarding auto thefts and vandalism.

Discussion was held on ongoing problems with all-terrain vehicles; a conversation that staff and Council had with Caltrans; the possibility of having additional police patrolling at night; whether City-owned cameras are posted around the schools, the possibility of installing additional cameras.

2. City Attorney
 - a) Update

Nothing to report.

3. City Manager

City Manager Gonzalez provided an update on the Bass & Barboza Roundabout Project; an upcoming flu vaccination event; and stated that the City received an official application for the Axiom Project.

Discussion was held on the status of the dispensary project; the status of the meat-packing facility; the status of the community lighting project; and the need for residents to complete the Census.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Riofrio commented on the importance of the Census, and the need for individuals to complete it.

Councilor Mendoza commented on the ongoing COVID-19 pandemic.

Mayor Pro Tem Martinez thanked staff for their work.

2. Mayor

Mayor Castro stated that he was proud of the community and reported that the proposed new carwash has been having issues with Caltrans.

Discussion was held on the possibility of having a year-round site where individuals may dispose of their large trash items; and an upcoming food giveaway event.

Jonathan Leiva - provided information regarding available resources, and the condition of trees that he would like to donate to the City.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
 - a. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9 (one potential case)
2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to CA Government Code §§ 54954.5(f), 54957.6

- a. Agency Designated Representatives: Cristian Gonzalez, City Manager;
Jennifer Lekumberry, Director of Administrative Services
- b. Employee Organization: Mendota Police Officers Association

At 8:44 p.m. the Council moved into closed.

At 9:24 p.m. the Council reconvened in open session and City Attorney Kinsey stated that in regards to items 1 and 2 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 9:24 p.m. by Mayor Pro Tem Martinez, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Rosales).

Rolando Castro, Mayor

ATTEST:

Celeste Cabrera-Garcia, City Clerk

CITY OF MENDOTA
CASH DISBURSEMENTS
10/8/20-10/20/20
CHECK# 47417-47464

Check Date	Check #	Check Amount	Vendor	Department	Description
10/8/2020	47417	\$ 1,039.29	BANKCARD CENTER	GENERAL-WATER-SEWER-STREETS	CREDIT CARD EXPENSES
10/14/2020	47418	\$ 94,657.00	CITY OF MENDOTA PAYROLL	GENERAL	PAYROLL TRANSFER FOR 9/28/2020-10/11/2020
10/20/2020	47419	\$ 105.00	ADMINISTRATIVE SOLUTIONS	GENERAL	(7) HRA ADMINISTRATION- JUNE 2020, (26) MONTHLY MEDICAL ADMINISTRATION- JUNE 2020, MEDICAL CHECK RUN 10/13/2020
10/20/2020	47420	\$ 1,004.76	AFLAC	GENERAL	AFLAC INSURANCE FOR THE MONTH OF OCTOBER 2020
10/20/2020	47421	\$ 30.62	AIRGAS USA, LLC	WATER	(1) RENT CYL IND SMALL CARBON DIOXIDE SEPTEMBER 2020
10/20/2020	47422	\$ 236.56	AMERIPRIDE SERVICES, INC	GENERAL-WATER-SEWER	PUBLIC WORKS UNIFORM SERVICES FOR 9/17/2020
10/20/2020	47423	\$ 303.07	ARAMARK	GENERAL-WATER-SEWER	UNIFORM RENTALS 8/27/20, PUBLIC WORKS UNIFORM RENTAL SERVICES FOR 10/8/2020 AND 10/15/2020
10/20/2020	47424	\$ 9,500.00	AVISON CONSTRUCTION, INC.	GENERAL	ROJAS PIERCE PARK EXPANSION PROJECT
10/20/2020	47425	\$ 208.13	BSK ASSOCIATES	WATER	GENERAL EDT WEEKLY TREATMENT & DISTRIBUTION-WATER
10/20/2020	47426	\$ 95.00	CALIFORNIA MUNICIPAL FINANCE ASSOCIATION	GENERAL	2020-2021 CMTA GOVERNMENT MEMBERSHIP RENEWAL
10/20/2020	47427	\$ 1,514.41	COMCAST	GENERAL-WATER-SEWER	CITYWIDE XFINITY PHONE & INTERNET SERVICES 10/6/20-11/5/20
10/20/2020	47428	\$ 476.25	COMCAST BUSINESS	GENERAL	FRESNO SHERIFF TO MENDOTA PD CIRCUIT OCTOBER 2020
10/20/2020	47429	\$ 159.14	CORELOGIC INFORMATION	GENERAL-WATER-SEWER	REALQUEST SERVICE FOR SEPTEMBER 2020
10/20/2020	47430	\$ 88.80	CROWN SERVICES, CO.	GENERAL-WATER	(1) TOILET 1XWK 1000 AIRPORT BLVD BLDG #A (PD), TOILET W/SINK 1XWK 1300 2ND ST MENDOTA CA
10/20/2020	47431	\$ 64.00	DEPARTMENT OF JUSTICE	GENERAL	(2) FINGERPRINT APPS SEPTEMBER 2020
10/20/2020	47432	\$ 2,242.59	ECS HOUSE INDUSTRIES, INC.	SEWER	(2) ASSY, STUBSHAFT 2-7/16" PAINTED TE (2) BEARING
10/20/2020	47433	\$ 62.94	EMPLOYEE RELATIONS	GENERAL-WATER-SEWER	BACKGROUND CHECK FOR PART TIME JANITOR/PART TIME WASTEWATER OPERATOR
10/20/2020	47434	\$ 61.00	FRESNO CITY COLLEGE	GENERAL	(1) REGISTRATION 41718/FTO UPDATE-(9/2-4/20) OFFICER URBIETA
10/20/2020	47435	\$ 12,250.00	FIREBAUGH POLICE DISPATCH	GENERAL-WATER-SEWER	POLICE DEPARTMENT DISPATCH SEPTEMBER 2020
10/20/2020	47436	\$ 143.68	FRESNO COUNTY SHERIFF	GENERAL	RMS JMS ACCESS FEE FOR SEPTEMBER 2020 (PD)
10/20/2020	47437	\$ 18,709.45	GUTHRIE PETROLEUM, INC.	GENERAL-WATER-SEWER-STREETS	(1834) GALLON DIESEL FUEL CITYWIDE, (6726) GALLON UNLEADED GASOLINE CITYWIDE
10/20/2020	47438	\$ 436.06	JORGENSEN & COMPANY	GENERAL	PD (18) FIRE EXTINGUISHERS ANNUAL MAINTENANCE (4) VALVE STEM
10/20/2020	47439	\$ 185.00	KERWEST NEWSPAPER	GENERAL	(8) SUMMARIES OF ORDINANCES NO.20-15 & NO.20-16
10/20/2020	47440	\$ 1,132.08	KOPPEL & GRUBER	61 6150 5850	CFD NO. 2006-1 ANNUAL ADMINISTRATION SERVICES JULY-SEP 2020
10/20/2020	47441	\$ 604.34	MENDOTA SMOG & REPAIR	GENERAL-WATER-SEWER	2016 FORD- FUSION ENERGI SE (PD) OIL CHANGE, 2007 CHEVROLET-COOLANT LEAK, RADIATOR AND THERMOSTAT
10/20/2020	47442	\$ 694.58	METRO UNIFORM	GENERAL	(1) VERT OPEN MAG/CUFF COMBO(1)QUAD STAR-GOLD (PD), (2)EMBROIDERY, NAMETAPE, BELTS, WOMENS TIE (PD)
10/20/2020	47443	\$ 112,612.08	MID VALLEY DISPOSAL, INC	REFUSE-STREETS	ROLL OFF BIN EXCHANGE 10Y QTY:7.19 & 4.04, SANITATION CONTRACT SERVICES FOR AUGUST & SEPTEMBER 2020
10/20/2020	47444	\$ 1,768.70	MUTUAL OF OMAHA	GENERAL	LIFE, AD&D, LTD & STD INSURANCE FOR NOVEMBER 2020
10/20/2020	47445	\$ 1,625.94	NORTHSTAR CHEMICAL	WATER	(800) GAL SODIUM HYPOCHLORITE- 12.5%
10/20/2020	47446	\$ 217.14	OFFICE DEPOT	GENERAL-WATER-SEWER	OFFICE SUPPLIES- UNDER DESK KEYBOARD, OFFICE SUPPLIES- MANILA FILE FOLDERS, PAPER, MARKERS
10/20/2020	47447	\$ 15,049.10	PG&E	GENERAL-WATER-SEWER-STREETS	WATER DEPARTMENT UTILITIES FOR 9/10/20-10/11/20
10/20/2020	47448	\$ 725.72	PLATT ELECTRIC SUPPLY	STREETS	LED AREA LUMINAIRE, NOCTURA ADJUSTABLE ARM ,(STREET LIGHTS)
10/20/2020	47449	\$ 515.00	PRICE, PAIGE & COMPANY	GENERAL-WATER-SEWER-STREETS-REFUSE	AUDIT OF CITY'S FINANCIAL STATEMENTS 6/30/20
10/20/2020	47450	\$ 2,605.50	PROVOST & PRITCHARD	GENERAL	648 O'REILLY'S AUTO PARTS
10/20/2020	47451	\$ 10,000.00	PUBLIC FACILITIES INVESTMENT CORPORATION	GENERAL-WATER-SEWER	ENGAGEMENT/PROGRAM MANAGEMENT AGREEMENT (CH/PD)
10/20/2020	47452	\$ 6,209.68	R&B COMPANY	WATER	(3) REP CLP FULL CIRCLE (20) F/PE MUE PIPE ID RANG, (2) BADGER E55, (2)ORION LTE, (2) 10 YEAR ORION CELL

CITY OF MENDOTA
 CASH DISBURSEMENTS
 10/8/20-10/20/20
 CHECK# 47417-47464

10/20/2020	47453	\$ 1,075.91	RAMON'S TIRE & REPAIR	WATER-SEWER-STREETS	GMC BOOM TRUCK #50 (1) DRIVE CSD (1)TRUCK TIRE DISMOUNT/MOUNT, FORD F-250 #10 FRONT DISK BRAKE PADS REPLACE/LABOR
10/20/2020	47454	\$ 252.67	RED TRIANGLE OIL COMPANY	STREETS	(6) 5-GALLON PAIL SS1H (STREET HUMPS)
10/20/2020	47455	\$ 1,341.50	ERNEST PACKING SOLUTIONS	GENERAL-WATER-SEWER	(20) BOX OF GLOVES MED (10) BOX GLOVES LG (1)WIPES, (5)WIPES PLUS DISINFECTING WIPES SOFT PACK 80CT- COVID
10/20/2020	47456	\$ 480.49	SIGNMAX	GENERAL-STREETS	(10) SQUARE POST 30 IN. ANCHOR- STREETS, CUSTOM SIGN- 16"X9" EDD BUILDING ASSISTIVE LISTENING SIGN
10/20/2020	47457	\$ 55.96	SITEONE LANDSCAPE SUPPLY, LLC	GENERAL	(2) RAIN BIRD TBOS 9-VOLT POTTED LATCHING- FOR PARKS
10/20/2020	47458	\$ 3,440.46	SORENSEN MACHINE WORKS	GENERAL-WATER-SEWER-STREETS	MULTIPLE DEPARTMENT SUPPLIES FOR STREETS 09/2020, SPECIAL DEPT. SUPPLIES FOR STREET POTHOLES & BUMPS, WATER PUMP
10/20/2020	47459	\$ 2,040.50	THE BANK OF NEW YORK MELLON	SEWER	MENDOTA JPFA WASTEWATER PERIOD FEE 10/1/20-9/30/21
10/20/2020	47460	\$ 1,800.11	THE WATER CONNECTION	WATER	(53) BACKFLOWS TESTED (2) BACKFLOW REPAIRS
10/20/2020	47461	\$ 1,279.02	TRIANGLE ROCK PRODUCTS, LLC	STREETS	ST 3/8 CM SM 3000 AGG & ASPHALT (QTY:4.03) POTHOLES, ST 1/2IN HMA TYPE A AGG & ASPHALT QTY:15.16 (HUMPS)
10/20/2020	47462	\$ 149.16	USA BLUEBOOK	WATER	(2) OR FREE CHLORINE REAGENT SET
10/20/2020	47463	\$ 1,070.17	VERIZON WIRELESS	GENERAL-WATER-SEWER	CITYWIDE CELLPHONE SERVICES FOR 9/7/20-10/6/20
10/20/2020	47464	\$ 12,602.15	WANGER JONES HELSLEY PC ATTORNEYS	GENERAL-WATER-SEWER	LEGAL SERVICES RE:SPECIAL LEGAL SERVICES, BB RANCH, CA SPORTSFISHING PROTECTION, COVID-19 RESPONSE THRU 9/15/20

\$ 322,920.71

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY M. DIAZ, FINANCE OFFICER
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: APPROVING THE AGREEMENT WITH THE COUNTY OF FRESNO FOR THE MENDOTA INTERNET CONNECTIVITY, PROJECT NO. 19471-CV?
DATE: OCTOBER 27, 2020

ISSUE

Should the City Council adopt Resolution No. 20-79, approving an agreement with the County of Fresno for the Mendota Internet Connectivity, Project No. 19471-CV, and authorize the City Manager to execute same?

BACKGROUND

The County of Fresno (County) announced the first batch of funding for its participating cities (CDBG Program) to be used for eligible activities to support infectious disease response and were limited to two programs. The City approved the Fire Protection Equipment (which the County is administering) and the Broadband/Internet Connectivity.

The City submitted their initial proposal to the County in June 2020 to implement a program that would provide payment assistance to the broadband provider on behalf of a Mendota resident. Since the funding is provided by the State of California (State), the County required approval from the State before allowing the City to start the program. The State has approved the County to engage with the City to implement the Mendota Internet Connectivity, Project No. 19471-CV.

ANALYSIS

The Mendota Internet Connectivity, Project No. 19471-CV has a total project cost of \$61,179.00 to assist Mendota residents with their broadband account by paying the vendor directly. To obtain funding from the County, the attached agreement must be executed with the terms fulfilled. The City is in the preliminary stages of this program. Staff will be submitting a written plan along with the application submitted in June 2020. Once the written plan is reviewed and approved by the County, we will be able to implement the program. The executed agreement will need to be approved and processed by the Auditor's office before we are able to request reimbursement. The City will receive assistance from Office of Community and Economic Development at the California State University, Fresno to take in applications. We have an anticipated start date of February 8, 2021.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 20-79, approving the agreement with the County of Fresno for the Mendota Internet Connectivity, Project No. 19471-CV, and authorize the City Manager to execute same.

Attachment(s):

1. Resolution No. 20-79
2. Exhibit A – Agreement for the Mendota Internet Connectivity, Project No. 19471-CV

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA APPROVING
THE AGREEMENT WITH THE COUNTY OF
FRESNO FOR THE MENDOTA INTERNET
CONNECTIVITY, PROJECT NO. 19471-CV**

RESOLUTION NO. 20-79

WHEREAS, the County of Fresno (“County”) has received funds to administer and implement the program for the Community Development Block Grant Coronavirus Response (“CDBG-CV”) Program activities of the County, and its participating cities; and

WHEREAS, CDBG-CV funding has been made available to the County to prevent, prepare for, and respond to the coronavirus; and

WHEREAS, the County wishes to engage the City of Mendota (“City”) to assist the County in utilizing such funds for the Mendota Internet Connectivity, Project No. 19471-CV (“Project”) for CDBG-CV funding, as laid out in the agreement attached hereto as Exhibit “A”; and

WHEREAS, the City has \$61,179.00 available for the Project to implement with the assistance from the Office of Community and Economic Development at California State University, Fresno.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota that the City hereby approves the agreement with the County of Fresno for the Mendota Internet Connectivity, Project No. 19471-CV.

BE IT FURTHER RESOLVED, that the City Council of the City of Mendota hereby authorizes the City Manager to execute all necessary documents in connection with the Project.

BE IT FURTHER RESOLVED, by the City Council of the City of Mendota that the activities contemplated herein are not subject to the California Environmental Quality Act, Public Resources Code, § 21000, et seq. (“CEQA”), pursuant to Title 14, Chapter 3, Section 15378(b)(4) of the California Code of Regulations because they involve the “creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment” and therefore do not constitute a “project” within the meaning of CEQA.

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 27th day of October, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

Exhibit A

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A G R E E M E N T

THIS AGREEMENT ("Agreement") is made this ____ day of _____, 2020 ("Effective Date"), by and between the COUNTY OF FRESNO, a political subdivision of the State of California, ("County"), and the CITY OF MENDOTA, ("Subrecipient").

WITNESSETH

WHEREAS, the County has received funds to administer and implement the program for the Community Development Block Grant Coronavirus Response ("CDBG-CV") Program activities of the County, and its participating cities, in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended ("HCD Act"), the Coronavirus Aid, Relief, and Economic Security Act, ("CARES Act"); Public Law 93-383; and the laws of the State of California; and

WHEREAS, CDBG-CV funding has been made available to the County to prevent, prepare for, and respond to the coronavirus ("COVID-19"); and

WHEREAS, the County wishes to engage the Subrecipient to assist the County in utilizing such funds; Subrecipient has submitted the Mendota Internet Connectivity, Project No. 19471-CV ("Project"), for CDBG-CV funding; and

WHEREAS, the Subrecipient has estimated that the total cost of the Project is \$61,179, and has requested the sum of \$61,179 from the County's allocation of CDBG-CV funds to complete the Project; and

WHEREAS, the County Board of Supervisors, at a public hearing conducted on July 7, 2020, approved the Project for funding; and

WHEREAS, the Project is consistent with the objectives of the Fresno County Consolidated Plan, including the annual Action Plan as amended.

NOW THEREFORE, in consideration of their mutual promises as hereinafter set forth, the Subrecipient and County agree as follows:

I. PROJECT DESCRIPTION, LOCATION, TIME OF PERFORMANCE AND BUDGET

A. The Project consists of providing temporary financial assistance, in the

1 form of direct payment to internet service providers, for residents in the City impacted by COVID-
2 19. The Project will assist these residents with obtaining or maintaining internet connectivity for
3 work, school, shopping, and general information purposes.

4 B. The Subrecipient will be responsible for administering a CDBG-CV funded
5 project in a manner satisfactory to the County and consistent with standards required as a
6 condition of providing these funds.

7 C. The Project budget is estimated by the Subrecipient as follows:

8	Internet Service Assistance		\$61,179
9		Total	\$61,179

10 D. Notwithstanding Subrecipient's estimates in the above-described Project
11 budget, payments for the Project from CDBG-CV funds shall be limited to the Subrecipient's
12 actual costs, and shall not exceed the total amount of \$61,179.

13 E. The proposed funding for the Project will be provided from the following
14 sources:

15	CDBG-CV		\$61,179
16	Local Contribution		\$ 0
		Total	\$61,179

17 F. Prior to any changes that may occur which would modify the scope of the
18 Project, the Subrecipient shall submit a written request to the County. The Subrecipient shall
19 send its written request to:

20 Community Development Grants
21 County of Fresno
22 Department of Public Works and Planning
23 Community Development Division
24 2220 Tulare Street, 6th Floor
25 Fresno, CA 93721

26 If the Director of the County Department of Public Works and Planning ("Director") determines the
27 modified Project is still eligible under the Federal CDBG-CV regulations, the Director is authorized
28 to permit such modifications. The County shall specify in a letter to the Subrecipient whether such
modifications to the scope of the Project are authorized, and if the Subrecipient may proceed.

II. OBLIGATIONS OF THE COUNTY

1 A. The County shall reimburse the Subrecipient up to, but not more than,
2 \$61,179 in CDBG-CV funds for the Project for the Subrecipient's performance of its obligations
3 under this Agreement. All funds shall be paid in accordance with Section V of this Agreement.

4 B. The County shall review, within thirty (30) calendar days of receipt from
5 the Subrecipient, the proposal for the activities and specifications for the Project, as prepared by
6 the Subrecipient, for compliance with Federal regulations, conformance with state and local
7 requirements, and the total Project cost estimate, to ensure sufficient funds are available to
8 complete the Project. If such conditions have been met, the County shall specify in a letter to
9 the Subrecipient that these conditions have been met, and that the Project activities can
10 commence.

11 C. The County may, upon request by the Subrecipient, allow alternate
12 procurement procedures permitted under 24 CFR Part 84, provided the Subrecipient submits
13 satisfactory documentation and justification.

14 D. The County shall conduct periodic inspections of the Project, as may be
15 required, in the determination of the County, to ensure that the intended activities and group of
16 beneficiaries of the Project have not changed. Upon completion of the Project, but prior to the
17 Subrecipient's acceptance of the Project, the County shall conduct a final inspection of the
18 Project. If such conditions have been met, the County shall specify in a letter to the Subrecipient
19 that these conditions have been met.

20 III. OBLIGATIONS OF THE SUBRECIPIENT

21 A. The Subrecipient shall provide any and all sums of money in excess of
22 \$61,179, which may be necessary to complete the Project.

23 B. The Subrecipient shall demonstrate in writing, and to the County's
24 satisfaction, that it has the authority, operational ability, and financial resources for providing the
25 services being provided with CDBG-CV funds under this Agreement prior to award of the Project.

26 C. Upon completion of the activity plan, the Subrecipient shall submit the
27 specifications to the County. The County will ensure Federal CDBG requirements have been
28 adhered to, and review cost estimates to ensure sufficient funds are available. The Subrecipient

1 shall obtain a letter from the County specifying these conditions have been met.

2 D. The Subrecipient may request to utilize alternate procurement procedures
3 allowed under 24 CFR Part 84, subject to prior approval by the County.

4 E. The Subrecipient shall give written notice thereof, to include a copy of the
5 executed contract between the Subrecipient and the vendor, to the County.

6 F. All proposed changes to the planned activities shall not proceed until prior
7 written approval has been given by the County. Request for approval of a change of services
8 provided shall include a narrative description of the work, a cost or price analysis in accordance
9 with HUD requirements, and a written certification from the Subrecipient that the approval of the
10 change is consistent with the final cost estimate approved by the County. In addition, the
11 Subrecipient shall certify that the change is within the scope of the Project and is necessary to
12 complete the Project.

13 G. The County has determined that the Project is exempt from the provisions
14 of the California Environmental Quality Act (CEQA) and the National Environmental Protection
15 Act (NEPA).

16 H. Upon completion of the Project, the Subrecipient shall notify the County
17 so a representative can perform an inspection of the Project to determine that it was completed
18 in accordance with the scope of work approved and authorized pursuant to this executed
19 Agreement.

20 I. Upon approval of Project completion by the County, the Subrecipient shall
21 provide the County with a resolution of acceptance, or similar documentation, demonstrating that
22 the Project was completed in accordance with the scope of work approved and authorized
23 pursuant to this executed Agreement and any approved subsequent amendments and/or
24 changes, and that the Subrecipient has accepted the Project. Prior to the final request for
25 payment, the Subrecipient shall also provide the County with a written summary of all Project
26 work completed with CDBG-CV and other funds.

27 J. During the contract period, the Subrecipient shall complete and submit
28 annually on June 1, and upon completion of the Project, a Project Outcome Measurement Report

1 (POM) form, a copy of which is attached hereto as Exhibit 1 and incorporated herein by
2 reference. The POM shall contain the following information for the County's Federal reporting
3 purposes to the U.S. Department of Housing and Urban Development (HUD):

- 4 1. Total number of households/persons assisted.
- 5 2. Number of total households/persons assisted that:
 - 6 a. Now have new access to this type of service or facility.
 - 7 b. Now have improved access to this type of service or facility.
 - 8 c. Now are served by a service or facility that is no longer
9 substandard.

10 K. The Subrecipient must inform the County in writing of any program income
11 generated by the expenditure of CDBG-CV funds. Any program income generated as a result
12 of the Project must be paid to the County. For purposes of this Agreement, program income is
13 defined as proceeds received as a result of the CDBG-CV funded activities. If the Subrecipient
14 contributed financially to the Project, the Subrecipient may retain a share of the program income
15 in proportion to the Subrecipient's contribution to the Project, after the Subrecipient has provided
16 a written accounting acceptable to the County.

17 L. The Subrecipient must obtain prior written approval from the County
18 before making any modification or change in the services being provided, in whole or in part,
19 using CDBG funds in excess of \$25,000. The Subrecipient shall provide affected citizens with
20 notice of, and opportunity to comment on, any proposed change to the services being provided
21 with CDBG funds. These requirements shall continue in effect for five years after the Project is
22 completed in HUD's Integrated Disbursement and Information System (IDIS). In the event the
23 CDBG program is closed out, the requirements of this Section shall remain in effect for activities
24 funded with CDBG funds, unless action is taken by the Federal government to relieve the
25 Subrecipient of these obligations.

26 M. The Subrecipient acknowledges that the County may periodically inspect
27 the Project to ensure that the services are being provided as described in this Agreement. The
28 Subrecipient agrees to provide any necessary information to the County to carry out such

1 inspections. Furthermore, the Subrecipient agrees to take corrective action if the County
2 determines that modifications to the use and location of the Project have resulted in a violation
3 of the Federal CDBG regulations.

4 IV. CONFORMANCE WITH APPLICABLE LAWS AND REGULATIONS

5 A. The Subrecipient shall, and shall cause its consultants, contractors, and
6 subcontractors to, comply with all applicable State and Federal laws and regulations governing
7 the Project.

8 B. Whenever the Subrecipient uses the services of a contractor, the
9 Subrecipient shall require that the contractor comply with all Federal, State and local laws,
10 ordinances, regulations and Fresno County Charter provisions applicable in the performance of
11 their work.

12 C. This Project is subject to the requirements of Section 3 of the Housing and
13 Urban Development Act of 1968, as amended, 12 U.S.C. 1701(u), and all applicable rules and
14 orders issued hereunder. Compliance will be a condition of the Federal financial assistance
15 providing under this Agreement, and binding upon the Subrecipient and any of the Subrecipient's
16 subcontractors. The Subrecipient certifies and agrees that no contractual or other disability
17 exists that would prevent compliance with these requirements. The Subrecipient further agrees
18 to comply with these Section 3 requirements and to include the following language in all
19 subcontracts executed under this Agreement: "The work to be performed under this Agreement
20 is a project assisted under a program providing direct Federal financial assistance from HUD and
21 is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968,
22 as amended. Section 3 requires that to the greatest extent feasible opportunities for training and
23 employment be given to low- and very low- income residents of the project area, and that
24 contracts for work in connection with the project be awarded to business concerns that provide
25 economic opportunities for low- and very low-income persons residing the metropolitan area in
26 which the project is located". Accordingly, the Subrecipient shall require any subcontractor to
27 complete and submit documentation prior to award of the contract, and upon Project completion,
28 that compliance with the Section 3 clause has been met.

1 D. Whenever the City receives at least \$100,000 for a project from the
2 County's CDBG Program under this Agreement, the Subrecipient shall complete and submit to
3 the County Community Development Division a "Certification of Payments to Influence Federal
4 Transactions" form and a "Standard Form LLL - Disclosure of Lobbying Activities" form.
5 Likewise, before the Subrecipient awards a contract using at least \$100,000 of such CDBG-CV
6 funds, the Subrecipient shall require the subcontractors to complete and submit these two (2)
7 forms described hereinabove to both the Subrecipient and the County.

8 V. PAYMENT FOR THE PROJECT

9 A. It is expressly agreed and understood that the total amount to be paid by
10 the County under this Agreement shall not exceed \$61,179. At monthly intervals, the
11 Subrecipient shall submit a written request to the County for payment of eligible expenses
12 incurred in accordance with the performance of this Agreement. The request for the County to
13 make such a payment shall be in accordance with the exemplar Project Pay Request Form,
14 attached hereto as Exhibit 2 and incorporated herein by reference. The request shall also be
15 accompanied by a written certification from the Subrecipient that the request for payment is
16 consistent with the amount of work that has been completed, and that said work is in accordance
17 with the contract documents and this Agreement. The request for payment shall also be
18 accompanied by documentation acceptable to the County, such as checks, invoices or vouchers
19 for services or materials purchased, contractor's costs, or other costs chargeable to the Project.
20 After appropriate review and inspection, the County shall make payment from CDBG-CV funds
21 provided in this Agreement for all eligible costs specified herein up to the maximum amount
22 payable under Section I. Payments may be contingent upon certification of the Subrecipient's
23 financial management system in accordance with the standards specified in 24 CFR 84.21.

24 B. The CARES Act requires that there are adequate procedures in place to
25 prevent any duplication of benefits, as required by section 312 of the Stafford Act, as amended
26 by section 1210 of the Disaster Recovery Reform Act of 2018 (division D of Public Law 115-254;
27 42 U.S.C. 5121 et seq.). Duplication of benefits occurs when Federal financial assistance is
28 provided to Subrecipient, and Subrecipient has received (or would receive, by acting reasonably

1 to obtain available assistance) financial assistance for the same costs from any other source
2 (including insurance), and the total amount received exceeds the total need for those costs.
3 Subrecipient is required to certify that every request for payment does not constitute duplication
4 of benefits. Subrecipient agrees to repay any amount that is determined to be duplicative.

5 C. Any savings realized in the final cost of the Project, due to Project cost
6 and/or scope of work reductions, liquidated damages, or any other reason, shall be used to
7 reduce the amount of this Project paid for with CDBG-CV funds in the same pro-rata share that
8 CDBG-CV funds were used in payment of the Project. If the Subrecipient is required to provide
9 any additional funds toward the Project other than described in this Agreement, any cost savings
10 shall be first used to reimburse the Subrecipient for its contribution in excess of the total amount
11 provided by this Agreement.

12 D. The County shall not be bound by any agreement between the
13 Subrecipient and its agents.

14 E. Upon the completion of the Project, the Subrecipient shall submit to the
15 County Community Development Division a written request for final payment of costs, which
16 shall provide a detailed description of the Project pay items and costs. The final pay request
17 shall be in accordance with Exhibit 2. The County shall not be obligated to make any
18 payments under this Agreement if the request for payment is submitted by the Subrecipient
19 more than sixty (60) days after the Notice of Completion has been filed with the County
20 Recorder's Office. An extension to the sixty (60) day period may be granted by the Director
21 prior to the deadline if the Subrecipient can demonstrate just cause for the delay.

22 F. The County may withhold payment of the final payment request made by
23 the Subrecipient, until a final POM and written summary of all Project work completed with
24 CDBG-CV and other funds have been submitted to the County.

25 G. All requests for payment and supporting documentation shall be sent to:
26
27
28

1 Business Manager
2 County of Fresno
3 Department of Public Works and Planning
4 Financial Services Division
5 2220 Tulare Street, 6th Floor
6 Fresno, CA 93721

7 H. The Subrecipient agrees to comply with 24 CFR 84.21-18, and agrees to
8 adhere to the accounting and bookkeeping procedures in accordance required therein.
9 Subrecipient must utilize adequate internal controls and maintain necessary source
10 documentation for all costs paid with CDBG-CV funds in accordance with the performance of
11 this Agreement.

12 I. All records and accounts shall be available for inspection by the County,
13 the State of California, if applicable, the Comptroller General of the United States, and HUD or
14 any of their duly authorized representatives at all reasonable times for a period of at least four
15 (4) years following final payment under this Agreement, or the closure of all other pending
16 matters, whichever is later. Records shall include but not be limited to: Records providing a full
17 description of each activity; records documenting compliance with the fair housing and equal
18 opportunity components; financial records as required by 24 CFR 570.502, and 24 CFR 84.21-
19 28 and any other records necessary to document compliance. The Subrecipient shall certify
20 accounts when required or requested by the County.

21 J. The Subrecipient shall maintain client data demonstrating eligibility for
22 services provided. Such data shall include, but not be limited to, client name, income level or
23 other basis for determining eligibility, and description of service. Such information shall be made
24 available to County monitors or their designees for review upon request. The Subrecipient
25 understands that client information collected under this contract is private and the use or
26 disclosure of such information, when not directly connected with the administration of the
27 Subrecipient's responsibilities with respect to services provided under this contract, is prohibited,
28 unless written consent is obtained from such person receiving service.

K. The Subrecipient, as a subrecipient of Federal financial assistance, is
required to comply with the provisions of the Single Audit Act of 1984 (31 U.S.C. Sections 7501

1 et seq.), as amended. Whenever the Subrecipient receives CDBG-CV funds from the County
2 for the Project, a copy of any audit performed by the Subrecipient in accordance with said Act
3 shall be forwarded to the County Community Development Grants Program Manager within nine
4 (9) months of the end of any Subrecipient fiscal year in which funds were expended and/or
5 received for the Project. Failure to perform the requisite audit functions as required by this
6 paragraph may result in the County performing any necessary audit tasks or, at the County's
7 option, the County contracting with a public accountant to perform the audit. All audit costs
8 related to the Subrecipient's failure to perform the requisite audit are the sole responsibility of the
9 Subrecipient, and such audit work costs incurred by the County shall be billed to the
10 Subrecipient, as determined by County's Auditor-Controller/Treasurer-Tax Collector. In the
11 event the Subrecipient is only required to perform an audit under the provisions of the Act
12 because the Subrecipient is receiving CDBG-CV funds, the County may perform, or cause to be
13 performed, the required audit to determine whether funds provided through this Agreement have
14 been expended in accordance with applicable laws and regulations. Any audit-related costs
15 incurred by the County under this provision shall be charged to the County CDBG Program. The
16 Subrecipient agrees to take prompt and appropriate corrective action on any instance of material
17 non-compliance with applicable laws and regulations.

18 L. The Subrecipient shall send a copy of the audit to:

19 Community Development Grants
20 County of Fresno
21 Department of Public Works and Planning
22 Community Development Division
23 2220 Tulare Street, 6th Floor
24 Fresno, CA 93721

23 VI. INDEMNIFICATION

24 The Subrecipient shall indemnify, defend, and save harmless the County, its
25 officers, agents, and employees from and against any and all damages, claims, and losses
26 whatsoever (including attorney's fees and costs) occurring or resulting to persons, firms, or
27 corporations furnishing or supplying work, services, materials, or supplies in connection with the
28 performance of this Agreement, and from any and all damages, claims, and losses (including

1 attorney's fees and costs) occurring or resulting to any person, firm, or corporation for damage,
2 injury, or death arising out of or connected with the Subrecipient's performance of, or failure to
3 perform, its obligations under this Agreement. The provisions of this Section VI shall survive the
4 termination of this Agreement.

5 VII. TIME OF PERFORMANCE

6 A. The following schedule shall commence on the date this Agreement is
7 executed by the County.

8 1. Complete Specifications and Submit to the County for Review –
9 January 4, 2021.

10 2. Complete County Review and Approval of Specifications – February
11 4, 2021.

12 3. Begin Processing Applications – February 8, 2021.

13 B. Evidence of delivery, inspection, and acceptance by the Subrecipient shall
14 be submitted to the County Community Development Division no later than November 30, 2021.

15 C. The final POM Report, written summary of all work completed, and request
16 for final payment shall be submitted to the County no later than January 31, 2022.

17 D. The Subrecipient shall give immediate written notification to the County
18 Community Development Division of any events that occur which may affect the above time
19 schedule and completion date and the time schedule specified in the contract documents, or any
20 event that may have significant impact upon the Project or affect the attainment of the Project's
21 objectives. The Director is authorized to make adjustments in the above schedule if, in the
22 Director's judgment, any delay is beyond the control of the parties involved.

23 E. Time is of the essence in the Subrecipient's performance of this
24 Agreement.

25 VIII. BREACH OF AGREEMENT

26 In the event the Subrecipient fails to comply with any of the terms of this Agreement,
27 the County may, at its option, deem the Subrecipient's failure a material breach of this Agreement,
28 and utilize any remedies permitted by law that the County deems appropriate. Should the County

1 deem a breach of this Agreement material, the County shall immediately be relieved of its
2 obligations to make further payment as provided herein. Termination of this Agreement due to
3 breach shall not, in any way whatsoever, limit the rights of the County in seeking any other legal
4 relief in a court of law or equity, including the recovery of damages. In addition to the Agreement
5 being terminated by the County in accordance with a material breach of this Agreement by the
6 Subrecipient, this Agreement may also be terminated for convenience by the County in accordance
7 with state and federal law.

8 IX. TERMINATION OF PROJECT

9 A. If the Subrecipient decides to cancel the Project covered by this
10 Agreement, the Subrecipient shall submit a request in writing to the County Department of Public
11 Works and Planning, Community Development Division explaining just cause for the request.
12 The Director is authorized to approve such a request if, in the Director's judgment, there is just
13 cause for the Project's cancellation.

14 B. If the Subrecipient's request to cancel the Project covered by this
15 Agreement is approved by the Director, the Subrecipient shall promptly return to the County all
16 CDBG-CV funds paid pursuant to this Agreement.

17 X. VENUE; GOVERNING LAW

18 Venue for any action arising out of or relating to this Agreement shall be only in
19 Fresno County, California. The rights and obligations of the parties and all interpretation and
20 performance of this Agreement shall be governed in all respects by the laws of the State of
21 California.

22 XI. ENTIRE AGREEMENT

23 This Agreement constitutes the entire agreement between the Subrecipient and the
24 County, with respect to the subject matter hereof, and supersedes all previous negotiations,
25 proposals, commitments, writings, advertisements, publications, and understandings of any nature
26 whatsoever, unless expressly included in this Agreement.

27 ///

28 ///

1 IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth
2 on page one of this Agreement.

3

4 CITY OF MENDOTA
5 SUBRECIPIENT

COUNTY OF FRESNO

6 By: _____
7 City Manager

Ernest Buddy Mendes, Chairman of the
Board of Supervisors of the
County of Fresno

8

9

10 ATTEST:

ATTEST:
Bernice E. Seidel
Clerk of the Board of Supervisors
County of Fresno, State of California

11

12

13 _____
14 City Clerk, City of Mendota

By: _____
Deputy

15

16 APPROVED AS TO LEGAL FORM:

17

18 _____
City Attorney

19

20

21 FUND NO: 0001
22 SUBCLASS NO: 10000
23 ORG NO: 7205
ACCOUNT NO: 7885
PROJECT NO: N19471-CV
ACTIVITY CODE: 7307

REMIT TO:
City of Mendota
Attention: Cristian Gonzales, City Manager
643 Quince Street
Mendota, CA 93640
Telephone: (559) 655-4298

24

25

26

27 SW:JA:_____
28 G:\7205ComDev\~Agendas-Agreements\2020\1215_Mendota Internet Connectivity CDBG 19471-CV_Agt.docx
October 5, 2020

Exhibit 1
County of Fresno
Project Outcome Measurement Report

Project #: _____ Project Name: _____

The County of Fresno is required to submit information annually on each project funded with Community Development Block Grant (CDBG) funds, per U.S. Department of Housing and Urban Development (HUD) guidelines. As a recipient of CDBG funds from the County, the County requests that you provide the following information:

1. Years Reported: _____ through _____

2. Enter the number of persons assisted that:
 - a. Now have **new access** to this type of public facility or infrastructure improvement: _____ or N/A
(New access to a public facility or infrastructure is when the facility did not previously exist and is provided for the first time.)

 - b. Now have **improved access** to this type of public facility or infrastructure improvement: _____ or N/A
(Improved access to a public facility or infrastructure is when the facility or infrastructure is improved or expanded, enabling the grantee to expand the number of people or type of service the facility provides.)

 - c. Are served by this public facility or infrastructure improvement that **is no longer substandard**: _____ or N/A
(A public facility or infrastructure is no longer substandard when the CDBG funds were used to meet a quality standard, or measurably improve the quality of the facility or infrastructure.)

(Note: The numbers of persons entered in a, b, and c, above, must add up to the total number of persons entered in question 3.)

3. Total number of persons assisted: _____

4. Please describe the accomplishments made on this project in the past year (i.e. construction progress). If the project is complete, please describe the overall accomplishments made on the project.

Form Completed By: _____

Exhibit 2

Project Pay Request

Date

Business Manager
County of Fresno
Department of Public Works and Planning
Financial Services Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721

Subject: Request for Payment, CDBG-CV Project No. _____
<District Name>
<Project Title>

In accordance with the executed Agreement for the above-referenced project, the <District Name> is requesting payment of \$_____ for project costs.

The District certifies that this request for payment is consistent with the amount of work that has been completed to date, performed in accordance with the construction contract documents and the executed Agreement, and as evidenced by the enclosed invoices and supporting documents. The District also certifies that this request does not constitute a duplication of benefits under federal requirements as described in Section V, Paragraph B of the Agreement.

Payee _____ Invoice # _____ Amount _____

Sincerely,

<District Manager>
<District Name>

Enclosure(s)

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY M. DIAZ, FINANCE OFFICER
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND
COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS
DATE: OCTOBER 27, 2020

ISSUE

Should the City Council approve the Resolution No. 20-80, approving the application for Statewide Park Development and Community Revitalization Program Grant Funds?

BACKGROUND

The City of Mendota intends to submit an application for a Mendota Community Center, Outdoor Fitness Court, Inclusive Playground and Community Garden to the California Department of Parks and Recreation – Office of Grants and Local Services as part of Proposition 68 Park Funds.

ANALYSIS

The Office of Grants and Local Services will review applications for the Statewide Park Development and Community Revitalization Program Grant Funds. Projects granted funding will be based on completed applications. In order to submit an application, an entity must submit an approved resolution that authorizes a representative of the entity to submit an application.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that the City Council adopt the Resolution No. 20-80, approving the application for Statewide Park Development and Community Revitalization Program Grant Funds.

Attachment(s):

1. Resolution No. 20-80

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

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MENDOTA APPROVING
THE APPLICATION FOR STATEWIDE PARK
DEVELOPMENT AND COMMUNITY
REVITALIZATION PROGRAM GRANT FUNDS**

RESOLUTION NO. 20-80

WHEREAS, the Legislature of the State of California has delegated to the State Department of Parks and Recreation the responsibility for the administration and establishment of necessary procedures governing applications to the Statewide Park Development and Community Revitalization Grant Program; and

WHEREAS, the application procedures established by the State Department of Parks and Recreation require an Applicant to certify the approval of the application before submission of said application to the State by resolution; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete a Grant Scope project; and

WHEREAS, the City of Mendota intends to file an application for Statewide Park Development and Community Revitalization Program Grant Funds in connection with the Mendota Community Center.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota, that the City hereby:

1. Approves the filing of an application for Statewide Park Development and Community Revitalization Program Grant Funds in connection Mendota Community Center; and
2. Certifies that the City, as the Applicant, has or will have available, prior to commencement of any work on the project included in the application, sufficient funds to complete the project; and
3. Certifies that if the project is awarded, the City, as the Applicant, has or will have sufficient funds to operate and maintain the project; and
4. Certifies that the City, as the Applicant, has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and

5. Delegates the authority to City Manager and Finance Officer to conduct all negotiations, and sign any agreement, amendment, and payment requests which may be necessary for the completion of the Grant Scope; and
6. Agrees to comply with all applicable federal, state, and local laws, ordinances, rules, regulations, and guidelines.
7. Certifies the City will consider promoting inclusion pursuant to Public Resources Code section 80001, subdivisions (b)(8)(A)-(G).

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 27th day of October, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY M. DIAZ, FINANCE OFFICER
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: APPROVING THE CARES & COVID-19 FUNDING SOURCES PROGRAMS AND REIMBURSEMENTS
DATE: OCTOBER 27, 2020

ISSUE

Should the City Council provide direction to staff on what programs should be implemented for the various sources of CARES & COVID-19 funding and approve Resolution No. 20-78?

BACKGROUND

City Council received the Staff Report for recommendations for the CARES and COVID-19 Funding Sources Programs and reimbursements at the prior City Council Meeting held on October 13th. The Council requested to offer more programs to our local businesses and non-profit organizations. All program funds need to be disbursed by December 30, 2020.

ANALYSIS

The City of Mendota (City) will implement the following programs based on each funding source:

1. **\$154,512.00** – Coronavirus Relief Fund Allocations for Cities and Counties with the Department of Finance. Projects to be completed:
 - a. \$93,924.37 – To purchase (14) MDT's and installation for the Mendota Police Department. This program will be known as the *Public Safety Program (MDT's)*
 - b. \$57,000.00 – The City will implement a \$57,000.00 grant program for businesses in City limits to receive a grant in response to COVID-19. Staff desires to partner with Fresno Area Hispanic Foundation (FAHF) to administer the program. The FAHF has administered this same program for County of Fresno and City of Fresno. The administration fee is 10% of the grant allocation. This program will be known as *Mendota Business Grant Program*.
 - c. \$3,587.63 – The City will donate \$3,587.63 to the Westside Youth Food Pantry. The Westside Youth Food Pantry is the only established food pantry in City limits. This program will be known as the *Food Pantry Grant Program*.

Public Safety Program (MDT's)	\$ 93,924.37
Mendota Business Grant Program	\$ 57,000.00
Food Pantry Grant Program	\$ 3,587.63

\$154,512.00

2. **\$229,732.87** – Incorporated Rural City CARES Grant Program with the County of Fresno. Projects to be completed:
- a. \$48,000.00 – The City will implement a \$48,000.00 grant program for non-profit organizations. Based on our records, the City has an estimated 15 non-profit organizations that are in City limits. The estimated number does not include any of the establishments to occupy the AMOR facilities that would be considered a non-profit organization. Staff has been in contact with the Michael Kifer, Staff Analyst I with Department of Social Services for the processes administered through their program that was presented at the City Council meeting attended by Yvette Quiroga and Supervisor Brian Pacheco. This program will be known as the *Non-profit Organization Grant Program*. Based on the County of Fresno, the program areas considered for funding include, but are not limited to: Employment services, Crime prevention and public safety, Child care, Health services, Substance abuse services, Fair housing counseling, Education programs, Energy conservation, Recreational services, Services for senior citizens, Service for homeless persons. Please see the attached “CARES & COVID-19 Programs Criteria” for program details.
 - b. \$123,000.00 – The City will implement an additional \$123,000.00 business grant program for businesses in City limits. Staff desires to partner with FAHF to administer the program. There will be a 10% administration fee to the grant allocation. This program will be in conjunction with the Department of Finance allocation for the *Mendota Business Grant Program*. The total business grant program will be \$180,000.00.
 - c. \$50,000.00 – The City will implement a \$50,000.00 utility bill assistance program. There is approximately (78) utility accounts that are 3 or more months behind on their utility bill. Staff has reached out to Proteus in acquiring their assistance to administer the program or their eligibility practices to employ in house.
 - d. \$3,932.87 – The City will implement a \$3,932.87 grant program to assist local non-profit organizations to purchase items for the homeless, such as but not limited to; masks, individual hand sanitizers, socks, feminine products, hand/face wipes, deodorant, etc. This program will be known as the *Basics Bank Grant Program*.

Non-profit Organization Grant Program	\$ 48,000.00
Mendota Business Grant Program	\$ 123,000.00
Mendota Utility Bill Assistance	\$ 50,000.00
Basics Bank Grant	\$ 3,932.87

\$ 224,932.87

FISCAL IMPACT

Up to \$567.13 to the General Fund depending on what option is chosen for the Mendota Business Grant Program and approving the Basic Bank Grant.

RECOMMENDATION

Staff recommends that the City Council direct staff to implement the following approved programs:

- Mendota Business Grant Program (Coronavirus Relief Fund Allocations for Cities and Counties – Department of Finance and Incorporated Rural City CARES Grant Program – County of Fresno) \$180,000.00
 - Option 1 – 54 businesses to receive (1) \$3,000.00
 - Option 2 – 65 businesses to receive (1) \$2,500.00*
 - Option 3 – 81 businesses to receive (1) \$2,000.00
 - Option 4 – 162 businesses to receive (1) \$1,000.00

- Food Pantry Grant Program to the Westside Youth Food Pantry (Coronavirus Relief Fund Allocations for Cities and Counties – Department of Finance) \$3,587.63

- Non-profit Organizations Grant Program (Incorporated Rural City CARES Grant Program – County of Fresno) \$48,000.00
 - Option 1 – 2 non-profit organizations to receive (1) \$24,000.00
 - Option 2 – 4 non-profit organizations to receive (1) \$12,000.00
 - Option 3 – 6 non-profit organizations to receive (1) \$8,000.00
 - Option 4 – 8 non-profit organizations to receive (1) \$6,000.00
 - Option 5 – 12 non-profit organizations to receive (1) \$4,000.00
 - Option 6 – 16 non-profit organizations to receive (1) \$3,000.00

- Mendota Utility Bill Assistance (Incorporated Rural City CARES Grant Program – County of Fresno) \$50,000.00

- The Basics Bank (Incorporated Rural City CARES Grant Program – County of Fresno) \$3,932.87
 - Option 1 – 2 non-profit organizations to receive (1) \$2,000.00*
 - Option 2 – 4 non-profit organizations to receive (1) \$1,000.00*
 - Option 3 – 8 non-profit organizations to receive (1) \$500.00*

- Staff recommends that the City Council approve City Manager to execute all agreements for the Coronavirus Relief Fund Allocations for Cities and Counties with Department of Finance and the Incorporated Rural City CARES Grant Program with County of Fresno.

(*Result in fiscal impact)

Attachment(s):

1. CARES & COVID-19 Programs Criteria
2. Sample of Fresno Area Hispanic Foundation English Flyer
3. Sample of Fresno Area Hispanic Foundation Spanish Flyer
4. Resolution No. 20-78

CARES & COVID-19 PROGRAMS CRITERIA

Mendota Business Grant Program

Business Eligibility:

- Must be for-profit and physically located in Mendota city limits
- Must have a valid City of Mendota Business License
- Be operating for at least one year
- Have no outstanding tax liens/judgements (or must have a payment plan)
- No bankruptcy in the last 3 years (or must be related to COVID-19)
- Priority to businesses who have not received a small business grant program of \$5,000 or \$2,000

Food Pantry Grant Program

Eligibility:

- Must be a non-profit organization located in Mendota city limits
- Must have a valid City of Mendota Business License (no fee for non-profit organizations)
- Must abide by local, state and federal regulations
- Cannot profit from the grant funds for this program
- No money or services from clients as a condition for food

Non-profit Organization Grant Program

Option 1:

"Scope of Work Request Requirements"

A non-profit organization should include a response to the following:

- A. PROJECT SUMMARY: Limit to one page or less. Highlight the key elements of the proposal and the purpose of the project.
- B. PROBLEM AND NEED DESCRIPTION: Describe and quantify the problem and the need to which the project will respond. Define the target population this project proposes to serve and whether the project is targeting individuals or family groups. Use the most current local data and statistics available, citing all sources of supporting data.
- C. PROJECT OVERVIEW: Give an overview of the proposed project. Describe the proposed response to the problems and needs documented in Section B. State whether this is a new project or the expansion of an existing program above what was provided or for on-going operations. Cite specific theoretical research or other "best practice" foundations for the proposed project
- D. IMPLEMENTATION PLAN: Provide a realistic timeframe of when implementation of the proposal will begin and outline the various stages of services in a timeline.

- E. EXISTING SERVICES: Compare and contract the proposed project with existing local programs that currently address the needs of the project's target population. If the proposed project is the same as or like existing services provided to the target population, provide justification demonstrating that this overlapping of services is necessary. Provide examples of how collaboration with other institutions and service providers has enhanced or will enhance the effectiveness of existing programs.
- F. ORGANIZATIONAL READINESS:
- G. BUDGET/COST PROPOSAL: Submit a proposal using the budget format. For any line items that require additional information in the proposed budget detail, a detailed description of the costs must be included in the Budget Narrative.

Cost Proposal

- A. Proposed Budget Summary
- B. Proposed Personnel Detail
- C. Proposed Budget Detail
- D. Proposed Budget Detail Narrative

Budget Format

Category	Budget Item #	Total
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- H. PROPOSED ACTIVITIES, INDICATORS AND OUTCOMES: State the long-term outcome(s) for this project and how the short-term outcomes will be measured.

Item	Description
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Option 2:

Non-profit Organization Eligibility:

- Must be a non-profit organization located in Mendota city limits
- Must have a valid City of Mendota Business License (no fee for non-profit organizations)
- Must abide by local, state and federal regulations
- Cannot profit from the grant funds for this program
- No money or services from clients as a condition for services provided from non-profit organizations

Mendota Utility Bill Assistance

Eligibility:

- Must have an active City of Mendota utility account
- Must meet federal poverty income guidelines
- Must provide check stub or unemployment information
- Must provide I.D.

Basics Bank Grant

Eligibility:

- Must be a non-profit organization located in Mendota city limits
- Must have a valid City of Mendota Business License (no fee for non-profit organizations)
- Must abide by local, state and federal regulations
- Cannot profit from the grant funds for this program
- No money or services from clients as a condition for items



FRESNO AREA
HISPANIC FOUNDATION

SMALL BUSINESS GRANT PROGRAM \$5,000

The Fresno Area Hispanic Foundation is collaborating with The County of Fresno in a relief program to provide \$250,000 in grants to small businesses impacted by COVID-19. This program offers **\$5,000** grants to small businesses in Fresno County (not including the City of Fresno).



Apply here:

www.fresnoahf.org

Or

Call us today to help you apply at:

559-222-8705

Applications will be accepted at noon on September 8, 2020 through September 29, 2020 at 11:59 PM.

Business Eligibility:

- Must be for-profit and physically located in Fresno County (including unincorporated areas)
- Be operating for two full years, and have 10 or less full time employees
- Have no outstanding tax liens/judgments (or must have a payment plan)
- No bankruptcy in the last 3 years (or must be related to COVID-19)
- Not have received any other relief funds/grants

For a complete list of the grant guidelines, please visit our website at www.fresnoahf.org



FRESNO AREA
HISPANIC FOUNDATION

PROGRAMA DE APOYOS ECONÓMICOS PARA PEQUEÑOS NEGOCIOS \$5,000

La Fundación Hispana del Área de Fresno está colaborando con el Condado de Fresno en un programa de ayuda para proporcionar \$ 250,000 en apoyos económicos a pequeños negocios afectados por el COVID-19. Este programa otorga recursos de **\$5,000** a pequeños negocios en el Condado de Fresno (no se incluye a la Ciudad de Fresno).



Aplicar aquí:

www.fresnoahf.org

O

Llámanos hoy para ayudarte a llenar tu aplicación al:

559-222-8705

Se aceptaran solicitudes desde el mediodía del día 8 de septiembre del 2020,
hasta las 11:59 p.m. del día 29 septiembre de 2020

Requisitos comerciales para ser elegibles:

- Tener un negocio y que esté físicamente dentro del Condado de Fresno (no se incluye a la Ciudad de Fresno).
- Que el negocio esté operando desde hace dos años, y tener 10 empleados o menos de tiempo completo.
- No tener adeudos de impuestos (o tener un plan de pagos vigente).
- No haberse declarado en bancarrota en los últimos 3 años (a menos que haya sido provocada por el COVID-19).
- No haber recibido ningún otro apoyo económico de gobierno/subsidio.

Para obtener una lista completa de los requisitos para recibir apoyos económicos,
visite nuestro sitio web en www.fresnoahf.org

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA APPROVING
THE CARES & COVID-19 FUNDING SOURCES
PROGRAMS AND REIMBURSEMENTS**

RESOLUTION NO. 20-78

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

WHEREAS, in response to the COVID-19 pandemic emergency, many different agencies and entities have received additional funding to combat the continuing spread of COVID-19; and

WHEREAS, the City of Mendota ("City") and the Mendota Community Corporation have been allocated funds to implement a broadband assistance program, business grant program, rental relief assistance program, food pantry program, and public safety program; and

WHEREAS, the City intends to submit a reimbursement request to the Incorporated Rural City CARES Grant Program for payroll expenses, tangible goods, services, an LED sign, and the eligible items to be selected by the City Council; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota that the City approves the receipt of CARES & COVID-19 funding sources, the reimbursements for payroll expenses, tangible goods, services, an LED sign, and the eligible items to be selected by the City Council for the Incorporated Rural City CARES Grant Program.

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 27th day of October, 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 SUBCOMMITTEE RECOMMENDATION FOR POTENTIAL BUYERS OF 1269 MARIE STREET
DATE: OCTOBER 27, 2020

ISSUE

Should the City Council approve Resolution No. 20-81, approving a recommendation from the Ad Hoc Subcommittee for the potential successor to the Canna-Hub Facility located at 1269 Marie Street, Mendota, CA 93640, in the event the property is sold?

BACKGROUND

The property located at 1269 Marie Street, Mendota, CA 93640, is scheduled to be auctioned at a Sherriff's Sale on October 28, 2020. This location is currently used for the operation of cannabis-related businesses, as allowed by a Development Agreement between the City and the property's current owner. The City became aware of the pending potential sale of the property and, therefore, created an Ad Hoc Subcommittee to consider development agreement proposals from parties interested in continuing cannabis-related businesses therein in the event the property is sold.

ANALYSIS

Staff and the Ad Hoc Subcommittee have reviewed the potential buyers' proposals to compare the potential community benefits, employment, longevity, credibility, and overall plans to make the biggest impact for the community using the property.

FISCAL IMPACT

The City could obtain additional revenue of \$8.00 per square foot for area used within the location, and an additional 5% of gross receipts for non-storefront delivery businesses if the property continues to be used for cannabis-related business activities.

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution No. 20-81, approving the Ad Hoc Subcommittee's recommendation to pursue development agreement modifications with Left Bank Holdings, per its proposal.

Attachments:

1. Resolution No. 20-81

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA APPROVING
THE RECOMMENDATION FROM THE
AD-HOC SUBCOMMITTEE TO PURSUE
DEVELOPMENT AGREEMENT
MODIFICATIONS WITH LEFT BANK
HOLDINGS IN CONNECTION WITH THE
PROPERTY LOCATED AT 1269 MARIE
STREET**

RESOLUTION NO. 20-81

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 is scheduled to be auctioned on October 28, 2020; 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, on September 22, 2020, the City Council established 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; and

WHEREAS, City staff and the Ad Hoc Subcommittee have reviewed the proposals received to compare their components, overall plans for the Property, and impact on the community.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota hereby approves the recommendation from the Ad Hoc Subcommittee to pursue development agreement modifications with Left Banks Holdings, per its proposal.

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 27th day of October, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY M. DIAZ, FINANCE OFFICER
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: PUBLIC NOTICE CITY OF MENDOTA TO CONSIDER PROPOSALS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
DATE: OCTOBER 27, 2020

ISSUE

Should the City Council receive comment and provide input on the activities that could be financed by the Federal Community Development Block Grant (CDBG) Program?

BACKGROUND

The CDBG is a Federal grant program administered by Fresno County to address housing and community development needs of low-and moderate-income persons. Types of eligible activities include public works improvements such as water, sewer, street and drainage, fire protection facilities and equipment, solid waste facilities, libraries, parks, and community centers. Cities are required to conduct a noticed public hearing before their governing boards to provide interested citizens the opportunity to comment on all activities submitted for funding.

ANALYSIS

The County of Fresno for the CDBG Program is accepting applications for the Program Years 2019-2020 and 2020-2021 Applications for Grant Funding Participating Cities for the annual allocation of CDBG grant funds from the federal Department of Housing and Urban Development.

The Rojas-Pierce Park Expansion Project is an eligible project to propose for the federal grant funds. The City of Mendota is requesting to submit for funding to install new sports field lighting for the soccer and baseball fields and a new restrooms/concession building with associated utility services.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends conducting the public hearing to fulfill its obligation to participate in the Program Year 2019-2020 & 2020-2021 Application for Grant Funding Participating Cities.

Attachment(s):

None

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY M. DIAZ, FINANCE OFFICER
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: GRANTS UPDATE
DATE: OCTOBER 27, 2020

GRANTS UPDATE

- **County of Fresno, Urban Community Development Block Grant (CDBG) Program** – A public hearing will be held on Tuesday, October 27th. 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 has received approval from U.S. Department of Housing and Urban Development (HUD) to implement the “Mendota Internet Connectivity, Project No. 19741-CV”. 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** – Staff is currently pending approval to accept the (2) Ford Explorers for the Police Department as the additional funding for these vehicles are being funded by the USDA. Staff is in the process of procuring the Tropos vehicle for the Public Works Department.
- **Office of Traffic Safety (OTS) Grant** – Staff is working with CalFire on purchasing the emergency fire equipment. A purchase order has been issued to Diamondback Fire & Rescue on October 20, 2020.
- **COPS Hiring Program** – Our COPS HP Grant is updated with all required documents. As part of the grant agreement, the Mendota Police Department would need to hire an additional officer with the Lieutenant position not being filled.
- **Statewide Park Development and Community Revitalization Program (SPP)** – The meetings schedule has been issued. Our residents and community organizations will be able to voice their interests or ask questions regarding the new community center. Staff intends to submit the prior application with modifications in hopes to bring this amazing project to our community.

- **Coronavirus Relief Funds** – Department of Finance is administering funding through the Federal CARES act. The City of Mendota has been allocated \$154,512.00. The City will be purchasing (14) MDT's for the Mendota Police Department. Staff is recommending a variety of programs to expend the additional funding from the Department of Finance and the County of Fresno for businesses, non-profit organizations, food pantry and the homeless.
- **Wonderful Community Grants** – Staff will have a meeting on Wednesday, October 21st for a grant kickoff to go over the terms and expectations. The Mendota Community Corporation will be administering the \$50,000.00 grant to provide rental assistance for Mendota residents.

Attachments:

1. 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 Assistance for Mendota Residents		
Wonderful Community Grants	8/31/2020	9/15/2020	Private	N	N	\$ 50,000.00	COVID-19 relief funds	Mendota Community Corporation Administering	
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	7/31/2020	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 Ford 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	10/31/2020	Local	N	N	Up to \$20,000 per vehicle	Purchase (1) Police Ford Explorer and (1) Ford F-250 Truck		
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
Tire-Derived Product Grant Program		TBD	State	TBD	up to \$150,000	Landscape Projects or Playground Projects with tire-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 Estimate is
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

From: Michael Osborn, City Engineer

Subject: City Engineer's Report to City Council

Date: October 23, 2020

Engineering Projects:

1. Rojas Pierce Park:
 - *Conducted final walk through and City has accepted park*
 - *It is best to stay of the new turf this fall/winter to protect our investment*
2. Bass & Barboza Roundabout:
 - *Paving is scheduled for October 30th*
 - *Work will continue until mid-November*
3. Mowry Bridge Replacement Project (MBRP):
 - *Contract has been awarded and working with contractor for temporary access and water line support*
 - *NTP tentatively 11/2/2020*
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 November*
7. MJHS Safe Routes to School Project:
 - *ATP funded, RFA for design phase in December, RFP in January*
8. Safe Routes to School Master Plan
 - *ATP funded, RFA for report preparation in December, RFP in January*
9. WWTP Ponds 1 & 6
 - *Preparing pond completion report to bring on-line*

Planning Projects

1. Rojas Pierce Park Annexation
 - a. *Application has been sent to LAFCO*
 - b. *WWD is in receipt of City's request to acquire additional 4.6 acres to the east of Amador and we are working with them on this*

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; notifications in January for field inspection
 - Prop 1 Storm Water Grant Program, Round 2
 - Application submitted on 7/1/20; funding decisions in late 2020
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/Valley Ag Holdings
 - Continuing discussions with applicant; formal application received

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
3. Reporting to CTC for ATP projects
4. Seeking funding opportunity for lighting study and improvements

Overall P&P Staff engaged (month of September):

- Engineers: 4
- Surveyors: 2
- Planners: 4
- Environmental Specialist: 0
- GIS/CAD Specialists: 2
- Construction Manager: 2
- 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