



CITY OF MENDOTA

"Cantaloupe Center Of The World"

ROLANDO CASTRO
Mayor

JESUS MENDOZA
Mayor Pro Tem

JOSE ALONSO

JOSEPH R. RIOFRIO

OSCAR ROSALES

AGENDA
MENDOTA CITY COUNCIL
Regular City Council Meeting
CITY COUNCIL CHAMBERS
643 QUINCE STREET
June 14, 2022
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 or (559) 577-7692. 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.

CALL TO ORDER

ROLL CALL

FLAG SALUTE

INVOCATION

FINALIZE THE AGENDA

1. Adjustments to Agenda
2. Adoption of final Agenda

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 the 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 and 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 May 24, 2022.
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. MAY 25, 2022 THROUGH JUNE 8, 2022
WARRANT LIST CHECK NOS. 51800 THROUGH 51873
TOTAL FOR COUNCIL APPROVAL = \$880,315.86
2. Proposed adoption of **Resolution No. 22-31**, authorizing the City Manager to execute all necessary documents to terminate services with Administrative Solutions, Inc./Navia and to execute all documents necessary to obtain replacement services with Employer Driven Insurance Services.
3. Proposed adoption of **Resolution No. 22-32**, adopting a list of projects for Fiscal Year 2022-2023 funded by SB1: The Road Repair and Accountability Act of 2017.
4. Proposed adoption of **Resolution No. 22-33**, awarding the construction contract for the Mendota Junior High School Safe Routes to School project to American Paving Co. in the amount of \$207,622.00.
5. Proposed adoption of **Resolution No. 22-34**, approving the fireworks stand permits for 2022.
6. Proposed adoption of **Resolution No. 22-35**, approving a Procurement Policy for the City of Mendota.
7. Proposed adoption of **Resolution No. 22-36**, approving an amendment to the Fiscal Year 2021-2022 Budget.
8. Proposed adoption of **Resolution No. 22-37**, authorizing expenditures for the materials required for the construction of the Honor Wall at the baseball fields at Rojas-Pierce Park.

PUBLIC HEARING

1. Council discussion and consideration of **Resolution No. 22-38**, adopting a negative declaration pursuant to the California Environmental Quality Act; **Resolution No. 22-39**, approving an amendment to the Land Use Element of the City of Mendota General Plan Update 2005-2025; and introduction and waiver of the first reading of **Ordinance No. 22-01**, amending the official zoning map of the City of Mendota, all in the matter of Application No. 21-10, the Carballo (Salomon) Apartments Project (755 Marie Street; APN 013-106-15).
 - a. *Receive report from City Planner O'Neal*
 - b. *Inquiries from City Council to staff*
 - c. *Mayor Castro opens the public hearing*
 - d. *Once all comment has been received, Mayor Castro closes the public hearing*
 - e. *Council considers adoption of Resolution No. 22-38 and Resolution No. 22-39 and introduction and waiver of the first reading of Ordinance No. 22-01*

BUSINESS

1. Council discussion and consideration on opening the sports fields to the public during regular park hours.
 - a. *Receive report from City Manager Gonzalez*
 - b. *Inquiries from Council to staff*
 - c. *Mayor Castro opens floor to receive any comment from the public*
 - d. *Council provides direction to staff on how to proceed*
2. Council discussion and consideration of a rate for a general transactions and use tax measure ballot.
 - a. *Receive report from Finance Director Banda*
 - b. *Inquiries from Council to staff*
 - c. *Mayor Castro opens floor to receive any comment from the public*
 - d. *Council provides direction to staff on how to proceed*
3. Council discussion and consideration of **Resolution No. 22-40**, approving and adopting the operating budget for the City of Mendota for Fiscal Year 2022-2023.
 - a. *Receive report from City Manager Gonzalez*
 - b. *Inquiries from Council to staff*
 - c. *Mayor Castro opens floor to receive any comment from the public*
 - d. *Council provides input and considers Resolution No. 22-40 for adoption*

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Finance Director
 - 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


CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to CA Government Code §§ 54954.5(f), 54957.6
 - a. Agency Designated Representative: Cristian Gonzalez, City Manager
 - b. Employee Organization: Mendota Police Officers Association
1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9 (two potential cases).

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 June 14, 2022, was posted on the outside bulletin board located at City Hall, 643 Quince Street, on Friday, June 10, 2022 at 5:00 p.m.



Celeste Cabrera-Garcia, City Clerk



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

May 24, 2022

Meeting called to order by Mayor Castro at 6:05 p.m.

A moment of silence was held for the victims of the Robb Elementary School shooting in Uvalde, Texas

Roll Call

Council Members Present: Mayor Rolando Castro, Mayor Pro Tem Jesus Mendoza and Councilors Jose Alonso and Joseph Riofrio

Council Members Absent: Councilor Oscar Rosales

Flag salute led by Mayor Castro

Invocation led by Police Chaplain Ophelia Lugo

FINALIZE THE AGENDA

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

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

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of May 10, 2022.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

A motion was made by Councilor Riofrio to approve items 1 and 2, seconded by Mayor Pro Tem Mendoza; unanimously approved (4 ayes, absent: Rosales).

CONSENT CALENDAR

1. MAY 6, 2022 THROUGH MAY 17, 2022
WARRANT LIST CHECK NOS. 51737 THROUGH 51799
TOTAL FOR COUNCIL APPROVAL = \$283,505.42
2. Proposed adoption of **Resolution No. 22-30**, approving the estimate and authorizing H&R Underground to proceed with recoating the influent channel walls at the Wastewater Treatment Plant Facility.

A motion was made by Councilor Riofrio to approve items 1 and 2 of the Consent Calendar, seconded by Councilor Alonso; unanimously approved (4 ayes, absent: Rosales).

BUSINESS

1. Council discussion and consideration of the Fiscal Year 2022-2023 Proposed Budget.

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

Finance Director Nancy provided additional information on the item.

Discussion was held on the information provided.

Martha Cabrera – commented on the item.

Discussion was held on the information provided by Ms. Cabrera.

Brian Rickers (Aqua Natural Solutions) – commented on the item.

Discussion was held on the information provided by Mr. Rickers.

At 6:42 p.m. Councilor Riofrio left the Council Chambers and returned at 6:45 p.m.

Council provided direction to staff on suggested modifications to the draft budget.

2. Council discussion and consideration on opening the sports fields to the public during regular park hours.

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

Discussion was held on the item.

A motion was made by Councilor Riofrio to table the item to a future meeting agenda, seconded by Councilor Alonso; unanimously approved (4 ayes, absent: Rosales).

PUBLIC HEARING

1. Public hearing and proposed adoption of **Resolution No. 22-29**, confirming the diagram and authorizing the levy and collection of assessments for Landscape and Lighting Maintenance District No. 2019-01 for Fiscal Year 2022-2023.

Mayor Castro introduced the item and City Engineer Osborn provided the report.

Discussion was held on the item.

At 7:35 p.m. Mayor Castro opened the hearing the public and, seeing no one willing to comment, closed the hearing within the same minute.

A motion was made by Councilor Riofrio to adopt Resolution No. 22-29, seconded by Councilor Alonso; unanimously approved (4 ayes, absent: Rosales).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

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

Chief of Police Smith provided the report for the Code Enforcement Department including monthly statistics and a personnel update.

Discussion was held on code violations throughout the community.

Chief Smith provided the report for the Animal Control Department including the current capacity of the dog pound, and the status of the dog vaccination clinic.

Chief Smith provided the report for the Police Department including monthly statistics; crime trends; a drone program update; and a personnel update.

Discussion was held on the department's monthly statistics; and Officer Gurrola being nominated for a Mother's Against Drunk Driving award.

At 7:51 p.m. Mayor Pro Tem Mendoza left the Council Chambers.

2. City Attorney
 - a) Update

City Attorney Kinsey provided an update on an abatement action; provide an update on pitchess motions; and requested direction from staff regarding modifying the monthly stipend for City Council Members.

Discussion was held on the information provided by City Attorney Kinsey.

Council directed staff to hold off on the item regarding modifying the monthly stipend for City Council Members.

At 7:53 p.m. Mayor Pro Tem Mendoza returned to the Council Chambers.

3. City Manager

City Manager Gonzalez reported on the 2022 ICSC Las Vegas conference that he and the Council recently attended; and provided an update on the Element 7 project.

Discussion was held on the Automatic Meter Reading project.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Alonso shared his condolences for the victims of the mass shootings in Texas and New York and stated that he hopes legislators act on matters related to gun control.

Councilor Riofrio commented on historical acts of gun violence.

Mayor Pro Tem Mendoza commented on the mass shootings that have recently taken place and commented on the precautionary measures that local schools and the police department have in place for those types of situations.

2. Mayor

Mayor Castro commented on the devastating consequences of the mass shooting in Texas and reported on the 2022 ICSC Las Vegas conference that he recently attended.

Discussion was held on the school resource officer program.

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to CA Government Code §§ 54954.5(f), 54957.6
 - a. Agency Designated Representative: Cristian Gonzalez, City Manager
 - b. Employee Organization: Mendota Police Officers Association

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9 (one potential case).

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 - a. Agency Designated Negotiator: Cristian Gonzalez, City Manager
 - b. Negotiating Party: United Security Bank
 - c. Real Property Under Negotiation: 643 Quince Street, Suite B, Mendota, CA 93640

At 8:22 p.m. the Council moved into closed session.

City Attorney Kinsey left the Council Chambers following the discussion of Closed Session item 2.

At 9:12 p.m. the Council reconvened in open session and City Manager Gonzalez stated that in regard to items 1 through 3 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 9:13 p.m. by Councilor Alonso, seconded by Mayor Pro Tem Mendoza; unanimously approved (4 ayes, absent: Rosales).

Rolando Castro, Mayor

ATTEST:

Celeste Cabrera-Garcia, City Clerk

CITY OF MENDOTA
CASH DISBURSEMENTS
5/25/2022-6/8/2022
CK# 51800-51873

Date	Check #	Check Amount	Vendor	Department	Description
May 25, 2022	51800	\$ 125,685.00	CITY OF MENDOTA PAYROLL	GENERAL	PAYROLL TRANSFER FOR 5/9/2022-5/22/2022
May 31, 2022	51801	\$ 61.18	ADT SECURITY SERVICES	WATER	SECURITY SERVICES FOR 6/4/22-7/3/22- WTP 1300 2ND ST.
May 31, 2022	51802	\$ 28,357.91	AETNA LIFE INSURANCE COMPANY	GENERAL	MEDICAL INSURANCE FOR JUNE 2022
May 31, 2022	51803	\$ 632.74	AFLAC	GENERAL	AFLAC INSURANCE FOR THE MONTH OF MAY 2022
May 31, 2022	51804	\$ 1,310.09	ALEX AUTO DIAGNOSTICS	GENERAL-WATER-SEWER	2018 FORD EXPLORER PD INTER. PURGE VALVE (PD), 2007 FORD 150 SUPERCREW SPARK PLUGS, BRAKE PADS
May 31, 2022	51805	\$ 291.63	CHEMSEARCH	SEWER	(2) CHERRY FLOW, 5GL, NAC FE (WWTP) & FUEL CHARGE
May 31, 2022	51806	\$ 2,665.92	CORE & MAIN LP	WATER	(10) P24248N 1 CPXMN ANGLE METER NO LEAD (10) ANG, (4) P24258N 3/4X1 CPXMN ANGLE METR NO LEAD, (1) P14258N ANG.
May 31, 2022	51807	\$ 98.00	DEPARTMENT OF JUSTICE	GENERAL	(2) FINGERPRINT APPS (1) CHILD ABUSE INDEX CK, PEA (PD)
May 31, 2022	51808	\$ 586.33	EINERSON'S PREPRESS	GENERAL-WATER-SEWER	(1000) LETTERHEAD WITH 4% WATERMARK, 1000 SHEETS, 4 BOXES #10 BLACK INK NO WINDOW/ 2000 ENVELOPES
May 31, 2022	51809	\$ 14,876.50	FRESNO COUNTY SHERIFF	GENERAL-WATER-CFD FUND	RMS JMS ACCESS FEE APRIL 2022 & DISPATCH SERVICES FOR JUNE 2022
May 31, 2022	51810	\$ 717.03	FRESNO WIRE ROPE & RIGGING, INC.	SEWER	(1000) 316SS, (14) SPEARSNP, (12) THIMBL, (24)CLAMPS, (200) 316SS 3167X19S FOR WWTP
May 31, 2022	51811	\$ 478.25	GOLDSTAR PRODUCTS, INC.	SEWER	(1) DIGESTIVE ENZYM POWDER- 25LB (WWTP)
May 31, 2022	51812	\$ 425.30	KINGSBURG VETERINARY MANAGEMENT LP	GENERAL	(4) EUTHNASIA/IVC/SEDATION (ANIMAL CONTROL)
May 31, 2022	51813	\$ 74,291.12	MID VALLEY DISPOSAL, INC.	REFUSE	SANITATION CONTRACT SERVICES FOR APRIL 2022
May 31, 2022	51814	\$ 43,572.76	PG&E	GENERAL-WATER-SEWER-STREETS-AIRPORT	WATER DEPARTMENT UTILITIES 4/14/22-5/12/22 & CITYWIDE UTILITIES FOR 4/8/2022-5/8/2022
May 31, 2022	51815	\$ 532.42	PLATT ELETRIC SUPPLY	STREETS	(1000) THHN 12 BLK & WHT TWIST PRO 500FT & 250PC
May 31, 2022	51816	\$ 17,793.50	PROVOST & PRITCHARD	GENERAL-WATER-SEWER-STREETS	PROF. SERV. APRIL 2022 MENDOTA JR HIGH SRTS, PROFESSIONAL SER. APRIL 2022 RAILROAD CORRIDOR
May 31, 2022	51817	\$ 1,431.97	PURCHASE POWER	GENERAL-WATER-SEWER	POSTAGE METER REFILL 5/11/22 & TRANSACTION FEE, (2) DM300C/400C RED INK CARTRIDGE & E-Z SEAL 640Z
May 31, 2022	51818	\$ 8,832.24	SORENSEN MACHINE WORKS	GENERAL-WATER-SEWER-STREETS	MULTIPLE DEPARTMENT SUPPLIES FOR MARCH 2022 & APRIL 2022
May 31, 2022	51819	\$ 160.59	USA BLUEBOOK	WATER	(1) 3/8" TUBE X 3/8" TUBE X 3/8" TUBE KYNAR UNION
May 31, 2022	51820	\$ 400.79	VALLEY FARM SUPPLY STORES INC.	GENERAL	(1) ECHO CHAIN SAW 12" (3) STIHL CHAIN LOOP 3/8"
June 1, 2022	51821	\$ 841.55	JORGE URBIETA	GENERAL	TD & 4850- 5/12/2022-5/15/2022
June 8, 2022	51822	\$ 5,000.00	ADMINISTRATIVE SOLUTIONS - FRESNO	GENERAL	MEDICAL CHECK RUN 5/24/2022
June 8, 2022	51823	\$ 325.20	ADT SECURITY SERVICES	GENERAL-WATER-SEWER	SECURITY SERVICES 6/11/22-7/12/22 CITYHALL/DWV/EDD
June 8, 2022	51824	\$ 88.21	ALERT-0-LITE	STREETS	(1) ASSTD CERAMIC MAGNET, 2 GAL HD COOLER, 2.5 BLK
June 8, 2022	51825	\$ 691.32	AT&T	GENERAL-WATER-SEWER	CITYWIDE TELEPHONE SERVICE 4/25/22-5/24/22
June 8, 2022	51826	\$ 210.00	MADERA DISPOSAL SYSTEMS INC.	GENERAL	(6) ANIMAL CONTROL EUTHANASIA ON 4/11/22 & (15)ANIMAL CONTROL EUTHANASIA ON 4/25/22
June 8, 2022	51827	\$ 100.00	MACARIO BANUELOS	WATER-SEWER	DOT MEDICAL EXAM REIMBURSEMENT
June 8, 2022	51828	\$ 56.91	BATTERIES PLUS BULBS	SEWER	(2) 12V LEAD DURA 12-8F2
June 8, 2022	51829	\$ 2,371.50	BSK ASSOCIATES	WATER-SEWER	WEEKLY TREATMENT & DISTRIBUTION, WASTEWATER WEEKLY GRAB SAMPLE, GENERAL EDT QUARTERLY SAMPLES
June 8, 2022	51830	\$ 303.00	CAL VALLEY INSURANCE, INC.	GENERAL-WATER-SEWER	RENEWAL ERISA UP TO \$500K 401(K)
June 8, 2022	51831	\$ 70.09	ROLANDO CASTRO	GENERAL	REIMBURSEMENT FYI AIRPORT PARKING TICKET & TAXI FARE
June 8, 2022	51832	\$ 124.21	CHEMSEARCH	SEWER	(3) PIT BOSS 5GL
June 8, 2022	51833	\$ 146.02	COLONIAL LIFE	GENERAL	LIFE INSURANCE PREMIUM FOR MAY 2022
June 8, 2022	51834	\$ 944.01	CORBIN WILLITS SY'S INC.	GENERAL-WATER-SEWER	ACCOUNTING SOFTWARE ENHANCEMENT & SERVICE JUNE 2022
June 8, 2022	51835	\$ 442.98	CROWN SERVICES CO.	GENERAL-SEWER	TOILET 1XWK 1000 AIRPORT BLVD BLDG #A (PD), POOL PARK, LOZANO PARK, TOILET W/SINK 1XWK 1300 2ND ST. - WWTP
June 8, 2022	51836	\$ 200.00	DATA TICKET, INC.	GENERAL	CITATION PROCESSING APRIL 2022 (PD)
June 8, 2022	51837	\$ 1,224.72	FARMERS LUMBER AND SUPPLY CO.	STREETS	(1) 35' PG&E POLE- 291 MCCABE AVE., (1) 35' PG&E POLE- 449 QUINCE ST.

CITY OF MENDOTA
CASH DISBURSEMENTS
5/25/2022-6/8/2022
CK# 51800-51873

June 8, 2022	51838	\$ 5,997.00	FENCE MASTERS CONTRACTORS	GENERAL	50' REPLACE NEW 12' HIGH 6' HIGH 9 GAUGE & 6' HIGH 11 GAUGE CHAIN LINK FENCE W/ COIL WIRE- VETERAN'S PARK
June 8, 2022	51839	\$ 180.00	GONZALEZ TOWING, TIRE, AUTO & TRUCK DISMANTLING	WATER-SEWER	CITY CAR LOCK OUT
June 8, 2022	51840	\$ 203.32	GRAINGER INC.	WATER-SEWER	(2) KIT ROC 1CYL REP FOR (PRISON SITE)
June 8, 2022	51841	\$ 159.05	GUTHRIE PETROLEUM INC.	STREETS	2 1/5 CHEV TRACTOR HYDROLIC OIL FEE QTY:10
June 8, 2022	51842	\$ 213.10	KERWEST NEWSPAPER	LLDM/GENERAL	(7) NOTICE OF PUBLIC HEARING REG. MEETING OF CITY COUNCIL
June 8, 2022	51843	\$ 240.00	LAW ENFORCEMENT	GENERAL	(1000) L-9 ABANDONED VEHICLE LABEL
June 8, 2022	51844	\$ 500.00	MENDOTA YOUTH RECREATION	GENERAL	FACILITY USE DEP. REFUND HARVEST CARIVAL 6/2/22-6/5/22
June 8, 2022	51845	\$ 2,148.56	METRO UNIFORM	GENERAL	(2) MENDOTA SHOULDER PATCHES, UNIFORM ITEMS D. MALDONADO, (1)SOFTSHELL JACKET, (2) FULL T-SHIRT (PD)
June 8, 2022	51846	\$ 1,833.56	MUTUAL OF OMAHA	GENERAL	LIFE, AD&D, LTS, & STD INSURANCE FOR JUNE 2022
June 8, 2022	51847	\$ 90.00	NAVIA BENEFIT SOLUTIONS	GENERAL	6-PARTICIPANT FEE POLICE- MAY 2022
June 8, 2022	51848	\$ 2,500.00	NEW VISION AVIATION INC.	AIRPORT	PHASE 2 BROCHURE SUZANNE BERTZ-ROSA MES-C NEWTECH (WILLIAM JOHNSON INSURANCE FOR AIRPORT)
June 8, 2022	51849	\$ 895.00	NEXUS ADMINISTRATORS, INC.	GENERAL-WATERT-SEWER	PPA-POST CYCLE 3 RESTATEMENT
June 8, 2022	51850	\$ 652.33	OFFICE DEPOT	GENERAL-WATER-SEWER	(1) AVERY LABELS 5160, (1) PACK OF 6 KLEENEX, PAPER, (15) ACCO PRESSTEC BINDER SIDE BOUND 11"X8 1/2, (2) DESK TRAYS, PENS
June 8, 2022	51851	\$ 78,161.29	PROVOST & PRITCHARD	GENERAL-WATER-SEWER-STREETS	PASS THRU-PROF SERV STEVE HAIR WESTLAND MAP-2/2022, PROF SERV ROJAS PIERCE PARK IMP MARCH 2022
June 8, 2022	51852	\$ 2,406.68	RAMON'S TIRE & AUTO SERVICE	SEWER-STREETS	LOADER 544 J#65 TIRE, VALVE STEM, SERVICE CALL
June 8, 2022	51853	\$ 370.00	RED WING BUSINESS ADVANTAGE ACCOUNT	WATER-SEWER	BOOT REPLACEMENT PER MOU FOR (J. ANGEL) & (A. SANCHEZ)
June 8, 2022	51854	\$ 19,800.00	RRM DESIGN GROUP	GENERAL-WATER-SEWER	CITYHALL & PD STATION CONSTRUCTION DOCS. 5/18/22
June 8, 2022	51855	\$ 1,131.18	SIGNMAX	GENERAL	(6) 48X36 EG ALUM YEL/BLK (2) 300,(1) 290,(2) 225-PARKS
June 8, 2022	51856	\$ 44.68	KEVIN SMITH	GENERAL	REIMBURSEMENT FOR (21) PRINTS 5X7 & (5) 8X10 PRINTS
June 8, 2022	51857	\$ 355.97	UNION PACIFIC RAILROAD COMPANY	STREETS	PUBLIC ROADWAY ENCROACHMENT JUNE 2021
June 8, 2022	51858	\$ 5,045.38	BANKCARD CENTER	GENERAL-WATER-SEWER	CREDIT CARD EXPENSES 4/26/22-5/24/2022 ADOBE ACROPRO SUBS, AMAZON, CHEWY DOG FOOD, NCH SOFTWARE FOR REC.
June 8, 2022	51859	\$ 535.00	MARK ANTHONY DUARTE	GENERAL-WATER-SERWER	PEST CONTROL SERVICES CITYHALL/DMV/YOUTH CENTER 4/26/22, TREAT GROUNDS FOR GOPHER MOUNDS ROJAS PARK
June 8, 2022	51860	\$ 2,525.25	THE HOME DEPOT	GENERAL-WATER-SEWER-STREETS	MKE M18 HIGH OUTPUT BATTERY 2 PK 6.0AH, (42) 80LB SAKRETE CONCRETE MIX & PALLET FEE, (8) 1"X3/4" SHARBITE REDUCER
June 8, 2022	51861	\$ 460.00	THE PIN CENTER	GENERAL	(200) 80TH ANNIVERSARY PINS
June 8, 2022	51862	\$ 1,182.50	THE BUSINESS JOURNAL	STREETS	REQUEST FOR BIDS-MENDOTA JR HIGH SRTS DUE 5/26/22
June 8, 2022	51863	\$ 822.79	THE CLIFFS	GENERAL	HOTEL RESERVATION FOR CHIEF'S EXECUTIVE WORKSHOP
June 8, 2022	51864	\$ 200.00	UNITED HEALTH CENTERS	GENERAL	PRE-EMPLOYMENT PHYSICAL EXAM (PD) J.SALAS
June 8, 2022	51865	\$ 151.97	UNIFIRST CORPORATION	GENERAL-WATER-SEWER	(6) 4X6 MATS, (3) BOWL CLIP (1) MOP LARGE (1) DRY MOP
June 8, 2022	51866	\$ 53.93	USA BLUEBOOK	WATER	(1) CHEMTROL TRUE UNION BLEACH BALL VALVE PVP/FKM
June 8, 2022	51867	\$ 150.00	VETERINARY MEDICAL CENTER	GENERAL	(6) CITY EUTHANASIA (ANIMAL CONTROL)
June 8, 2022	51868	\$ 8,646.00	WANGER JONES HELSLEY PC ATTORNEYS	GENERAL-WATER-SEWER	LEGAL SERV RE: GENERAL LEGAL SERVICES 4/15/22, PASS-THRU BOCA DEL RIO LEGAL SERVICES 2/15/22
June 8, 2022	51869	\$ 500.00	WESTSIDE YOUTH	GENERAL	KEY DEPOSIT REIMBURSEMENT FOR SPRING CARNIVAL EVENT, DEPOSIT REFUND FOR BASEBALL FIELD & KEY USE 3/26/22
June 8, 2022	51870	\$ 405,542.65	WEST VALLEY CONSTRUCTION COMPANY	WATER	AUTOMATIC METER READING PROJECT APRIL 2022 PAYMENT #3
June 8, 2022	51871	\$ 114.32	YONKERS & JOHNSON, INC.	SEWER	83.5" OF HYD HOSE - WWTP
June 8, 2022	51872	\$ 113.27	DENISE FUENTES	WATER	MQ CUSTOMER REFUND FOR FUE0037
June 8, 2022	51873	\$ 50.09	DENISE FUENTES	WATER	MQ CUSTOMER REFUND FOR FUE0038

\$ 880,315.86

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES & ASSISTANT CITY MANAGER
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: TERMINATION OF SERVICES WITH ASI/NAVIA AND ENGAGEMENT IN SERVICES WITH EDIS
DATE: JUNE 14, 2022

ISSUE

Shall the City Council adopt Resolution No. 22-31, transitioning from Administrative Solutions Inc. (“ASi”)/Navia to Employer Driven Insurance Services (“EDIS”) for the administration of the Consolidated Omnibus Budget Reconciliation Act (“COBRA”), Health Reimbursement Arrangement (“HRA”), and Medical Expense Reimbursement Plan (“MERP”)?

BACKGROUND

ASi/Navia is the current Third-Party Administrator (“TPA”) for the City’s COBRA, HRA and MERP. Recently Navia/ASi notified the City that they are going to be discontinuing the EOB Retrieval service effective 8/1/2022 while maintaining the same overall service fee.

Currently the EOB retrieval service is how the TPA accesses the EOBs from Aetna and processes payment for the remaining eligible amount. Without this service employees will need to obtain the EOBs and submit them to Navia/ASi themselves, likely resulting in a delayed processing period and possibly a delayed payment to the provider.

The only impact that transitioning over to EDIS would have on the employees is that they would receive new supplemental cards and a new address for claims. All of the carrier information would remain the same.

ANALYSIS

EDIS has an overall lower service fee than ASi/Navia per employee per month (“PEPM”), so the City would experience a small savings. The cost for the administration of the partial self-funding is \$30/PEPM instead of \$32.50/PEPM that ASi/Navia charges. The COBRA administration fee is \$2/PEPM with EDIS whereas it is \$1/PEPM with ASi. Therefore, for the bundled self-funding and COBRA administration it is a \$1.50/ PEPM savings to transition to EDIS (\$32.00 vs \$33.50).

EDIS will do a claims roll-in for any claims that have not yet been paid by ASi/Navia at no additional charge. That would leave a clean transition out of ASi/Navia.

FISCAL IMPACT

The overall impact is a savings of \$1.50 per employee and per month.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 22-31, authorizing the City Manager to sign all necessary documents to terminate services with ASi/Navia and to sign all documents necessary to engage in services with EDIS.

Attachment(s):

1. HRA-MERP Benefit Authorization for EDIS
2. Debit Plan Benefit Authorization for EDIS
3. Debit Card ACH Setup
4. ACH Notice and Authorization
5. COBRA Employer Set Up
6. City of Mendota Summary Plan Description (SPD)
7. Resolution No. 22-31

B1. HRA / MERP PLANS BENEFIT AUTHORIZATION

Health Reimbursement Arrangement or Medical Expense Reimbursement Plan

ADMINISTRATIVE PLAN		Effective Date: <u>July 1, 2022</u>		
If you require a Schedule of Benefits in Spanish, please indicate # of Spanish _____ and # of English _____.				
LET US KNOW WHICH HIGH DEDUCTIBLE CARRIER PLAN WE WILL CREATE YOUR HRA UNDER:				
Carrier Name:	Aetna	Carrier Plan:	OA Managed Choice POS Bronze 50/50 8300 Ded Plan	
USE THIS SECTION TO TELL US WHAT YOU WOULD LIKE YOUR IN-NETWORK, SELF-FUNDED HRA / MERP BENEFITS TO BE				
Individual Deductible (2x)	\$0	* RX BENEFIT	Generic / Tier 1	\$5
Office Visit Copay	\$10		Brand / Tier 2	\$20
Coinsurance	various copays		Non-Formulary / Tier 3	\$50
Other:			Specialty / Tier 4	30% up to \$500
Embedded vs. Aggregate – Our default is to match the carrier. Please specify if you would like it to be different:				
DOES YOUR HIGH DEDUCTIBLE, FULLY-INSURED CARRIER PLAN PROVIDE FIRST DOLLAR BENEFITS THAT YOU WOULD LIKE TO COVER UNDER THE HRA / MERP:				
Some of the carrier plans offer first dollar benefits such as 3 office visits and/or RX coverage. If your selected carrier plan falls into this category and you intend to pay all or part of the first dollar benefit, please specify which first dollar benefit and the amount that you would like to cover. If nothing is outlined, the plan will be set with the full carrier copay (if applicable) being the member responsibility. Specify Carrier First Dollar Benefit(s): _____ Amount to be covered /supplemented by HRA / MERP: _____				
<u>see attached schedule of benefits</u>				
DO YOU WANT TO COVER ANYTHING ADDITIONAL WITH YOUR HRA / MERP SUCH AS OUT-OF-NETWORK BENEFITS?				
**Out of Network Benefits: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Individual Deductible:		Coinsurance	Other	
Combined with in-network deductible or separate?		Would you like us to pay as allowed to the deductible or pay as billed?		
WOULD YOU LIKE TO COVER ALL OR PART OF YOUR MEMBERS OUT-OF-POCKET AFTER THE CARRIER DEDUCTIBLE? (CORRIDOR BENEFIT)				
Coinsurance:	see schedule of benefits	Copay(s):	Other:	
HOW WOULD YOU LIKE TO FUND YOUR MEMBER CLAIMS?				
<input type="checkbox"/> Standard Funding (Include voided check) <input checked="" type="checkbox"/> Deposit Funding (See table to the right) <input type="checkbox"/> Level Funding (Select monthly claims amount): <input type="radio"/> Expected Claims <input type="radio"/> Max Claims <input type="radio"/> Other: _____		DEPOSIT FUNDING: These figures represent an amount which should provide enough funds to ensure your account does not run low while awaiting replenishment. In the event your account is not replenished in a timely fashion, we would not be able to release claims until the replenishment is received. Check should be made payable to E.D.I.S.		
	#Enrolling Employees	Deposit Amt.	#Enrolling Employees	Deposit Amt.
	2-9	\$2,500	26-40	\$12,500
	10-15	\$5,000	41-50	\$25,000
	16-25	\$9,000	51-99	\$40,000

By signing below, you are authorizing E.D.I.S. to administer the benefits above on behalf of said employer and are agreeing to the following fees: Monthly PEPM Administrative fee (see your proposal or agent for details). One-time Set Up Fee of \$500 to start the E.D.I.S. plan for the medical (waived if coming from another TPA). Annual Renewal Fee of \$100 to revise and update applicable plan documents. Flat monthly billing fee of \$25 (waived if enrolled in "Paperless Perks Program.") Please complete all the information requested before signing this authorization. Please initial any changes. This is an application only, coverage and issuance of an Administrative Agreement is subject to review and approval by E.D.I.S.

Officer of Company Signature

Title

Date

* A portion of the member's copay at Preferred Pharmacies applies to the cost of dispensing prescriptions associated with pharmacies and your PBM. For the convenience of the drug card, the vendor charges \$.50 - \$.60 per submission. This fee covers the cost of the electronic submission of prescriptions.

** E.D.I.S. does not endorse or encourage the use of these benefits as they do not maximize the employer's savings.

Schedule of Benefits

For

City of Mendota – Administrative Plan

with *Aetna OA Managed Choice POS Bronze 50/50 8300 deductible plan*

Effective 07/01/2022 PENDING

The Employer's Maximum Payment is \$8,550 for individual and \$17,100 for family. Any remaining balance is the member's responsibility. In Network Benefits under the Carrier Plan Deductible are self-funded and shared by the Member & Employer

PHASE 1 – Claims applied to Carrier Deductible

BENEFIT	Employee Pays	Employer Pays
PHYSICIAN OFFICE VISITS	\$10 copay	100% after copay
SPECIALIST OFFICE VISITS	\$10 copay	100% after copay
X-RAY (Non-complex imaging)	0%	100%
COMPLEX IMAGING	0%	100%
INPATIENT/OUTPATIENT HOSPITAL		
Hospital Services:	0%	100%
Physician & Professional Services:	0%	100%
Emergency Room:	\$250 copay	100% after copay
PRESCRIPTION DRUG COVERAGE (1) *\$225/\$450 RX deductible applies to Tiers 2, 3 & 4	\$225/\$450 RX deductible Tier 2 \$20* / Tier 3 \$50* Tier 4 30% up to \$500 max per fill*	100% after deductible and copay
OUTPATIENT SURGERY	0%	100%
MENTAL HEALTH (other than SMI) *Subject to Carrier limitations		
Inpatient Services:	0%	100%
Outpatient Services:	\$10 copay	100% after copay
AMBULANCE	\$500 copay	100% after copay
ACUPUNCTURE SERVICES	\$10 copay	100% after copay
CHIROPRACTIC THERAPY	\$10 copay	100% after copay
PHYSICAL, OCCUPATIONAL & SPEECH THERAPY VISITS	0%	100%
DURABLE MEDICAL EQUIPMENT (Please refer to the Evidence of Coverage for more information)	0%	100%
ALL OTHER SERVICES & SUPPLIES	0%	100%
TELADOC CONSULTATION	\$5 copay	100% after copay

Not subject to annual Carrier Deductible for these Benefits

	Employee Pays	Employer Pays	Carrier Pays
PHYSICIAN OFFICE VISITS	\$10 Carrier copay (2)	\$75 Carrier copay	100% after copay
LAB	\$0	\$85 Carrier copay	100% after copay
URGENT CARE	\$10 Carrier copay	\$85 Carrier copay	100% after copay
PRESCRIPTION DRUG COVERAGE (1) Tier 1 \$30	Tier 1 \$5	Tier 1 \$25	100% after copay
ACUPUNCTURE SERVICES	\$10 Carrier copay (2)	\$75 Carrier copay	100% after copay
ROUTINE ADULT PHYSICAL / WELL CHILD / WOMEN'S HEALTH	0%	0%	100%

Phase 2 Benefits *after* the Carrier Deductible

	Employee Pays	Employer Pays	Carrier Pays
MEDICAL (Refer to carrier plan summary for applicable copays)	0%	50%	50%
PRESCRIPTION DRUG COVERAGE (1) Tier 2 \$100/Tier 3 \$150/Tier 4 50% up to \$500	Tier 2 \$20 / Tier 3 \$50 Tier 4 30% up to \$500 max per fill	Employer pays all copay / coinsurance differences	100% after copay

TOTAL OUT OF POCKET MAXIMUM

	Employee	Family
UNDER CARRIER DEDUCTIBLE	\$0	\$0
AFTER CARRIER DEDUCTIBLE	\$0	\$0
TOTAL	\$0	\$0

This is a summary of the most frequently asked-about benefits. This document is a summary of your benefits and is not meant to thoroughly explain the benefits, cost sharing, out-of-pocket maximums, exclusions, or limitations nor does it list all benefits and cost sharing. For more detailed information about the carrier benefits, please refer to your Evidence of Coverage booklet.

- (1) The four Rx Tiers are Tier 1) Generic Formulary; Tier 2) Brand Formulary; Tier 3) Brand Non-formulary; Tier 4) Specialty Drugs/Injectables.
- (2) The 1 visit limit is combined with physician office visits & acupuncture services. After the 1 visit is met (in any combination), services are subject to the carrier deductible.

B1. HRA / MERP PLANS BENEFIT AUTHORIZATION

Health Reimbursement Arrangement or Medical Expense Reimbursement Plan

POLICE PLAN		Effective Date: <u>July 1, 2022</u>		
If you require a Schedule of Benefits in Spanish, please indicate # of Spanish _____ and # of English _____.				
LET US KNOW WHICH HIGH DEDUCTIBLE CARRIER PLAN WE WILL CREATE YOUR HRA UNDER:				
Carrier Name:	Aetna	Carrier Plan:	OA Managed Choice POS Bronze 50/50 8300 Ded Plan	
USE THIS SECTION TO TELL US WHAT YOU WOULD LIKE YOUR IN-NETWORK, SELF-FUNDED HRA / MERP BENEFITS TO BE				
Individual Deductible (2x)	\$3750	* RX BENEFIT	Generic / Tier 1	\$15
Office Visit Copay	\$65		Brand / Tier 2	\$50
Coinsurance	25%		Non-Formulary / Tier 3	\$70
Other:	see attached schedule of benefits		Specialty / Tier 4	30% up to \$500
Embedded vs. Aggregate – Our default is to match the carrier. Please specify if you would like it to be different:				
DOES YOUR HIGH DEDUCTIBLE, FULLY-INSURED CARRIER PLAN PROVIDE FIRST DOLLAR BENEFITS THAT YOU WOULD LIKE TO COVER UNDER THE HRA / MERP:				
Some of the carrier plans offer first dollar benefits such as 3 office visits and/or RX coverage. If your selected carrier plan falls into this category and you intend to pay all or part of the first dollar benefit, please specify which first dollar benefit and the amount that you would like to cover. If nothing is outlined, the plan will be set with the full carrier copay (if applicable) being the member responsibility. Specify Carrier First Dollar Benefit(s): _____ Amount to be covered /supplemented by HRA / MERP: _____				
<u>see attached schedule of benefits</u>				
DO YOU WANT TO COVER ANYTHING ADDITIONAL WITH YOUR HRA / MERP SUCH AS OUT-OF-NETWORK BENEFITS?				
**Out of Network Benefits: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Individual Deductible:		Coinsurance	Other	
Combined with in-network deductible or separate?		Would you like us to pay as allowed to the deductible or pay as billed?		
WOULD YOU LIKE TO COVER ALL OR PART OF YOUR MEMBERS OUT-OF-POCKET AFTER THE CARRIER DEDUCTIBLE? (CORRIDOR BENEFIT)				
Coinsurance:	see schedule of benefits	Copay(s):	Other:	
HOW WOULD YOU LIKE TO FUND YOUR MEMBER CLAIMS?				
<input type="checkbox"/> Standard Funding (Include voided check) <input checked="" type="checkbox"/> Deposit Funding (See table to the right) <input type="checkbox"/> Level Funding (Select monthly claims amount): <input type="radio"/> Expected Claims <input type="radio"/> Max Claims <input type="radio"/> Other: _____		DEPOSIT FUNDING: These figures represent an amount which should provide enough funds to ensure your account does not run low while awaiting replenishment. In the event your account is not replenished in a timely fashion, we would not be able to release claims until the replenishment is received. Check should be made payable to E.D.I.S.		
	#Enrolling Employees	Deposit Amt.	#Enrolling Employees	Deposit Amt.
	2-9	\$2,500	26-40	\$12,500
	10-15	\$5,000	41-50	\$25,000
	16-25	\$9,000	51-99	\$40,000

By signing below, you are authorizing E.D.I.S. to administer the benefits above on behalf of said employer and are agreeing to the following fees: Monthly PEPM Administrative fee (see your proposal or agent for details). One-time Set Up Fee of \$500 to start the E.D.I.S. plan for the medical (waived if coming from another TPA). Annual Renewal Fee of \$100 to revise and update applicable plan documents. Flat monthly billing fee of \$25 (waived if enrolled in "Paperless Perks Program.") Please complete all the information requested before signing this authorization. Please initial any changes. This is an application only, coverage and issuance of an Administrative Agreement is subject to review and approval by E.D.I.S.

Officer of Company Signature

Title

Date

* A portion of the member's copay at Preferred Pharmacies applies to the cost of dispensing prescriptions associated with pharmacies and your PBM. For the convenience of the drug card, the vendor charges \$.50 - \$.60 per submission. This fee covers the cost of the electronic submission of prescriptions.

** E.D.I.S. does not endorse or encourage the use of these benefits as they do not maximize the employer's savings.

Schedule of Benefits

For

City of Mendota – Police Plan

with *Aetna OA Managed Choice POS Bronze 50/50 8300 deductible plan*

Effective 07/01/2022 PENDING

The Employer's Maximum Payment is \$3,538 (+ \$600 from debit card) for individual and \$7,076 for family.

Any remaining balance is the member's responsibility.

In Network Benefits under the Carrier Plan Deductible are self-funded and shared by the Member & Employer

PHASE 1 – Claims applied to Carrier Deductible

BENEFIT	Employee Pays	Employer Pays
DEDUCTIBLE	\$3,750* Individual / \$7,500 Family	\$600 Employee*/\$0 Family
PHYSICIAN OFFICE VISITS <i>deductible waived</i>	\$65 copay	100% after copay
SPECIALIST OFFICE VISITS <i>deductible waived</i>	\$65 copay	100% after copay
X-RAY (Non-complex imaging)	25%	75%
COMPLEX IMAGING	25%	75%
INPATIENT/OUTPATIENT HOSPITAL		
Hospital Services:	25%	75%
Physician & Professional Services:	25%	75%
Emergency Room:	50%	50%
PRESCRIPTION DRUG COVERAGE (1) *\$225/\$450 RX deductible applies to Tiers 2, 3 & 4	\$225/\$450 RX deductible Tier 2 \$50 / Tier 3 \$70 Tier 4 30% up to \$500 max per fill	100% after deductible and copay
OUTPATIENT SURGERY	25%	75%
MENTAL HEALTH (other than SMI) *Subject to Carrier limitations		
Inpatient Services:	25%	75%
Outpatient Services: <i>deductible waived</i>	\$65 copay	100% after copay
AMBULANCE	25%	75%
ACUPUNCTURE SERVICES <i>deductible waived</i>	\$65 copay	100% after copay
CHIROPRACTIC THERAPY <i>deductible waived</i>	50%	50%
PHYSICAL, OCCUPATIONAL & SPEECH THERAPY VISITS	25%	75%
DURABLE MEDICAL EQUIPMENT (Please refer to the Evidence of Coverage for more information)	50%	50%
ALL OTHER SERVICES & SUPPLIES	25%	75%
TELADOC CONSULTATION	\$5 copay	100% after copay

Not subject to annual Carrier Deductible for these Benefits

	Employee Pays	Employer Pays	Carrier Pays
PHYSICIAN OFFICE VISITS	\$60 Carrier copay (2)	\$25 Carrier copay	100% after copay
LAB	\$75 Carrier copay	\$10 Carrier copay	100% after copay
URGENT CARE	\$65 Carrier copay	\$30 Carrier copay	100% after copay
PRESCRIPTION DRUG COVERAGE (1) Tier 1 \$30	Tier 1 \$15	Tier 1 \$15	100% after copay
ACUPUNCTURE SERVICES	\$60 Carrier copay (2)	\$25 Carrier copay	100% after copay
ROUTINE ADULT PHYSICAL / WELL CHILD / WOMEN'S HEALTH	0%	0%	100%

Phase 2 Benefits *after* the Carrier Deductible

	Employee Pays	Employer Pays	Carrier Pays
MEDICAL (Refer to carrier plan summary for applicable copays)	25%	25%	50%
PRESCRIPTION DRUG COVERAGE (1) Tier 2 \$100/Tier 3 \$150/Tier 4 50% up to \$500	Tier 2 \$50 / Tier 3 \$70 Tier 4 30% up to \$500 max per fill	Employer pays all copay / coinsurance balances	100% after copay

TOTAL OUT OF POCKET MAXIMUM

	Employee	Family
UNDER CARRIER DEDUCTIBLE	\$4,287*	\$9,774
AFTER CARRIER DEDUCTIBLE	\$ 125	\$ 250
TOTAL	\$4,412	\$10,024

This is a summary of the most frequently asked-about benefits. This document is a summary of your benefits and is not meant to thoroughly explain the benefits, cost sharing, out-of-pocket maximums, exclusions, or limitations nor does it list all benefits and cost sharing. For more detailed information about the carrier benefits, please refer to your Evidence of Coverage booklet.

(1) The four Rx Tiers are Tier 1) Generic Formulary; Tier 2) Brand Formulary; Tier 3) Brand Non-formulary; Tier 4) Specialty Drugs/Injectables.

(2) The 1 visit limit is combined with physician office visits & acupuncture services. After the 1 visit is met (in any combination), services are subject to the carrier deductible.

*Employees Only are to use their debit card in conjunction with this plan to fund the first \$600 of the HRA Individual deductible. The out of pocket in phase 1 is the total out of pocket (\$4,887) minus the \$600 debit allotment given to the Employees (\$4,887-\$600=\$4,287).

UPDATED 05/05/22

AE83

AUTHORIZATION FOR ACH DEBITS / CREDITS

City of Mendota

Depositor Name as Shown on Bank Records

Checking Account Number / Transit Routing Number

(A voided check or spec sheet **must** be attached for this account)

TO: _____

(Bank Address: Street, Box #, City, State and Zip Code)

Depositor authorizes The Bancorp Bank to present automated debits and credits to and from the above listed account as required to perform their responsibilities related to processing Depositor's benefit program. This authorization will remain in effect until revoked by Depositor in writing and until you actually receive such notice. Depositor agrees that you shall be fully protected in honoring any such ACH transaction.

Depositor agrees that your treatment of each such ACH transaction and your rights in respect to it shall be the same as if it were a check signed by Depositor.

I authorize payments to be withdrawn **daily** or **weekly** as needed. (Please circle one)

Dated this _____ day of _____, 20_____.

Signature of Depositor in Agreement with Bank Records

Please update your ACH filter (on the above reference account) to grant access to The Bancorp Bank. The Bancorp Bank identification number is: **1050006509**.

Payment Solutions Group Internet Banking Enrollment Form

Note: Payment Solutions Group Client Internet Banking access is restricted to "View Only" status. With the exception of password changes for normal business purposes, no other changes may be made to the accounts listed below. Electronic monthly statements are also offered through this application; please enroll online to discontinue paper statements mailed each month.

Section A- Company Information

Company Name: City of Mendota

Company Address: 643 Quince St

City: Mendota

State: CA

Zip: 93640

Section B- DDA accounts to view (to be completed by Bank).

DDA Account Number: _____ **DDA Account Number:** _____

Section C- Security Question:

As a default for corporate users, the Security Question used to authenticate access for password changes will reference your Tax ID number. Please list your company's Tax ID number in the space below:

Tax ID Number: 94-6000369

Section D- Please date, sign, and return this form to your Benefits Administrator to initiate Internet Banking view access – this user will be set up as the ADMIN user for the application with the ability to set up subsequent users:

Access Requested by: Cristian Gonzalez **Phone Number:** (559) 655-3291

E-Mail Address cristian@cityofmendota.com

(Once the configuration has been completed, the user id and password will be e-mailed to the above.)

By signing this form, I certify that I am authorized by my company to request The Bancorp Bank Internet Banking view-only access. I also certify that any additional individuals that I, as Company Administrator, grant access to view account information will adhere to The Bancorp Bank Internet Banking Terms and Conditions of Use policy and will not disseminate or share the account password(s) with unauthorized personnel. Failure of any person(s) to adhere to The Bancorp Bank Internet Banking Terms and Conditions of Use, Privacy Policy, and Security Policy may result in Internet Banking access revocation.

Online access accounts are reviewed every month. After 6 months of inactivity on the online access account, your access will be terminated and you will need to contact your TPA to reinstate your online access.

Signature: _____

Print Name: Cristian Gonzalez

Title: City Manager

Date: _____



The Bancorp Bank Payment Solutions Group

Deposit Account Agreement

This Deposit Account Agreement, **dated as of** _____, is between The Bancorp Bank, located at 6100 S. Old Village Place, Sioux Falls, South Dakota ("Bank") and City of Mendota (**Company Name and DBA**), located at 643 Quince St, Mendota, CA 93640 ("Client"). **Company TAX ID Number** 94-6000369. **Please ensure that this is the Legal Business Name/DBA and Address of Entity (This must coincide with the name on the IRS documentation also required)**

Recitals

Client provides employee benefit plan participants the ability to access their benefit accounts electronically through a stored value card ("Card") similar to a debit card transaction. Bank is a member of Visa / MasterCard and is in the business of issuing cards and establishing accounts for the settlement of card transactions.

Client is establishing a non-interest bearing deposit account (the "Collateral Account") for the purpose of enabling Bank to settle Card transactions in a timely manner.

WEX Health and E.D.I.S. (Partner) have entered into an agreement to provide Card services to employers such as Client.

Purpose

Bank and Client enter into this Deposit Account Agreement to provide the following:

1. The Client will have no access to the funds deposited into the Collateral Account until their return by the Bank pursuant to the terms of Paragraph 3 or 4 below.
2. The Client authorizes the Bank to use funds in the Collateral Account only for the purposes of settling Card transactions and paying fees debited from cardholders' accounts, both further limited to Cards issued to Client participants.
3. 120 days following the deactivation of all Cards associated with Client, Bank will return all remaining Client funds in the Collateral Account.
4. As collateral for the Client's obligations to the Bank, the Client hereby grants to the Bank a first priority security interest in all funds held in the Collateral Account.
5. View-only access to the Collateral Account information is granted to WEX Health and Partner for the purpose of assisting the Bank and Client in resolving any relevant banking questions that may arise.
6. Bank will provide Client monthly statements of Collateral Account activity.
7. This Agreement shall be interpreted and governed in accordance with the laws of Delaware.
8. Client agrees to fund the Collateral Account in an amount reasonably required by Bank (the "Funding Amount"), as indicated by the following table, by applying the initial collateral rate to the annual aggregate election amount that will be loaded onto the Cards. Client will maintain the Funding Amount by periodically transferring additional funds as necessary to replace amounts settled by Bank. Please select one of the following replenishment options.

Select one	Replenishment Option	Initial Collateral Rate
	Daily ACH Debit, initiated by Bank	3%
X	Weekly ACH Debit, initiated by Bank	5%
	Weekly ACH Credit, initiated by Client	7%
	Weekly Wire, initiated by Client	6%

Please indicate the expected number of monthly replenishment transactions and estimated monthly replenishment amounts, based on your replenishment option above and annual elections.

Circle One	# of Transactions (monthly)	Select one	Expected dollar of transactions (monthly)	Select one
<input checked="" type="radio"/> ACH/Wire	1-10	X	\$ 1.00 - \$ 2,500.00	X
<input type="radio"/> ACH/Wire	10-20		\$ 2,500.00 - \$ 5,000.00	
<input type="radio"/> ACH /Wire	20+		\$ 5,000.00 +	

If utilizing Weekly ACH Credit or Wire replenishment, funds are required to be deposited into the Collateral Account by end of business each Tuesday for the previous Monday through Sunday settlement week.

SMALL CASE CLIENT SET UP: In the event that calculated Funding Amount (based on the annual benefit account elections) for the desired replenishment option is less than the required minimum \$2,500, the Funding Amount will be the lesser of \$500 or \$100 per participant for clients with 1-5 cardholders or the greater of \$500 or 3% for clients with 6 or more cardholders; however, the Client **must** use Daily ACH Debit replenishment.

WEEKLY REPLENISHMENT: The minimum funding for weekly replenishment is the greater of \$2,500 or the calculated amount associated with the selected replenishment option.

Client agrees that its failure to maintain the Funding Amount as required may result in Cards being suspended until the account is properly funded. If using one of the ACH Debit replenishment options, the attached Authorization for ACH Debits / Credits must be completed and returned with a copy of a voided check or spec sheet.

9. Client may request that the Funding Amount be reduced to take into account events such as a reduction in workforce resulting in a significant decrease in the number of Client's Cards. Bank will not unreasonably refuse to adjust the Funding Amount and return any difference to Client.

10. Legal Entity Type (i.e. Corporation, Limited Partnership, Partnership, Sole Proprietorship, Trust, etc.):

Government Entity _____

Please print

11. Industry Type (North American Industry Classification System (NAICS): i.e. Manufacturing, Retail, Construction, Commercial Banking, Finance and Insurance, Educational Services, Food Services, Transportation, etc.)

Municipality _____

Please print

12. Additional authorized account signors, if necessary:

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

DOB _____ SS# _____

DOB: _____ SS# _____

***** Please return the signed agreement with a copy of your IRS Form SS4 (EIN Assignment Letter). Agreements submitted without the documentary evidence may be delayed.**

Additional documentation may be requested to verify business address and/or business name. You will be contacted by a Bank representative if any additional documentation is required.

The parties have executed this Agreement as of the date written above.

Client:

Signature: _____

The Bancorp Bank:

Signature: _____

Printed Name: Cristian Gonzalez _____

Name: _____

Title: City Manager _____

Title: _____

DOB: _____ SS# _____

Telephone Number: (559) 655-3291 _____

Email Address: cristian@cityofmendota.com _____

CERTIFICATION OF BENEFICIAL OWNER(S)

Persons opening an account of behalf of a legal entity must provide the following information:

a. *Name and Title of Natural Person Opening Account:*

Cristian Gonzalez, City Manager

b. *Name and Address of Legal Entity for Which the Account is Being Opened:*

City of Mendota, 643 Quince St, Mendota, CA 93640

Note: Section C (only) is not applicable for Publicly Traded Companies or Non-Government Organizations (i.e. non-profit charities and religious organizations such as churches).

c. *The following information for each individual, if any, who, directly or indirectly, through any contract, arrangement, understanding, relationship or otherwise, owns 25 percent or more of the equity interests of the legal entity listed above:*

(If no individual meets this definition, please write "Not Applicable.")

Name	Date of Birth	Address	For U.S. Persons: Social Security Number	For Foreign Persons: Passport Number and Country of Issuance, or other similar identification number*	Percentage of Ownership
not applicable					

d. *The following information for one individual with significant responsibility for managing the legal entity listed above, such as:*

- *An executive officer or senior manager (e.g., Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Managing Member, General Partner, President, Vice President, Treasurer): or*
- *Any other individual who regularly performs similar functions. (i.e. account signer)*

(If appropriate, an individual listed under section (c) above may also be listed in this section (d)).

Name	Date of Birth	Address	For U.S. Persons: SSN	For Foreign Persons: Passport Number and Country of Issuance, or other similar identification number	Percentage of Ownership
Cristian Gonzalez		643 Quince St, Mendota, CA 93640			0%

I, Cristian Gonzalez (*name of person opening account*), hereby certify, to the best of my knowledge, that the information provided above is complete and correct.

Signature: _____ **Date:** _____

Company Tax ID Number: 94-6000369 Stock Symbol if Publicly Traded: _____

* In lieu of a passport number, foreign persons may also provide an alien identification card number, or number and country of issuance of any other government-issued document evidencing nationality or residence and bearing a photograph or similar safeguard.



EMPLOYER DRIVEN INSURANCE SERVICES

ACH NOTICE AND AUTHORIZATION
AUTHORIZATION AGREEMENT FOR E.D.I.S. TRANSACTIONS (ACH CREDITS)

Company Name City of Mendota

Company Tax ID# 94-6000369

I hereby authorize E.D.I.S. to initiate debit or credit entries to my Checking Account indicated below at the depository financial institution named below, hereafter called DEPOSITORY, and to debit or credit the same to such account. I acknowledge that the origination of ACH transactions to my account must comply with the provisions of U.S. Law.

Depository (Bank) Name

Branch

City, State, Zip

Account Type: (Circle One) Checking Savings

Routing Account Number

Checking Account Number

This authorization is to remain in force and effect until E.D.I.S. has received written notification from me of its termination in such time and in such manner as to afford E.D.I.S. and DEPOSITORY a reasonable opportunity to act on it.

Name Cristian Gonzalez
(Authorized signer on Business Checking Account)

Date

Signature

Select one or both:

- Claims funding - E.D.I.S. will debit your designated account to fund all current or past due claim funds.
Admin Fees/Premium - E.D.I.S. will debit your designated account to fund all current or past due fees.

As an Employer, your "Finance Contact" will be contacted via email notifying him or her in 2 business days prior to debiting your account. Groups will be debited around the 1st of each billing month. Groups will be charged \$25.00 for each returned ACH due to incorrect account information or insufficient funds.

Employer may revoke debit authorization only by written notice. Revocation must be mailed or faxed 10 business days prior to desired date: E.D.I.S., P.O. Box 7809, Visalia, CA 93290 or FAX (559) 733-1314.

COBRA/CAL-COBRA ENROLLMENT CHECK LIST

*The following preliminary list of information **must** be received in our office by the end of the current month for a first of the month following effective date.*

Set Up Form & Service Agreement:

- 1. Effective date to be the first of the month following submission of all information requested.
- 2. Set Up Form must be completed in full.
- 2. Service Agreement must be signed and dated by an authorized Officer of the Company.

Carrier and Plan Information:

- 1. Carrier and Plan Information Form-Please complete this form for each employer-sponsored group health plan subject to COBRA.
- 2. Attach a copy of the current rate sheet for each plan.
- 3. Attach a complete copy of last monthly premium billing statement for each plan.
- 4. Attach a complete copy of the Plan Document/Certificate of Coverage for each plan.
- 5. Current COBRA/CAL-COBRA Participants Form (if applicable).
- 6. Current COBRA/CAL-COBRA Qualifier Form (if applicable).

Additional Information Required For Clients For Whom E.D.I.S. Does Not Administer Benefits

- 1. An initial set-up fee in the amount of \$100.00 made payable to E.D.I.S.
- 2. For group billing purposes, we will need a group census (preferably an Excel spread sheet) of the active employees who are enrolled in one or more of the employer-sponsored health plan coverages. Must include name, address, social security number, and date of birth for each employee. Plan enrollment and dependent information also needed.

Return your completed forms to:

Email: underwriting@employerdriven.com

Mail: PO Box 7809
Visalia, CA 93290

Physical: 5429 Avenida de los Robles, Suite A
Visalia, CA 93291

Fax: (559) 733-2325

Thank you for the confidence you have placed in us by allowing us to assist your client in the administration of COBRA or CAL-COBRA.

Section A – Employer Information					
Company Name		DBA (Doing Business As)		Federal Tax ID Number (FEIN)	
City of Mendota				94-6000369	
Address				Requested Effective Date	
643 Quince St				July 1, 2022	
City		State	Zip	Nature of Business	
Mendota		CA	93640	municipality	
Section B – Contact Information					
Contact Type	Contact Name	Title	Phone	Fax	Email Address
1. Executive	Cristian Gonzalez	City Manager	(559) 655-3291		cristian@cityofmendota.com
2. Primary COBRA	same as executive contact				
3. Primary Billing	same as executive contact				
4. Other					
<p>The above named contacts identifies all individuals to whom E.D.I.S. may provide/disclose protected health information (PHI) in the performance of its duties as set forth in the Confidentiality Exhibit of the Administrative Services Agreement (Client may use additional pages if needed, provided they reference the Confidentiality Exhibit and the effective date). E.D.I.S. will assume that this list is exhaustive and that any individual not provided in this list is not authorized to receive PHI from E.D.I.S. unless subsequently named in writing by an existing HIPAA authorized contact of the Client.</p>					
Section C – General Information					
Number Of Employees Eligible For Benefits			Number Of Employees Covered By Benefits		
44			40		
Number Of Current COBRA Continuants			Number Of Employees Terminated In The Last 60 Days		
0			3		
<p>Do you offer a Health Flexible Spending Account (FSA)? Yes <input checked="" type="radio"/> No <input type="radio"/></p> <p>If eligible, a participant may continue a health FSA through COBRA</p>					
<p>Do you offer a Health Reimbursement Arrangement (HRA) or Medical Expense Reimbursement Plan (MERP)? <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>If eligible, a participant may continue an HRA or MERP through COBRA</p>					
<p>Do you want to charge the allowable 150% for COBRA participants on the 11-month disability extension? <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>COBRA allows an employer to charge 150% of the applicable premium for COBRA continuation coverage during the 11-month disability extension period that is available to individuals that meet certain requirements. To qualify for the additional 11 months of COBRA continuation coverage, the qualified beneficiary must:</p> <ul style="list-style-type: none"> • Have a ruling from the Social Security Administration that he or she became disabled prior to or within the first 60 days of COBRA continuation coverage • Send the plan a copy of the Social Security ruling letter within 60 days of receipt or (if later) the date of the qualifying event or date of coverage loss following the qualifying event, but prior to expiration of the 18-month period of coverage. <p>If these requirements are met, the entire family qualifies for an additional 11 months of COBRA continuation coverage.</p>					
Section D – Eligibility Reporting					
<p>Would you like E.D.I.S. to send termination notices to your carriers? If yes, please fill out the appropriate contact information on the Carrier and Plan Information Form for each plan. Yes <input checked="" type="radio"/> No <input type="radio"/></p>					
Section E – Employer Representative – Form completed by:					
Name		Title		Date	
Cristian Gonzalez		City Manager			

CARRIER AND PLAN INFORMATION FORM

Please complete a copy of this form for each employer sponsored group benefit plan (including FSA, HRA and MERP) which is subject to COBRA. Use a separate form for each plan with a unique set of rates and/or group number.

Section A – Plan Information

IMPORTANT: Missing or incomplete fields will cause a delay in the implementation process and may cause a loss of the desired effective date.

Company Name	Carrier Name	Group Number	Plan Name
City of Mendota	Aetna	88315312	OA Managed Choice POS Bronze 50/50 8300

Is there a waiting period?	If yes, how long?	Following the waiting period, coverage is effective:
<input checked="" type="radio"/> Yes No	<u>30</u> Days _____ Months	Immediately Next Day First of the Month Other (specify) _____

Upon termination, coverage ceases	Number of employees covered on plan
Date of termination Day following termination End of month Other (specify) _____	33

Dependent Child Age Limit	Full-time Student Age Limit	What is the billing effective date for newly added dependents due to birth or adoption?
26	26	Date of event _____ Days following event First of month First of following month

Coverage Type (select only one)
Medical Dental Vision RX Health FSA HRA MERP Other (specify) _____

Type of Plan	Plan Effective Dates	Open Enrollment Dates
HMO <input checked="" type="radio"/> PPO POS Indemnity Other (specify) _____	07/01/2022 through 06/30/2023	05/15/2022 through 06/30/2022

Is this plan bundled or combined with any other plans for COBRA purposes? <input checked="" type="radio"/> Yes No	If yes, list the plans that are bundled with this plan:
<i>When plans are bundled for COBRA purposes, an individual electing COBRA coverage for a particular plan is, by default, also electing coverage under the other bundled plan(s). For example, if you require an employee to first elect medical coverage in order to elect dental coverage, those plans are bundled.</i>	EDIS MERP/HRA

Section B – Rates

NOTE: If the rates for this plan are age or area rated, please provide a copy of the plan's rate grid. **Do not complete the information tables below.**

If your carrier has not provided rates for a tier represented below, please enter N/A. By default, we will use the rates you provide to determine the missing rate (e.g., if a spouse only rate is not provided, we will use the employee only rate in spouse only scenarios, etc.)

Rates – Do not include the 2% COBRA Administrative Fee									
Employee Only (EE)	EE + Spouse	EE + Child	EE + Children	Family	Spouse Only (SP)	SP + Child	SP + Children	Child Only	Children Only
\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

Rates – Do not include the 2% COBRA Administrative Fee		
Individual Only	Individual + 1	Individual + 2 or more
\$	\$	\$

Section C – Carrier Eligibility Contact

This section is not necessary if you have chosen not to have E.D.I.S. send termination notices to your carriers.

Contact Name or Department Title	Member Services Phone Number		
Address	City	State	Zip
Phone	Fax	Email	

How do you currently notify this carrier of employee terminations?

CARRIER AND PLAN INFORMATION FORM

Please complete a copy of this form for each employer sponsored group benefit plan (including FSA, HRA and MERP) which is subject to COBRA. Use a separate form for each plan with a unique set of rates and/or group number.

Section A – Plan Information

IMPORTANT: Missing or incomplete fields will cause a delay in the implementation process and may cause a loss of the desired effective date.

Company Name	Carrier Name	Group Number	Plan Name
City of Mendota	EDIS		MERP/HRA

Is there a waiting period?	If yes, how long?	Following the waiting period, coverage is effective:
<input checked="" type="radio"/> No	<u>30</u> Days _____ Months	Immediately Next Day First of the Month Other (specify) _____

Upon termination, coverage ceases	Number of employees covered on plan
Date of termination Day following termination End of month Other (specify) _____	33

Dependent Child Age Limit	Full-time Student Age Limit	What is the billing effective date for newly added dependents due to birth or adoption?
26	26	Date of event _____ Days following event First of month First of following month

Coverage Type (select only one)
Medical Dental Vision RX Health FSA HRA MERP Other (specify) _____

Type of Plan	Plan Effective Dates	Open Enrollment Dates
HMO <input checked="" type="radio"/> PPO POS Indemnity Other (specify) _____	07/01/2022 through 06/30/2023	05/15/2022 through 06/30/2022

Is this plan bundled or combined with any other plans for COBRA purposes? <input checked="" type="radio"/> Yes No	If yes, list the plans that are bundled with this plan:
<i>When plans are bundled for COBRA purposes, an individual electing COBRA coverage for a particular plan is, by default, also electing coverage under the other bundled plan(s). For example, if you require an employee to first elect medical coverage in order to elect dental coverage, those plans are bundled.</i>	Aetna PPO

Section B – Rates

NOTE: If the rates for this plan are age or area rated, please provide a copy of the plan's rate grid. **Do not complete the information tables below.**

If your carrier has not provided rates for a tier represented below, please enter N/A. By default, we will use the rates you provide to determine the missing rate (e.g., if a spouse only rate is not provided, we will use the employee only rate in spouse only scenarios, etc.)

Rates – Do not include the 2% COBRA Administrative Fee									
Employee Only (EE)	EE + Spouse	EE + Child	EE + Children	Family	Spouse Only (SP)	SP + Child	SP + Children	Child Only	Children Only
\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

Rates – Do not include the 2% COBRA Administrative Fee		
Individual Only	Individual + 1	Individual + 2 or more
\$	\$	\$

Section C – Carrier Eligibility Contact

This section is not necessary if you have chosen not to have E.D.I.S. send termination notices to your carriers.

Contact Name or Department Title	Member Services Phone Number			
Address		City	State	Zip
Phone	Fax	Email		

How do you currently notify this carrier of employee terminations?

CARRIER AND PLAN INFORMATION FORM

Please complete a copy of this form for each employer sponsored group benefit plan (including FSA, HRA and MERP) which is subject to COBRA. Use a separate form for each plan with a unique set of rates and/or group number.

Section A – Plan Information

IMPORTANT: Missing or incomplete fields will cause a delay in the implementation process and may cause a loss of the desired effective date.

Company Name	Carrier Name	Group Number	Plan Name
City of Mendota	Ameritas	010.039247	Dental

Is there a waiting period?	If yes, how long?	Following the waiting period, coverage is effective:
<input checked="" type="radio"/> Yes No	<u>30</u> Days _____ Months	Immediately Next Day First of the Month Other (specify) _____

Upon termination, coverage ceases	Number of employees covered on plan
Date of termination Day following termination End of month Other (specify) _____	39

Dependent Child Age Limit	Full-time Student Age Limit	What is the billing effective date for newly added dependents due to birth or adoption?
26	26	Date of event _____ Days following event First of month First of following month

Coverage Type (select only one)

Medical **Dental** Vision RX Health FSA HRA MERP Other (specify) _____

Type of Plan	Plan Effective Dates	Open Enrollment Dates
HMO <input checked="" type="radio"/> PPO POS Indemnity Other (specify) _____	07/01/2022 through 06/30/2023	05/15/2022 through 06/30/2022

Is this plan bundled or combined with any other plans for COBRA purposes? Yes <input checked="" type="radio"/> No	If yes, list the plans that are bundled with this plan:
<i>When plans are bundled for COBRA purposes, an individual electing COBRA coverage for a particular plan is, by default, also electing coverage under the other bundled plan(s). For example, if you require an employee to first elect medical coverage in order to elect dental coverage, those plans are bundled.</i>	

Section B – Rates

NOTE: If the rates for this plan are age or area rated, please provide a copy of the plan's rate grid. **Do not complete the information tables below.**

If your carrier has not provided rates for a tier represented below, please enter N/A. By default, we will use the rates you provide to determine the missing rate (e.g., if a spouse only rate is not provided, we will use the employee only rate in spouse only scenarios, etc.)

Rates – Do not include the 2% COBRA Administrative Fee

Employee Only (EE)	EE + Spouse	EE + Child	EE + Children	Family	Spouse Only (SP)	SP + Child	SP + Children	Child Only	Children Only
\$ 46.20	\$99.08	\$ 104.44	\$ 104.44	\$ 153.20	\$46.20	\$ 104.44	\$ 104.44	\$ 46.20	\$

Rates – Do not include the 2% COBRA Administrative Fee

Individual Only	Individual + 1	Individual + 2 or more
\$	\$	\$

Section C – Carrier Eligibility Contact

This section is not necessary if you have chosen not to have E.D.I.S. send termination notices to your carriers.

Contact Name or Department Title	Member Services Phone Number	
Address		
City	State	Zip
Phone	Fax	Email

How do you currently notify this carrier of employee terminations?

CARRIER AND PLAN INFORMATION FORM

Please complete a copy of this form for each employer sponsored group benefit plan (including FSA, HRA and MERP) which is subject to COBRA. Use a separate form for each plan with a unique set of rates and/or group number.

Section A – Plan Information

IMPORTANT: Missing or incomplete fields will cause a delay in the implementation process and may cause a loss of the desired effective date.

Company Name	Carrier Name	Group Number	Plan Name
City of Mendota	Ameritas	010.039247	VSP Vision

Is there a waiting period?	If yes, how long?	Following the waiting period, coverage is effective:
<input checked="" type="radio"/> Yes No	<u>30</u> Days _____ Months	Immediately Next Day First of the Month Other (specify) _____

Upon termination, coverage ceases	Number of employees covered on plan
Date of termination Day following termination End of month Other (specify) _____	34

Dependent Child Age Limit	Full-time Student Age Limit	What is the billing effective date for newly added dependents due to birth or adoption?
26	26	Date of event _____ Days following event First of month First of following month

Coverage Type (select only one)
Medical Dental Vision RX Health FSA HRA MERP Other (specify) _____

Type of Plan	Plan Effective Dates	Open Enrollment Dates
HMO <input checked="" type="radio"/> PPO POS Indemnity Other (specify) _____	07/01/2022 through 06/30/2023	05/15/2022 through 06/30/2022

Is this plan bundled or combined with any other plans for COBRA purposes? Yes <input checked="" type="radio"/> No	If yes, list the plans that are bundled with this plan:
<i>When plans are bundled for COBRA purposes, an individual electing COBRA coverage for a particular plan is, by default, also electing coverage under the other bundled plan(s). For example, if you require an employee to first elect medical coverage in order to elect dental coverage, those plans are bundled.</i>	

Section B – Rates

NOTE: If the rates for this plan are age or area rated, please provide a copy of the plan's rate grid. **Do not complete the information tables below.**

If your carrier has not provided rates for a tier represented below, please enter N/A. By default, we will use the rates you provide to determine the missing rate (e.g., if a spouse only rate is not provided, we will use the employee only rate in spouse only scenarios, etc.)

Rates – Do not include the 2% COBRA Administrative Fee									
Employee Only (EE)	EE + Spouse	EE + Child	EE + Children	Family	Spouse Only (SP)	SP + Child	SP + Children	Child Only	Children Only
\$8.48	\$ 18.24	\$14.80	\$14.80	\$24.56	\$8.48	\$14.80	\$14.80	\$8.48	\$

Rates – Do not include the 2% COBRA Administrative Fee		
Individual Only	Individual + 1	Individual + 2 or more
\$	\$	\$

Section C – Carrier Eligibility Contact

This section is not necessary if you have chosen not to have E.D.I.S. send termination notices to your carriers.

Contact Name or Department Title	Member Services Phone Number			
Address		City	State	Zip
Phone	Fax	Email		

How do you currently notify this carrier of employee terminations?

CARRIER AND PLAN INFORMATION FORM

Please complete a copy of this form for each employer sponsored group benefit plan (including FSA, HRA and MERP) which is subject to COBRA. Use a separate form for each plan with a unique set of rates and/or group number.

Section A – Plan Information

IMPORTANT: Missing or incomplete fields will cause a delay in the implementation process and may cause a loss of the desired effective date.

Company Name	Carrier Name	Group Number	Plan Name
City of Mendota	Ameritas	010.039247	EyeMed Vision

Is there a waiting period?	If yes, how long?	Following the waiting period, coverage is effective:
<input checked="" type="radio"/> Yes No	<u>30</u> Days _____ Months	Immediately Next Day First of the Month Other (specify) _____

Upon termination, coverage ceases	Number of employees covered on plan
Date of termination Day following termination End of month Other (specify) _____	6

Dependent Child Age Limit	Full-time Student Age Limit	What is the billing effective date for newly added dependents due to birth or adoption?
26	26	Date of event _____ Days following event First of month First of following month

Coverage Type (select only one)
Medical Dental Vision RX Health FSA HRA MERP Other (specify) _____

Type of Plan	Plan Effective Dates	Open Enrollment Dates
HMO <input checked="" type="radio"/> PPO POS Indemnity Other (specify) _____	07/01/2022 through 06/30/2023	05/15/2022 through 06/30/2022

Is this plan bundled or combined with any other plans for COBRA purposes? Yes <input checked="" type="radio"/> No	If yes, list the plans that are bundled with this plan:
<i>When plans are bundled for COBRA purposes, an individual electing COBRA coverage for a particular plan is, by default, also electing coverage under the other bundled plan(s). For example, if you require an employee to first elect medical coverage in order to elect dental coverage, those plans are bundled.</i>	

Section B – Rates

NOTE: If the rates for this plan are age or area rated, please provide a copy of the plan's rate grid. **Do not complete the information tables below.**

If your carrier has not provided rates for a tier represented below, please enter N/A. By default, we will use the rates you provide to determine the missing rate (e.g., if a spouse only rate is not provided, we will use the employee only rate in spouse only scenarios, etc.)

Rates – Do not include the 2% COBRA Administrative Fee									
Employee Only (EE)	EE + Spouse	EE + Child	EE + Children	Family	Spouse Only (SP)	SP + Child	SP + Children	Child Only	Children Only
\$8.48	\$ 18.24	\$14.80	\$14.80	\$24.56	\$8.48	\$14.80	\$14.80	\$8.48	\$

Rates – Do not include the 2% COBRA Administrative Fee		
Individual Only	Individual + 1	Individual + 2 or more
\$	\$	\$

Section C – Carrier Eligibility Contact

This section is not necessary if you have chosen not to have E.D.I.S. send termination notices to your carriers.

Contact Name or Department Title	Member Services Phone Number		
Address	City	State	Zip
Phone	Fax	Email	

How do you currently notify this carrier of employee terminations?

BROKER / CONSULTANT INFORMATION

Broker Information				
Broker Name		Agency Name	Agency FEIN	
Craig Brueckner		BRS Financial Group, LLC	47-5610567	
Address		City	State	Zip
7447 N First St, STE 100		Fresno	CA	93720
Phone	Fax	Email		
(559) 432-0440	(559) 432-0770	craig.brueckner@brsfg.com		
Account Manager Name		Phone	Email	
Lynda Webb		(559) 432-0440	lynda.webb@brsfg.com	
Who is the primary Agency contact for this employer for COBRA purposes?		<input type="checkbox"/> Broker <input checked="" type="checkbox"/> Account Manager		
Will the Agency be handling the payment of the COBRA fees?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

CARRIER ELIGIBILITY CONTACT AUTHORIZATION –
PLEASE COPY AND PASTE THE BELOW LANGUAGE ON YOUR
COMPANY LETTERHEAD WITH THE APPROPRIATE FIELDS COMPLETED.
Once completed, return to cobra@employerdriven.com.

[Date]

[Carrier Name]
[Street Address]
[City, St, Zip]

Attention: <Carrier Representative, if available>
Fax # <Carrier Fax>

Regarding: <Group Name>
Group Numbers: <Group # and Name of Plan(s)>

To Whom It May Concern:

Please add the following Group Administrator to our accounts to assist with COBRA Administration eligibility effective immediately: (Please do not change group premium billing information or address.)

Employer Driven Insurance Services, Inc. (E.D.I.S.)
COBRA/CAL-COBRA Department
Po Box 7809
Visalia, CA 93290
CA Insurance License #0M76879

Contact Name: Kaycie Ward
Toll Free # (888) 886-7973
Fax # (559) 733-1314
Email Address: cobra@employerdriven.com

Authorized Group Contact

Title

Date

cc: Kaycie Ward
E.D.I.S.

Current COBRA/CAL-COBRA Participants

INSTRUCTIONS: Complete requested information for each employee or family member currently on COBRA or CAL-COBRA

Name	Address	Relationship to Employee	Birth Date	Social Security Number
Hire Date of Employee	Benefit Start Date	Qualifying Event	Date of Qualifying Event	COBRA Start Date
COBRA Paid Thru Date	Elected coverages: Check all that apply and indicate the premium currently billed <input type="checkbox"/> Medical \$ <input type="checkbox"/> Dental \$ <input type="checkbox"/> Vision \$ <input type="checkbox"/> Other \$			

Name	Address	Relationship to Employee	Birth Date	Social Security Number
Hire Date of Employee	Benefit Start Date	Qualifying Event	Date of Qualifying Event	COBRA Start Date
COBRA Paid Thru Date	Elected coverages: Check all that apply and indicate the premium currently billed <input type="checkbox"/> Medical \$ <input type="checkbox"/> Dental \$ <input type="checkbox"/> Vision \$ <input type="checkbox"/> Other \$			

Name	Address	Relationship to Employee	Birth Date	Social Security Number
Hire Date of Employee	Benefit Start Date	Qualifying Event	Date of Qualifying Event	COBRA Start Date
COBRA Paid Thru Date	Elected coverages: Check all that apply and indicate the premium currently billed <input type="checkbox"/> Medical \$ <input type="checkbox"/> Dental \$ <input type="checkbox"/> Vision \$ <input type="checkbox"/> Other \$			

Name	Address	Relationship to Employee	Birth Date	Social Security Number
Hire Date of Employee	Benefit Start Date	Qualifying Event	Date of Qualifying Event	COBRA Start Date
COBRA Paid Thru Date	Elected coverages: Check all that apply and indicate the premium currently billed <input type="checkbox"/> Medical \$ <input type="checkbox"/> Dental \$ <input type="checkbox"/> Vision \$ <input type="checkbox"/> Other \$			

Name	Address	Relationship to Employee	Birth Date	Social Security Number
Hire Date of Employee	Benefit Start Date	Qualifying Event	Date of Qualifying Event	COBRA Start Date
COBRA Paid Thru Date	Elected coverages: Check all that apply and indicate the premium currently billed <input type="checkbox"/> Medical \$ <input type="checkbox"/> Dental \$ <input type="checkbox"/> Vision \$ <input type="checkbox"/> Other \$			

Name	Address	Relationship to Employee	Birth Date	Social Security Number
Hire Date of Employee	Benefit Start Date	Qualifying Event	Date of Qualifying Event	COBRA Start Date
COBRA Paid Thru Date	Elected coverages: Check all that apply and indicate the premium currently billed <input type="checkbox"/> Medical \$ <input type="checkbox"/> Dental \$ <input type="checkbox"/> Vision \$ <input type="checkbox"/> Other \$			

Name	Address	Relationship to Employee	Birth Date	Social Security Number
Hire Date of Employee	Benefit Start Date	Qualifying Event	Date of Qualifying Event	COBRA Start Date
COBRA Paid Thru Date	Elected coverages: Check all that apply and indicate the premium currently billed <input type="checkbox"/> Medical \$ <input type="checkbox"/> Dental \$ <input type="checkbox"/> Vision \$ <input type="checkbox"/> Other \$			

Signature of Employer Representative: _____

Date: _____

Phone Number: _____

COBRA/CAL-COBRA Qualifiers Currently in Election Period

(complete for each employee terminated in the last 90 days and for any dependent on the plan of whom you are aware has experienced a qualifying event in the last 90 days.)

Name		Address		Birth Date	Social Security Number
<input type="checkbox"/> Employee <input type="checkbox"/> Dependent	Date of Qualifying Event	Date Election Notice Was Mailed:	Date of Hire		
	Qualifying Event		Original Effective Date of Insurance		

Name		Address		Birth Date	Social Security Number
<input type="checkbox"/> Employee <input type="checkbox"/> Dependent	Date of Qualifying Event	Date Election Notice Was Mailed:	Date of Hire		
	Qualifying Event		Original Effective Date of Insurance		

Name		Address		Birth Date	Social Security Number
<input type="checkbox"/> Employee <input type="checkbox"/> Dependent	Date of Qualifying Event	Date Election Notice Was Mailed:	Date of Hire		
	Qualifying Event		Original Effective Date of Insurance		

Name		Address		Birth Date	Social Security Number
<input type="checkbox"/> Employee <input type="checkbox"/> Dependent	Date of Qualifying Event	Date Election Notice Was Mailed:	Date of Hire		
	Qualifying Event		Original Effective Date of Insurance		

Please attach a copy of the COBRA Eligibility Notice and Election Form mailed to the above named qualifier(s) if available. If these have not previously been provided to the qualifier(s), let us know immediately so we can provide them. Failure to notify COBRA/CAL-COBRA qualifiers within timeframes specified by law, can result in employer fines.

Signature of Employer Representative: _____

Date: _____ **Phone Number:** (559) 655-3291 _____



COBRA Service Agreement

This Agreement is entered into by and between Employer Driven Insurance Services, Inc. ("Company") and City of Mendota ("Client") and Client's successors and assigns. The Parties to this Agreement shall sometimes be referred to herein collectively as "the Parties".

CHECK ONE:

- Client employed 20 or more individuals on at least 50% of the "typical business days" of the preceding calendar year and is subject to federal COBRA.
- Client employed 2-19 individual on at least 50% of the "typical business days" of the preceding calendar year and is subject to CAL-COBRA.

(All full-time and part-time common law employees should be counted. (Do not count self-employed individuals, independent contractors (and their employees and agents), leased employees who are not common law employees of the employer; or non-employee directors (in the case of a corporation.)

WHEREAS, it is understood that Client has established one or more health benefit programs ("Plans(s)") for eligible employees and their dependents, and

WHEREAS, it is understood the federal government has imposed certain statutory requirements upon employers and administrators of employer sponsored group health plans pursuant to the Health Insurance Portability and Accountability Act, as amended ("HIPAA") and continuation of health benefits for covered persons pursuant to the Consolidated Omnibus Budget Reconciliation Act, as amended ("COBRA"), and

WHEREAS, Company provides assistance, as set forth in this Agreement, to employers in satisfying the aforementioned statutory requirements, and

WHEREAS, Client and Company wish to enter into an agreement whereby Client shall obtain assistance in meeting its statutory requirements under COBRA through Company in accordance with the terms herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the parties agree as follows:

ARTICLE I. DEFINITIONS

Definitions of terms as used in this Agreement are included in Exhibit A - Definitions, and incorporated herein.

ARTICLE II. EFFECTIVE DATE

The effective date of this Agreement shall be July 1, 2022.

ARTICLE III. SERVICES TO BE PERFORMED BY COMPANY

A. As the Effective Date of this Agreement, Company shall provide the following COBRA administrative services as listed below:

1. Provide a COBRA Desk Reference to begin the on-site documentation necessary for compliance with COBRA regulations with periodic COBRA updates.
2. Prepare standard form notice for distribution to all Paid Participants as of the Effective Date of this Agreement, identifying Company assisting the Client with COBRA Administration.
3. Provide standard form format for initial Employee notification of COBRA/HIPAA rights, COBRA Qualifying Event Eligibility Notification Letter and COBRA Continuation Election Form, COBRA Rates as well as any other regulatory forms.
4. Prepare and distribute COBRA Notifications listed in item A2 within 90 days and A3 within 14 days of submission of complete and timely notification from the Client or its successors and assigns via First Class Mail. Mailing to be documented with Post Office "Certificate of Mailing". The COBRA Election Notice will include instructions to return upon completion to Employer Driven Insurance Services, Inc. for processing. Timely receipt of election is understood by the Parties to this Agreement to mean any election that is received in the offices of the Company or postmarked for delivery on or prior to the expiration of the Election Period.

5. Prepare and distribute premium billing to the address of each Elected Participant for all past and current amounts owed to activate the continuation of coverage. Timely receipt of initial premium is understood by the Parties to this Agreement to mean received in the offices of the Company on or before 45 days after timely receipt of the Electing Participant's election. Timely receipt of premiums thereafter is any time with 30 days after the due date unless advised of additional time allowed under the Client's Plan(s).
6. Remit to the Client, within 10 business days of the first day of each month, a check for the Net Amount Due Client. Net Amount Due Client is the aggregate of all Paid Participant premiums timely received by Company in the preceding month, (excluding the 2% administrative fee for Federal COBRA and the 10% administrative fee for CAL-COBRA allowed by law).
7. Provide Client a Remittance Detail Report listing the Paid Participant premium timely received for the preceding month, Eligible Participant, Elected Participant, and COBRA Termination reports.
8. Upon receipt of notification from Client of continuation coverage premium rate changes, Company will notify all Eligible, Elected and Paid Participants of such changes in premium due.
9. Company will notify Electing and/or Paid Participant of the termination of their COBRA coverage in the event the Participant is found ineligible to continue coverage pursuant to provisions of COBRA.
10. Provide Paid Participant 180 days notice prior to expiration of continuation coverage, the date that the maximum period of COBRA continuation will expire, and when applicable, advise the Paid Participant of the right to an individual conversion contract and or the right to elect any applicable state continuation extension of coverage after COBRA continuation has expired.
11. Whatever additional notification and election services as may, from time to time, be required by changes in federal regulatory requirements.

ARTICLE IV. COBRA DUTIES OF THE CLIENT

A. Client shall provide Company with all such information, as Company requires in its sole discretion, to properly advise qualified beneficiaries under COBRA, in writing, of their rights to elect and receive COBRA continuation coverage under the Plan(s). Client shall be exclusively responsible for the accuracy and completeness of the information provided to Company. Client shall provide notice to the Company as soon as reasonably possible of any of the following events that will result in a loss of coverage under one of Client's Plan(s) ("qualifying events"):

1. For a covered employee

- Termination of employment (other than for gross misconduct) or reduction in hours of employment.

For spouses or dependent children of a covered employee

- The covered employee's termination of employment (other than for gross misconduct) or reduction in hours of employment.
- The covered employee's death.
- A divorce or legal separation of a spouse from a covered employee.
- A covered employee's entitlement to Medicare benefits.
- A child's loss of dependent status under the plan(s).

For retirees, their spouses and dependent children:

- The commencement of a bankruptcy proceeding.

Any other qualifying event as defined by law, and as the law may be amended or interpreted from time to time.

- B. Client shall notify the Company as soon as possible, but in no event later than five (5) business days after becoming aware, that any qualified beneficiary was disabled (as defined by the Social Security Act) at the time of the qualifying event, has become disabled within sixty (60) days of a qualifying event or having been disabled, is no longer disabled.
- C. Client shall notify the Company in writing as soon as reasonable possible but not less than thirty (30) days in advance of the effective date of the addition, termination or modification of any Plan as described in Section 2(2)(e) below.
- D. Client shall notify the Company as soon as possible, but in no event later than five (5) business days after becoming aware of a determination of Trade Adjustment Assistance ("TAA") for any qualified beneficiary by either the United States Department of Labor or a state agency.
- E. For each qualified beneficiary, Client shall determine the premium rates to be charged for COBRA continuation coverage and shall notify Company of such premiums in writing not less than thirty (30) days in advance of the effective date of

the premiums. Client shall notify Company of any change in premium rates affecting participants or prospective participants under a Plan as soon as reasonably possible after being made aware of such premium rate change but not less than thirty (30) days in advance of the effective date of change. If Client fails to satisfy these requirements, Client agrees that Company will not impose any premium increase on Client's affected qualified beneficiaries, elected and/or paid participants until the first premium month following thirty (30) days from the date Client notified Company of any such change.

- F. Client shall be solely responsible for examining the Company's status reports and shall notify the Company of any discrepancies between such status reports and Client's own records as soon as reasonably possible, but in no event later than five (5) business days after becoming aware of such discrepancies.
- G. All notices to be provided to the Company shall be in writing on forms provided to Client by Company. The Client shall be solely responsible for determining whether or not an individual has had a qualifying event, including, without limitation, whether the employee has been terminated for gross misconduct.
- H. Client shall notify and advise Company of qualified beneficiaries who, at the time of a qualifying event, have been deemed incompetent and provide Company with the name and address of such individual's legal guardian.
- I. Client represents that the Plan(s) will be maintained during the term of this Agreement in accordance with ERISA, and the Internal Revenue Code of 1986, as amended, and other applicable law. Client, the Plan(s) administrator and/or the Plan(s) (and their agents or assigns), and not Company, shall be responsible for the review and payment of claims for benefits under the Plan(s) and all appeals under ERISA and other applicable law, including, without limitation, with respect to claims, benefits and eligibility determinations under the Plan(s).
- J. Company may share information provided pursuant to this Agreement with Client's insurance broker or representative, unless Client provides Company written instructions to the contrary.

ARTICLE V. COBRA ADMINISTRATIVE FEES

A. As compensation for the services provided by Company under this Agreement, Client shall pay Company in accordance with the fees and charges set forth in this Agreement. A grace period of thirty (30) days without interest will be allowed for the payment of every charge due and payable after the effective date. This subsection does not apply to the initial charge. Failure of Client to pay any charge within the grace period can result in assessment of late fees equal to 15% of charges due. Client will be liable to COMPANY for charges due and unpaid on the termination date. In addition to the fees and charges set forth in this agreement, Company shall charge and retain the 2 percent administrative charge paid by each Participant under the Plan(s) as compensation for the handling of premium payments or shall charge and retain any greater administration charge allowed by law, whichever is higher. Company shall give Client at minimum a thirty (30) days advance notice of price adjustments, which Company may institute from time to time.

Company will be compensated by Client, or other party as listed below, a monthly flat rate for each Employee enrolled in Client's health benefit program as follows:

- \$2.00 per employee per month (waived for our EDHP™ product portfolio)
- Active COBRA Participants - \$4.50 per Paid Participant billed per month (waived for our EDHP™ product portfolio)

Please indicate if somebody other than the client listed in this contract will be handling payment of the COBRA fees:

Name: _____

Address: _____

Phone: _____ Email: _____

Please note, if the person designated to handle the payment of fees should fail to remit payment, or lose affiliation with Client, the Client will assume responsibility for payment.

- B. Company will be entitled to charge Clients Paid Participants the maximum allowable administrative charge under legislation then in effect (currently 2% of premium for Federal COBRA and 10% of premium for CAL-COBRA).
- C. Company will be entitled to charge a one-time \$100.00 initial set-up fee, which will be waived for Employer Driven Insurance Services, Inc. clients. Company is also entitled to charge an annual \$50 renewal fee.
- D. It is expressly agreed and understood by the Parties that Client, as of the Effective Date of this Agreement, shall not demand or accept any continuation coverage premium or fees whatsoever from any Participant obtaining continuation coverage.
- E. The compensation provided for in this Article shall remain in effect until the end of the Employer Driven Insurance Services, Inc. Services Agreement Year. Company may amend Agreement, by providing the client written notice of such amendment at least thirty (30) days prior to the commencement of the new Agreement Year.

ARTICLE VI. TERMINATION

Either party may terminate this Services Agreement. Notice of termination must be made in writing. Termination will be effective on the last day of the month following the month in which such notice is sent by party giving notice, except in the following instances, whereby termination will be effective immediately:

1. When the compensation owed Company remains unpaid 30 days beyond the due date.
2. The last date the Client no longer has a group health insurance program in place.
3. The date on which a proceeding is filed by or against the Client under bankruptcy statutes of the United States, or the Client is placed under receivership or trusteeship under any state or federal statute.

B. In the event of termination of this Agreement, Company shall have no further duty, obligation or responsibility under this Agreement after the termination date. Under no circumstances will Employer Driven Insurance Services, Inc. be obligated to notify any Participant of the termination of this Agreement.

ARTICLE VII. GENERAL PROVISIONS

1. Termination of Agreement. Either party may terminate this Agreement without cause after thirty (30) days written notice to the other party of the intent to terminate. In the event of payment default by Client, Company may terminate this Agreement if, after five (5) days written notice, Client fails to deliver full payment. In the event that either party shall terminate this Agreement, Company will, within fifteen (15) days of receipt of payment in full, provide Client with a status report of each of the continuants who were subject to this Agreement as of the date of termination in order to permit Client to provide continuation services with respect to the Plan(s). The provisions of Sections 3 through 14 of this Article shall survive the termination of this Agreement.
2. Audit Rights. During the term of this Agreement and for a period of one (1) year after the termination of this Agreement, Client may inspect any COBRA compliance transactions, procedures, records and participant files relating to Client's employees (and their dependents), at Company's office at a time reasonably acceptable to Company, upon providing ten (10) business days advance written notice to Company.
3. Claims and Indemnity. Notwithstanding anything in this Agreement to the contrary, Company shall not be responsible to receive or review claims for benefits under the Plan(s) or be liable for the payment of any claims for benefits under or in connection with the Plan(s), including, without limitation, where sought as damages in an action against Client, Company or otherwise. Client agrees to hold Company harmless (including reasonable attorneys fees and costs) in connection with any claim or cause of action, which results from the failure or alleged failure of Client (including its officers and employees, any entity related to or performing services on behalf of Client, or any insurance company providing services to or on behalf of the Plan(s)) to comply with COBRA or any other applicable federal or state law.
4. Confidential Information. Both during and after the term of this Agreement, Client shall hold for Company's benefit and shall not use or disclose to any third party any trade secrets, or confidential information, knowledge, or data relating to the subject of this Agreement or related materials relating to the Company's operations, business, or affairs including, without limitation, pricing proposals or pricing agreements. This restriction will not apply to disclosure to legal, tax or

financial advisors; provided those advisors are notified of this provision and the advisors agree to use their respective best efforts to protect against any further disclosure by these persons.

5. Ownership Rights in Materials. All products, forms, procedures and other materials (the "Materials") utilized or made available by Company to Client in connection with any service performed under this Agreement are the sole property of Company, and Client shall not acquire any right, title or interest in the Materials by use thereof in accordance with this Agreement. Client shall not license, market, copy, modify, sell or transfer any of the Materials, in whole or in part. Client acknowledges and recognizes that any breach of this section would result in irreparable harm to Company, and, accordingly, agrees that in addition to and not in lieu of all remedies available to Company by reason of such breach (at law or equity), Company shall be entitled to equitable relief (including, without limitation, specific performance and injunctive relief) to enjoin the occurrence or continuation of such breach. Upon Company's request, Client shall promptly return all Materials to Company following the termination of this Agreement.
6. No Implied Licenses. Except as expressly specified in this Agreement, nothing in this Agreement shall be deemed to grant to Client, by implication, estoppel or otherwise, license rights, ownership rights or any other intellectual property rights in any software, literary works, other works of authorship, specifications, design documents and analyses, programs, documentation, reports, and similar work product owned by Company.
7. Relationship of Parties. Client and Company acknowledge and agree that Company is retained under this Agreement to assist Client, the Plan(s) and/or the Plan Administrator of the Plan(s) with their obligations to comply with the continuation coverage provisions of COBRA, and that Company is not a fiduciary under ERISA. The parties further acknowledge that Company is an independent contractor and not a partner, agent or employee of Client, the Plan(s) or the Plan Administrator of the Plan(s). Nothing contained in this Agreement shall be deemed to permit either party to conduct business in the name of or on account of the other party, or to act on behalf of or bind the other party in any manner whatsoever, except for the taking of actions by Company on behalf of Client, the Plan(s), the Plan Administrator of the Plan(s) in the fulfillment of Company's duties under this Agreement.
8. Reliance by Company. Company shall be fully protected in relying upon representations by Client set forth in this Agreement and communications made by or on behalf of Client in effecting its duties under this Agreement. Client represents that the signatory to this Agreement is authorized to enter into such Agreement on behalf of Client, the Plan(s) Administrator(s) and/or the Plan(s).
9. Indemnification of Client. With regard to 3rd party claims only, during the term of this Agreement, subject to Client's reasonably accurate and timely performance of its duties under this Agreement, Company shall indemnify and hold Client harmless from any gross negligence and willful misconduct on behalf of Company arising out of the Company's breach of its obligations contained in this written agreement. Should liability be related to excise taxes imposed on Client by the Internal Revenue Service arising out of any COBRA violation directly caused by the failure of Company to timely and properly perform any of the services that Company is obligated to provide under this Agreement, Company shall have the right to challenge the assessment of, or seek a waiver from the Internal Revenue Service with respect to, all or any portion of such excise taxes, and Client shall fully cooperate with Company in such regard. Client, and not Company, shall have responsibility with respect to any liability or excise taxes in cases where liability arises out of Client's act or failure to act in accordance with any applicable law or this Agreement. Company shall not be responsible for any damages to Client arising out of the dishonest, fraudulent, or criminal acts of Client, its employees, directors, or officers, acting alone or in collusion with others.
10. Limitation of Liability. EXCEPT AS SPECIFICALLY LIMITED IN SECTION 9 ABOVE, IN NO EVENT WILL COMPANY BE LIABLE FOR ANY DIRECT, INDIRECT, SPECIAL, INCIDENTAL, AND/OR CONSEQUENTIAL DAMAGES HOWSOEVER INCURRED OR DESIGNATED, OR ANY LOSS OF PROFITS, EVEN IF COMPANY WAS INFORMED OF THE POSSIBILITY OF SUCH LOSS.
11. Force Majeure. Company shall not be liable for failures or delays in performance which are caused by natural disasters, strikes, war, utility outages, communication outages, or any other circumstances which could not have been reasonably foreseen and avoided by commercially reasonable action, or are beyond the reasonable control of Company. Company shall be excused from performance under this Agreement for the duration of the effects of such circumstances.

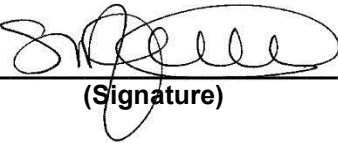
12. Entire Agreement, Amendments And Modifications. This Agreement represents the entire agreement between the parties, and there are no oral or other written agreements or understandings between the parties affecting this Agreement, or related to the services to be provided by Company or duties undertaken by Client under this Agreement. This Agreement supersedes all previous agreements between the parties. This Agreement may be amended only by a written agreement executed by Client and Company. Client may not assign this Agreement without the express written consent of Company.

13. Third Party Beneficiaries. The parties do not intend, by the execution of this Agreement, to provide any rights to third parties under this Agreement.

14. Governing Law and Jurisdiction. This Agreement shall be governed by and construed under the laws of the State of California, except to the extent preempted by ERISA. If any provision of the agreement is held to be invalid in any court of competent jurisdiction, such finding shall not invalidate the remainder of the Agreement. With respect to any claim arising out of this Agreement, (a) each party irrevocably submits to the exclusive jurisdiction of the courts of the State of California, or the United States District Court, located in Tulare County, California and (b) each party irrevocably waives any objection which it may have at any time to the venue of any suit, action or proceeding arising out of or relating to this Agreement brought in any such court and irrevocably waives any claim such suit, action or proceeding is brought in an inconvenient forum and further irrevocably waives the right to object, with respect to such claim, suit, action or proceeding brought in any such court, that such court does not have jurisdiction over such party.

Employer Driven Insurance Services, Inc.

Client Name:

By: 

(Signature)
President

(Title & Date)

By: _____
(Signature)

(Title & Date)

Exhibit A – Definitions

Calendar Year means the one year commencing on January 1 and ending on the following December 31.

COBRA means the Consolidated Omnibus Budget Reconciliation Act of 1985 and its amendments.

Dependent means any person who is BOTH eligible for coverage and covered as a dependent spouse or child under the Client's health plan on the day before a Qualifying Event.

Employees are ALL employees eligible to participate in the Employee's health plan.

Eligible Participant means a plan participant who has experienced a qualifying event.

Elected Participant means an Eligible Participant that has elected to continue health insurance coverage through their COBRA eligibility.

Election Period means the period of at least sixty (60) days beginning on the latter of the date on which coverage under the health plan was terminated by reason of a qualifying event or the post-mark date on which the Notification of COBRA Eligibility was mailed, and ending on the sixtieth (60) day thereafter.

Employee means any person who is both eligible for coverage and covered as an employee under the Client's health benefit plan on the day before the Qualifying Event.

HIPAA means Health Insurance Portability and Accountability Act of 1996 and its amendments.

Paid Participant means an Elected Participant for which continuation health plan coverage premium has been timely received and who remains eligible for such continuation coverage.

Plan Participant means an Employee or a Dependent both eligible and covered under the Client's health plan. Participant wording in this agreement is both singular and plural.

Qualified Beneficiary means a participant eligible for continuation of health insurance benefits due to the loss of such coverage due to certain events defined in the COBRA legislation.

Qualifying Event means the occurrence of any of the following specific events that result in a loss of coverage by a participant under the Client's Plan(s): a.) Death of a covered employee or covered retiree; b.) Termination of employment of a covered employee (for reasons other than gross misconduct) or reduction in employee's hours; c.) Divorce an/or legal separation from the covered employee; d.) Covered employee/retiree becoming entitled to Medicare; e.) Dependent children who cease to be eligible as "dependents" under provision(s) of the Plan(s); e.) Client filing for bankruptcy whereby loss or substantial elimination of benefits under plans(s) within one year before or after the commencement of bankruptcy proceeding; and f.) Any other event resulting in a covered employee and/or dependent becoming qualified to continue coverage under the provisions of COBRA.

City of Mendota Employee Benefits Plan

Plan Document and Summary Plan Description

Disclaimer: This document is made available by Mineral™ as a service to its clients. This document has been prepared for Mineral™ by Barrow Weatherhead Lent LLP ("BWL") and is intended to be used by a company sponsoring *an ERISA-governed single employer plan*. While BWL from time-to-time updates this model form document for Mineral™, BWL specifically disclaims any responsibility to (1) ensure this sample document is appropriate for any Mineral™ client's use or (2) provide updates to reflect changes in applicable law directly to any Mineral™ client that does not maintain a client relationship with BWL. Clients who choose to use this document should consult with their own counsel to adapt this form to their plan terms and are responsible for ensuring that this document is consistent with any carrier documents and with how the plan is being administered by any third party administrators. This document is not intended, and should not be viewed, as legal guidance or advice. Specific questions about the tax or legal implications of employer plans should be referred to qualified counsel. This document is not and should not be deemed to be in any way made available as an inducement to establish or maintain a business relationship with BWL.

This document is *not* intended for use by employers who are governmental agencies or bodies (e.g., municipalities, school districts, counties) that are not subject to ERISA nor is it intended for sponsors of a "church plan" unless it elects to be subject to ERISA. All or part of this plan may not apply to those types of plans. Additionally, this document is intended only for use by unfunded plans (i.e., the plan's benefits are paid solely through group insurance, or directly by the Plan Sponsor from its general assets, or a combination).

**City of Mendota
Wrap Plan**

**PLAN DOCUMENT AND
SUMMARY PLAN DESCRIPTION**

Effective as of July 1, 2022

The Plan Sponsor reserves the right to amend this Plan, in its sole discretion, at any time without the consent of any employee, former employee, or participant. The benefits provided under the Plan are not guaranteed benefits for covered persons or for their dependents. The Plan Sponsor reserves the right, in its sole discretion, to terminate the Plan or any Plan feature or component at any time and for any reason without liability.

The terms "you" and "your" as used in this document refer to an individual who is otherwise eligible to participate in the Plan. Receipt of this document does not guarantee that the recipient is in fact eligible to participate in the Plan or any Plan feature or component.

Table of Contents

Table of Contents	3
GENERAL INFORMATION ABOUT THE PLAN	4
General Plan Information	4
Employer Information	4
Plan Administrator Information	4
Service of Legal Process	5
Type of Welfare Plan	5
Type of Administration	5
Amendment and Termination	5
ELIGIBILITY AND BENEFITS	5
Employee Eligibility Requirements	5
Dependent Eligibility Requirements	7
Special Enrollment Rights	8
Qualified Medical Child Support Orders	8
Plan Benefits	9
Loss of Benefits	9
Plan Costs	9
NOTICES AND DISCLOSURES	9
Special Rule for Mothers' and Newborns' Coverage	9
Special Rule for Women's Health Coverage	9
Notice Regarding Lifetime and Annual Dollar Limits	10
Patient Protection Disclosure	10
Tax Notes	10
Mental Health Parity	10
No Surprises Act	11
RESPONSIBILITIES FOR PLAN ADMINISTRATION	11
Plan Administrator	11
Duties of the Plan Administrator	12
Plan Administrator Compensation	12
Fiduciary Duties	12
The Named Fiduciary	12
Uniformed Services Reemployment Rights	12
Genetic Nondiscrimination	13
COBRA	13
Introduction	13
COBRA Continuation Coverage	13
FUNDING POLICY	17
SUBROGATION AND RIGHTS OF RECOVERY	17
Assignment of Rights (Subrogation)	17
Equitable Liens/Equitable Remedies	18
Assisting Reimbursement Activities	18
Recovery of Overpayments	18
PLAN IS NOT AN EMPLOYMENT CONTRACT	19
ADDITIONAL PLAN INFORMATION	19
Your Rights Under ERISA	19
Prudent Actions by Plan Fiduciaries	19
Enforce Your Rights	19
Assistance with Your Questions	20
Claims Procedure for the Plan	20
Claims Procedure for Disability Benefits filed under the Plan	20
Claims Procedures for a Group Health Plan	23

**City of Mendota
Wrap Plan**

PLAN DOCUMENT AND SUMMARY PLAN DESCRIPTION

Effective as of July 1, 2022

This document, together with the provider contracts identified in Schedule A, and their respective policies, descriptions and other materials (either written or electronic), constitute the written plan and the summary plan description as required by Section 102 of the Employee Retirement Income Security Act of 1974 ("ERISA") and U.S. Department of Labor Regulation Sections 2520.102-2 and 2520.102-3 for the City of Mendota Wrap Plan (the "Plan").

The policies, contracts or booklets for each underlying Plan feature govern the benefits to be provided and include more details on how the Plan features operate. If there is any conflict between this plan document and such policies, contracts or booklets, then such other documents will control, unless otherwise specified herein. Participants and beneficiaries should not rely on any oral description of the Plan because the written terms of the Plan will always govern.

A. GENERAL INFORMATION ABOUT THE PLAN

This section contains general information that you may need to know about the Plan.

1. General Plan Information

The name of the Plan is the City of Mendota Wrap Plan.

The Plan Sponsor has assigned Plan Number 501 to the Plan.

The original effective date of the plan was July 1, 2022.

The Plan Year is the twelve-month period ending each June 30th.

The Plan includes the following Plan features:

- Group Medical Benefits (the "Group Medical Feature")
- Health Reimbursement Account (the "HRA Feature")
- Group Dental Benefits (the "Group Dental Feature")
- Group Vision Benefits (the "Group Vision Feature")
- Group Life/AD&D Benefits (the "Group Life/AD&D Feature")
- Group Short Term Disability Benefits (the "Group STD Feature")
- Group Long Term Disability Benefits (the "Group LTD Feature")
- Voluntary Term Life/AD&D (the "Voluntary Term Life/AD&D Feature")
- Worksite Products (the "Worksite Products Feature")

2. Employer Information

The Plan Sponsor's name, address, and employer identification number are:

City of Mendota
643 Quince Street
MENDOTA, CA 93640
E.I.N.: 94-6000369

3. Plan Administrator Information

The Plan Administrator's name and contact information is:

City of Mendota
643 Quince Street
MENDOTA, CA 93640
Telephone: (559) 630-2849

The Plan Administrator keeps the records for the Plan and is responsible for the administration of the Plan. The Plan Administrator will also answer any questions you may have about the Plan.

4. Service of Legal Process

The name of the Plan's agent for service of legal process is:

City of Mendota
643 Quince Street
MENDOTA, CA 93640

Service of legal process may also be made upon the Plan Administrator.

5. Type of Welfare Plan

The Plan is intended to be an "employee welfare benefit plan" within the meaning of ERISA Section 3(1).

6. Type of Administration

Benefits furnished under the Plan are administered by the providers from which benefits are purchased, or in the case of certain self-funded benefits, by the Plan Administrator (or a third-party administrator, as may be designated by the Plan Administrator from time to time). The name of each provider is set out in Schedule A. Unless otherwise indicated, all benefits furnished under the Plan are provided under the insurance policies, administrative contracts and/or plan documents identified in Schedule A, and the respective providers identified therein provide all necessary administrative services.

7. Amendment and Termination

The Plan Sponsor reserves the right to amend any one or more of the underlying Plan features or component benefits of the Plan at any time and for any reason, in its sole discretion, without the consent of any employee or former employee or participant. The benefits provided under the Plan are not guaranteed benefits for covered persons or for their dependents. The Plan Sponsor reserves the right, in its sole discretion, to terminate the Plan or any Plan feature at any time and for any reason, without liability. Upon the termination of the Plan or a Plan feature, as the case may be, all elections and reductions in compensation relating to the Plan or the applicable Plan feature will terminate.

The Plan may be amended or terminated by a written instrument duly adopted by the Plan Sponsor or any of its delegates. The Plan Sponsor may authorize one or more individuals to sign insurance contracts for this Plan on behalf of the Plan Sponsor, including amendments to those contracts, and such individual may adopt (by a written instrument) amendments to the Plan that he or she considers to be administrative in nature or advisable to comply with applicable law.

B. ELIGIBILITY AND BENEFITS

1. Employee Eligibility Requirements

Subject to each Plan feature's eligibility requirements that are set forth in the provider contracts or other plan documents identified in Schedule A, and their respective policies, descriptions, plan materials and participant communications, all regular full-time and part-time employees of the Plan Sponsor are eligible to participate in the Plan as described in the table below.

Employee Eligibility Criteria	Hours Worked Requirement	Dependent Eligibility	Waiting Period	Employee's Participation Ends	Applicable Plan Features
Non-Council Employees	30 hours a week	Spouse, Dependent/Child - Biological children, Adopted children, Stepchildren, Foster children, Children for whom you are responsible under court order, Children for whom you are appointed legal guardianship., Domestic Partner (see Section 2 below)	the first of the month following 30 days	At the end of the month in which the employee's employment terminates	Medical, Life/AD&D, Voluntary Term Life/AD&D, HRA, ST Disability, Worksite Products, Dental, LT Disability, Worksite Products, Vision
City Council Members	30 hours a week	Spouse, Dependent/Child - Biological children, Adopted children, Stepchildren, Foster children, Children for whom you are responsible under court order, Children for whom you are appointed legal guardianship., Domestic Partner (see Section 2 below)	the first of the month following 30 days	At the end of the month in which the employee's employment terminates	Medical, Life/AD&D, HRA, Worksite Products, Dental, Worksite Products, Vision

To the extent that the Plan and/or a Plan feature's provider contracts and/or other plan documents refer to the eligibility of "employees," only individuals classified as "employees" by the Plan Sponsor are eligible to participate in such Plan feature. Independent contractors, freelancers and individuals hired through staffing firms shall not be eligible even if they are subsequently determined to be common law employees for any purpose, including without limitation, for wage, labor or tax purposes by the Internal Revenue Service, the Department of Labor or any other Federal or state agency, administrative body or court. Any such determination should have a prospective effect only.

Certain Plan features require enrollment (either once or annually) for coverage. Information about enrollment procedures, including when coverage begins and ends for the various Plan features, is found in the attachments. An eligible employee begins participating in the Plan upon his or her election to participate in a Plan feature in accordance with the terms and conditions established for that feature or, if earlier, upon meeting the eligibility criteria and becoming covered under a Plan feature that does not require enrollment or an election.

Other individuals, such as Eligible Dependents may be eligible to participate in and receive benefits under one or more of the Plan features due to their relationship to an eligible employee. Information about such eligibility and coverage is found in the respective attachments.

NOTE: The Plan Administrator reserves the right to terminate your health care coverage prospectively without notice for cause (as determined by the Plan Administrator), or if you or a dependent are otherwise determined to be ineligible for coverage under the Plan. In addition, if you or your dependent commits fraud or intentional misrepresentation of a material fact (including, for example, in an application for health coverage under the Plan), in connection with a benefit claim or appeal, or in response to any request for information by the Plan Sponsor or its delegates (including the Plan Administrator or a claims administrator), the Plan Administrator may terminate your coverage retroactively upon 30 days' notice. Failure to inform any such persons that you or your dependent is covered under another group health plan (if required by the Plan) or knowingly providing false information in order to obtain coverage for an ineligible dependent are examples of actions that constitute fraud under the Plan. Coverage may also be

terminated retroactively and without notice (unless required by law) if the Plan Administrator or its delegee determines that a spouse or dependent is ineligible for coverage under the Plan and such retroactive termination would not be considered a rescission under the Affordable Care Act. If coverage is terminated retroactively, you must reimburse the Plan and/or its delegee for the costs associated with providing coverage to any ineligible persons (including benefit claims, processing fees, administrative charges and all other costs), plus interest and any attorneys' fees incurred by them in order to collect such amounts. Additionally, you may be subject to further disciplinary action from the Plan Sponsor, including, but not limited to, termination of employment.

2. Dependent Eligibility Requirements

Subject to each Plan feature's eligibility requirements that are set forth in the provider contracts or other plan documents identified in Schedule A, and their respective policies, descriptions, plan materials and participant communications, you may also enroll the following members of your family in the Plan ("Eligible Dependents"):

- a. **Your spouse.** "Spouse" means the individual to whom you are legally married as determined under federal law. The Plan Sponsor shall have the sole discretion to determine the legal status of a Participant's marriage for purposes of coverage under the Plan.
- b. **Your children.** Each of your children who is:
 - under age 26, whether married or unmarried, regardless of his or her student or employment status and regardless of whether your home is his or her principal place of abode or whether you support him or her financially;
 - over the age of 26 and are unmarried and (i) primarily dependent on you for support because of a mental or physical disability; and (ii) for whom you give the Plan Sponsor satisfactory proof of such mental or physical disability within 31 days after the later of the commencement of such mental or physical disability or the date you first become an eligible employee under this Plan; or
 - for purposes of any Plan features that are subject to state-mandated benefits, over the age 26 to the extent required to be covered by such state law.

For purposes of this definition, "Child" and "Children" means the following: your biological children, your legally adopted children, your stepchildren, your foster children, any children for whom you are responsible under court order, children for whom you are appointed legal guardianship.

You may be required to verify the eligibility of your eligible dependents for coverage (e.g., by providing a birth or marriage certificate). If you fail to timely provide the documentation upon request to prove the eligibility of any of your eligible dependents or the Plan Administrator (or its delegee) is unable to verify the submitted documentation, your dependent (or dependents) will lose coverage under the Plan, whether or not they are otherwise eligible for benefits under the respective plan.

In order to enroll your eligible dependents in any Plan feature, you must also enroll in that coverage under the Plan. Unless your eligibility ends earlier, your eligible children will generally be covered under the Plan features that cover eligible children until the end of the month in which they reach age 26.

A note about Michelle's Law: To the extent that health coverage under a Plan feature of any dependent child over the age of 26 pursuant to a state-mandated benefit requires full-time student status, a dependent child includes the Employee's eligible dependent child as defined under Code section 152(f)(1) who is receiving health coverage as a full-time student in a post-secondary educational institution (including colleges and universities), and who would otherwise lose health coverage because he/she takes a medically necessary leave of absence that would cause the loss of student status, may be entitled to up to one year of continued coverage due to the medically necessary leave. In order to be eligible for this extension, the dependent child's treating physician must provide a written certification to the Plan Administrator that the child is suffering from a serious illness or injury and the leave of absence from the post-secondary institution is medically necessary.

- c. **Your domestic partner.** The employee and domestic partner must:
 - * Be 18 years old;
 - * Not be barred from relations based on the degree of blood relation in the state in which they reside;
 - * Have lived together in a committed relationship for at least six consecutive months and expect to continue living together in a relationship in which they have joint and reciprocal financial

responsibilities; and

* Not have a spouse or other domestic partner.

Additionally, the domestic partner cannot be independently eligible for coverage through the employer.

In addition, you must present two forms of documentation showing your shared financial responsibilities, such as:

- A joint lease or mortgage;
- A joint bank account statement;
- Joint ownership of a motor vehicle; or
- Designation of your partner as the primary beneficiary of your will, life insurance or retirement benefits.

3. Special Enrollment Rights

If you do not enroll yourself and your dependents in a group health plan after you become eligible or during annual enrollment, you may be able to enroll under the special enrollment rules under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") that apply when an individual declines coverage and later wishes to elect it. Generally, special enrollment is available if (i) you declined coverage because you had other health care coverage that you have now lost through no fault of your own (or employer contributions to your other health care coverage terminate); or (ii) you have acquired a new dependent (through marriage or the birth or adoption of a child) and wish to cover that person. When you have previously declined coverage, you must have given (in writing) the alternative coverage as your reason for waiving coverage under the group health plan when you declined to participate. In either case, as long as you meet the necessary requirements, you can enroll both yourself and all eligible dependents in the group health plan if you provide notice to the Plan Administrator within 30 days after you lose your alternative coverage (or employer contributions to your alternative coverage cease) or the date of your marriage or the birth, adoption, or placement for adoption of your child.

You may also enroll yourself and your dependents in a group health plan if you or one of your eligible dependent's coverage under Medicaid or the state Children's Health Insurance Program (CHIP) is terminated as a result of loss of eligibility, or if you or one of your eligible dependents become eligible for premium assistance (that could be used toward the Plan costs) under a Medicaid or state child health plan under CHIP. Under these two circumstances, the special enrollment period must be requested within 60 days of the loss of Medicaid/CHIP coverage or of the determination of eligibility for premium assistance under Medicaid/CHIP.

The special enrollment rules do not apply to limited scope dental or vision benefits or certain health care flexible spending accounts (e.g., spending accounts that limit benefits to employee salary reduction amounts).

See the Plan Administrator for details about special enrollment.

4. Qualified Medical Child Support Orders

A Qualified Medical Child Support Order ("QMCSO") is an order by a court for a parent to provide a child or children with health insurance under a group health plan. The Plan Administrator (unless otherwise delegated) will comply with the terms of any QMCSO it receives, and will:

- Establish reasonable procedures to determine whether medical child support orders are qualified medical child support orders as defined under ERISA Section 609;
- Promptly notify you and any alternate recipient (as defined in ERISA Section 609(a)(2)(C)) of the receipt of any medical child support order, and the Plan's procedures for determining whether medical child support orders are qualified medical child support orders; and
- Within a reasonable period of time after receipt of such order, the Plan Administrator will determine whether such order is a qualified medical child support order and will notify you and each alternate recipient of such determination.

The Plan Administrator has developed procedures to determine whether a medical child support order is qualified and for complying therewith. You may obtain, without charge, a copy of these procedures upon request to the Plan Administrator.

5. Plan Benefits

The Plan provides for group medical benefits, health reimbursement account benefits, group dental benefits, group vision benefits, group life/AD&D insurance benefits, group short term disability benefits, group long term disability benefits, voluntary term life/AD&D, worksite products, all as more fully described (and subject to the limitations contained) in the provider contracts, plan documents and related materials referred to in Schedule A.

6. Loss of Benefits

As noted above, the Plan Sponsor reserves the right to change or eliminate any Plan feature under the Plan and may amend or terminate the Plan at any time. Except in the case of certain health care continuation rights under Federal law, or an applicable state law as described in the policies, contracts, booklets or other written materials for each underlying Plan feature, all benefits terminate at the end of the month that your active employment terminates or you are no longer eligible for benefits, or when the group insurance policy terminates, whichever occurs first. The Plan Administrator, in its sole discretion, reserves the right to suspend the termination of your benefits due to your loss of eligibility as a result of any declaration of a national or public health emergency.

When your participation in a component benefit program terminates, benefits under that component benefit program for you and your Eligible Dependents covered through you will cease. Termination of participation in a component benefit program occurs in accordance with the terms and conditions established for that program.

Benefits under all component programs (for all covered persons) will cease upon termination of the Plan.

Other circumstances can result in the termination of benefits. The insurance contracts (including the certificate of insurance booklets), plans, and other governing documents in the applicable Attachments provide additional information.

7. Plan Costs

Funding for Plan benefits is as described in Schedule A for each Plan feature. The dollar values of the participant contributions will be communicated to you prior to any initial, open, or special enrollment period.

C. NOTICES AND DISCLOSURES

1. Special Rule for Mothers' and Newborns' Coverage

Group health plans and health insurance issuers generally may not, under Federal law, restrict benefits for any hospital length of stay in connection with childbirth for the mother or newborn child to less than 48 hours following a vaginal delivery, or less than 96 hours following a cesarean section. However, Federal law generally does not prohibit the attending provider or physician, after consulting with the mother, from discharging the mother or her newborn earlier than 48 hours (or 96 hours, as applicable). In any case, plans and issuers may not, under Federal law, require that a provider obtain authorization from the plan or the insurance issuer for prescribing a length of stay not in excess of 48 hours (or 96 hours). Additional state laws may be applicable as more fully described in other materials detailing your medical benefits.

2. Special Rule for Women's Health Coverage

The Women's Health and Cancer Rights Act of 1998 ("WHCRA") requires group health plans, insurance issuers and HMOs who already provide medical and surgical benefits for mastectomy procedures to provide insurance coverage for reconstructive surgery following mastectomies. This expanded coverage

includes (i) reconstruction of the breast on which the mastectomy has been performed, (ii) surgery and reconstruction of the other breast to produce a symmetrical appearance, and (iii) prostheses and physical complications at all stages of mastectomy, including lymphedemas. These procedures may be subject to annual deductibles and coinsurance provisions that are similar to those applying to other medical or surgical benefits provided under the Group Medical Feature. For answers to specific questions regarding WHCRA benefits, contact the Plan Administrator. Additional state laws may be applicable as more fully described in other materials detailing your medical benefits.

3. Notice Regarding Lifetime and Annual Dollar Limits

In accordance with applicable law, any lifetime or annual dollar limits set forth in the Group Medical feature shall not apply to "essential health benefits," as such term is defined under Section 1302(b) of the Affordable Care Act. The law defines "essential health benefits" to include, at a minimum, items and services covered within certain categories including emergency services, hospitalization, prescription drugs, rehabilitative and habilitative services and devices, and laboratory services.

The restrictions regarding lifetime and annual dollar limits under the Group Medical Feature do not apply to services (even services for essential health benefits) which are limited by the number of visits or other criteria. For example, a medical plan may provide that coverage for a physical therapist is limited to up to 30 visits per year per covered person.

4. Patient Protection Disclosure

If the Group Medical Feature in which you are enrolled requires the designation of a primary care provider, you have the right to designate any participating primary care provider who is available to accept you or your family members (for children, you may designate a pediatrician as the primary care provider). For information on how to select a primary care provider and for a list of participating primary care providers, contact the Plan Administrator. You do not need prior authorization from the Plan or from any other person, including your primary care provider, in order to obtain access to obstetrical or gynecological care from a health care professional; however, you may be required to comply with certain procedures, including obtaining prior authorization for certain services, following a pre-approved treatment plan, or procedures for making referrals. For a list of participating health care professionals who specialize in obstetrics or gynecology, contact the Plan Administrator.

5. Tax Notes

Domestic Partners. Federal law does not recognize "domestic partners" for specialized tax treatment under employer-sponsored group health plans. Unless your domestic partner and domestic partner's child(ren) are your federal tax dependents for group health plan purposes, you will be subject to federal (and possibly state) tax on the imputed value of the coverage provided to the domestic partner and the domestic partner's child(ren). You must notify the Plan Administrator if you believe your domestic partner meets the requirements for a federal tax dependent for group health plan purposes or a dependent under state tax law.

6. Mental Health Parity

With respect to any Plan features, if any, subject to the Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA), the Plan provides parity between mental health and substance use disorder benefits and medical/surgical benefits with respect to financial requirements (e.g., deductibles, co-payments, coinsurance, and out-of-pocket maximums) and quantitative treatment limitations (e.g., number of treatments, visits, or days of coverage) or nonquantitative treatment limitations (such as restrictions based on facility type) under group health plans and health insurance coverage offered in connection with the Plan. Specifically, the Plan will not:

- Impose an aggregate lifetime or annual dollar limit, respectively, on mental health or substance use disorder benefits.
- Apply any financial requirement or treatment limitation (whether quantitative or nonquantitative) to mental health or substance use disorder benefits in any classification that is more restrictive than the predominant financial requirement or treatment limitation of that type applied to substantially all medical/surgical benefits in the same classification. The Plan Administrator will determine, in

accordance with applicable regulations, the applicable mental health or substance use and medical/surgical benefit classifications.

Further, to the extent required by law, the Plan performs and documents comparative analyses of the design and application of its non-quantitative treatment limitations in accordance with applicable law.

Upon request and to the extent required by law, the Plan Administrator will:

- Make any criteria used to determine medical necessity for claims involving mental health or substance use disorder benefits available to current or potential Plan participants, as well as beneficiaries or in-network providers.
- Provide its comparative analyses of non-quantitative treatment limitations to Plan participants and their authorized representatives.

The manner in which these restrictions apply to the Plan will be determined by the Plan Administrator in its sole discretion in light of applicable regulations and other guidance.

7. No Surprises Act

The No Surprises Act of the Consolidated Appropriations Act, 2021 (the "CAA"), protects you from "surprise billing" or "balance billing" when you get emergency care at an out-of-network hospital or when you receive care from an out-of-network provider who is working at a hospital or ambulatory surgical center in your health plan's network.

A "balance bill" is a bill charged to you by an out-of-network provider or facility to make up the difference between what your health plan pays and the provider charges for the items or services rendered. "Surprise billing" is an unexpected balance bill you receive from a provider or facility. This can happen when you receive care from a facility that is in-network but one of the providers at the facility is out-of-network.

Under the No Surprises Act, you are protected from balance billing for emergency services provided by out-of-network providers, including services you may get after you are in stable condition (unless you give written consent and give up your protections against balanced billing for post-stabilization services). You are also protected from surprise bills from services you receive from out-of-network providers while at an in-network hospital or ambulatory surgery center, such as services for emergency medicine, anesthesia, pathology, radiology, laboratory, neonatology, assistance surgeon, hospitalist, or intensivist services. The most the providers can bill you is your in-network cost-sharing amount, and they can't ask you to give up your protections from being balance billed. If you receive other services at in-network facilities, out-of-network providers cannot balance bill you unless you provide written consent. Written consent can never be required. Further, you can always choose to get care at an in-network facility or from an in-network provider instead of getting care from an out-of-network provider or facility.

The Plan covers emergency services without requiring you to get approval for such services in advance, which is known as prior authorization. Further, the Plan covers emergency services even if those services are provided by providers who are outside the plan's network. Your required cost sharing (co-pays, coinsurance, or deductibles) for emergency care received by an out-of-network provider or facility will be the same as what you pay a provider or facility in the Plan's network. That amount will be included in your explanation of benefits. Finally, the amount of any cost-sharing you pay for emergency services or out-of-network services will count towards your applicable maximum annual deductible and out-of-pocket limits under the Plan.

Contact the Plan Administrator for more information.

D. RESPONSIBILITIES FOR PLAN ADMINISTRATION

1. Plan Administrator

It will be a duty of the Plan Administrator to ensure that the Plan is carried out, in accordance with its terms and in a nondiscriminatory manner, for the exclusive benefit of Participants and their beneficiaries in

accordance with applicable law.

The Plan Administrator has (i) the power and authority in its sole, absolute and uncontrolled discretion to control and manage the operation and administration of the Plan and (ii) all powers necessary to accomplish these purposes.

The Plan Administrator will administer the Plan in accordance with established policies, interpretations, practices, and procedures and in accordance with the requirements of ERISA and other applicable laws. With respect to the Plan, the Plan Administrator has discretion (i) to interpret the terms of the Plan, (ii) to determine factual questions that arise in the course of administering the Plan, (iii) to adopt rules and regulations regarding the administration of the Plan, (iv) to determine the conditions under which benefits become payable under the Plan and (v) to make any other determinations that the Plan Administrator believes are necessary and advisable for the administration of the Plan. Subject to any applicable claims procedure, any determination made by the Plan Administrator will be final, conclusive and binding on all parties. The Plan Administrator may delegate all or any portion of its authority to any person or entity. For example, for benefits that are fully insured, the applicable insurance company is delegated certain administrative authority.

DESPITE ANY PLAN PROVISION TO THE CONTRARY, THE POLICIES, CONTRACTS OR BOOKLETS FOR EACH UNDERLYING PLAN FEATURE GOVERN THE BENEFITS TO BE PROVIDED, AND THE PROVIDERS FOR EACH PLAN FEATURE ARE RESPONSIBLE FOR MAKING BENEFIT DETERMINATIONS UNDER EACH SUCH PLAN FEATURE, NOT THE PLAN ADMINISTRATOR. IF THERE IS ANY CONFLICT BETWEEN THIS PLAN DOCUMENT AND SUCH POLICIES, CONTRACTS OR BOOKLETS, THEN SUCH OTHER DOCUMENTS WILL CONTROL.

2. Duties of the Plan Administrator

The Plan Administrator will (i) administer the Plan in accordance with its terms, (ii) decide disputes which may arise relative to a Plan participant's rights, (iii) keep and maintain the Plan documents and all other records pertaining to the Plan, (iv) pay or arrange for the payment of claims, (v) with respect to each group health plan covered under the Plan, establish and communicate procedures to determine whether a medical child support order is qualified under Section 609 of ERISA, and (vi) perform all necessary reporting as required by ERISA.

3. Plan Administrator Compensation

While the Plan Administrator serves without compensation, all expenses for administration, including compensation for hired services, will be paid by the Plan unless paid by the Plan Sponsor.

4. Fiduciary Duties

A fiduciary must carry out his or her duties and responsibilities for the purpose of providing benefits to the participants and their dependents and defraying reasonable expenses of plan administration. These duties must be carried out with the care, skill, prudence and diligence under the given circumstances that a prudent person, acting in a like capacity and familiar with such matters, would use in a similar situation and in accordance with Plan documents to the extent that they are consistent with ERISA.

5. The Named Fiduciary

The Plan Administrator is a "named fiduciary" with respect to the Plan. A named fiduciary can appoint others to carry out fiduciary responsibilities (other than as a trustee) under the Plan. These other persons become fiduciaries themselves and are responsible for their acts under the Plan. To the extent that the named fiduciary allocates its responsibility to other persons, the named fiduciary will not be liable for any act or omission of such person unless either (i) the named fiduciary has violated its duties under ERISA in appointing the fiduciary, establishing the procedures to appoint the fiduciary or continuing to monitor the fiduciary or (ii) the named fiduciary breached its fiduciary responsibility under ERISA Section 405(a).

E. Uniformed Services Reemployment Rights

Your right to continued participation in a group health plan during leaves of absence for active military duty is protected by the Uniformed Services Employment and Reemployment Rights Act (USERRA). Accordingly, if you are absent from work due to a period of active duty in the military for less than 31 days, your plan participation will not be interrupted. If the absence is for more than 30 days and not more than 12 weeks, you may continue to maintain your coverage under a group health plan by paying premiums in the manner specified by the Plan Sponsor.

If you do not elect to continue to participate in a group health plan during an absence for military duty that is more than 30 days, or if you revoke a prior election to continue to participate for up to 12 weeks after your military leave began, you and your covered family members will have the opportunity to elect continuation coverage under a group health plan for up to the 24-month period that begins on the first day of your leave of absence. You must pay the premiums for continuation coverage with after-tax funds, subject to the rules that are set out in the applicable Plan features.

USERRA continuation coverage is considered alternative coverage for purposes of COBRA. Therefore, if you elect USERRA continuation coverage, COBRA coverage will generally not be available.

F. Genetic Nondiscrimination

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of individuals or their family members. To comply with this law, the Plan Sponsor is asking you not to provide any genetic information when responding to any request for medical information under the Plan. "Genetic information" that should not be disclosed pursuant to GINA includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, genetic information of a fetus carried by an individual or an individual's family member, and genetic information of an embryo lawfully held by an individual or family member receiving assistive reproductive services.

G. COBRA

1. Introduction

The right to COBRA continuation coverage was created by a Federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you and to other members of your family who are covered under the Plan when you would otherwise lose your group health coverage. The following generally explains COBRA continuation coverage, when it may become available to you and your family, and what you need to do to protect the right to receive it. This notice gives only a summary of your COBRA continuation coverage rights. For more information about your COBRA rights and obligations under the Plan and under Federal law, you should ask the Plan Administrator.

The Plan Administrator is responsible for administering COBRA continuation coverage, but the Plan Administrator may delegate its administrative duties to a third party administrator from time to time. The Plan Administrator has delegated authority for administering COBRA continuation coverage to the following COBRA Administrator:

EDIS
PO Box 7809
Visalia, CA 93290
Telephone: (888) 886-7973

2. COBRA Continuation Coverage

COBRA continuation coverage is a continuation of group health plan coverage when coverage would otherwise end because of a life event known as a "qualifying event." COBRA applies to each group health plan under the Plan. Specific qualifying events are listed later. COBRA continuation coverage must be offered to each person who is a "qualified beneficiary." A qualified beneficiary is someone who will lose coverage under the Plan because of a qualifying event. Depending on the type of qualifying event,

employees, spouses of employees, and dependent children of employees may be qualified beneficiaries. Qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage. Federal law does not recognize your domestic partner as your spouse and a domestic partner is not recognized as a COBRA qualified beneficiary.

However, the plan will extend COBRA-like coverage to your domestic partner and his or her covered children. However, COBRA rights and protections do not apply to this extension of domestic partner coverage.

If you are an employee, you will become a qualified beneficiary if you will lose your coverage under a group health plan because either one of the following qualifying events happens:

- Your hours of employment are reduced; or
- Your employment ends for any reason other than your gross misconduct.

If you are the spouse of an employee, you will become a qualified beneficiary if you will lose your coverage under a group health plan because any of the following qualifying events happens:

- Your spouse dies;
- Your spouse's hours of employment are reduced;
- Your spouse's employment ends for any reason other than his or her gross misconduct;
- Your spouse becomes entitled to Medicare (Part A, Part B, or both); or
- You become divorced or legally separated from your spouse.

Your dependent children will become qualified beneficiaries if they will lose coverage under a group health plan because any of the following qualifying events happens:

- The parent-employee dies;
- The parent-employee's hours of employment are reduced;
- The parent-employee's employment ends for any reason other than his or her gross misconduct;
- The parent-employee becomes entitled to Medicare (Part A, Part B, or both);
- The parents become divorced or legally separated; or
- The child stops being eligible for coverage under the plan as a "dependent child."

Each group health plan under the Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator (or third-party COBRA administrator, as applicable) has been notified that a qualifying event has occurred. When the qualifying event is the end of employment or reduction of hours of employment, death of the employee, or entitlement of the employee to Medicare (Part A, Part B, or both), the Plan Sponsor must notify the Plan Administrator (or third-party COBRA administrator, as applicable) of the qualifying event within 30 days of the date the event occurs or the date you would otherwise lose coverage under the group health plan due to a qualifying event, whichever is later.

For the other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), you must notify the Plan Administrator (or third-party COBRA administrator, as applicable). Each group health plan covered under the Plan requires you to notify the Plan Administrator (or third-party COBRA administrator, as applicable) within 60 days after the qualifying event occurs or the date you would otherwise lose coverage under the group health plan due to a qualifying event, whichever is later.

Within 14 days of the Plan Administrator (or third-party COBRA administrator, as applicable) receiving notice (in accordance with the procedures set forth below under "Furnishing Notice to Administrator") that a qualifying event has occurred, the Plan Administrator (or third-party COBRA administrator, as applicable) will send out an election notice, offering COBRA continuation coverage to each of the qualified beneficiaries. For each qualified beneficiary who elects COBRA continuation coverage, COBRA continuation coverage will begin on the date that coverage under the group health plan would otherwise have been lost.

COBRA continuation coverage is a temporary continuation of coverage. When the qualifying event is

the death of the employee, enrollment of the employee in Medicare (Part A, Part B, or both), your divorce or legal separation, or a dependent child losing eligibility as a dependent child, COBRA continuation coverage lasts for up to 36 months.

When the qualifying event is the end of employment or reduction of the employee's hours of employment, COBRA continuation coverage lasts for up to 18 months.

There are two ways in which this 18-month period of COBRA continuation coverage can be extended.

Disability extension of 18-month period of continuation coverage

If you or anyone in your family covered under a group health plan is determined by the Social Security Administration to be disabled at any time during the first 60 days of COBRA continuation coverage and you notify the Plan Administrator (or third-party COBRA administrator, as applicable) in a timely fashion, you and your entire family can receive up to an additional 11 months of COBRA continuation coverage, for a total maximum of 29 months.

You must make sure that the Plan Administrator (or third-party COBRA administrator, as applicable) is notified of the Social Security Administration's determination within 60 days of the latest of the date of the determination, the date of the qualifying event or the date you would otherwise lose coverage under the group health plan due to a qualifying event, and before the end of the 18-month period of COBRA continuation coverage.

Second qualifying event extension of 18-month period of continuation coverage

If your family experiences another qualifying event while receiving COBRA continuation coverage, and such event would result in loss of health coverage if the first qualifying event had not already occurred, the spouse and dependent children in your family can get additional months of COBRA continuation coverage, up to a maximum of 36 months. This extension is available to the spouse and dependent children if the former employee dies, becomes entitled to Medicare (Part A, Part B, or both), or gets divorced or legally separated. The extension is also available to a dependent child when that child stops being eligible for coverage under the group health plan as a dependent child. In all of these cases, you must make sure that the Plan Administrator (or third-party COBRA administrator, as applicable) is notified of the second qualifying event within 60 days of the second qualifying event or the date you would otherwise lose coverage under the group health plan due to a qualifying event, whichever is later.

Furnishing Notice to Administrator

Unless the Plan has a third-party COBRA administrator, in which case qualified beneficiaries should follow the notice procedures established by the third-party COBRA administrator, when furnishing a notice to the Plan Administrator with respect to the occurrence of a qualifying event or with respect to a disability determination by the Social Security Administration, such notices will be delivered to the human resources department of the Plan Administrator (i) by hand-delivery, (ii) via facsimile, followed by written confirmation by first class mail, or (iii) by registered or certified mail, return receipt requested. Such notices will include the name(s) of the covered employee and/or qualified beneficiaries, as applicable, a general description of, and circumstances surrounding, the qualifying event or disability determination, and the date of such qualifying event or disability determination. Once the Plan Administrator receives such notice, it reserves the right to make further inquiry to verify the circumstances surrounding such qualifying event or disability determination.

End of Continuation Coverage

Continuation coverage will end earlier than the period elected if:

- Timely payment of premiums for the continuation coverage is not made;
 - The qualified beneficiary first becomes covered under any other group health plan, after the COBRA election, as an employee or otherwise;
 - The qualified beneficiary first becomes entitled to benefits under Medicare, after the COBRA election;
 - The Plan Sponsor ceases to provide any group health plan to any employee;
 - You, as the covered employee, cease to be disabled, if continuation coverage is due to your disability;
- or
- The period of continuation coverage expires.

Health Insurance Marketplace

You may have other options available to you when you lose group health coverage. For example, you may be eligible to buy an individual plan through the Health Insurance Marketplace. By enrolling in coverage through the Marketplace, you may qualify for lower costs on your monthly premiums and lower out-of-pocket costs. Additionally, you may qualify for a 30-day special enrollment period for another group health plan for which you are eligible (such as a spouse's plan), even if that plan generally doesn't accept late enrollees. For more information about the Marketplace, visit www.healthcare.gov.

Medicare

In general, if you don't enroll in Medicare Part A or B when you are first eligible because you are still employed, after the Medicare initial enrollment period, you have an 8-month special enrollment period to sign up for Medicare Part A or B, beginning on the earlier of:

- The month after your employment ends;
- The month after group health plan coverage based on current employment ends.

If you don't enroll in Medicare and elect COBRA continuation coverage instead, you may have to pay a Part B late enrollment penalty and you may have a gap in coverage if you decide you want Part B later. If you elect COBRA continuation coverage and later enroll in Medicare Part A or B before the COBRA continuation coverage ends, the Plan may terminate your continuation coverage. However, if Medicare Part A or B is effective on or before the date of the COBRA election, COBRA coverage may not be discontinued on account of Medicare entitlement, even if you enroll in the other part of Medicare after the date of the election of COBRA coverage.

If you are enrolled in both COBRA continuation coverage and Medicare, Medicare will generally pay first (primary payer) and COBRA continuation coverage will pay second. Certain plans may pay as if secondary to Medicare, even if you are not enrolled in Medicare.

For more information visit <https://www.medicare.gov/medicare-and-you> and <https://www.medicare.gov/sign-up-change-plans/how-do-i-get-parts-a-b/part-a-part-b-sign-up-periods>.

Other Coverage Options

You may also be eligible for Medicaid or Children's Health Insurance Program (CHIP), which, if eligible, may be a coverage option in lieu of COBRA and may cost less than COBRA continuation coverage. You can learn more about these options at: www.healthcare.gov or <https://www.healthcare.gov/medicaid-chip/childrens-health-insurance-program/>.

If you have questions

If you have questions about your COBRA continuation coverage, you should contact the Plan Administrator or you may contact the nearest regional or district office of the U.S. Department of Labor's Employee Benefits Security Administration (EBSA). Addresses and phone numbers of regional and district EBSA offices are available through EBSA's website at www.dol.gov/ebsa.

Keep your plan informed of address changes

In order to protect your family's rights, you should keep the Plan Administrator (and third-party COBRA administrator, if applicable) informed of any changes in the addresses of family members. You should also keep a copy for your records of any notices you send to the Plan Administrator (or third-party COBRA administrator, as applicable).

State COBRA Rights

If you are enrolled in an insured medical coverage, you may have health care continuation coverage rights provided by state law. Any state health care continuation benefits are provided by insurance companies and are not the obligations of the Plan Sponsor or this Plan. Contact your insurance carrier if you have any questions.

Conversion of Coverage

After your coverage and the coverage of Eligible Dependents would otherwise end under a Plan feature, you may have a right to purchase a conversion policy. For more information about whether a conversion right exists for a particular Plan feature, see the applicable attachments.

H. FUNDING POLICY

Benefits furnished hereunder are provided through the purchase of insurance policies and other provider contracts, unless otherwise indicated in Schedule A. The Plan Sponsor will collect any applicable employee premiums and will pay when due all premiums required to keep such policies and contracts in force. Funding is derived from the funds of the Plan Sponsor and any contributions made by the employees. To the extent you are required to make contributions toward the cost of a particular benefit feature, your contributions will be used in their entirety prior to using Plan Sponsor contributions to pay for the cost of such benefit. Accordingly, any claims experience dividends, refunds or other adjustments in premiums, fees or other Plan costs related to benefits provided under the Plan may be used to reduce the amount of contributions made by the Plan Sponsor. The level of any employee contributions is set by the Plan Sponsor, which will be communicated to you when you first enroll in the Plan, and during each open and special enrollment period. The Plan Sponsor reserves the right to modify employee contribution amounts. Employee contributions will be used to fund, or reimburse the Plan Sponsor for funding, the cost of the Plan benefits as soon as practicable after they have been received from the employee or withheld from the employee's pay through payroll deduction.

I. SUBROGATION AND RIGHTS OF RECOVERY

The Plan is designed to only pay covered expenses under each Plan feature for which payment is not available from anyone else, including any insurance company or any other health or welfare plan. In order to help you and your covered dependents in a time of need, however, the Plan may pay covered expenses that may be or become the responsibility of another person, provided that the Plan later receives reimbursement for those payments (hereinafter called "Reimbursable Payments").

Therefore, by enrolling in the Plan, as well as by applying for payment of covered expenses, you and your dependents are subject to, and agree to, the following terms and conditions with respect to the amount of covered expenses paid by the Plan.

1. Assignment of Rights (Subrogation)

You and your dependents automatically assign to the Plan any rights (or causes of action) you and/or your dependents may have to recover all or part of the same covered expenses from any party, including an insurer or any other group health or welfare program, but limited to the amount of Reimbursable Payments made by the Plan. This assignment includes, without limitation, the assignment of a right to (or causes of action for) any funds paid by a third party to you and/or any of your dependents or paid to another for your benefit (or the benefit of one of your dependents). This assignment applies on a first-dollar basis (i.e., has priority over other rights), applies whether the funds paid to (or for the benefit of) you and/or one of your dependents constitute a full or a partial recovery, and even applies to funds paid for non-medical or non-disability charges, attorney fees, or other costs and expenses. This assignment also allows the Plan to pursue any claim that you and/or any of your dependents may have, whether or not you or such dependent chooses to pursue that claim. By this assignment, the Plan's right to recover from insurers includes, without

limitation, such recovery rights against no-fault auto insurance carriers in a situation where no third party may be liable, and from any uninsured or underinsured motorist coverage homeowner's plan, renter's plan, or any other insurance policy under which you or your dependents are insured.

The Plan will not be responsible for expenses or attorney's fees incurred by you or your dependents in connection with any recovery. Accordingly, you and your dependents must pay your own legal fees.

2. Equitable Liens/Equitable Remedies

The Plan shall also have an equitable lien against any rights (or causes of action) you and/or your dependents may have to recover the same covered expenses from any party, including an insurer or any other group health or welfare program, but limited to the amount of Reimbursable Payments made by the Plan. The equitable lien also attaches to any right to payment from workers' compensation, whether by judgment or settlement, where the Plan has paid covered expenses prior to a determination that the covered expenses arose out of and in the course of employment. Payment by workers' compensation insurers or the employer will be deemed to mean that such a determination has been made.

This equitable lien shall also attach to any money or property that is obtained by anyone (including, but not limited to, you or your dependent, your or your dependent's attorney, and/or a trust) as a result of an exercise of your and/or your dependent's rights of recovery (sometimes referred to as "proceeds"). The Plan shall also be entitled to seek any other equitable remedy against any party possessing or controlling such proceeds. At the discretion of the Plan Administrator, the Plan may reduce any future covered expenses otherwise available to you and/or your dependents under the Plan by an amount up to the total amount of Reimbursable Payments made by the Plan that is subject to the equitable lien.

3. Assisting Reimbursement Activities

You and your covered dependents have an obligation to assist the Plan to obtain reimbursement of the Reimbursable Payments that it has made on your behalf (and on behalf of your dependents), and to provide the Plan with any information concerning your and/or your dependent's other insurance coverage (whether through automobile insurance, other group health or welfare program, or otherwise) and any other person or entity (including their insurer(s)) that may be obligated to provide payments or benefits on your behalf (or on behalf of one of your dependents). You and/or your dependents are required to: (a) cooperate fully in the Plan's exercise of its right to subrogation and reimbursement; (b) not do anything to prejudice those rights (such as settling a claim against another party without including the Plan as a co-payee for the amount of the Reimbursable Payments and notifying the Plan); (c) sign any document deemed by the Plan Administrator to be relevant to protecting the Plan's subrogation, reimbursement or other rights; and (d) provide relevant information when requested. The term "information" includes any documents, insurance policies, police reports, or any reasonable request by the Plan Administrator to enforce the Plan's rights.

Failure by you or your dependents to follow the above terms and conditions may result, at the discretion of the Plan Administrator, in a reduction from future benefit payments available to you or your dependents under the Plan of an amount up to the aggregate amount of Reimbursable Payments that has not been reimbursed to the Plan.

The Plan's rights hereunder shall not be construed to interfere or conflict in any way with the provisions of any insurance policies or other provider contracts that are made part of the Plan. Rather, the Plan's rights under this Section I shall run concurrent with any such similar right provided to any such insurer, vendor or provider under the Plan, but in no event shall you, or any of your dependents, as the case may be, be obligated to make payments to the Plan in excess of the Reimbursable Payments.

4. Recovery of Overpayments

Whenever a payment has been made under any Plan feature in a total amount, at any time, in excess of the maximum amount payable under the Plan's provisions ("Overpayment"), you or any other participant must refund to the Plan the applicable Overpayment and help the Plan obtain the refund of the Overpayment from another person or organization. This includes any Overpayments resulting from retroactive awards received from any source, fraud, or any error made in processing your claim.

In case of a recovery from a source other than the Plan, Overpayment recovery will not be more than the amount of the payment.

The Plan Administrator may, at its option, recover the Overpayment by reducing or offsetting against any future benefits payable under the Plan; stopping future benefit payments that would otherwise be due under the Plan (payments may continue when the Overpayment has been recovered); or demanding an immediate refund of the Overpayment.

J. PLAN IS NOT AN EMPLOYMENT CONTRACT

The Plan will not be construed as a contract for or of employment.

K. ADDITIONAL PLAN INFORMATION

1. Your Rights Under ERISA

As a participant in the Plan, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all Plan participants are entitled to

- Examine, without charge, at the Plan Administrator's office and at other specified locations, such as worksites and union halls, all documents governing the Plan, including insurance contracts and collective bargaining agreements, and a copy of the latest annual report (Form 5500 Series) filed by the Plan with the U.S. Department of Labor and available at the Public Disclosure Room of the Employee Benefits Security Administration.
- Obtain copies of all Plan documents and other Plan information including insurance contracts and collective bargaining agreements, and copies of the latest annual report (Form 5500 Series) and updated summary plan description upon written request to the Plan Administrator. The Plan Administrator may make a reasonable charge for the copies.
- Receive a summary of the Plan's annual financial report. The Plan Administrator is required by law to furnish each participant with a copy of this summary annual report.
- Continue health care coverage for yourself, spouse or dependents if there is a loss of coverage under the Plan as a result of a qualifying event. You or your dependents may have to pay for such coverage. Review this summary plan description and the documents governing the Plan on the rules governing your COBRA continuation coverage rights.

2. Prudent Actions by Plan Fiduciaries

In addition to creating rights for Plan participants, ERISA imposes duties upon the people who are responsible for the operation of an employee benefit plan. The people who operate your Plan, called "fiduciaries" of the Plan, have a duty to do so prudently and in the best interest of you and other Plan participants. No one, including your employer or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a benefit or exercising your rights under ERISA.

3. Enforce Your Rights

If your claim for a benefit is denied or ignored, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain schedules.

Under ERISA there are steps you can take to enforce the above rights. For instance, if you request a copy of plan documents or the latest annual report from the Plan and do not receive them within thirty (30) days, you may file suit in a Federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Plan Administrator. If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or Federal court. In addition, if you disagree with the Plan's decision or lack thereof concerning the qualified status of a medical child support order, you may file suit in Federal court.

If it should happen that Plan fiduciaries misuse the Plan's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit

in Federal court. The court will decide who should pay court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous.

4. Assistance with Your Questions

If you have any questions about this Plan, you should contact the Plan Administrator. If you have any questions about this statement or about your rights under ERISA, including COBRA, HIPAA and other laws affecting the Plan or need assistance in obtaining documents from the Plan Administrator, you should contact the nearest area office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory or the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration. You may also visit their website at www.dol.gov/ebsa.

L. Claims Procedure for the Plan

Except as provided in Paragraphs 1 or 2 below, claims for benefits under each Plan feature will be reviewed in accordance with procedures contained in the policies, contracts, summary plan descriptions or other written materials for such Plan features ("Component Documents"). However, all issues or disputes solely regarding eligibility for coverage or participation and all other general inquiries or requests should be directed to the Plan Administrator. If a non-insurance related claim under the Plan is denied in whole or in part, you or your beneficiary will receive written notification. The notification will include the reasons for the denial, with reference to the specific provisions of the Plan on which the denial was based, a description of any additional information needed to process the claim and an explanation of the claims review procedure. If we fail to respond within 90 days, your claim is treated as denied. (This period may be extended to 180 days under certain circumstances.) Within 60 days after denial, if you want to appeal such denial, you or your beneficiary may submit a written request for reconsideration of the application to the Plan Administrator.

Any such request should be accompanied by documents or records in support of your appeal. You or your beneficiary may review pertinent documents and submit issues and comments in writing. The Plan Administrator will review the claim and provide, within 60 days, a written response to the appeal. (This period may be extended to 120 days under certain circumstances.) In this response, the Plan Administrator will explain the reason for the decision, with specific reference to the provisions of the Plan on which the decision is based. The Plan Administrator has the exclusive right to interpret the provisions of the Plan. Decisions of the Plan Administrator are final, conclusive and binding. The Plan Administrator has final claims adjudication authority under the Plan. However, the Plan Administrator may delegate duties and authority to others to accomplish those duties. For instance, the applicable administrator listed in the table in Schedule A is the claims administrator for the respective plan feature; each has sole and complete discretionary authority to determine claims and appeals in accordance with the terms of the documents or instruments governing the plan in which you are enrolled.

The insurer of each "insured" ERISA plan sponsored by the Employer has sole and complete discretionary authority to administer and interpret the provisions of the plan it insures. Please see the table in Schedule A to determine whether a plan is insured and for corresponding contact information for the applicable insurer or claims administrator.

Authorized Representatives

If you wish to designate an authorized representative to act on your behalf with respect to your claim for benefits, you must do so in writing. Please be advised that no rights under the Plan, including but not limited to the right to receive any benefit or any right to pursue a claim or cause of action, are assignable. Any payment by the Plan directly to a provider pursuant to a written election or purported assignments submitted by a participant or a dependent is provided at the discretion of the Plan Administrator as a convenience to the participant or dependent and does not imply an enforceable assignment of any benefits or the right to pursue a claim or cause of action.

1. Claims Procedure for Disability Benefits filed under the Plan

The following claims procedure will apply specifically to claims made for disability benefits under one or more Plan features, including any rescission of disability coverage under such Plan features with respect to a participant or beneficiary (whether or not, in connection with the rescission, there is an adverse effect on any particular benefit at that time). For this purpose, rescission means a cancellation or discontinuance of coverage that has retroactive effect, except to the extent it is attributable to a failure to timely pay required premiums or contributions towards the cost of coverage. To the extent that this procedure is inconsistent with the claims procedures contained in the policies, contracts, summary plan descriptions or other written materials for such Plan features, the claims procedures in such other policies, contracts, summary plan descriptions, or other written materials will supersede this procedure as long as such other claims procedures comply with DOL Regulation §2560.503-1.

Timing of Adverse Benefits Determination

If a claim under the Plan feature is denied in whole or in part, you or your beneficiary will receive written notification of the adverse benefit determination within a reasonable period of time, but no later than 45 days after the Plan Administrator's receipt of the claim. The Plan Administrator may extend this period for up to 30 additional days provided the Plan Administrator determines that the extension is necessary due to matters beyond the Plan Administrator's control and the claimant is notified of the extension before the end of the initial 45-day period and is also notified of the date by which the Plan Administrator expects to render a decision. The 30-day extension can be extended by an additional 30 days if the Plan Administrator determines that, due to matters beyond its control, it cannot make the decision within the original extended period. In that event, you will be notified before the end of the initial 30-day extension of the circumstances requiring the extension and the date by which the Plan Administrator expects to render a decision. The extension notice will explain the standards on which your entitlement to a benefit is based, the unresolved issues that prevent a decision on the claim, and the additional information, if any, you must submit. If you must provide additional information, you will be provided with at least 45 days to provide the additional information. The period from which you are notified of the additional required information to the date you respond is not counted as part of the determination period.

Adverse Benefits Determination Notice

A denial notice will include:

- the specific reason(s) for your adverse benefit determination;
- reference to the specific Plan provision on which the determination is based;
- a description of any additional material or information necessary for you to fix your claim and an explanation of why such material or information is necessary;
- a description of the review procedures, including a statement of your right to bring a lawsuit following an adverse benefit determination on review;
- a discussion of the decision, including, an explanation of the basis for disagreeing with or not following:
 - i. The views presented by the health care professionals treating you and vocational professionals who evaluated you;
 - ii. The views of medical or vocational experts whose advice was obtained on behalf of the Plan in connection with your adverse benefit determination, without regard to whether the advice was relied upon in making the benefit determination;
 - iii. A disability determination regarding you presented by you to the Plan made by the Social Security Administration;
- if the adverse benefit determination is based on a medical necessity or experimental treatment or similar exclusion or limit, either an explanation of the scientific or clinical judgment for the determination, applying the terms of the Plan to your medical circumstances, or a statement that such explanation will be provided free of charge upon request;
- either the specific internal rules, guidelines, protocols, standards or other similar criteria of the plan relied upon in making the adverse determination or, alternatively, a statement that such rules, guidelines, protocols, standards or other similar criteria of the plan do not exist; and
- a statement that you are entitled to receive, upon request and free of charge, reasonable access to, and copies of, all documents, records, and other information relevant to your claim for benefits. A document, record, or other information will be considered "relevant" to your claim if such document, record, or other information

- i. Was relied upon in making the benefit determination;
- ii. Was submitted, considered, or generated in the course of making the benefit determination, without regard to whether such document, record, or other information was relied upon in making the benefit determination;
- iii. Demonstrates compliance with the administrative processes and safeguards designed to ensure and verify that benefit determinations are made in accordance with governing plan documents and that, where appropriate, the Plan provisions have been applied consistently with respect to similarly situated claimants; or
- iv. Constitutes a statement of policy or guidance with respect to the Plan concerning the denied treatment option or benefit for your diagnosis, without regard to whether such advice or statement was relied upon in making the benefit determination.

If you live in a county with a significant population of non-English speaking persons, the Plan will provide, in the non-English language(s), a statement of how to access oral and written language services in those languages.

Appeal Process

If you disagree with a claim determination, you can contact the Plan Administrator in writing to formally request an appeal. If the appeal relates to a claim for payment, your request should include:

- The subject individual's name and the identification number from the ID card, if any.
- The reason you believe the claim should be paid.
- Any documentation or other written information to support your request for claim payment.

Your appeal request must be submitted to the Plan Administrator within 180 days after you receive the claim denial.

A qualified individual who was not involved in the decision being appealed will be appointed to decide the appeal. If your appeal is related to clinical matters, the review will be done in consultation with a health care professional with appropriate expertise in the field who was not involved in the prior determination. The Plan Administrator may consult with, or seek the participation of, medical experts as part of the appeal resolution process. You consent to this referral and the sharing of pertinent health claim information. Upon request and free of charge you have the right to reasonable access to and copies of, all documents, records, and other information relevant to your claim for benefits.

In addition, prior to the appeal determination noted below, the Plan Administrator will provide you, free of charge, with any new or additional evidence considered, relied upon, or generated by the Plan, insurer, or other person making the benefit determination (or at the direction of the Plan, insurer or such other person) in connection with the claim as soon as possible and sufficiently in advance of the date on which the appeal determination is required to be provided to give you a reasonable opportunity to respond prior to that date. Before an adverse benefit determination on appeal based on a new or additional rationale, the Plan Administrator will provide you, free of charge, with the rationale; the rationale will be provided as soon as possible and sufficiently in advance of the date on which the appeal determination is required to be provided to give you a reasonable opportunity to respond prior to that date.

Timing of Appeal Determination

You will be notified of the Plan Administrator's decision upon review within a reasonable period of time, but no later than 45 days after the Plan Administrator receives your appeal request. The 45-day period may be extended for an additional 45-day period if the Plan Administrator determines that special circumstances (such as the need to hold a hearing) require an extension of time. You will be provided with written notice prior to the expiration of the initial 45-day period. Such notice will state the special circumstances requiring the extension and the date by which the Plan Administrator expects to render a decision.

Appeal Determination Notice

If denied, your review decision on appeal will include the following:

- the specific reason(s) for the adverse determination;
- reference to the specific Plan provision on which the benefit determination is based;
- a statement that you are entitled to receive, without charge, reasonable access to any document (i) relied on in making the determination, (ii) submitted, considered or generated in the course of making the benefit determination, (iii) that demonstrates compliance with the administrative processes and safeguards required in making the determination, or (iv) that constitutes a statement of policy or guidance with respect to the Plan concerning the claim without regard to whether the statement was relied on;
- either the specific rule or guideline used in making your benefits determination or a statement that such a rule or guideline was relied upon in making the determination and that a copy of such rule or guideline will be provided free of charge upon request or, alternatively, a statement that such rules, guidelines, protocols, standards or other similar criteria of the plan do not exist;
- if the adverse determination is based on medical necessity or experimental treatment or a similar exclusion or limit, either an explanation of the scientific or clinical judgment applying the terms of the Plan to your medical condition, or a statement that such explanation will be provided without charge on request;
- a statement describing the Plan's optional appeals procedures, and your right to receive information about such procedures, as well as your right to bring a lawsuit and any applicable contractual limitations period that applies to your right to bring such an action, including the calendar date on which the contractual limitations period expires for the claim;
- a discussion of the decision, including, an explanation of the basis for disagreeing with or not following:
 - i. The views presented by the health care professionals treating you and vocational professionals who evaluated you;
 - ii. The views of medical or vocational experts whose advice was obtained on behalf of the Plan in connection with your adverse benefit determination, without regard to whether the advice was relied upon in making the benefit determination; and
 - iii. A disability determination regarding you presented by you to the Plan made by the Social Security Administration.

If you live in a county with a significant population of non-English speaking persons, the plan will provide, in the non-English language(s), a statement of how to access oral and written language services in those languages.

Should the Plan fail to establish or follow ERISA required disability claims procedures, you may be entitled to pursue legal remedies under ERISA without exhausting your administrative remedies.

The Plan Administrator has the exclusive right to interpret the provisions of the Plan. Decisions of the Plan Administrator are final, conclusive and binding. The Plan Administrator has final claims adjudication authority under the Plan. However, the Plan Administrator may delegate duties and authority to others to accomplish those duties. For instance, the applicable administrator listed in the table in Schedule A is the claims administrator for the respective plan feature; each has sole and complete discretionary authority to determine claims and appeals in accordance with the terms of the documents or instruments governing the plan in which you are enrolled.

The insurer of each "insured" ERISA plan sponsored by the Employer has sole and complete discretionary authority to administer and interpret the provisions of the plan it insures. Please see the table in Schedule A to determine whether a plan is insured and for corresponding contact information for the applicable insurer or claims administrator.

2. Claims Procedures for a Group Health Plan

The following claims procedure will apply specifically to claims made under any group health plan covered under the Plan. To the extent that this procedure is inconsistent with the claims procedures contained in the policies, contracts, summary plan descriptions or other written materials for a group health plan covered under the Plan, the claims procedures in such other policies, contracts, summary plan descriptions, or other written materials will supersede this procedure as long as such other claims procedures comply with DOL Regulation §2560.503-1 and the Affordable Care Act.

Adverse Benefit Determinations

Post-Service Claims

Post-Service Claims are those claims that are filed for payment of benefits after health care has been received. If your Post-Service Claim is denied, you will receive a written notice from the Plan Administrator within 30 days of receipt of the claim, as long as all needed information was provided with the claim. The Plan Administrator will notify you within this 30-day period if additional information is needed to process the claim, and may request a one-time extension not longer than 15 days and hold your claim until all information is received.

Once notified of the extension, you then have 45 days to provide this information. If all of the needed information is received within the 45-day time frame and the claim is denied, the Plan Administrator will notify you of the denial within 15 days after the information is received. If you don't provide the needed information within the 45-day period, your claim will be denied.

Pre-Service Claims

Pre-Service Claims are those claims that require notification or approval prior to receiving health care. If your claim is a Pre-Service Claim, and it is submitted improperly, the Plan Administrator will notify you of the improper filing and how to correct it within 5 days. If your Pre-Service Claim is submitted properly with all needed information, you will receive written notice of the claim decision from the Plan Administrator within 15 days of receipt of the claim. The Plan Administrator will notify you within this 15-day period if additional information is needed to process the claim, and may request a one-time extension not longer than 15 days and hold your claim until all information is received. Once notified of the extension, you then have 45 days to provide this information. If all of the needed information is received within the 45-day time frame, the Plan Administrator will notify you of the determination within 15 days after the information is received. If you don't provide the needed information within the 45-day period, your claim will be denied.

Urgent Claims

Urgent Care Claims are those claims that require notification or approval prior to receiving medical care, where a delay in treatment could seriously jeopardize your life or health or the ability to regain maximum function or, in the opinion of a doctor with knowledge of your health condition, could cause severe pain. In these situations:

- You will receive notice of the benefit determination in writing or electronically within 72 hours after the Plan Administrator receives all necessary information, taking into account the seriousness of your condition.
- Notice of denial may be oral with a written or electronic confirmation to follow within 3 days.

If you file an Urgent Care Claim improperly, the Plan Administrator will notify you of the improper filing and how to correct it within 24 hours after the Urgent Care Claim is received. If additional information is needed to process the claim, the Plan Administrator will notify you of the information needed within 24 hours after the claim was received. You then have 48 hours to provide the requested information.

You will be notified of a determination no later than 48 hours after:

- The Plan Administrator's receipt of the requested information; or
- The end of the 48-hour period within which you were to provide the additional information.

Concurrent Care Claims

If an on-going course of treatment was previously approved for a specific period of time or number of treatments, and your request to extend the treatment is an Urgent Care Claim as defined above, your request will be decided within 24 hours, provided your request is made at least 24 hours prior to the end of the approved treatment. The claims administrator will make a determination on your request for the extended treatment within 24 hours from receipt of your request. If your request for extended treatment is not made at least 24 hours prior to the end of the approved treatment, the request will be treated as an

Urgent Care Claim and decided according to the timeframes described above.

If an ongoing course of treatment was previously approved for a specific period of time or number of treatments, and you request to extend treatment in a non-urgent circumstance, your request will be considered a new claim and decided according to post-service or pre-service timeframes, whichever applies.

Adverse Benefits Determination Notice

A denial notice for a group health plan will include:

- the specific reason(s) for your adverse benefit determination;
- reference to the specific Plan provision on which the determination is based;
- a description of any additional material or information necessary for you to fix your claim and an explanation of why such material or information is necessary;
- a description of the review procedures, including a statement of your right to bring a lawsuit following an adverse benefit determination on review;
- either the specific rule or guideline used in making your benefits determination or a statement that such a rule or guideline was relied upon in making the determination and that a copy of such rule or guideline will be provided free of charge upon request;
- if the adverse benefit determination is based on a medical judgment, either an explanation of such judgment, or a statement that such explanation will be provided to you free of charge upon request; and
- in the case of an Urgent Care Claim, a description of the expedited review process to which you may be entitled.

In addition to the notice standards described above, to the extent required by the Affordable Care Act, all adverse benefit determination notices will include the following: (a) information identifying the claim involved, including the date of service, the health care provider, the claim amount, the diagnosis code, the treatment code, and the corresponding meaning of those codes; (b) the reason or reasons for the adverse benefit determination that includes the denial code and its corresponding meaning and a description of the Plan's standard, if any, that was used to deny the claim (for notices of final internal adverse benefit determinations, the description will include a discussion of the decision); (c) a description of available internal appeals and external review processes, including how to initiate an appeal; and (d) contact information for any applicable office of health insurance consumer assistance or ombudsman established under the Affordable Care Act to assist individuals with the internal claims and appeals and external review processes.

How to Appeal a Claim Decision

If you disagree with a claim determination, you can contact the Plan Administrator in writing to formally request an appeal. If the appeal relates to a claim for payment, your request should include:

- The patient's name and the identification number from the ID card, if any.
- The date(s) of health care service(s).
- The provider's name.
- The reason you believe the claim should be paid.
- Any documentation or other written information to support your request for claim payment.

Your first appeal request must be submitted to the Plan Administrator within 180 days after you receive the claim denial.

Appeal Process

A qualified individual who was not involved in the decision being appealed will be appointed to decide the appeal. If your appeal is related to clinical matters, the review will be done in consultation with a health care professional with appropriate expertise in the field who was not involved in the prior determination. The Plan Administrator may consult with, or seek the participation of, medical experts as part of the appeal resolution process. You consent to this referral and the sharing of pertinent health claim information. Upon request and free of charge you have the right to reasonable access to and copies of, all documents, records,

and other information relevant to your claim for benefits.

Appeals Determinations

Pre-Service and Post-Service Claim Appeals

You will be provided with written or electronic notification of the decision on your appeal as follows:

For appeals of Pre-Service Claims, the first level appeal will be conducted and you will be notified by the Plan Administrator of the decision within 15 days from receipt of a request for appeal of a denied claim. The second level appeal will be conducted and you will be notified by the Plan Administrator of the decision within 15 days from receipt of a request for review of the first level appeal decision.

For appeals of Post-Service Claims, the first level appeal will be conducted and you will be notified by the Plan Administrator of the decision within 30 days from receipt of a request for appeal of a denied claim. The second level appeal will be conducted and you will be notified by the Plan Administrator of the decision within 30 days from receipt of a request for review of the first level appeal decision.

For procedures associated with Urgent Claims, see "Urgent Claim Appeals" below.

If you are not satisfied with the first level appeal decision of the Plan Administrator, you have the right to request a second level appeal from the Plan Administrator. Your second level appeal request must be submitted to the Plan Administrator within 60 days from receipt of first level appeal decision.

Please note that the Plan Administrator's decision is based only on whether or not benefits are available under the group health plan for the proposed treatment or procedure. The determination as to whether the pending health service is necessary or appropriate is between you and your doctor.

Urgent Claim Appeals

Your appeal may require immediate action if a delay in treatment could significantly increase the risk to your health or the ability to regain maximum function or cause severe pain. In these urgent situations, the appeal does not need to be submitted in writing. You or your doctor should call the Plan Administrator as soon as possible, and provide the Plan Administrator with the information identified above under "How to Appeal a Claim Decision." The Plan Administrator will provide you with a written or electronic determination within 72 hours following receipt of your request for review of the determination taking into account the seriousness of your condition.

Appeal Determination Notice

If denied, your review decision on appeal will include:

- the specific reason(s) for the adverse determination;
- reference to the specific Plan provision on which the benefit determination is based;
- a statement that you are entitled to receive, without charge, reasonable access to any document (i) relied on in making the determination, (ii) submitted, considered or generated in the course of making the benefit determination, (iii) that demonstrates compliance with the administrative processes and safeguards required in making the determination, or (iv) that constitutes a statement of policy or guidance with respect to the Plan concerning the denied treatment without regard to whether the statement was relied on;
- either the specific rule or guideline used in making your benefits determination or a statement that such a rule or guideline was relied upon in making the determination and that a copy of such rule or guideline will be provided free of charge upon request;
- if the adverse determination is based on medical necessity or experimental treatment or a similar exclusion or limit, either an explanation of the scientific or clinical judgment applying the terms of the Plan to your medical condition, or a statement that such explanation will be provided without charge on request;
- a statement describing the Plan's optional appeals procedures, and your right to receive information about such procedures, as well as your right to bring a lawsuit; and

- the following statement: "You and your Plan may have other voluntary alternative dispute resolution options, such as mediation. One way to find out what may be available is to contact your local U.S. Department of Labor Office and your State insurance regulatory agency."

If you file an internal appeal for medical benefits, you will continue to be covered pending the outcome of the internal appeal. This means that the Plan shall not terminate or reduce any ongoing course of treatment without providing advance notice and the opportunity for review.

Voluntary External Review

If the Group Medical Feature in which you are enrolled is not subject to a state external review process and:

- The plan either is a "grandfathered" or is not a "grandfathered" plan for purposes of the Affordable Care Act, and the adverse benefit determination involves a consideration of whether the Group Medical Feature is complying with the surprise billing and cost-sharing protections set forth in the No Surprises Act (Sections 2799A-1 and 2799A-2 of the Public Health Services Act) and implementing regulations; or
- The plan is not a "grandfathered" plan for purposes of the Affordable Care Act, and your internal appeal of a claim for benefits (not related to employee classifications or non-covered benefits, or compliance with the surprise billing and cost-sharing protections of the No Surprises Act) under such plan is denied;

You will have the right to request an external (i.e., independent) review if you do so within four months after receiving notice of an adverse benefit determination or final internal adverse benefit determination. Within five business days after receiving your request, a preliminary review will be completed to determine whether: (i) you are/were covered under the Plan; (ii) the denial was based on your ineligibility under the terms of the Plan or whether the Plan is complying with the surprise billing and cost sharing protections of the No Surprises Act; (iii) you have exhausted the Plan's internal process, if required; and (iv) you provided all information necessary to process the external review. Within one business day after completing the preliminary review, you will be notified in writing if your appeal is not eligible for an external review or if it is incomplete. If your appeal is complete but not eligible, the notice will include the reason(s) for ineligibility. If your appeal is not complete, the notice will describe any information needed to complete the appeal. You will have the remainder of the four-month filing period or 48 hours after receiving the notice, whichever is greater, to cure any defect. If eligible for an external review, your appeal will be assigned to an independent review organization (IRO). If the IRO reverses the Plan's denial, the IRO will provide you written notice of its determination.

In addition, you will have the right to an expedited external review in the following situations:

- Following an adverse benefit determination involving a medical condition for which the timeframe for completion of an expedited internal appeal would seriously jeopardize your life or health or would jeopardize your ability to regain maximum function and you have filed a request for an expedited internal appeal.
- Following a final internal adverse benefit determination involving (i) a medical condition for which the timeframe for completion of a standard external review would seriously jeopardize your life or health or would jeopardize your ability to regain maximum function or (ii) an admission, availability of care, continued stay, or health care item or service for which you received emergency services but have not been discharged from a facility.

The IRO will provide notice of its final external review decision as expeditiously as your medical condition or circumstances require, but not more than 72 hours after the IRO receives the request.

Limitation on When a Lawsuit May be Filed

All claim review procedures provided for in the applicable Component Documents must be exhausted (with the exception of the external review process, which is voluntary) before any legal action is brought. However, if you have requested an external review, you may not file a lawsuit until the external review process is concluded.

If you fail to file a request for review in accordance with the claims procedures outlined herein and in the Component Documents, you shall have no right of review and shall have no right to bring action in any court. The denial of the claim shall become final and binding on all persons for all purposes.

The Plan Administrator has the exclusive right to interpret the provisions of the Plan. Decisions of the Plan Administrator are final, conclusive and binding. The Plan Administrator has final claims adjudication authority under the Plan. However, the Plan Administrator may delegate duties and authority to others to accomplish those duties. For instance, the applicable administrator listed in the table in Schedule A is the claims administrator for the respective plan feature; each has sole and complete discretionary authority to determine claims and appeals in accordance with the terms of the documents or instruments governing the plan in which you are enrolled.

The insurer of each "insured" ERISA plan sponsored by the Employer has sole and complete discretionary authority to administer and interpret the provisions of the plan it insures. Please see the table in Schedule A to determine whether a plan is insured and for corresponding contact information for the applicable insurer or claims administrator.

IN WITNESS WHEREOF, the Plan Sponsor has caused this Plan to be executed in its name and on its behalf this ____ day of _____, 2022, unless otherwise noted, by a duly authorized officer of the Plan Sponsor.

City of Mendota

By: _____

Name: _____

Title: _____

**City of Mendota
Wrap Plan**

Schedule A

As of July 1, 2022, unless otherwise noted

I. Medical Plan

Carrier (fully insured)	Benefit Type	Contract/Group No.	Funding by
Aetna PO Box 14079 Lexington, KY 40512 (888) 802-3862	Medical	88315312	The cost of the benefit is shared by the Plan Sponsor and the employees.

II. Health Reimbursement Account (HRA)

Claims Administrator (self-insured)	Benefit Type	Contract/Group No.	Funding by
EDIS	HRA		The cost of the benefit is paid entirely by the Plan Sponsor.

III. Dental Plan

Carrier (fully insured)	Benefit Type	Contract/Group No.	Funding by
Ameritas 7555 N Del Mar Ste. 201 Fresno, CA 93711 (800) 487-5553	Dental	010.039247	The cost of the benefit is paid entirely by the Plan Sponsor.

IV. Vision Plan

Carrier (fully insured)	Benefit Type	Contract/Group No.	Funding by
Ameritas 7555 N Del Mar Ste. 201 Fresno, CA 93711 (800) 487-5553	Vision	010.039247	The cost of the benefit is paid entirely by the Plan Sponsor.

V. Group Term Life/AD&D Insurance

Carrier (fully insured)	Benefit Type	Contract/Group No.	Funding by
Mutual of Omaha (800) 316-2796	Life/AD&D	G000AMVR	The cost of the benefit is paid entirely by the Plan Sponsor.

VI. Short-term Disability

Carrier (fully insured)	Benefit Type	Contract/Group No.	Funding by
Mutual of Omaha (800) 316-2796	ST Disability	G000AMVR	The cost of the benefit is paid entirely by the Plan Sponsor.

VII. Long-term Disability

Carrier (fully insured)	Benefit Type	Contract/Group No.	Funding by
Mutual of Omaha (800) 316-2796	LT Disability	G000AMVR	The cost of the benefit is paid entirely by the Plan Sponsor.

VIII. Voluntary Term Life/AD&D Insurance

Carrier (fully insured)	Benefit Type	Contract/Group No.	Funding by
Mutual of Omaha (800) 316-2796	Voluntary Term Life/AD&D	G000AMVR	The cost of the benefit is paid entirely by the participants.

IX. Worksite Products

Carrier (fully insured)	Benefit Type	Contract/Group No.	Funding by
Aflac	Worksite Products		The cost of the benefit is paid entirely by the participants.

X. Worksite Products

Carrier (fully insured)	Benefit Type	Contract/Group No.	Funding by
Colonial Life	Worksite Products		The cost of the benefit is paid entirely by the participants.

**City of Mendota
Wrap Plan**

Schedule B - PARTICIPATING EMPLOYERS

As of July 1, 2022, unless otherwise noted

Each entity listed below has sufficient common ownership with the Employer so as to constitute a member of a commonly controlled group as described in Code §414(b), (c), (m), and (o) and has adopted the Plan with the consent of the Plan Sponsor.

None

**City of Mendota
Wrap Plan**

COVID-19 ADDENDUM

Pursuant to EBSA Disaster Relief Notices 2020-01 and 2021-01, and the Extension of Certain Timeframes for Employee Benefit Plans, Participants, and Beneficiaries Affected by the COVID-19 Outbreak, certain deadlines pertaining to the Plan are extended until the earlier of: (a) one (1) year from the date (on or after March 1, 2020) that you are first eligible for relief; or (b) the end of the Outbreak Period (as defined below):

- The 30-day period (or 60-day period, if applicable) to request a HIPAA special enrollment;
- The 60-day election period for COBRA continuation coverage;
- The date/deadline for making COBRA premium payments;
- The deadline for individuals to notify the plan of a qualifying event or determination of disability;
- The deadline within which employees can file a benefit claim, or a claimant can appeal an adverse benefit determination, under the group health plan or disability plan claims procedures described in the Plan;
- The deadline for claimants to file a request for an external review after receipt of an adverse benefit determination or final internal adverse benefit determination; and
- The deadline for a claimant to file information to perfect a request for external review upon finding that the request was not complete.

"National Emergency." The National Emergency means the March 13, 2020 Proclamation on Declaring a National Emergency Concerning the Coronavirus Disease 2019 (COVID-19) Outbreak issued by President Trump and President Trump's determination, under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., that a national emergency exists as a result of the COVID-19 pandemic.

"Outbreak Period." The "outbreak period" began March 1, 2020 and extends until 60 days after the end of the National Emergency or such other date as announced by the IRS and DOL, or otherwise declared by the Federal government as a result of the national emergency due to the COVID-19 pandemic.

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA AUTHORIZING
THE CITY MANAGER TO EXECUTE ALL
NECESSARY DOCUMENTS TO TERMINATE
SERVICES WITH ADMINISTRATIVE SERVICES,
INC./NAVIA AND TO EXECUTE ALL
DOCUMENTS NECESSARY TO OBTAIN
REPLACEMENT SERVICES WITH EMPLOYER
DRIVEN INSURANCE SERVICES**

RESOLUTION NO. 22-31

WHEREAS, Administrative Solutions, Inc. (“ASi”)/Navia is the current Third-Party Administrator (“TPA”) for the City of Mendota’s (“City”) Consolidated Omnibus Budget Reconciliation Act (“COBRA”), Health Reimbursement Arrangement (“HRA”), and Medical Expense Reimbursement Plan (“MERP”); and

WHEREAS, ASi/Navia notified the City of upcoming changes in its services; and

WHEREAS, Employer Driven Insurance Services (“EDIS”) offers the same services that were previously offered by ASi/Navia before the changes ASi/Navia proposes at a slightly lower overall price.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota hereby authorizes the City Manager to sign all necessary documents to terminate services with ASi/Navia and to sign all documents necessary to obtain replacement services from EDIS.

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 14th day of June, 2022, by the following vote:

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

Celeste Cabrera-Garcia, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MICHAEL OSBORN, CITY ENGINEER
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: STREET PROJECT LIST PROPOSED FOR SB1 (RMRA) FUNDING
DATE: JUNE 14, 2022

ISSUE

Should the City Council adopt Resolution No. 22-32, adopting the list of street projects proposed for Fiscal Year 2022-2023 Senate Bill 1: Road Maintenance and Rehabilitation Account funding?

BACKGROUND

On April 28, 2017, the Governor signed Senate Bill 1 (“SB1”) which is known as the Road Repair and Accountability Act of 2017 and beginning on November 1, 2017, the State Controller (“Controller”) has begun to deposit various portions of this funding in the created Road Maintenance and Rehabilitation Account (“RMR”), with a percentage of that being apportioned to the City of Mendota.

The California Transportation Commission (“CTC”) is requiring that agencies provide a list of projects that may utilize Fiscal Year 2022-23 SB1 (RMRA) funding by July 1, 2022 to receive their Fiscal Year 2022-23 RMRA fund distribution. They have informed us that the project list can include projects planned for after Fiscal Year 2022-23 and be a carry-over of the list of projects previously proposed and adopted.

City Council Resolution Nos. 19-27, 20-42 and 21-40 adopted the attached list of projects.

ANALYSIS

This list of projects was prepared by staff, specifically the City Manager/ Director of Public Works and City Engineer based on the 2015 Pavement Condition Survey of downtown conducted by the Director of Public Works, targeting “red” streets and incorporating other critical areas outside of downtown. Staff will begin utilizing the new Pavement Management System to generate future projects for FY 2022-23. The CTC now uses an on-line project intake tool. Upon adoption, the projects on the list will be submitted via this tool.

Per Assembly Bill 135, the project list shall not limit the flexibility of the City to fund projects in accordance with local needs and priorities so long as the projects are consistent with subdivision (b) of Section 2030; therefore, this list may be rearranged or amended.

At the December 14, 2021, City Council meeting, the Council directed staff to prepare construction documents for the reconstruction of the segments of Kate Street, Riofrio Street and

Stamoules Street as described on the project list, combining three projects into one, the “2022 Local Street Reconstruction Project”.

FISCAL IMPACT

The City received \$69,306.83 in FY 17/18, \$220,993.61 in FY 18/19, \$213,294.23 in FY 19/20 and \$231,991.30 in FY 20/21 and is expected to received \$246,638 in FY 21/22 and \$275,650 in FY 22/23. Prior to the start of the 2022 Local Street Reconstruction Project, the City had not expended any RMRA funds; the banked funds will be utilized for this project, started in FY 21/22 and with construction in early FY 22/23. The total project cost is expected to be \$1.3 million. Other street funding (regular Gas Tax, LTF, Measure C, State & Federal grants) will be needed to deliver other projects until the City has accumulated additional RMRA funding adequate to fund a project.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 22-32, adopting the list of projects proposed to utilize Fiscal Year 2022-2023 SB1 (RMRA) funds.

Attachment(s):

1. Resolution 22-32
2. Exhibit “A” - FY 2022-2023 List of Projects

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA ADOPTING
A LIST OF PROJECTS FOR FISCAL YEAR
2022-2023 FUNDED BY SB1: THE ROAD
REPAIR AND ACCOUNTABILITY ACT OF 2017**

RESOLUTION NO. 22-32

WHEREAS, Senate Bill 1 (“SB 1”), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017), was passed by the Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Mendota (“City”) are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt, by resolution, a list of all projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (“RMRA”), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project’s completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive and estimated \$275,650 in RMRA funding in Fiscal Year 2022-23 from SB 1; and

WHEREAS, this is the sixth year in which the City is receiving SB 1 funding, which will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has now started to use a Pavement Management System to develop the SB1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community’s priorities for transportation investment; and

WHEREAS, funding from SB1 this fiscal year could help the City rehabilitate one ¼-mile length of street within the City this year with the intention of continuing to do so into the future; and

WHEREAS, the project list shall not limit the flexibility of the City to fund projects in accordance with local needs and priorities so long as the projects are consistent with

RMRA priorities as outlined in Streets and Highways Code, subdivision (b) of Section 2030; and

WHEREAS, the 2020 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in "poor" condition; this was further justified in 2019 when the Pavement Management System was implemented and showed the Pavement Condition Index (PCI) of the City to be 43 (compared to the statewide average of 65); and

WHEREAS, this revenue will help the City increase the overall quality of its road system and, over the next decade, will bring its streets and roads into a safer and more drivable condition; and

WHEREAS, the SB 1 project list and overall investment in the City's local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials, and practices, will provide for a better quality of life for the City's residents and a better experience to those visiting the City.

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

1. The foregoing recitals are true and correct.
2. The list of projects attached hereto and made part hereof as Exhibit "A" includes previously proposed and adopted projects which may also utilize Fiscal Year 2022-23 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State its intent to fund these projects with Road Maintenance and Rehabilitation Account revenues.
3. The City Council hereby finds that the adoption of this resolution is not subject to environmental review under the California Environmental Quality Act ("CEQA"). The adoption of this resolution, in and of itself, does not have the potential for resulting in either a direct physical change in the environment, or a reasonable foreseeable indirect physical change in the environment and therefore is not considered a "project" under CEQA. (Pub. Res. Code, § 21065; 14 Cal. Code Regs., § 15378, subd. (a).) Further, this resolution is a government finding mechanism that does not involve any commitment on behalf of the City to any specific project which may result in a potentially significant impact on the environment. (14 Cal. Code Regs., § 15378, subd. (b)(4).) This determination reflects the independent judgement and analysis of the Council.

Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 14th day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

Exhibit A

Exhibit "A"

FY 2022-2023 SB1 Project List

Proposed Project	Description	Location	Estimated Schedule				Estim. Useful Life (# of Yr)	
			Design & CEQA		Construction		Min.	Max.
			Start	Completion	Start	Completion		
Previously Adopted SB1 Project List with updated schedule								
Citywide Railroad Corridor Crossing Improvements	Improving the railroad corridor within the city by adding concrete panels to crossing, installing medians or channelizers, and reconstruction of the roadway adjacent to crossings at all three crossings within the City	1) SR33 between Bass Avenue and SR 180; 2) 9th Street between Marie St and Naples St; and 3) W Belmont Ave between Marie St and SR 180.	May-21	Dec-22	Feb-23	Sep-23	15	50
7th Street	In general, the project consists of grind and overlay of 7th Street between Stamoules Street and Rio Frio Street	7th Street from Stamoules Street to Tule Street	Sep-22	Feb-23	Jul-23	Nov-23	10	20
5th Street and Quince Street Reconstruction	In general, the project consists of reconstruction of 5th Street from Quince Street to Derrick Avenue (State Route 33) and Quince Street from 5th Street to 6th Street, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, driveway and alley approaches, and traffic striping and markings to add two way left turn lanes, parking/bike lanes and high visibility school zone cross walks.	5th Street from Quince to Derrick Avenue (SR 33), and Quince Street from 5th Street to 6th Street	Sep-22	May-23	Jul-23	Nov-23	15	30
Fleming & McCabe Avenue Reconstruction	In general, the project consists of reconstruction of the two streets between Rowe Avenue and Sorensen Avenue, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, driveway approaches, and traffic striping and markings to add center lane lines, parking/bike lanes and high visibility school zone cross walks.	Flemming Avenue from Rowe Avenue to Sorensen Avenue, and McCabe Avenue from Rowe Avenue to Sorensen Avenue	Sep-24	Feb-25	Jul-25	Nov-25	15	30
Marie Street & 5th Street Reconstruction	In general, the project consists of reconstruction of Marie Street between Divisadero Street and 5th Street and 5th Street between Marie Street and Lolita Street, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, and traffic striping and markings to add center lane line and parking/bike lanes.	Marie Street from Divisadero Street to 5th Street, and 5th Street from Marie Street to Lolita Street	Sep-25	Feb-26		Nov-26	15	30
Rio Frio Street Reconstruction ¹	In general, the project consists of reconstruction of Rio Frio Street between 7th Street and 8th Street, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, and traffic striping and markings to add two way left turn lanes and parking/bike lanes.	Rio Frio Street from 7th Street to 8th Street	Jan-22	Jul-22	Aug-22	Nov-22	15	30
Naples Street Reconstruction	In general, the project consists of reconstruction of Naples Street between 2nd Street and 9th Street, including demolition of existing asphalt and concrete pavements, storm drain inlets, manholes and pipes, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, and traffic striping and markings to add two way left turn lanes and parking/bike lanes.	Naples Street from 2nd Street to 9th Street	Sep-25	Feb-26	Jul-26	Nov-26	15	30

Exhibit "A"

FY 2022-2023 SB1 Project List

Proposed Project	Description	Location	Estimated Schedule				Estim. Useful Life (# of Yr)	
			Design & CEQA		Construction		Min.	Max.
			Start	Completion	Start	Completion		
Kate Street Reconstruction ¹	In general, the project consists of reconstruction of North Kate Street between Divisadero Street and I Street, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, and traffic striping and markings to add center lane line and parking/bike lanes.	North Kate Street between Divisadero Street and I Street	Jan-22	Jul-22	Aug-22	Nov-22	15	30
Stamoules Street Reconstruction ¹	In general, the project consists of reconstruction of Stamoules Street between 7th Street and 9th Street, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, and traffic striping and markings to add two way left turn lanes and parking/bike lanes.	Stamoules Street from 7th Street to 9th Street	Jan-22	Jul-22	Aug-22	Nov-22	15	30

Notes:

1. These three projects are combined as the 2022 Local Street Reconstruction Project currently in design with construction anticipated in Fall 2022.

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MICHAEL OSBORN, PE – CITY ENGINEER
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: MENDOTA JR HIGH SRTS PROJECT
DATE: JUNE 14, 2022

ISSUE

Should the City Council adopt Resolution No. 22-33, awarding a construction contract to American Paving Co., the lowest responsive, responsible bidder, for the Mendota Jr High Safe Routes to School Project?

BACKGROUND

The City of Mendota (“City”) has been awarded \$129,000 in Active Transportation Plan (“ATP”) funding for the construction of the Mendota Jr High Safe Routes to School (“SRTS”) Project (the “Project”) to install illuminated school crossing signage, overhead warning beacons with pedestrian push buttons, and new curb ramps at the intersection of 9th/Tule Streets and Belmont Avenue across from Mendota Jr High School.

Provost & Pritchard Consulting Group was retained to provide land surveying and engineering design services for the Project and they have prepared plans and specifications for bidding and construction of the project and obtained environmental clearances (CEQA & NEPA). On February 2, 2022 the City received authorization from Caltrans for funding for the construction of the project.

The request for bids was initially advertised in The Business Journal and construction documents (plans and specifications) were made available to contractors through local Builder’s Exchanges on Friday, March 4, 2022, and again on March 11, 2022; however, at the April 7, 2022 bid opening, no bids were received. The project was re-advertised in a similar manner starting on Friday, April 29, 2022, with additional direct solicitation to approximately a half-dozen contractors.

On Thursday, May 26, 2022, at 2:00 p.m. the public bid opening was held. Two general contractors attended and submitted bids, along with staff and the City Engineer. The bids were as follows:

CONTRACTOR	BASE BID AMOUNT
American Paving Co.	\$207,622.00
Avison Construction, Inc.	\$279,480.00

ANALYSIS

Staff has reviewed the submitted bid packages. The apparent lowest bidder is American Paving Co. and their bid package was reviewed and found to be complete and responsive. While they do not meet the Disadvantaged Business Enterprise (“DBE”) goal of 14% for the project, their documented Good Faith Effort was provided and found satisfactory.

This project’s scheduled start will be delayed due to the anticipated lengthy procurement time for the poles. A lead time of 20-24 weeks is anticipated.

FISCAL IMPACT

The City has been allocated \$129,000 in ATP funding for construction of the Project. The construction administration, staking and observation will be approximately \$25,000 to \$35,000 and allowing for a 10% contingency, the City will contribute from \$78,622 up to \$134,384 from local Street Funds (Gas Tax, Measure C and Local Transportation Funds) to fund the complete project. We will also work with Caltrans to see additional ATP funds are available to reduce the City’s expenses. Use of the local Street Funds are included in the upcoming Fiscal Year 2022-2023 Budget. This project will not impact the General Fund.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 22-33, awarding the contract for construction of the Project to the lowest responsible, responsive bidder, American Paving Co., in the total amount of \$207,622 and authorizing the City Manager, or his designee, to execute all documents necessary for the completion of the Project.

Attachment(s):

1. Resolution No. 22-33

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA AWARDED
THE CONSTRUCTION CONTRACT FOR
THE MENDOTA JUNIOR HIGH SCHOOL
SAFE ROUTES TO SCHOOL PROJECT
TO AMERICAN PAVING CO. IN THE
AMOUNT OF \$207,622.00**

RESOLUTION NO. 22-33

WHEREAS, the City of Mendota (“City”) owns and maintains the public street right-of-way of 9th Street, Tule Street, and Belmont Avenue; and

WHEREAS, the City applied for and was awarded \$129,000.00 in federal and state funding from the Active Transportation Program (“ATP”) to improve the school crossings at 9th/Tule and Belmont Avenue (the “project”); and

WHEREAS, the project has been programmed on the Federal Transportation Improvement Program (“FTIP”) for construction funding to be allocated in Federal Fiscal Year 19/20; and

WHEREAS, Provost & Pritchard Consulting Group has provided the design, environmental clearances, and preparation of the construction documents for the project; and

WHEREAS, the City received authorization for the ATP funding for construction of this project on February 2, 2022; and

WHEREAS, on March 4, 2022, and March 11, 2022, notice was published in The Business Journal and regional Builder’s Exchanges notifying and requesting all interested parties submit bids for the project; and

WHEREAS, a public bid opening was held promptly after the deadline published in the notice on Thursday, April 7, 2022, at 2:00 p.m. in the City Council chambers; and

WHEREAS, no bids were received and the decision was made to re-advertise the project for bids; and

WHEREAS, on April 29, 2022, and May 6, 2022, a second notice was published in The Business Journal and regional Builder’s Exchanges notifying and requesting all interested parties submit bids for the project; and

WHEREAS, a public bid opening was held promptly after the deadline published in the second notice on Thursday, May 26, 2022, at 2:00 p.m. in the City Council Chambers; and

WHEREAS, two companies submitted bids before the deadline; and

WHEREAS, the lowest bidder was American Paving Co. and its proposal was found to be responsive; and

WHEREAS, American Paving Co. has performed responsibly on past projects for the City; and

WHEREAS, the City has sufficient local street funds available to fund the total construction cost of the project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota, that the City of Mendota awards the construction contract for the Mendota Junior High School Safe Routes to School Project to American Paving Co. in the amount of \$207,622.00 and authorizes the City Manager or his designee to execute all documents necessary for the completion of the project.

BE IT FURTHER RESOLVED, by the City Council of the City of Mendota, that the City has determined the proposed project consists of “repair, maintenance, . . . or minor alternation of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use” and are therefore exempt from the California Environmental Quality Act. (14 Cal. Code Regs., § 15301.)

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 14th day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY BANDA, FINANCE DIRECTOR
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: 2022 FIREWORKS STAND PERMIT
DATE: JUNE 14, 2022

ISSUE

Shall the City Council approve Resolution No. 22-34, approving the fireworks stand permits for 2022?

BACKGROUND

This item is ministerial in nature: the Mendota Municipal Code (“MMC”) allows the City Council to select the organizations or groups to receive permits for the sale of fireworks, based on past practices of the City of Mendota (“City”) in issuing fireworks sales permit to such organizations, as long as they meet the requirements set forth in MMC Chapter 8.12.

The prerequisites to issuance of permit are:

- A. *No permit shall be issued to any person, firm or corporation except nonprofit associations or corporations organized primarily for civic betterment or youth activities;*
- B. *Each organization must maintain a bona fide membership of at least twenty-five (25) members, and must have been organized and established for a minimum of one year continuously preceding the filing of an application for the license;*
- C. *No organization may receive more than one permit for sale during any one calendar year.*

Applications for the permits are due the last business day of the month of May per MMC Section 8.12.030.

ANALYSIS

Staff received a total of four (4) applications from the following organizations:

- 1. Mendota Pentecostal Church of God
- 2. Westside Youth, Inc.
- 3. Mendota High School Football
- 4. Mendota Youth Recreation

Staff has reviewed all applications and they are all complete. MMC Section 8.12.060 allows a maximum of six (6) fireworks stands in the City. Attached is Exhibit “A” with the basic application information for City Council’s consideration.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 22-34, approving the fireworks stand permits for 2022.

Attachment(s):

1. Mendota Pentecostal Church of God Application
2. Westside Youth, Inc. Application
3. Mendota High School Football Application
4. Mendota Youth Recreation Application
5. Resolution No. 22-34
6. Exhibit "A" – Summary of Firework Applications



City of Mendota
 643 Quince Street Mendota, CA 93640
 Ph. (559)655-3291 Fax (559)655-4064

MAY 24 2022

Permit Application to Sell Fireworks

Prerequisites to Issuance of Permit

The following qualifications must be met by each applicant for a permit under this chapter:

A. No permit shall be issued to any person, firm or corporation except nonprofit associations or corporation organized primarily for civic betterment or youth activities;

B. Each organization must maintain a bona fide membership of at least twenty-five (25) members, and must have been organized and established for a minimum of one year continuously preceding the filing of the application for the license;

C. No organization may receive more than one permit for sale during any one calendar year.

Organization's Name: Mendota Pentecostal Church of God Phone# 559-655-4252

Address: 1097 Quince Street Mendota, CA 93640

Representative's Name: Becky Garcia Phone # 559-250-4661

Address: 1097 Quince Street Mendota, CA 93640

Dates of Operation: Friday - July 1, 2022 - Monday July 4, 2022

Location of stand: 580 Derrick Avenue Mendota, CA 93640

Assessor Parcel Number: _____

Property owner signature: [Signature] Date: 05-18-22
 (Property owner authorizes the organization named above to use the property for the sale of fireworks.)

The applicant agrees to comply strictly with the terms of any permit granted to it and furnish additional information upon request of the city manager.

Each applicant shall file with the city a cash deposit made payable to the city in the amount of fifty dollars (\$50.00) to assure compliance with the provisions of this chapter.

Applicant's Signature: [Signature] Date: 5-17-22

Date Received: 5/24/22 For Office Use Only

Required documents attached:	Yes	No
▪ Completed Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Property owner written permission	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Certificate of Liability Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Approval of State Fire Marshall	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Deposit paid	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Seller's Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Received by: Rebecca Mora Date: 5/24/22



Mendota Pentecostal Church of God

May 6, 2022

Star Super Market/Mendota Food Center
580 Derrick Avenue
Mendota, CA 93640

To Whom It May Concern:

It is that time of year to prepare for our annual Fireworks Fundraiser. We appreciate you allowing us to set up our stand in the parking lot of Star Super Market over the past several years. We are interested in renting the space, once again, this year from Friday July 1, 2022 thru Monday July 4, 2022. This fundraiser allows us to give back to the community through various programs within our Church.

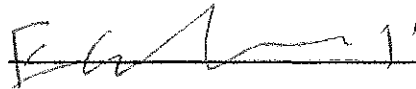
We have attached a copy of the Certificate Liability Insurance that list Star Super Market as certificate holder, along with our Church and the City of Mendota.

Attached is a check for \$500, to secure the space for the period of 4 days. Please sign below, granting the Mendota Pentecostal Church of God the use of the property of Star Market. In the event, that the City of Mendota does not grant the Mendota Pentecostal Church of God a seller permit, the \$500 will be returned to our Church.

It is understood that the sale of Fireworks will be conducted in accordance with all City, County, and State regulations. It is further understood that this permission is subject to immediate cancellation with the sale, lease or construction of this property.

The following must be completed by Property Owner or Property Owner Agent:

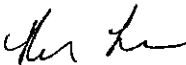
Signature:



Date:

05-18-22

Best Regards,



Pastor Robert Lopez
Senior Pastor
559-655-4252

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION

SELLER'S PERMIT



ACCOUNT NUMBER

5/9/2012 SR KHO 102-224358

MENDOTA PENTECOSTAL CHURCH OF GOD
MENDOTA PENTECOSTAL CHURCH
1097 QUINCE ST
MENDOTA, CA 93640-2625

NOTICE TO PERMITTEE.
You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

Not valid at any other address.

For general tax questions, please call our Information Center at 800-400-7115.

For information on your rights, contact the Taxpayers' Rights Advocate Office at 888-324-2798 or 916-324-2798.

BOE-442-R REV. 15 (2-06)

A MESSAGE TO OUR NEW PERMIT HOLDER

As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:

- Visiting our website at www.boe.ca.gov
- Visiting a district office
- Attending a Basic Sales and Use Tax Law class offered at one of our district offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Information Center at 800-400-7115

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. Conversely, you have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the Board
- You are responsible for following the regulations set forth by the Board

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a Board representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a Board office, or giving it to a Board representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the Board, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 888-324-2798 or 916-324-2798. Their fax number is 916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.

STATE BOARD OF EQUALIZATION

Sales and Use Tax Department



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY
 DEPARTMENT OF FORESTRY AND FIRE PROTECTION
RETAIL FIREWORKS LICENSE APPLICATION
 FWX-15 (REV. 12/18)

Complete and return all copies to the Office of State Fire Marshal with the required fee of \$50.00 made payable to "CAL FIRE". **Applications must be received prior to June 15th of the current year.**

Fire Engineering
 Office of the State Fire Marshal
 PO Box 944246, Sacramento, CA
 94244-2460
 (916) 568-2948

LICENSEE INFORMATION

Name (Last, First): HORVATH, HARLAN	Phone Number:
Mailing Address (Street Address, City, CA, Zip): 2945 S. Elm Ave., Fresno, CA, 93706	
Local Contact Person and Phone Number (if different from Licensee above): HARLAN HORVATH (559) 252-5391	

STAND INFORMATION

Group Name: MENDOTA PENTECOSTAL CHURCH - XXX1555
Physical Address (Street Address, City, CA, Zip): 580 DERRICK, MENDOTA, CA, 93640
County of Stand Location: Fresno

WHOLE SALE FIREWORK VENDOR INFORMATION

Business Name: AMERICAN PROMOTIONAL EVENTS-WEST	License No.: W-1081
Contact Name: HORVATH, HARLAN	Phone Number: 559-252-5391

FIRE AUTHORITY HAVING JURISDICTION

Fire Department: CAL FIRE - Fresno-Kings Unit
Physical Address (Street Address, City, CA, Zip): 210 S. Academy Ave., Sanger, CA, 93657

CAL Fire Validation No. 2061 Valid Through 06/28/2022-07/06/2022

		04/29/2022
_____ Signature of Fireworks Program Coordinator	_____ Signature of Licensee	_____ Date

-NOTICE-

COPY OF THIS NOTICE MUST BE POSTED AT STAND WITH A COPY OF THE LOCAL PERMIT

A validated license has been issued to the organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, June 28th to NOON, July 6th, of the year indicated. **NOTE:** Retail licensees are required to be at least 21 years of age, employees of fireworks stand must be at least 18 and fireworks may not be sold to anyone under age of 16



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
 11/1/2022 10/29/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Lockton Companies 3280 Peachtree Road NE, Suite #250 Atlanta GA 30305 (404) 460-3600	CONTACT NAME: _____ PHONE (A/C, No., Ext.): _____ E-MAIL ADDRESS: _____ FAX (A/C, No.): _____																				
	<table border="1"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A: Everest Indemnity Insurance Company</td> <td></td> <td>10851</td> </tr> <tr> <td>INSURER B: Arch Specialty Insurance Company</td> <td></td> <td>21199</td> </tr> <tr> <td>INSURER C:</td> <td></td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A: Everest Indemnity Insurance Company		10851	INSURER B: Arch Specialty Insurance Company		21199	INSURER C:			INSURER D:			INSURER E:			INSURER F:	
INSURER(S) AFFORDING COVERAGE		NAIC #																			
INSURER A: Everest Indemnity Insurance Company		10851																			
INSURER B: Arch Specialty Insurance Company		21199																			
INSURER C:																					
INSURER D:																					
INSURER E:																					
INSURER F:																					
INSURED 1359683 American Promotional Events, Inc. DBA TNT Fireworks, Inc. 555 North Gilbert Avenue Fullerton CA 92833 XXX1555																					

COVERAGES **CERTIFICATE NUMBER:** 13902846 **REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

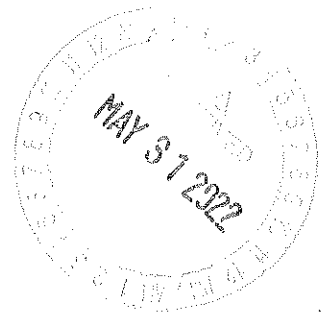
INBR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: _____	Y	N	SI8GL00242-211	11/1/2021	11/1/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ _____
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ _____	Y	N	UXP0056189-08	11/1/2021	11/1/2022	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	NOT APPLICABLE			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Additional Insured: Property located at 580 Derrick Ave. in Mendota, CA (XXX1555)
 Star Market / City of Mendota
 Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER 13902846 Pentecostal Church of Mendota City of Mendota Star Market 580 Derrick Mendota CA 93640	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	--



City of Mendota
 643 Quince Street Mendota, CA 93640
 Ph. (559)655-3291 Fax (559)655-4064



Permit Application to Sell Fireworks

Prerequisites to Issuance of Permit

The following qualifications must be met by each applicant for a permit under this chapter:

A. No permit shall be issued to any person, firm or corporation except nonprofit associations or corporation organized primarily for civic betterment or youth activities;

B. Each organization must maintain a bona fide membership of at least twenty-five (25) members, and must have been organized and established for a minimum of one year continuously preceding the filing of the application for the license;

C. No organization may receive more than one permit for sale during any one calendar year.

Organization's Name: Westside Youth Inc. Phone#: 559-970-7840

Address: 1709 7th St, Mendota, CA 93640

Representative's Name: Dino Perez Phone # (559) 970-7840

Address: 1591 11th St, Mendota, CA 93640

Dates of Operation: June 28 - July 4, 2022

Location of stand: 697 Derrick Ave, Mendota, CA 93640

Assessor Parcel Number: F9A111

Property owner signature: [Signature] Date: 05-31-22

(Property owner authorizes the organization named above to use the property for the sale of fireworks.)

The applicant agrees to comply strictly with the terms of any permit granted to it and furnish additional information upon request of the city manager.

Each applicant shall file with the city a cash deposit made payable to the city in the amount of fifty dollars (\$50.00) to assure compliance with the provisions of this chapter.

Applicant's Signature: [Signature] Date: 5/30/2022

Date Received: 5/31/22 For Office Use Only

Required documents attached:	Yes	No
▪ Completed Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Property owner written permission	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Certificate of Liability Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Approval of State Fire Marshall	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Deposit paid	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Seller's Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Received by: Marilyn Saundral Date: 5/31/22

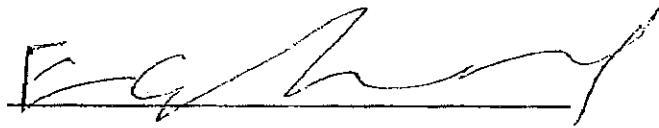
May 29, 2022

To Whom It May Concern:

I give permission for Westside Youth Inc. to sell fireworks on my property located at 697 Derrick Ave. Mendota, CA.

Sale dates are from June 28, 2022 til July 4th 2022.

Sincerely,

A handwritten signature in black ink, appearing to be "E. G. [unclear]", written over a horizontal line.

TO: CITY CLERK
LOCAL FIRE AGENCY
AND / OR OTHER INTERESTED PARTIES

PROPERTY PERMISSION USE

TO WHOM IT MAY CONCERN:

THE UNDERSIGNED, OWNER AND / OR CONTROLLING PARTY, OF THE PROPERTY LISTED BELOW HEREBY GRANTS PERMISSION TO:

Westside Youth Inc.

AND PHANTOM FIREWORKS, THE USE OF THE PROPERTY LOCATED AT:

697 Derrick Avenue

APN: 013-244-16

CITY OF: Mendota

COUNTY: Fresno

FOR THEIR 2022 FIREWORKS SEASON.

THE ORGANIZATION AND / OR PHANTOM FIREWORKS INC., AGREE TO SEE THAT THE PROPERTY LISTED ABOVE WILL BE CLEARED OF ALL STANDS AND REFUSE WITHIN 5 DAYS OF CLOSE OF THE SEASON.

Mendota Food Center

Adam Muthana

NAME - PLEASE PRINT
(PROPERTY OWNER/CONTROLLER OF PROPERTY)

X 
SIGNATURE

DATED: 5/19/2022

AT: Mendota, CA

PROPERTY OWNER: PLEASE INDICATE BELOW THE NAME OF THE ADDITIONAL INSURED AND HOW YOU WISH YOUR CERTIFICATE OF INSURANCE TO READ.

ADDITIONAL INSURED: Mendota Food Center / Saleem Ahmed / Taha Muthana / Adam Muthana

Royal Foods Mendota LLC

CERTIFICATE OF INSURANCE TO BE MAILED TO: Adam Muthana

Mendota Food Center

697 Derrick Avenue

Mendota, CA 93640-2203

PHONE: 559-655-4391 - Store / 559-210-1207 - Cell

CERTIFICATE OF INSURANCE WILL BE MAILED PRIOR TO ERECTING OF STANDS AND THE SALE OF ANY MERCHANDISE.

PHANTOM FIREWORKS

2351 TENAYA DRIVE, SUITE A
MODESTO, CA 95354-3925

TOLL FREE: 1-800-733-7771

OFFICE: 209-491-5180

FAX: 209-491-5188

ds
BB



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/21/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

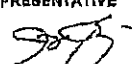
PRODUCER Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C No. Ext): 216-658-7100 FAX (A/C No.): 216-658-7101 E-MAIL ADDRESS: info@britongallagher.com
	INSURER(S) AFFORDING COVERAGE
INSURED Phantom Fireworks Western Region, LLC 2445 Belmont Avenue Youngstown OH 44505	INSURER A: Everest Indemnity Insurance Co. NAIC # 10851
	INSURER B: Axis Surplus Ins Company 26820
	INSURER C: Berkshire Hathaway Homestate Insurance Company
	INSURER D: Everest Denali Insurance Company 16044
	INSURER E: Arch Speciality Ins Co 21199
INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 939704900** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVO	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Non-Owned Stend <input type="checkbox"/> End'l Included GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	Y	S18GL00643-211	10/30/2021	10/30/2022	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMPROP AGG \$2,000,000 \$
D	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	S18CA00095-211	10/30/2021	10/30/2022	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
E	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			UXF0057739-07	10/30/2021	10/30/2022	EACH OCCURRENCE \$4,000,000 AGGREGATE \$4,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A	PHWG231340	10/30/2021	10/30/2022	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
B	Excess Liability #2	Y	Y	P-001-000046166-04	10/30/2021	10/30/2022	Each Occ/Aggregate \$5,000,000 Total Limits \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Products Liability extends only to the products purchased from Phantom Fireworks Western Region, LLC.
 The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions and exclusions.
 Location: 697 Derrick Ave., Mendota, CA 93640
 Property Owner: Mendota Food Center (Ahmed Saleem)
 Additional Insured: Mendota Fire Dept., City of Mendota It's officers, elected officials, authorized volunteers when acting in full capacity.
 Municipality: City of Mendota / County of Fresno

CERTIFICATE HOLDER Westside Youth Inc c/o Dino Perez 1709 7th Street Mendota CA 93640	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY
 DEPARTMENT OF FORESTRY AND FIRE PROTECTION
RETAIL FIREWORKS LICENSE APPLICATION
 FWX-15 (REV. 12/18)

Complete and return all copies to the Office of State Fire Marshal with the required fee of \$50.00 made payable to "CAL FIRE". **Applications must be received prior to June 15th of the current year.**

Fire Engineering
 Office of the State Fire Marshal
 PO Box 944246, Sacramento, CA
 94244-2460
 (916) 568-2948

LICENSEE INFORMATION

Name (Last, First): Hernandez, Janae	Phone Number:
Mailing Address (Street Address, City, CA, Zip): 2777 E. Malaga Ave, Fresno, CA, 93725	
Local Contact Person and Phone Number (if different from Licensee above): Jon Fortado, (559) 459-0610	

STAND INFORMATION

Group Name: Westside Youth
Physical Address (Street Address, City, CA, Zip): 697 Derrick Ave , Mendota, CA, 93640
County of Stand Location: Fresno

WHOLE SALE FIREWORK VENDOR INFORMATION

Business Name: PHANTOM FIREWORKS WESTERN REGION, LLC	License No.: W-0526
Contact Name: Hernandez, Janae	Phone Number: 559.459.0610

FIRE AUTHORITY HAVING JURISDICTION

Fire Department: Fresno County Fire Protection Dist.
Physical Address (Street Address, City, CA, Zip): 210 S. Academy Ave. , Sanger, CA, 93657

CAL Fire Validation No. 1986 Valid Through 06/28/2022-07/06/2022

		04/22/2022
Signature of Fireworks Program Coordinator	Signature of Licensee	Date

-NOTICE-

COPY OF THIS NOTICE MUST BE POSTED AT STAND WITH A COPY OF THE LOCAL PERMIT

A validated license has been issued to the organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, June 28th to NOON, July 6th, of the year indicated. **NOTE:** Retail licensees are required to be atleast 21 years of age, employees of fireworks stand must be at least 18 and fireworks may not be sold to anyone under age of 16

For CAL FIRE DAO Use Only: Index-5942, PCA-59420, Source Code- 4129400

DATE: 2022 SALESMAN: Jon Fortado CITY: MENDOTA

ACCT #: 604017 ORGANIZATION: WESTSIDE YOUTH INC.

CHAIRMAN: Dino Perez PHONE: Home (559) 970-7840 (559) 655-4808

STAND SIZE: 24' STAND UP DATE: 6/22 STAND DOWN DATE: 7/10 NOON

ADDRESS / INTERSECTION: 697 DERRICK AVENUE FIRE: Fresno County

SPECIAL INSTRUCTIONS: STAND FACES away from DERRICK AVENUE, 1st three stalls , 20' from the street,
31' from the ATM , 14' from the Food center sign



DISPLAY THIS PERMIT CONSPICUOUSLY AT THE PLACE OF BUSINESS FOR WHICH IT IS ISSUED

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION
TEMPORARY SELLER'S PERMIT



PERMIT NUMBER

201890752 - 00001

WESTSIDE YOUTH
WESTSIDE YOUTH INC.
697 DERRICK AVE
MENDOTA CA 93540-2203

EFFECTIVE DATE:

June 28, 2022 thru July 5, 2022

IS HEREBY AUTHORIZED TO ENGAGE IN THE BUSINESS OF
SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE
LOCATION.

YOU ARE REQUIRED TO OBEY ALL FEDERAL AND
STATE LAWS THAT REGULATE OR CONTROL
YOUR BUSINESS. THIS PERMIT DOES NOT ALLOW
YOU TO DO OTHERWISE.

PLEASE RETAIN THIS DOCUMENT FOR YOUR
RECORDS.

THIS PERMIT IS VALID FOR THE PERIODS SHOWN AND IS NOT TRANSFERABLE.
FOR GENERAL TAX QUESTIONS, PLEASE CALL OUR CUSTOMER SERVICE CENTER AT 1-800-400-7115 (CRS:711).
FOR INFORMATION ON YOUR RIGHTS, CONTACT THE TAXPAYERS' RIGHTS ADVOCATE OFFICE AT 1-888-324-2798.

CDTFA-442-ST REV. 9 (2-22)

A MESSAGE TO OUR PERMIT HOLDER

As a permittee, you have certain rights and responsibilities under the Sales and Use Tax Law. For assistance, we offer the following resources:

- Our website at www.cdifa.ca.gov.
- Our toll-free Customer Service Center at 1-800-400-7115 (CRS:711). Customer service representatives are available Monday through Friday from 8:00 a.m. to 5:00 p.m. (Pacific time), except state holidays.

As a permittee, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a California Department of Tax and Fee Administration (CDTFA) representative when requested. You are also required to know and charge the correct sales or use tax rate, including any local and district taxes.

You must notify us if you are buying, selling, adding a location, or discontinuing your business; adding or dropping a partner, officer, or member; or when you are moving any or all of your business locations. This permit is valid only for the owner specified on the permit. A person who obtains a permit and ceases to do business, or never commenced business, shall surrender their permit by immediately notifying CDTFA in writing at this address: California Department of Tax and Fee Administration, Field Operations Division, P.O. Box 942879, Sacramento, CA 94279-0047. You may also surrender the permit to a CDTFA representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with CDTFA, please contact the Taxpayers' Rights Advocate Office for help by calling 1-888-324-2798 or by faxing 1-916-323-3319.

As authorized by law, information provided by an applicant for a permit may be disclosed to other government agencies.

FAX COVER SHEET

May 31, 2022

From: Westside Youth Inc./Dino Perez

To Mary Lu

RE: Fireworks Application

See attached Fireworks application.

Thanks

Dino Perez





City of Mendota
 643 Quince Street Mendota, CA 93640
 Ph. (559)655-3291 Fax (559)655-4064



Permit Application to Sell Fireworks

Prerequisites to Issuance of Permit

The following qualifications must be met by each applicant for a permit under this chapter:

A. No permit shall be issued to any person, firm or corporation except nonprofit associations or corporation organized primarily for civic betterment or youth activities;

B. Each organization must maintain a bona fide membership of at least twenty-five (25) members, and must have been organized and established for a minimum of one year continuously preceding the filing of the application for the license;

C. No organization may receive more than one permit for sale during any one calendar year.

Organization's Name: Mendota High School Football Phone# 559-473-5321

Address: 1282 Belmont Ave Mendota, Ca 93640

Representative's Name: Beto Mejia Phone # 559-473-5321

Address: 1282 Belmont Ave Mendota, Ca. 93640

Dates of Operation: July 1-4, 2022

Location of stand: _____

Assessor Parcel Number: _____

Property owner signature: _____ Date: _____

(Property owner authorizes the organization named above to use the property for the sale of fireworks.)

The applicant agrees to comply strictly with the terms of any permit granted to it and furnish additional information upon request of the city manager.

Each applicant shall file with the city a cash deposit made payable to the city in the amount of fifty dollars (\$50.00) to assure compliance with the provisions of this chapter.

Applicant's Signature: [Signature] Date: _____

For Office Use Only

Date Received: _____

Required documents attached:	Yes	No
▪ Completed Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Property owner written permission	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Certificate of Liability Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Approval of State Fire Marshall	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Deposit paid	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Seller's Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Received by: [Signature]

Date: 6/1/2022



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
 11/1/2022 5/2/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

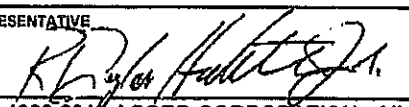
PRODUCER Lockton Companies 3280 Peachtree Road NE, Suite #250 Atlanta GA 30305 (404) 460-3600	CONTACT NAME: _____	
	PHONE (A/C, No, Ext): _____	FAX (A/C, No): _____
E-MAIL ADDRESS: _____		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Everest Indemnity Insurance Company		10851
INSURER B: Arch Specialty Insurance Company		21199
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES **CERTIFICATE NUMBER:** 17624183 **REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	SUBROGATION WAIVED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER: _____	Y	N	S18GL00242-211	11/1/2021	11/1/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/PO/AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$	Y	N	UXP0056189-08	11/1/2021	11/1/2022	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	NOT APPLICABLE			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 THIS CERTIFICATE SUPERSEDES ALL PREVIOUSLY ISSUED CERTIFICATES FOR THIS HOLDER, APPLICABLE TO THE CARRIERS LISTED AND THE POLICY TERM(S) REFERENCED.
 Additional Insured: The parking lot located at 1105 Oller Street in Mendota CA (XXX9044)/Mendota High School Football / The City of Mendota, its officers, agents, elected officials, employees and volunteers/ Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER 17624183 Mendota High School Football City of Mendota Diana Carbajal 1105 Oller Street Mendota CA 93640	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	--



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY
 DEPARTMENT OF FORESTRY AND FIRE PROTECTION
RETAIL FIREWORKS LICENSE APPLICATION
 FWX-15 (REV. 12/18)

Complete and return all copies to the Office of State Fire Marshal with the required fee of \$50.00 made payable to "CAL FIRE". **Applications must be received prior to June 15th of the current year.**

Fire Engineering
 Office of the State Fire Marshal
 PO Box 944246, Sacramento, CA
 94244-2460
 (916) 568-2948

LICENSEE INFORMATION

Name (Last, First): HORVATH, HARLAN	Phone Number:
Mailing Address (Street Address, City, CA, Zip): 2945 S. Elm Ave., Fresno, CA, 93706	
Local Contact Person and Phone Number (if different from Licensee above): HARLAN HORVATH, (559) 252-5391	

STAND INFORMATION

Group Name: MENDOTA HIGH SCHOOL FOOTBALL - XXX9044
Physical Address (Street Address, City, CA, Zip): 1105 OLLER ST., MENDOTA, CA, 93640
County of Stand Location: Fresno

WHOLE SALE FIREWORK VENDOR INFORMATION

Business Name: AMERICAN PROMOTIONAL EVENTS-WEST	License No.: W-1081
Contact Name: HORVATH, HARLAN	Phone Number: 559-252-5391

FIRE AUTHORITY HAVING JURISDICTION

Fire Department: CAL FIRE - Fresno-Kings Unit
Physical Address (Street Address, City, CA, Zip): 210 S. Academy Ave. , Sanger, CA, 93657

CAL Fire Validation No. 2060 Valid Through 06/28/2022-07/06/2022

		04/29/2022
Signature of Fireworks Program Coordinator	Signature of Licensee	Date

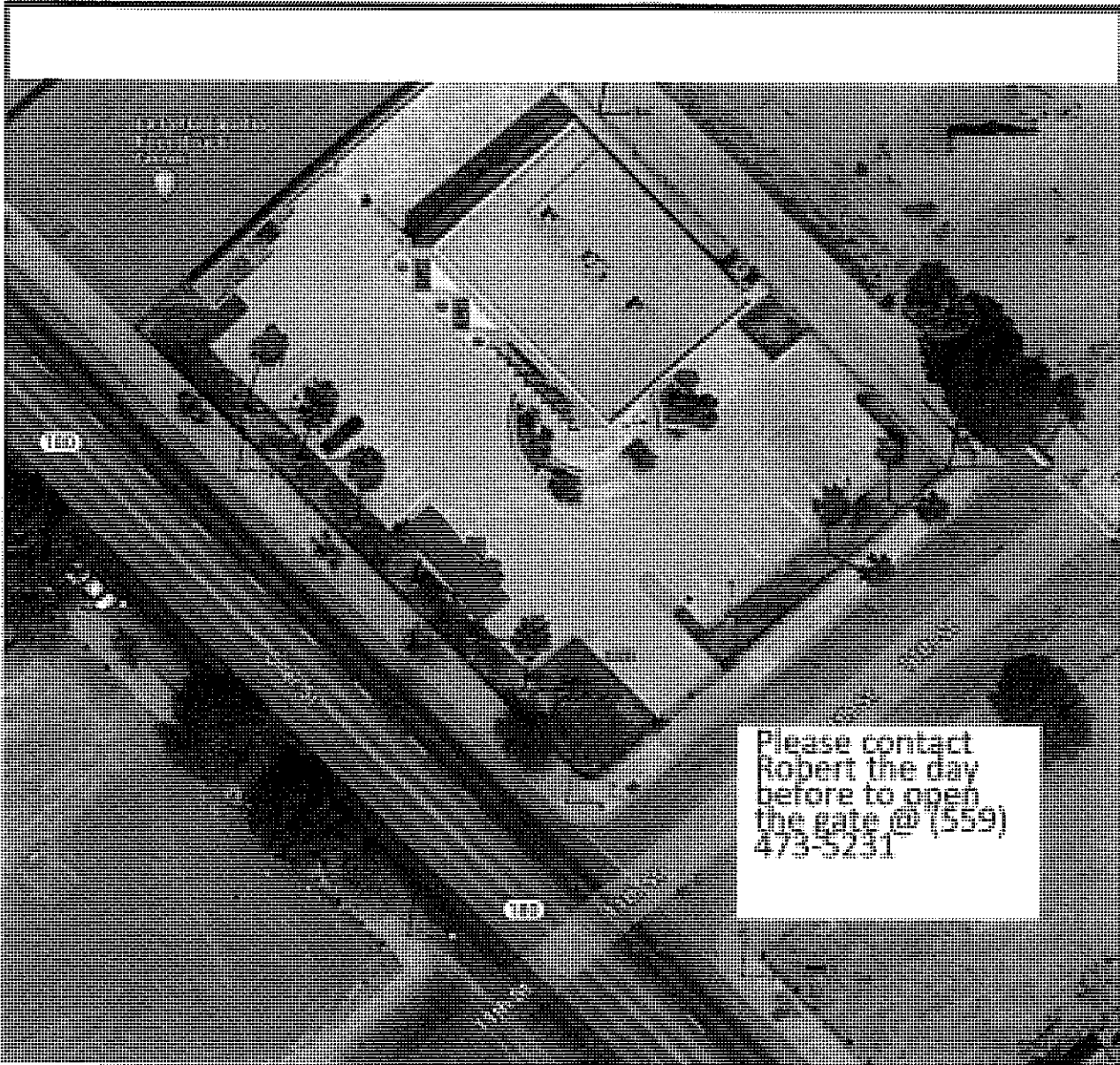
-NOTICE-

COPY OF THIS NOTICE MUST BE POSTED AT STAND WITH A COPY OF THE LOCAL PERMIT

A validated license has been issued to the organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, June 28th to NOON, July 6th, of the year indicated. **NOTE:** Retail licensees are required to be atleast 21 years of age, employees of fireworks stand must be at least 18 and fireworks may not be sold to anyone under age of 16

AMERICAN PROMOTIONAL EVENTS, INC.

CITY Mendota
SIZE 24 ft
ADDRESS Salute Event Center, 1105 Oller
INTERSECTION 11th and Oller
SPECIAL INSTRUCTIONS
APN #
ORGANIZATION MENDOTA HS FOOTBALL
GROUP CONTACT
PH #
SALES ASSOCIATE HARLAN
LOCATION # XXX9044



Please contact
Robert the day
before to open
the gate @ (559)
473-5231

DISPLAY THIS PERMIT CONSPICUOUSLY AT THE PLACE OF BUSINESS FOR WHICH IT IS ISSUED

**CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION
TEMPORARY SELLER'S PERMIT**



PERMIT NUMBER

251404224 - 00001

MENDOTA HIGH SCHOOL FOOTBALL
ROBERT MEJIA
1105 OLLER ST
MENDOTA CA 93640-2613

EFFECTIVE DATE:

June 28, 2022 thru July 4, 2022

IS HEREBY AUTHORIZED TO ENGAGE IN THE BUSINESS OF
SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE
LOCATION.

YOU ARE REQUIRED TO OBEY ALL FEDERAL AND
STATE LAWS THAT REGULATE OR CONTROL
YOUR BUSINESS. THIS PERMIT DOES NOT ALLOW
YOU TO DO OTHERWISE.

PLEASE RETAIN THIS DOCUMENT FOR YOUR
RECORDS.

THIS PERMIT IS VALID FOR THE PERIODS SHOWN AND IS NOT TRANSFERABLE.
FOR GENERAL TAX QUESTIONS, PLEASE CALL OUR CUSTOMER SERVICE CENTER AT 1-800-400-7115 (CRS:711).
FOR INFORMATION ON YOUR RIGHTS, CONTACT THE TAXPAYERS' RIGHTS ADVOCATE OFFICE AT 1-888-324-2798.

CDTFA-442-ST REV. 9 (2-22)

A MESSAGE TO OUR PERMIT HOLDER

As a permittee, you have certain rights and responsibilities under the Sales and Use Tax Law. For assistance, we offer the following resources:

- Our website at www.cdtfa.ca.gov.
- Our toll-free Customer Service Center at 1-800-400-7115 (CRS:711). Customer service representatives are available Monday through Friday from 8:00 a.m. to 5:00 p.m. (Pacific time), except state holidays.

As a permittee, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a California Department of Tax and Fee Administration (CDTFA) representative when requested. You are also required to know and charge the correct sales or use tax rate, including any local and district taxes.

You must notify us if you are buying, selling, adding a location, or discontinuing your business; adding or dropping a partner, officer, or member; or when you are moving any or all of your business locations. This permit is valid only for the owner specified on the permit. A person who obtains a permit and ceases to do business, or never commenced business, shall surrender their permit by immediately notifying CDTFA in writing at this address: California Department of Tax and Fee Administration, Field Operations Division, P.O. Box 942879, Sacramento, CA 94279-0047. You may also surrender the permit to a CDTFA representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with CDTFA, please contact the Taxpayers' Rights Advocate Office for help by calling 1-888-324-2798 or by faxing 1-916-323-3319.

As authorized by law, information provided by an applicant for a permit may be disclosed to other government agencies.



City of Mendota
 643 Quince Street Mendota, CA 93640
 Ph. (559)655-3291 Fax (559)655-4064

Permit Application to Sell Fireworks

Prerequisites to Issuance of Permit

The following qualifications must be met by each applicant for a permit under this chapter:

A. No permit shall be issued to any person, firm or corporation except nonprofit associations or corporation organized primarily for civic betterment or youth activities;

B. Each organization must maintain a bona fide membership of at least twenty-five (25) members, and must have been organized and established for a minimum of one year continuously preceding the filing of the application for the license;

C. No organization may receive more than one permit for sale during any one calendar year.

Organization's Name: Mendota High School Football Phone# 559-473-5321

Address: 1282 Belmont Ave Mendota, Ca. 93640

Representative's Name: Beto Mejia Phone # 559-473-5321

Address: 1282 Belmont Ave Mendota, Ca. 93640

Dates of Operation: July 1-4, 2022

Location of stand: 1105 older street Mendota, Ca. 93640

Assessor Parcel Number: _____

Property owner signature: [Signature] Date: 6/1/22
 (Property owner authorizes the organization named above to use the property for the sale of fireworks.)

The applicant agrees to comply strictly with the terms of any permit granted to it and furnish additional information upon request of the city manager.

Each applicant shall file with the city a cash deposit made payable to the city in the amount of fifty dollars (\$50.00) to assure compliance with the provisions of this chapter.

Applicant's Signature: [Signature] Date: _____

For Office Use Only

Date Received: _____

Required documents attached:

	Yes	No
▪ Completed Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Property owner written permission	<input type="checkbox"/>	<input type="checkbox"/>
▪ Certificate of Liability Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Approval of State Fire Marshall	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Deposit paid	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Seller's Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Received by: _____

Date: _____



Please email or mail a copy of this to Harlan when completed.
 Email: horvathh@tntfireworks.com
 Address: Harlan Horvath
 2945 S. Elm Ave. #101
 Fresno, CA 93706

MULTI-YEAR PROPERTY PERMISSION FORM

TO WHOM IT MAY CONCERN:

Permission is hereby granted to Mendota Football Team and TNT Fireworks for the exclusive right to use the property at 1105 Oller St in the City/County of Mendota Fresno for their annual fireworks stand.

It is understood that this sale will be conducted in accordance with all City, County and State regulations. It is further understood that this permission is subject to immediate cancellation with the sale, lease or construction of the property.

This permission is good for the following years. (Indicate YES or NO for ALL years.):

2022	Yes	No
2023	Yes	No
2024	Yes	No
2025	Yes	No

The following must be completed by PROPERTY OWNER OR P/O AGENT:

Signature:

Date 06/01/22

Print Name:

Elena Stefanopoulos

Address:

904 S. Lyon ave
Mendota Ca 93640

Phone #

559 655-4581

Loc. #



City of Mendota
 643 Quince Street Mendota, CA 93640
 Ph. (559)655-3291 Fax (559)655-4064



Permit Application to Sell Fireworks

Prerequisites to Issuance of Permit

The following qualifications must be met by each applicant for a permit under this chapter:

A. No permit shall be issued to any person, firm or corporation except nonprofit associations or corporation organized primarily for civic betterment or youth activities;

B. Each organization must maintain a bona fide membership of at least twenty-five (25) members, and must have been organized and established for a minimum of one year continuously preceding the filing of the application for the license;

C. No organization may receive more than one permit for sale during any one calendar year.

Organization's Name: Mendota Youth Rec Phone# 559-647-4043

Address: P.O. Box 782 1667 Quince

Representative's Name: Sergio Valdez Phone # 559 647-4000

Address: 325 Pacheco St

Dates of Operation: 6-28-2022 to July 6 2022

Location of stand: 7th & Quince St 1659 7th St

Assessor Parcel Number: 013,183,05

Property owner signature: [Signature] Date: 7-22-2022

(Property owner authorizes the organization named above to use the property for the sale of fireworks.)

The applicant agrees to comply strictly with the terms of any permit granted to it and furnish additional information upon request of the city manager.

Each applicant shall file with the city a cash deposit made payable to the city in the amount of fifty dollars (\$50.00) to assure compliance with the provisions of this chapter.

Applicant's Signature: [Signature] Date: 7-23-2022

For Office Use Only

Date Received: _____

Required documents attached:	Yes	No
▪ Completed Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Property owner written permission	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Certificate of Liability Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Approval of State Fire Marshall	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Deposit paid	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ Seller's Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Received by: [Signature] Date: 5/23/2022

2022 PROPERTY OWNER'S PERMISSION TO ERECT A FIREWORKS STAND

Name of Organization Mendota Youth Recreation Inc

Location of Proposed Fireworks Stand: 1659 7th Street, Mendota CA

Assessors Parcel Number (APN#): 013.183.05 (required)

The above-named organization has informed me of it's plan to erect a booth for the retail sale of fireworks at the above location. As the owner of the above property, I understand that the organization must obtain my written permission before they can be issued a permit to sell fireworks.

To receive this permit, the organization must comply with all the rules and regulations for selling fireworks. The fireworks stand must also conform to the standards set by the local jurisdiction.

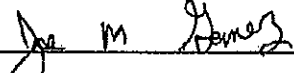
The Mendota Youth Recreation (organization) agrees to abide by all the rules set forth by the local jurisdiction for the retail sale of fireworks.

Signed: _____
(Officer of Organization)

Officer of organization (please print): Corina Banuelos

With regard to the above, I, the property owner, give my permission for the erection of a fireworks stand on this property.

Owner's Name (please print): Joe M. Gomez

Owner's Signature: 

Owner's Mailing Address: 1659 7th Street, Mendota CA

Telephone Number: 559 655-8443 or 4819

Date: 5/17/2022



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/21/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

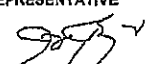
PRODUCER Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 FAX (A/C, No): 216-658-7101 E-MAIL ADDRESS: info@brittongallagher.com	
	INSURER(S) AFFORDING COVERAGE	
INSURED Phantom Fireworks Western Region, LLC 2445 Belmont Avenue Youngstown OH 44505	INSURER A: Everest Indemnity Insurance Co. NAIC # 10851	
	INSURER B: Axis Surplus Ins Company 28620	
	INSURER C: Berkshire Hathaway Homestate Insurance Company	
	INSURER D: Everest Denali Insurance Company 16044	
	INSURER E: Arch Speciality Ins Co 21199	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 1715960022 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Non-Owned Stnd <input type="checkbox"/> End't Included GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	Y	S18GL00643-211	10/30/2021	10/30/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000 \$
D	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS	Y	Y	S18CA00098-211	10/30/2021	10/30/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
E	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			LXP0057739-07	10/30/2021	10/30/2022	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N	PHWC231340	10/30/2021	10/30/2022	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.I. EACH ACC DENT \$ 1,000,000 E.I. DISEASE - EA EMPLOYEE \$ 1,000,000 E.I. DISEASE - POLICY LIMIT \$ 1,000,000
B	Excess Liability #2	Y	Y	P-001-000046165-04	10/30/2021	10/30/2022	Each Occ/Aggregate Total Limits \$5,000,000 \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Products Liability extends only to the products purchased from Phantom Fireworks Western Region, LLC.
 The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions and exclusions.
 Location: 1659 7th Street, Mendota CA
 Property Owner: Joe M. Gomez
 Additional Insured: The City of Mendota, its officers, officials, agents, property owner and authorized volunteers when acting in full capacity.
 Municipality: City of Mendota / County of Fresno

CERTIFICATE HOLDER Mendota Youth Recreation c/o Corina Banuelos PO Box 782 Mendota CA 93640	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

© 1988-2010 ACORD CORPORATION. All rights reserved.



2351 Tenaya Dr., Modesto, CA 95354
(800) 733-7771 • (209) 491-5180 • Fax (209) 491-5188
FIREWORKS.COM

NOTICE OF CHANGE

STATE FIRE MARSHAL
2251 Harvard Street
SACRAMENTO, CA 95815

CHANGE FROM: Mendota Youth Recreation
690 Oller St.
Mendota, CA 93640

CHANGE TO: Mendota Youth Recreation
1659 7th St.
Mendota, CA 93640

DATE: May 16, 2022

COMMENTS: SFM # 1983

Cc: Fresno County Fire Protection District
210 S. Academy Ave
Sanger, CA 93657



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY
 DEPARTMENT OF FORESTRY AND FIRE PROTECTION
RETAIL FIREWORKS LICENSE APPLICATION
 FWX-15 (REV. 12/18)

Complete and return all copies to the Office of State Fire Marshal with the required fee of \$50.00 made payable to "CAL FIRE". **Applications must be received prior to June 15th of the current year.**

Fire Engineering
 Office of the State Fire Marshal
 PO Box 944246, Sacramento, CA
 94244-2460
 (916) 568-2948

LICENSEE INFORMATION

Name (Last, First): Hernandez, Janae	Phone Number:
Mailing Address (Street Address, City, CA, Zip): 2777 E. Malaga Ave, Fresno, CA, 93725	
Local Contact Person and Phone Number (if different from Licensee above): Jon Fortado, (559) 459-0610	

STAND INFORMATION

Group Name: Mendota Youth Recreation
Physical Address (Street Address, City, CA, Zip): 690 Oller St, Mendota, CA, 93640
County of Stand Location: Fresno

WHOLE SALE FIREWORK VENDOR INFORMATION

Business Name: PHANTOM FIREWORKS WESTERN REGION, LLC	License No.: W-0526
Contact Name: Hernandez, Janae	Phone Number: 559.459.0610

FIRE AUTHORITY HAVING JURISDICTION

Fire Department: Fresno County Fire Protection Dist.
Physical Address (Street Address, City, CA, Zip): 210 S. Academy Ave., Sanger, CA, 93657

CAL Fire Validation No. 1983 Valid Through 06/28/2022-07/06/2022

		04/22/2022
Signature of Fireworks Program Coordinator	Signature of Licensee	Date

-NOTICE-

COPY OF THIS NOTICE MUST BE POSTED AT STAND WITH A COPY OF THE LOCAL PERMIT

A validated license has been issued to the organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, June 28th to NOON, July 6th, of the year indicated. **NOTE:** Retail licensees are required to be atleast 21 years of age, employees of fireworks stand must be at least 18 and fireworks may not be sold to anyone under age of 16

DATE: 2022 SALESMAN: Jon Fortado CITY: Mendota

ACCT #: 601285 ORGANIZATION: MENDOTA YOUTH RECREATION

CHAIRMAN: Corina Banuelos PHONE: (559) 349-9391 (559) 655.4590

STAND SIZE: 24' STAND UP DATE: 6/23 STAND DOWN DATE: 7/10

ADDRESS / INTERSECTION: 1659 7th STREET FIRE: FRESNO CO. FIRE

SPECIAL INSTRUCTIONS: **STAND Faces 7th street. Start stand 27' from sidewalk on Quince st
29' from building, 10' from sidewalk on 7th st**



DISPLAY THIS PERMIT CONSPICUOUSLY AT THE PLACE OF BUSINESS FOR WHICH IT IS ISSUED

**CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION
TEMPORARY SELLER'S PERMIT**



PERMIT NUMBER

232490944 - 00001

MENDOTA YOUTH RECREATION
1659 7TH ST
MENDOTA CA 93640-2346

EFFECTIVE DATE:

June 28, 2022 thru July 5, 2022

*IS HEREBY AUTHORIZED TO ENGAGE IN THE BUSINESS OF
SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE
LOCATION.*

*YOU ARE REQUIRED TO OBEY ALL FEDERAL AND
STATE LAWS THAT REGULATE OR CONTROL
YOUR BUSINESS. THIS PERMIT DOES NOT ALLOW
YOU TO DO OTHERWISE.*

*PLEASE RETAIN THIS DOCUMENT FOR YOUR
RECORDS.*

**THIS PERMIT IS VALID FOR THE PERIODS SHOWN AND IS NOT TRANSFERABLE.
FOR GENERAL TAX QUESTIONS, PLEASE CALL OUR CUSTOMER SERVICE CENTER AT 1-800-400-7115 (CRS:711).
FOR INFORMATION ON YOUR RIGHTS, CONTACT THE TAXPAYERS' RIGHTS ADVOCATE OFFICE AT 1-888-324-2798.**

CDTFA-442-ST REV. 8 (2-22)

A MESSAGE TO OUR PERMIT HOLDER

As a permittee, you have certain rights and responsibilities under the Sales and Use Tax Law. For assistance, we offer the following resources:

- Our website at www.cdtfa.ca.gov.
- Our toll-free Customer Service Center at 1-800-400-7115 (CRS:711). Customer service representatives are available Monday through Friday from 8:00 a.m. to 5:00 p.m. (Pacific time), except state holidays.

As a permittee, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a California Department of Tax and Fee Administration (CDTFA) representative when requested. You are also required to know and charge the correct sales or use tax rate, including any local and district taxes.

You must notify us if you are buying, selling, adding a location, or discontinuing your business; adding or dropping a partner, officer, or member; or when you are moving any or all of your business locations. This permit is valid only for the owner specified on the permit. A person who obtains a permit and ceases to do business, or never commenced business, shall surrender their permit by immediately notifying CDTFA in writing at this address: California Department of Tax and Fee Administration, Field Operations Division, P.O. Box 942879, Sacramento, CA 94279-0047. You may also surrender the permit to a CDTFA representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with CDTFA, please contact the Taxpayers' Rights Advocate Office for help by calling 1-888-324-2798 or by faxing 1-916-323-3319.

As authorized by law, information provided by an applicant for a permit may be disclosed to other government agencies.

**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 FIREWORKS STAND PERMITS FOR
2022**

RESOLUTION NO. 22-34

WHEREAS, the Mendota Municipal Code (“MMC”) allows the City Council of the City of Mendota (“City”) to select the organizations or groups to receive permits for the sale of fireworks, based on past practices of the City in issuing fireworks sales permit to such organizations, as long as they meet the requirements set forth in MMC Chapter 8.12; and

WHEREAS, applicants seeking the issuance of a fireworks sale permit must satisfy the following prerequisites:

1. No permit shall be issued to any person, firm or corporation except nonprofit associations or corporations organized primarily for civic betterment or youth activities; and
2. Each organization must maintain a bona fide membership of at least twenty-five (25) members and must have been organized and established for a minimum of one year continuously preceding the filing of the application for the license; and
3. No organization may receive more than one permit for sale during any one calendar year; and

WHEREAS, City staff received four (4) complete permit applications to sell fireworks for 2022, each of which satisfied the prerequisites for issuance of a permit.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota that the fireworks stand permits for 2022 provided in Exhibit “A,” attached hereto and incorporated herein by this reference, are hereby approved.

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 14th day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

Exhibit A

Exhibit A

CITY OF MENDOTA FIREWORK APPLICATIONS 2022

ORGANIZATION NAME	LOCATION REQUESTED	CONTACT PERSON	CONTACT PHONE NUMBER
Mendota Pentecostal Church of God	580 Derrick Avenue Mendota, CA 93640	Becky Garcia	(559) 250-4661
Westside Youth, Inc.	697 Derrick Avenue Mendota, CA 93640	Dino Perez	(559) 970-7840
Mendota High School Football	1105 Oller Street Mendota, CA 93640	Robert Mejia	(559) 473-5321
Mendota Youth Recreation	1659 7th Street Mendota, CA 93640	Sergio Valdez	(559) 647-4043

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY BANDA, FINANCE DIRECTOR
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: APPROVING A PROCUREMENT POLICY
DATE: JUNE 14, 2022

ISSUE

Shall the City Council adopt Resolution No. 22-35, approving a procurement policy?

BACKGROUND

The City of Mendota (“City”) received their audited financials for fiscal year 2020-2021 in March 2022. Since the City expended more than seven hundred fifty thousand dollars (\$750,000.00) in federal funding, the City needed to complete a Single Audit Report (“SAR”) for those expenditures to submit to the Federal Audit Clearinghouse (“FAC”), the State Controller’s Office (“SCO”), and Caltrans. In the event the City does not expend seven hundred fifty thousand dollars (\$750,000.00) in federal funding, the City would submit an exemption letter to the FAC, the SCO and Caltrans.

ANALYSIS

The City completed a SAR and submitted to all three entities: FAC, SCO and Caltrans. As a result of the SAR, the City was issued a finding. A finding is a conclusion reached as a result of the audit conducted on the federal expenditures. Even though the City followed every applicable rule in accordance with State, local, tribal laws and Federal law and standards, the City did not have a written procurement policy and standards of conduct that covers conflict of interest. The City has a planned corrective action as a result of Finding Number 2021-001 to adopt a procurement policy and standards of conduct that covers conflicts of interest.

The procurement policy that the City has followed in the past is contained in the Mendota Municipal Code (“MMC”), Chapter 2.48 Purchasing System, as well as all applicable Federal, State and Local laws and regulations. The City is also in compliance with its Conflict of Interest code that is located in MMC Chapter 2.24.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 22-35, approving a procurement policy.

Attachment(s):

1. Resolution No. 22-35
2. Exhibit "A" - City of Mendota Procurement Policy

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA APPROVING
A PROCUREMENT POLICY FOR THE
CITY OF MENDOTA**

RESOLUTION NO. 22-35

WHEREAS, the City of Mendota (“City”) received its audited financials for the fiscal year 2020-2021 and expended more than \$750,000.00 in federal funding; and

WHEREAS, since the City expended more than \$750,000.00 in federal funds, the City must complete a Single Audit Report to submit to the Federal Audit Clearinghouse (“FAC”), the State Controller’s Office (“SCO”), and Caltrans; and

WHEREAS, in reviewing the City’s financials and written policies, it was determined by Price, Paige and Company, the City’s auditor, that the City had no written procurement policy despite having Purchasing System and Conflict of Interest codes in the Mendota Municipal Code.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota approves the Procurement Policy attached hereto as Exhibit “A” and incorporated herein by this reference.

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 14th day of June, 2022, by the following vote:

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

Celeste Cabrera-Garcia, City Clerk

Exhibit A

City of Mendota



ADMINISTRATIVE POLICY

PROCUREMENT POLICY

INTRODUCTION:

This policy is to provide operating procedures for the purchase of goods and services in compliance with applicable Federal, State, and Local laws and regulations. These procedures shall apply to all expenditures of public funds in adherence to the Purchasing System in Chapter 2.48 of the Mendota Municipal Code (MMC).

PURPOSE:

The purpose of this Administrative Policy is to provide a comprehensive set of policies and procedures to guide all parties involved in the purchasing functions of the City's operations. This policy shall provide, but will not be limited to, the following:

- a. To consolidate, clarify, and modernize procurement by the City;
- b. To provide adequate procurement oversight by the City Council;
- c. To promote increased public confidence in the procedures followed in public procurement;
- d. To ensure the fair and equitable treatment of all persons who deal with the procurement system;
- e. To provide increased economy in procurement activities and to maximize to the fullest extent practicable the purchasing values of public funds; and
- f. To provide safeguards for the maintenance of a procurement system of quality and integrity with clearly defined rules for ethical behavior on part of all persons engaged in the public procurement process.

POLICY:

Ethics General Code of Conduct and Legal Requirements

It is essential that all personnel involved in the purchasing process conduct themselves in manner that maintains impartiality and complete objectivity. The following are the City's standards in ethics for purchasing:

- To buy on the basis of value, recognizing that value represents a combination of quality, service and price which assures the greatest economy to the City.
- To be honest, courteous, and considerate in all City Dealings.
- To avoid statements that might injure or discredit legitimate suppliers and to avoid disclosure of confidential information that might give an unfair advantage in a competitive business transaction.

Gift Disclosures and Prohibitions, Fair Political Practices Commission (FPPC)

The purpose of this section is to highlight FPPC regulations regarding gifts for all personnel who may be engaged in the City’s purchasing function. It is essential that all personnel involved in dealings with the business community exercise a strict rule of personal contact and abide by FPPC regulations when offered a “gift.”

The FPPC defines a “gift” as any payment or other benefit that confers a personal benefit for which a public official does not provide payment or services of equal or greater value. A gift includes a rebate or discount in the prices of anything of value unless the rebate or discount is made in the regular course of business to members of the public (Government Code, Section 82028). Except as discussed below, you have “received” or “accepted” a gift when you know that you have actual possession of the gift or when you take any action exercising direction or control over the gift, including discarding the gift or turning it over to another person (California Code of Regulations, Title 2, Section 18941.)

If you have questions, consult the FPPC at 1-866-275-3772 or advice@fppc.ca.gov or visit their website at www.fppc.ca.gov

Employees of a local government agency who are designated in the agency’s conflict of interest code may not accept gifts from any single source totaling more than the gift limit set by the FPPC in a calendar year (five hundred twenty dollars (\$520) in 2022) if the employee is required to report receiving income or gifts from that source on his or her statement of economic interest (Form 700). The gift limit is adjusted biennially to reflect changes in the Consumer Price Index.

Gifts from a single source aggregating to fifty dollars (\$50) or more must be disclosed, and gifts aggregating to five hundred twenty dollars (\$520) or more or the FPPC limit during any twelve 12-month period may subject you to disqualification with respect to the source.

Conflict of Interest (MMC Chapter 2.24)

2.24.010 – Filing of disclosure

Pursuant to Sections 4.5, 5.5, 6, and 7 of the FPPC’s Standard Code, located at Title 2 California Code of Regulations Section 18730, designated employees shall file statements of economic interest with the City. Upon receipt of the statements of economic interest by the City Clerk, the City shall make and retain a copy and forward the original of these statements to the FPPC.

2.24.020 – Disclosure categories.

- A. The Mayor, City Council Members, and City Manager will comply with the disclosure requirements of Article 2 of Chapter 7 of Title 9 of the Government Code, Political Reform (Section 87200, et seq.).

- B. The members of the Planning Commission shall make disclosures of any investment, interest in real property, income sources or investments in business entities that are located within the City's sphere of influence which might foreseeably be materially affected by any decision made by the Planning Commission with regard to zoning or land use within the city.
- C. All other designated employees shall disclose any investment, interest in real property, income sources or investments in business entities within the city which may foreseeably be materially affected by any decision made or participated in by such designated employee by virtue of his or her position.

2.24.030 – Designated employees.

The following are designated employees who must make disclosures:

- A. The Mayor and the members of the City Council;
- B. The Planning Commission and its Alternate Planning Commissioner;
- C. The City Manager;
- D. The Chief of Police;
- E. The City Attorney;
- F. The City Engineer;
- G. The Finance Director;
- H. The Finance Officer;
- I. The Director of Administrative Services; and
- J. The City Clerk.

Purchasing

Items included in the Approved Budget authorize the City Manager and designees to purchase the materials, supplies, services, and equipment in the budget document. Purchases for certain dollar amounts are subject to further rules, such as for Department Director level approvals, City Manager approvals, Council approvals, and/or bidding requirements.

Materials, Supplies, Equipment and Non-Public Project Contracts

- Up to five hundred dollars (\$500.00), each Department Head is authorized to exercise his/her discretion to make purchases so as to promote the efficiency of city service.
- Five hundred dollars and one cent – two thousand (\$500.01 – \$2,000.00), no less than three suppliers shall be solicited to submit telephone quotations. All offers shall be recorded in writing by the purchasing agent and maintained as a public record open for a period of one year from date of award. The award shall be made to the lowest responsive and responsible offeror.
- Two thousand dollars and one cent – ten thousand dollars (\$2,000.01 – \$10,000.00), no less than three suppliers shall be solicited to submit written

quotations. All offers shall be given to the purchasing agent and maintained as a public record open for a period of one year from date of award. The award shall be made to the lowest responsive and responsible offeror.

Professional Services Contracts (Non-construction)

- Professional services may be engaged without competitive bidding, provided that a reasonable number of prospective service providers are given an opportunity to submit their qualifications for the desired service. The specific procedures for hiring professionals shall vary with the nature and extent of the required service. The award shall be made to the professional deemed most qualified and capable of providing the required service in a timely and acceptable manner. Compensation shall be subject to negotiation. If agreement cannot be reached with the designated professional, negotiations shall be terminated, and negotiations shall be initiated with the next best qualified and capable professional service provider. The renewal, extension, or amendment of contracts with professional service providers shall not require a new competitive process except upon order of the City Council.

Federally Funded Projects/Grants Procurement (Title 2, Code of Federal Regulations (CFR) § 200.320 [Title 2 Grants and Agreements, Code of Federal Regulations published by the Office of the Federal Register National Archives and Records Administration])

- Up to ten thousand dollars (\$10,000.00) Micro Purchase, each Department Head. If amount of any purchase or contract exceeds five thousand dollars (\$5,000.00), the purchase or contract shall be awarded by the City Council.
- Ten thousand dollars and one cent – two hundred fifty thousand dollars (\$10,000.01 – \$250,000.00) Small Purchase, Informal written quotes, City Council approval.
- Over two hundred fifty thousand dollars (\$250,000.00) Formal Process, Competitive bidding (Sealed Bids, Competitive Proposals, or Sole Source), City Council approval.

Bid Procedure

- If the expenditure for a service or article, or for a class of articles normally obtained from the same sources of supply or from the sale of surplus property is estimated to be ten thousand dollars (\$10,000.00) or more, the purchase or sale shall be by formal bid. When the cost or value of the item is less than ten thousand dollars (\$10,000.00) the purchase or sale may be made in accordance with the “Small Purchase Procedures.”
- Formal Bid Procedure – Competitive Sealed Bids
 1. Conditions for Use. All contracts and/or purchases shall be competitive sealed bid except as otherwise provided in this chapter.
 2. Invitations for Bids. The invitation for bids (IFB) shall include the specifications and contractual terms and conditions applicable to the procurement.
 3. Notice Inviting Bids. Notices inviting bids shall include a general description of the articles to be purchased or sold; shall state where bid

blanks and specifications may be obtained and the time and place for opening bids.

4. **Published Notice.** Notice inviting bids shall be published at least ten (10) days before the date set for opening the bids. Notice shall be published at least once in a newspaper of general circulation in the City of the County of Fresno. The purchasing agent may waive the requirement to publish the invitation for bids if there is no source of supply in the local area.
5. **Bidder's List.** The purchasing agent shall solicit sealed bids from all responsible suppliers whose names are on the bidders' list. Suppliers may be disqualified from bidding on city contracts and removed from the bidders' list for a period of up to five years if their performance in dealings with the City has not been satisfactory. Suppliers removed from the bidders' list shall receive written notification of the conditions prompting disqualification.
6. **Bidder's Security.** When deemed necessary by the purchasing agent, a bidder's security may be prescribed in the invitation to bid. Bids received without the prescribed security shall be considered nonresponsive and shall be rejected. The successful bidder shall be in default and forfeit his/her bid security upon refusal or failure to execute the purchase agreement within ten (10) days after the notice of award was mailed to him/her unless the City is responsible for the delay. If the award must be made to the next lowest responsible bidder by reason of the default of the lowest responsible bidder, the amount of the lowest bidder's security shall be applied by the City to the difference between the lowest bid and the next lowest bid. The surplus, if any, shall be returned to the lowest bidder.
7. **Performance Bonds.** The purchasing agent may require a performance bond before entering a contract in such amount as he/she shall find reasonably necessary to protect the City. If a performance bond is required, the form and amount of the bond shall be described in the notice inviting bids. Failure to submit a performance bond within the time prescribed in the notice of award shall constitute just cause for default, annulment of the award and forfeiture of the bidder's security.
8. **Insurance and Indemnity.** Bids solicited for contractual services or specialized equipment shall include insurance and indemnity clauses.
9. **Bid Opening.** Sealed bids shall be submitted to the purchasing agent and shall be identified on the envelope as "Bids." Bids shall be opened in public at the time and place stated in the public notice. A tabulation of all bids received shall be open for public inspection in the City's purchasing office during regular business hours for a period of not less than thirty (30) calendar days after the bid opening.
10. **Award of Purchase or Contract.** Purchases or contracts shall be awarded to the lowest responsive and responsible bidder. In determining the lowest responsible and responsible bidder, the following shall be taken into consideration:
 - a. The quality, suitability, and efficiency of the item;
 - b. The total or life cycle cost of the equipment;

- c. The delivery, discount terms, and all other conditions submitted in the bid; and
 - d. The reputation of the equipment, the service reputation of the bidder, the experience(s) of the City with the bidder or equipment, and all other information and data relevant to the responsibility of the supplier.
11. Rejection of Bids. The City reserves the right to reject any or all bids in whole or in the part and may waive any irregularities or informalities in any bids when such action is considered to be in the best interest of the City. All bids received after the designated closing date and time shall be considered nonresponsive and shall be rejected.
 12. Tie Bids. If two and more bids received are in the same total amount, and the unit price, quality and service are equal, and, if there is no evidence of collusion between the bidders and if the circumstances will not permit the readvertising of bids, the City may accept the bid of its choice.
 13. Notification of Award. All suppliers participating in the formal bid process shall be notified in writing of the terms and conditions of the successful award.
- In lieu of publishing and receiving its own bids, the purchasing agent may elect to utilize bids under a state, county, or other city bid package.

Competitive Negotiation

- Conditions for Use. When the purchasing agent determines, in writing, that the use of competitive sealed bids for purchases in excess of ten thousand dollars (\$10,000.00) is either not practical or not advantageous to the City, a contract or purchase may be entered into after competitive negotiations as herein authorized. This procedure may not be used for Public Works Projects in excess of five thousand dollars (\$5,000.00).
- Request for Proposal (RFP). Proposals shall be solicited through a request for proposal.
- Notice Requesting Proposal. Public Notice of the request for proposal shall be given in the manner provided in Section 2.48.110(B)(2) and (3) of the Mendota Municipal Code, "***Bid Procedure***" and listed in this Procurement Policy, to those vendors or service providers who the purchasing agent deems capable of satisfying the City's requirements.
- Receipt of Proposals. Sealed proposals shall be submitted to the purchasing agent by the date and time specified on the prescribed forms and shall be identified by a request-for-proposal number. Proposals shall be handled so as to permit no disclosure of the identity of any offeror or the contents of any proposal to competing offerors during the process of negotiation. A record shall be prepared containing the name of each offeror, the number of modifications received, if any, and a description sufficient to identify the item offered. This record shall be open for public inspection after the contract is awarded.
- Proposal Evaluation. The RFP shall include the criteria for evaluation and the relative importance of price and other factors.

- Negotiation. The most qualified and responsive proposals (minimum of three) will be selected for contract negotiation. Negotiations will be conducted individually with each qualified supplier. All elements of the negotiation process shall be documented by the purchasing agent. Responsible offerors shall be accorded fair and equal treatment with respect to opportunities for discussion and revision of their proposals. Revisions in writing may be permitted prior to award of the contract for the purpose of obtaining the best final offer.
- Award. The award shall be made to the responsible offeror whose proposal is determined to be the most advantageous to the City, taking into consideration price and the criteria established for evaluation, as set forth in the RFP. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.
- Rejection of Proposals. The City reserves the right to reject any or all proposals in whole or in part and may waive any irregularities or informalities in proposals when such action is considered to be in the best interest of the City.
- Notification of Award. All suppliers participating in the competitive negotiation process shall be notified in writing of the terms and conditions of the successful award.

Small Purchase Procedure

Any contract or purchase not exceeding ten thousand dollars (\$10,000.00) may be made in accordance with the small purchase procedures; provided, however, that requirements shall not be artificially divided so as to constitute a small purchase under this section. This section shall not apply to public works projects in excess of five thousand dollars (\$5,000.00).

- For purchases up to five hundred dollars (\$500.00), each Department Head is authorized to exercise his/her discretion to make purchases so as to promote the efficiency of City service.
- For purchases in excess of five hundred dollars (\$500.00), but not more than two thousand dollars (\$2,000.00), no less than three suppliers shall be solicited to submit telephone quotations. All offers shall be recorded in writing by the purchasing agent and maintained as a public record open for inspection for a period of one year from date of award. The award shall be made to the lowest responsive and responsible offeror.
- For purchases in excess of two thousand dollars (\$2,000.00), but not more than ten thousand dollars (\$10,000.00) the procedures set forth in bullet point two of this section shall apply, except that the offers shall be in writing.

Local Vendor Preference

In computing bids, offers, and quotations on all materials, supplies, equipment, and services purchased by the City, preference may be granted to responsible local vendors by an amount equal to five percent of the net bid. The granting of this local vendor's preference shall be based on a determination by the purchasing agent that quantity and quality of the local product is equal to that of the next lowest bidder. This local vendor preference shall not be applicable to public works projects in excess of five thousand dollars (\$5,000.00)

Vendors

Department Heads should verify with the Finance Department if a vendor is already registered with the City as a vendor or if the vendor needs to submit a W-9 Request for Taxpayer Identification Number form in order to register as a vendor with the City, prior to the Department submitting a payment request.

Accounts Payable Process

Payment for purchases is made by check to make reconciliation and request for reimbursement through grants and other funding sources the clearest to all invested parties.

As purchases are made by authorized designees, it is their responsibility to receive a copy of the invoice or receipt of purchase and forward it to the appropriate person in the Department as directed by the Department Head for account coding and approval and then to the Finance Department on the appropriate payment request form.

Payment request forms need to be submitted to the Finance Department on a timely basis in order for payments to be processed effectively and efficiently. Sufficient back-up needs to be included with the payment request including invoices, and quotes or staff reports if applicable. Checks to vendors will be mailed out or distributed the day following the City Council meeting or at the approval of the Finance Director and City Manager.

Purchase Order

A purchase order authorizes the seller to ship and invoice materials or services as specified. If a vendor requires a purchase order prior to accepting an order, a purchase order can be initiated.

Petty Cash

Petty cash is used for small, incidental expenditures that could be impractical to process through the payment request process. Authorized departmental fund amounts are as follows:

City-wide	\$700
Explorers Program	\$1000

The Administrator is responsible for reconciling and replenishing the fund as needed, based on receipts received. Periodic audits may be performed by the Finance Department in order to ensure compliance these procedures.

Credit Cards

Employees with a City issued Credit Card can make the same type of purchases that are allowed through the Accounts Payable Check issued process for materials, supplies or equipment. The Credit Card is not intended to, nor will it be used to circumvent any existing statues, laws, or procurement procedures or policies.

Employees requesting to use a City issued Credit Card shall request by written request.

City employee assigned to a Fuel Card are to fuel only City vehicles.

Credit Card purchase responsibilities:

- Ensure the card is used for legitimate business purposes.
- Obtain receipts and submit them with the accounts payable request.

- Immediately report a lost or stolen card to the Finance Department.
- Under no circumstances shall personal purchases be made using the City credit card. However, in the case that this occurs, the employee shall inform the Finance Department and make immediate restitution of the personal purchase made.

City Charge Accounts

Department Heads are able to set up Charge Accounts with various vendors who they do business with and authorize employees to make purchases for supplies and equipment. Department Heads have the discretion to set employee limits. Example of Charge Accounts are Sorensen Hardware and Auto Zone.

The Department is responsible for reconciling the monthly statement to the receipts submitted by the employees and submitting a payment request to the Finance Department if applicable. All statements and invoices need to be signed by Department Head.

Non-Budgeted Items

Items which were not included in the budget, shall be discussed with the City Manager and Finance Director and taken to City Council for approval prior to purchasing.

Emergency Purchases

In the event of a bona fide emergency, the City Manager or the Finance Director shall be contacted, and the matter discussed. If they are not available, the Department Head or his/her designee shall use their own best judgement in making the purchase. Competitive bids or proposals are not required in an emergency when goods or services are immediately necessary for the preservation of the public health, welfare, or safety of the protection of City property. The City Manager may determine and declare that the public interest or necessity demands the immediate expenditure of public money to safeguard life, health or property, and thereupon they may proceed without advertising for bids, they may enter into a contract involving the expenditure of any money required in such emergency.

Grant Funded Programs and Projects

State or Federally funded programs have special requirements covering the acquisition of supplies, equipment, materials and services. It is the responsibility of the Department Head using the grant funds to make purchases in accordance with the grant funds and to inform the Finance Department of any provisions in order to follow required procedures.

Federal Funded Projects/Grants Procurement (2 CFR Part 200)

The City will operate with the following regulation for the procurement of property or services stemming from Federal Aid. This section shall apply to the awarding of sub-grants and contracts by the City stemming from Federal Grants to the City. This section shall have the same application on the awarding of sub-grants and contracts to the City stemming from State, County, or other non-federal government entity grants originating as Federal Grants.

Determination of Federal Awards Requirements for Pass-thru Agencies, Sub recipients, and Contractors (2 CFR §§ 200.330 & 200.331)

The City may concurrently receive Federal awards as a recipient, a sub recipient, and a contractor, depending on the substance of its agreements with Federal awarding agencies

and pass-through entities. Therefore, the City will make a case-by-case determination for each agreement it makes for the disbursement of Federal program funds that the party receiving the funds in the role of a sub recipient or a contractor. The City will comply with any additional guidance to support these determinations from the awarding agency provided such guidance does not conflict with this section.

- (a) *Subrecipients.* A subaward is for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship with the subrecipient. Characteristics which support the classification of the non-Federal entity as a subrecipient include when the non-Federal entity:
 - 1) Determines who is eligible to receive what Federal assistance;
 - 2) Has its performance measured in relation to whether objectives of a Federal program were met;
 - 3) Has responsibility for programmatic decision-making;
 - 4) Is responsible for adherence to applicable Federal program requirements specified in the Federal award; and
 - 5) In accordance with its agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the pass-through entity.
- (b) *Contractors.* A contract is for the purpose of obtaining goods and services for the non-Federal entity's own use and creates a procurement relationship with the contractor. Characteristics indicative of a procurement relationship between the non-federal entity and a contractor are when the contractor:
 - 1) Provides the goods and services within normal business operations;
 - 2) Provides similar goods or services to many different purchasers;
 - 3) Normally operates in a competitive environment;
 - 4) Provides goods or services that are ancillary to the operation of the Federal program; and
 - 5) Is not subject to compliance requirements of the Federal program as a result of the agreement, though similar requirements may apply for other reasons.
- (c) *Use of judgement in making determination.* In determining whether an agreement between a pass-through entity and another non-Federal entity casts the latter as a subrecipient or a contractor, the substance of the relationship is more important than the form of the agreement. All of the characteristics listed above may not be present in all cases, and the pass-through entity must use judgement in classifying each agreement as a subaward or a procurement contract.

Requirements for pass-through entities (2 CFR § 200.332)

All pass-through entities must:

- a) Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not

available, the pass-through entity must provide the best information available to describe the Federal award and subaward. Required information includes:

1. Federal award identification.
 - i. Subrecipient name (which must match the name associated with its unique entity identifier);
 - ii. Subrecipient's unique entity identifier;
 - iii. Federal Award Identification Number (FAIN);
 - iv. Federal Award Date
 - v. Subaward Period of Performance Start and End Date;
 - vi. Subaward Budget Period Start and End Date;
 - vii. Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient;
 - viii. Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current financial obligation;
 - ix. Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;
 - x. Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA);
 - xi. Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity;
 - xii. Assistance Listing number and Title; the pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at time of disbursement;
 - xiii. Identification of whether the award is R&D; and
 - xiv. Indirect cost rate for the Federal award (including if the de minimis rate is charged) per §200.414.
2. All requirements imposed by the pass-through entity on the subrecipient so that the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the Federal award;
3. Any additional requirements that the pass-through entity imposes on the subrecipient in order for the pass-through entity to meet its own responsibility to the Federal awarding agency including identification of any required financial and performance reports;
4. (i) An approved federally recognized indirect cost rate negotiated between the subrecipient and the Federal Government. If no approved rate exists, the pass-through entity must determine the

appropriate rate in collaboration with the subrecipient, which is either:

- A. The negotiated indirect cost rate between the pass-through entity and the subrecipient; which can be based on a prior negotiated rate between a different PTE and the same subrecipient. If basing the rate on a previously negotiated rate, the pass-through entity is not required to collection information justifying this rate, but may elect to do so; and
 - B. The de minimis indirect cost rate.
- (ii) The pass-through entity must not require use of a de minimis indirect cost rate if the subrecipient has a federally approved rate. Subrecipients can elect to use the cost allocation method to account for indirect costs in accordance with §200.405(d).
- 5. A requirement that the subrecipient permit the pass-through entity and auditors to have access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet the requirements of this part; and
 - 6. Appropriate terms and conditions concerning closeout of the subaward.
- b) Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring described in paragraphs (d) and (e) of this section, which may include consideration of such factors as:
- 1) The subrecipient's prior experience with the same or similar subawards;
 - 2) The results of previous audits including whether or not the subrecipient receives a Single Audit in accordance with Subpart F of this part, and the extent to which the same or similar subaward has been audited as a major program;
 - 3) Whether the subrecipient has new personnel or new or substantially changed systems; and
 - 4) The extent and results of Federal awarding agency monitoring (*e.g.* if the subrecipient also receives Federal awards directly from a Federal awarding agency).
- c) Consider imposing specific subaward conditions upon a subrecipient if appropriate as described in §200.208.
- d) Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subrecipient must include:

- 1) Reviewing financial and performance reports required by the pass-through entity.
 - 2) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and written confirmation from the subrecipient, highlighting the status of action planned or taken to address Single Audit findings related to the particular subaward.
 - 3) Issuing a management decision for applicable audit findings pertaining only to the Federal award provided to the subrecipient from the pass-through entity as required by §200.521.
 - 4) The pass-through entity is responsible for resolving audit findings specifically related to the subaward and not responsible for resolving crosscutting findings. If a subrecipient has a current Single Audit report posted in the Federal Audit Clearinghouse and has not otherwise been excluded from receipt of Federal funding (*e.g.* has been debarred or suspended), the pass-through entity may rely on the subrecipient's cognizant audit agency or cognizant oversight agency to perform audit follow-up and make management decisions related to cross-cutting findings in accordance with Section §200.513(a)(3)(vii). Such reliance does not eliminate the responsibility of the pass-through entity to issue subawards that conform to agency and award-specific requirements, to manage risk through ongoing subaward monitoring, and to monitor the status of the findings that are specifically related to the subaward.
- e) Depending upon the pass-through entity's assessment of risk posed by the subrecipient (as described in paragraph (b) of this section), the following monitoring tools may be useful for the pass-through entity to ensure proper accountability and compliance with program requirements and achievement of performance goals:
- 1) Providing subrecipients with training and technical assistance on program-related matters;
 - 2) Performing on-site reviews of the subrecipient's program operations; and
 - 3) Arranging for agreed-upon-procedures engagements as described in §200.425.
- f) Verify that every subrecipient is audited as required by Subpart F of this part when it is expected that the subrecipient's Federal awards expended during the respective fiscal year equaled or exceeded the threshold set for in §200.501.
- g) Consider whether the results of the subrecipient's audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the pass-through entity's own records.

- h) Consider taking enforcement action against noncompliant subrecipients as described in §200.339 of this part and in program regulations.

General Procurement Standards.

- a) The non-Federal entity must have and use documented procurement procedures, consistent with State, local and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in §200.317 through 200.327.
- b) Non-federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions and specifications of their contracts or purchase orders.
- c)
 - 1) The non-federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontractors. However, non-federal entities may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officer, employees, or agents of the non-federal entity.
 - 2) If the non-federal entity has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the non-federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.
- d) The non-federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any appropriate analysis to determine the most economical approach.
- e) To foster great economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met

with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.

- f) The non-federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
- g) The non-federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.
- h) The non-federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also §200.214.
- i) The non-federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
- j) 1) The non-federal
- k) The non-federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

Competition (2 CFR § 200.319)

- a) All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and §200.320.
- b) In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:
 - 1) Placing unreasonable requirements on firms in order for them to qualify to do business;
 - 2) Requiring unnecessary experience and excessive bonding;
 - 3) Noncompetitive pricing practices between firms or between affiliated companies;
 - 4) Noncompetitive contracts to consultants that are on retainer contracts;

- 5) Organizational conflicts of interest;
 - 6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
 - 7) Any arbitrary action in the procurement process.
- c) The non-federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.
- d) The non-federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:
- 1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
 - 2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
- e) The non-federal entity must ensure that all prequalified lists of persons, firms or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-federal entity must not preclude potential bidders from qualifying during the solicitation period.
- f) Noncompetitive procurements can only be awarded in accordance with the §200.320(c).

Methods of procurement to be followed (2 CFR §200.320)

The non-federal entity must have and use documented procurement procedures, consistent with the standards of this section and §200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

- a) *Informal procurement methods.* When the value of the procurement for property or services under a Federal award does not exceed the *simplified acquisition*

threshold (SAT), as defined in §200.1, or a lower threshold established by a non-federal entity, formal procurement methods are not required. The non-federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:

1) *Micro-purchases* –

- i. *Distribution.* The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of *micro-purchase* in §200.1). To the maximum extent practicable, the non-federal entity should distribute micro-purchase equitably among qualified suppliers.
- ii. *Micro-purchase awards.* Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-federal entity.
- iii. *Micro-purchase thresholds.* The non-federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non-federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non-federal entities may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section.
- iv. *Non-federal entity increases to the micro-purchase threshold up to \$50,000.* Non-federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-federal entity may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with §200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any the following:
 - A. A qualification as a low-risk auditee, in accordance with the criteria in §200.520 for the most recent audit;
 - B. An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,
 - C. For public institutions, a higher threshold consistent with State law.
- v. *Non-federal entity increases to the micro-purchase threshold over \$50,000.* Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The non-

federal entity must submit a request with the requirements included in paragraph (a)(1)(iv) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.

2) *Small purchases* –

- i. *Small purchase procedures.* The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedure is used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non-federal entity.
- ii. *Simplified acquisition thresholds.* The non-federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by the non-federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

b) *Formal procurement methods.* When the value of procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non-federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with §200.319 or paragraph (c) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the non-federal entity determines to be appropriate:

1. *Sealed bids.* A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction if the conditions.
 - (i) In order for sealed bidding to be feasible, the following conditions should be present:
 - A. A complete, adequate, and realistic specification or purchase description is available;
 - B. Two or more responsible bidders are willing and able to compete effectively for the business; and
 - C. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

- (ii) If sealed bids are used, the following requirements apply:
 - A. Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening bids, for local, and tribal governments, the invitation for bids must be publicly advertised;
 - B. The invitation for bids, which will include the specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
 - C. All bids will be opened at the time and place described in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
 - D. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
 - E. Any or all bids may be rejected if there is a sound documented reason.

2. *Proposals.* A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

- i. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- ii. The non-federal entity must have a written method for conducting technical evaluations of the proposals received and making selections;
- iii. Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the non-federal entity, with price and other factors considered; and
- iv. The non-federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated, and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where prices is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to

purchase other types of services through A/E firms that are a potential source to perform the proposed effort.

- c) *Noncompetitive procurement.* There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:
1. The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section);
 2. The item is available only from a single source;
 3. The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;
 4. The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-federal entity; or
 5. After solicitation of a number of sources, competition is determined inadequate.

Contracting with small or minority businesses, women's business enterprises, and labor surplus area firms (2 CFR § 200.321)

- a) The non-federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- b) Affirmative steps must include:
1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 4. Establishing delivery schedules, where the requirements permit, which encourage participation by small and minority businesses, and women's business enterprises;
 5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
 6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

Contract cost and price (2 CFR § 200.324)

- a) The non-federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting

point, the non-federal entity must make independent estimates before receiving bids or proposals.

- b) The non-federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
- c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that cost incurred, or cost estimates included in negotiated prices would be allowable for the non-federal entity under subpart E of this part. The non-federal may reference its own cost principles that comply with the Federal cost principles.
- d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must be used.

Federal awarding agency or pass-through entity review (2 CFR § 200.325)

- a) The non-federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.
- b) The non-federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:
 - 1. The non-federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;
 - 2. The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
 - 3. The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;
 - 4. The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
 - 5. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

- c) The non-federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with standards of this part.
1. The non-federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis; and
 2. The non-federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-federal entity that it is complying with these standards. The non-federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

Suspended or Debarred Parties

City employees shall not enter into covered transactions with parties that are suspended or debarred or otherwise excluded from or ineligible for participation in Federal assistance programs and activities (2 CFR, § 200.213; 2 CFR § 180). Check sam.gov for vendor debarment or suspension when the procurement process begins.

Procurements made pursuant to a federal award or subject to reimbursement, in whole or in part, with Federal Funds must comply with the City's procurement policy, and the applicable Federal Procurement Requirements.

Public Projects, Uniform Construction Cost Accounting Act

Public projects are bid in accordance with the Uniform Construction Cost Accounting Act as of December 15, 1997. If the project is federally funded, in whole or in part, the procurement must comply with the City's purchasing procedures, state law, and the applicable Federal Procurement Requirements.

As defined in Public Contract Code section 22022, subdivision (c), all public projects performed by public agencies may include:

- Construction, reconstruction, erection, alteration, renovation, improvement, demolition and repair work involving any publicly owned, leased or operated facility.
- Painting or repainting of any publicly owned, leased, or operated facility.
- In the case of publicly owned utility system, construction, erection, improvement or repair of dams, reservoirs, power plants and electrical transmission lines of 230,000 volts and higher.

“Public project” does not include maintenance work. For purposes of this section, “maintenance work” includes all of the following:

- Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.

- Minor repainting.
- Resurfacing of streets and highways at less than one inch.
- Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
- Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, powerplants, and electrical transmission lines of 230, 000 volts and higher.

Bid limitation (Public Contract Code §§ 22032 and 22034 (d)):

- Public projects of sixty thousand dollars (\$60,000.00) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.
- Public projects of two hundred thousand dollars (\$200,000.00) or less may be let to contract by informal procedures as set forth in this legislation.
- Public projects of more than two hundred thousand dollars (\$200,000.00) shall, except as otherwise provided in this legislation, be let to contract by formal bidding procedures.
- If all bids received are in excess of two hundred thousand dollars (\$200,000.00), the governing body of the public agency may by adoption of a resolution by a four-fifths vote, award the contract, at two hundred fifteen thousand dollars (\$215,000.00) or less, to the lowest responsible bidder, if it determines that the cost estimate of the public agency was reasonable.

Separation of Work orders of Projects: Evasion of Provision of Article (Public Contract Code § 22033)

It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this article requiring work to be done by contract after competitive bidding.

Notice Inviting Formal Bids; Information; Publication (Public Contract Code § 22037)

Notice inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project. The notice shall be published at least fourteen (14) calendar days before the date of opening the bids in a newspaper of general circulation, printed and published in the jurisdiction of the public agency; or, if there is no newspaper printed and published within the jurisdiction of the public agency, or, if there is no newspaper which is circulated within the jurisdiction of the public agency, publication shall be by posting the notice in at least three places within the jurisdiction of the public agency as have been designated by ordinance or regulation of the public agency as places for the posting of its notices. The notice inviting formal bids shall also be sent electronically, if available, by either facsimile or electronic mail and mailed to all construction trade journals specified in Section 22036. The notice shall be sent at least fifteen (15) calendar days before the date of opening the bids. In addition to notice required by this section, the public agency may give such other notice, as it deems proper.

Award of Bid

Public Contract Code Section 22038 allows the public agency in its discretion to reject any bids presented. If the agency prior to rejecting all bids and declaring that the project can be more economically performed by employees of the agency provides a written notice to an apparent low bidder that:

- a) Informs the lowest responsible bidder of the agency's intention to reject the bid.
- b) Is mailed at least two business days prior to the hearing at which the agency intends to reject the bid.

If after opening bids all bids are rejected, the public agency shall have the option, after reevaluating its cost estimates of the project, of either of the following:

- a) The public agency may abandon the project or re-advertise for bids in the manner described by the applicable legislation; or
- b) The public agency may pass a resolution by a four-fifths majority of its governing body declaring that its employees can perform the project more economically, the public agency may have the project done by force account without further complying with this legislation.

If a contract is awarded, it shall be awarded to the lowest bidder. If two or more bids are the same as the lowest, the public agency may accept the one it chooses.

If no bids are received, the project may be performed by employees of the public agency by force account or by informal bidding procedures set forth in Section 22034 of the Public Contract Code.

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY BANDA, FINANCE DIRECTOR
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: APPROVING AN AMENDMENT TO THE FISCAL YEAR 2021-2022 BUDGET
DATE: JUNE 14, 2022

ISSUE

Shall the City Council adopt Resolution No. 22-36, approving an amendment to the Fiscal Year 2021-2022 Budget?

BACKGROUND

The City Council approved the City of Mendota's ("City") budget for fiscal year 2021-2022 on June 22, 2021 and approved the first budget amendment on July 27, 2021 to incorporate the premium pay for employees who worked during the pandemic and for the restructuring of the organization with the departure of the former Finance Director/Assistant City Manager. This proposed second budget amendment will be for the purchase of the sewer cleaner truck.

ANALYSIS

The sewer cleaner truck was input into the fiscal year 2021-2022 budget as a financed purchase. The City obtained financing through United Security Bank with making anticipated annual payments of a total of \$118,000.00 for the year. However, the City was in the process of refinancing the sewer bonds issued in 2005 and 2010 into one bond payment. Through this process, it was determined that the City should not finance the sewer cleaner truck but make the entire purchase in order to not compromise the refinancing of the sewer bonds. The City will be increasing the sewer fund budget by \$335,486.36 to accommodate the purchase. The line item for 10-7210-5950 will be reduced by \$118,000.00 and the line item for 10-7210-6500 will be increased by \$453,486.00. The total purchase of the sewer cleaner truck was \$453,486.36.

FISCAL IMPACT

Increase the Sewer Fund by \$335,486.36.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 22-36, approving an amendment to the Fiscal Year 2021-2022 budget.

Attachment(s):

1. Resolution No. 22-36

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA APPROVING
AN AMENDMENT TO THE FISCAL YEAR
2021-2022 BUDGET**

RESOLUTION NO. 22-36

WHEREAS, on June 22, 2021, the City Council approved the City of Mendota's ("City") budget for Fiscal Year ("FY") 2021-2022; and

WHEREAS, on July 27, 2021, the City Council approved the first amendment to the City's budget to incorporate the premium pay for workers performing essential work during the pandemic compensated through the first installment from the American Rescue Plan ("ARP") for the Small City Allocations for Non-Entitlement Units of Local Government ("NEU") and restructuring positions; and

WHEREAS, the City anticipated financing a purchase for a sewer cleaner truck; however, since the City was in the process of refinancing the sewer bonds issued in 2005 and 2010, it was determined purchasing the truck versus financing it would not compromise refinancing the sewer bonds.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota approves the amendment to the Fiscal Year 2021-2022 City budget directing staff to:

1. Reduce line item 10-7210-5950 by one hundred eighteen thousand dollars and zero cents (\$118,000.00) in the Sewer Fund; and
2. Increase line item 10-7210-6500 by four hundred fifty-three thousand four hundred eighty-six dollars and zero cents (\$453,486.00) in the Sewer Fund.

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 14th day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CELESTE CABRERA-GARCIA, CITY CLERK
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: AUTHORIZING EXPENDITURES FOR THE MATERIALS REQUIRED FOR THE CONSTRUCTION OF THE HONOR WALL AT THE BASEBALL FIELDS AT ROJAS-PIERCE PARK
DATE: JUNE 14, 2022

ISSUE

Should the City Council adopt Resolution No. 22-37, authorizing expenditures for the materials required for the construction of the honor wall at the baseball fields at Rojas-Pierce Park?

BACKGROUND

For the past year, the Recreation Commission has been discussing establishing various sponsorship opportunities for the ballfields at Rojas-Pierce Park, including the banner program that was launched earlier this year and an honor wall program. Through the honor wall program, sponsors may purchase engraved tiles in the honor of someone and those tiles will be added to the wall. Funds raised through this program will be utilized for recreational purposes and activities within the City.

At its May 6, 2021 regular meeting, the Commission adopted Resolution No. RC 21-01, recommending that the City Council move forward with establishing the Honor Wall Program. Moreover, earlier this year, the Commission discussed and selected the design for the wall (the design drawings are attached to the staff report).

ANALYSIS

Tony and Sons Construction, Inc. has offered to donate the company's time to construct the wall. However, the City of Mendota ("City") would be responsible for the cost of the materials needed to construct the wall. Based on the design, staff estimates that the cost of the materials will not exceed \$20,000.

The construction of the wall is the first step in implementing the program. Next, the Commission will discuss the details of the program including the intended cost of the pavers, program flyers, and program procedures, with the aforementioned being ultimately considered and approved by the City Council.

FISCAL IMPACT

Up to \$20,000 will be used for the construction of the honor wall.

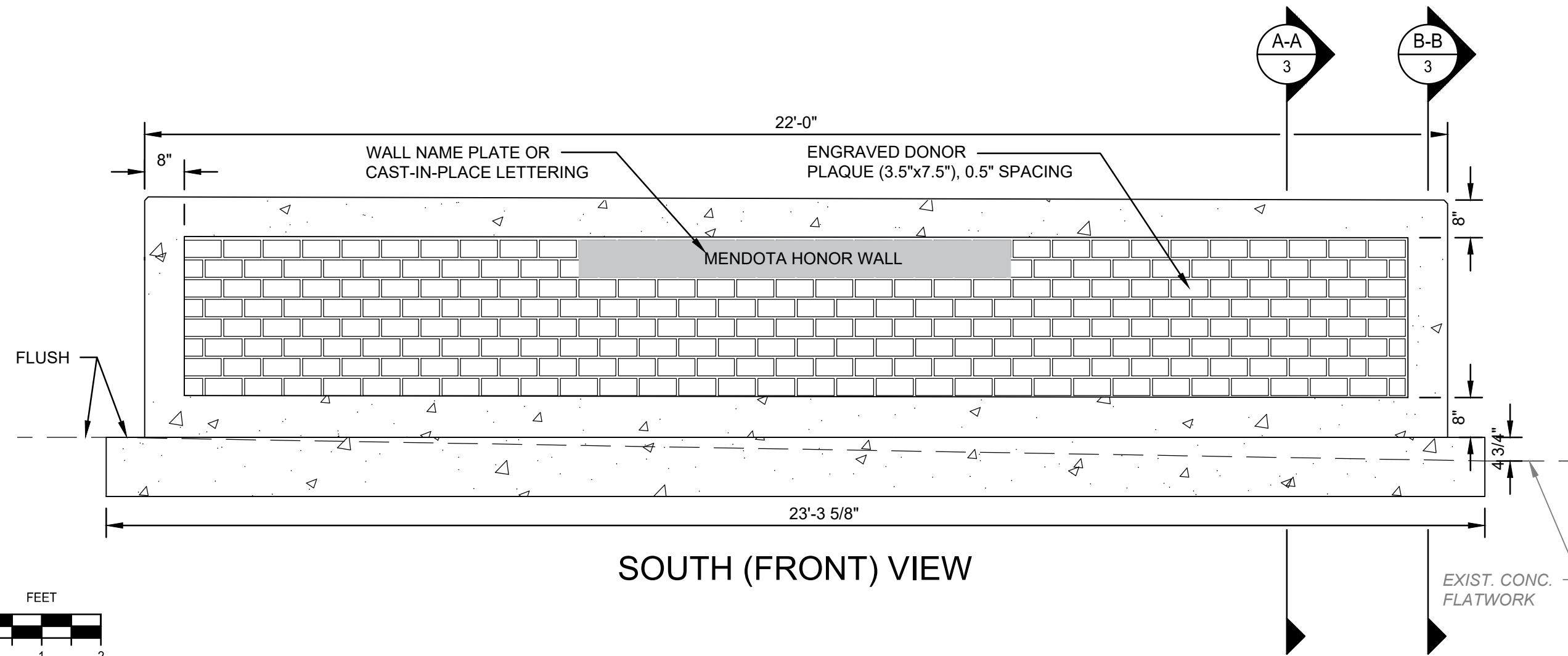
RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 22-37, authorizing expenditures for the materials required for the construction of the honor wall at the baseball fields at Rojas-Pierce Park.

Attachment(s):

1. Honor Wall Design Drawings
2. Resolution No. 22-37

7/28/2019 10:25 AM G:\Mendota_City_of_Mendota\333619004\Exhibits\Photos\Plan_1\p1\300_CAD\340_Sheet Set\03_Schedule_Profile11_MENDOTA HONOR WALL EXHIBIT.dwg - E:\p1\2022

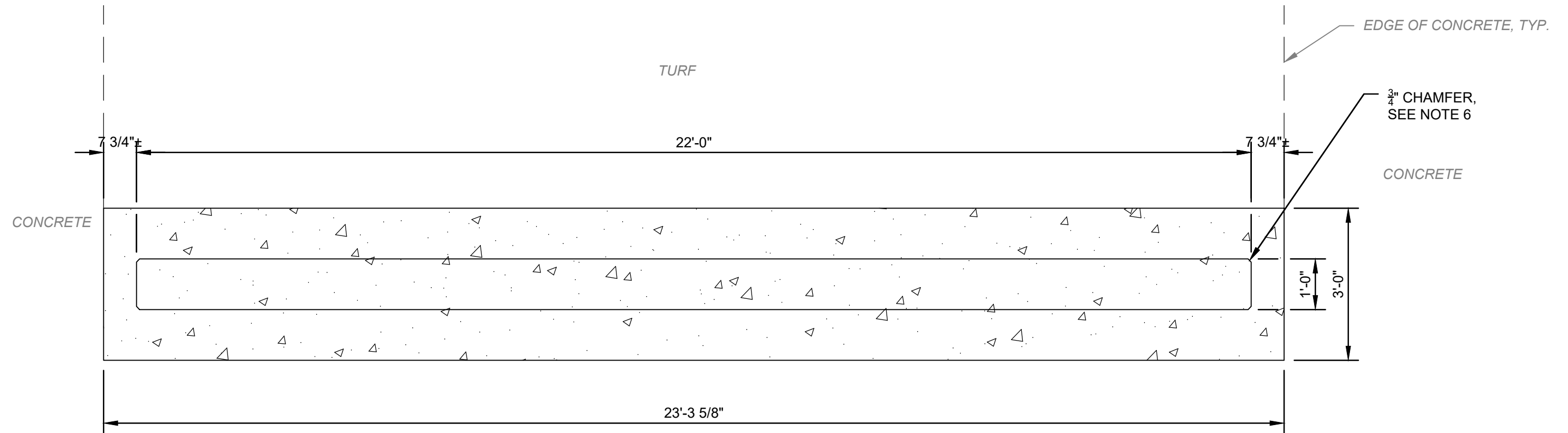


SOUTH (FRONT) VIEW



MENDOTA HONOR WALL
CITY OF MENDOTA
HONOR WALL

DESIGN ENGINEER: MLO
DATE: 5/24/2022
JOB NO: 333619004
1 OF 3




PLAN (TOP) VIEW

CONCRETE



7/28/2019 10:25 AM G:\Mendota_City_of_Mendota\333619004\Drawings\Plan\Inp\300_CAD\340_Sheet Set\03_Schedule\MENDOTA HONOR WALL EXHIBIT.dwg - E:\p30229

 <p>EST. 1968 PROVOST & PRITCHARD CONSULTING GROUP An Employee Owned Company</p>	MENDOTA HONOR WALL	DESIGN ENGINEER: MLO
	CITY OF MENDOTA	DATE: 5/24/2022
	HONOR WALL	JOB NO: 333619004
		2 OF 3

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA AUTHORIZING
EXPENDITURES FOR THE MATERIALS
REQUIRED FOR THE CONSTRUCTION OF
THE HONOR WALL AT THE BASEBALL
FIELDS AT ROJAS-PIERCE PARK**

RESOLUTION NO. 22-37

WHEREAS, the Recreation Commission (“Commission”) of the City of Mendota (“City”) has discussed the possibility of constructing an Honor Wall (the “Wall”) to allow sponsors to purchase tiles in the honor of someone with those tiles placed on the Wall; and

WHEREAS, on May 6, 2021, the Commission considered and adopted Resolution No. RC 21-01, recommending that the City Council move forward with establishing the Honor Wall Program (the “Program”); and

WHEREAS, the Wall will serve as a sponsorship opportunity for the baseball fields at Rojas-Pierce Park and any funds raised by the Program will be utilized for recreational purposes and activities within the City, all for the betterment of the City’s local community and its residents; and

WHEREAS, Tony and Sons Construction has offered to donate the company’s time to construct the Wall, with the City providing the materials necessary for construction.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota, that the City hereby authorizes expenditures for the materials required for the construction of the Wall, in an amount not to exceed \$20,000.

BE IT FURTHER RESOLVED, by the City Council of the City of Mendota, that the City has determined the adoption of this Resolution is not subject to environmental review under the California Environmental Quality Act (“CEQA”) because it is a ministerial approval which does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and therefore is not considered a “project” under CEQA. (Pub. Res. Code, § 21065; 14 Cal. Code Regs., §§ 15378, subd. (a), 15601, subd. (b)(3), 15064, subd. (d)(3). See also 14 Cal. Code Regs., § 15268, subd. (a) [ministerial projects exempt from 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 14th day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JEFFREY O'NEAL, AICP, CITY PLANNER
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: APPLICATION NO. 21-10, THE CARBALLO (SALOMON) APARTMENTS PROJECT
DATE: JUNE 14, 2022

ISSUE

In the matter of Application No. 21-10, the Carballo (Salomon) Apartments Project, shall the City Council adopt a negative declaration, approve a general plan amendment, and introduce and waive the first readings of an ordinance related to a rezone?

BACKGROUND

The applicant proposes to amend the planned land use for an existing legal lot on the north side Marie Street south of 7th Street from the Medium-High Density Residential land use to the High-Density Residential land use and rezone the entire property from R-2 (Medium/High Density Residential) to R-3 (High Density Multiple-Family Residential) in order to facilitate the construction of up to 15 multiple family dwellings on the site. The site is currently occupied by a single residence as well as other accessory buildings which would be demolished as a part of the project. An initial study and proposed negative declaration have been prepared pursuant to the California Environmental Quality Act.

<u>Owner/Applicant:</u>	Julio Carballo
<u>Representative:</u>	Ubaldo Garcia Hernandez, Architect
<u>Location:</u>	755 Marie Street; APN 013-106-15 See attached map and photo
<u>Site Size:</u>	0.60 acres (26,250 SF)
<u>General Plan:</u>	Medium High Density Residential
<u>Zoning:</u>	R-2 (Medium/High Density Residential)
<u>Existing Use:</u>	One existing residence
<u>Surrounding Uses:</u>	North – Residential; R-1 East – Residential; R-2 South – Light Manufacturing Industrial; M-1 West – Residential; R-2
<u>Street Access:</u>	Marie Street, alley

PLANNING COMMISSION ACTIONS

Following a public hearing at a regular meeting on May 17, 2022, the Planning Commission by a vote of 4-1 adopted Resolution No. PC 22-02, which recommends the City Council takes the following actions:

1. Finds that the initial study and negative declaration prepared for the project comply with provisions of the California Environmental Quality Act, and affirms that the project will not have a significant effect on the environment; and
2. Approves a change of General Plan Land Use designation for from Medium Density Residential to High Density Residential; and
3. Approves a change of zone for Assessor's Parcel No. 013-106-15 from the R-2 Medium/High Density Residential to the R-3 High Density Multiple-Family Residential District, subject to the condition that any construction on the site shall be limited to one (1) story.

ANALYSIS

Application No. 21-10 proposes a combination of discretionary City processes that would ultimately allow construction of up to 15 multifamily dwellings on the site. The multiple procedural components include a General Plan Amendment (GPA), a Rezone (REZ), and an IS/ND. The project also requires site plan review, which would be completed by the City Planner at a later date provided that the GPA, REZ and IS/ND are approved.

General Plan Amendment

Government Code Sections 65353-65358 contain the procedures for adoption or amendment of a general plan. The Planning Commission is required to conduct a public hearing to consider the proposal, following which it may make a recommendation to the City Council. Additionally, a city may not amend a single element of its general plan more than four times per calendar year. Adoption of the proposed general plan amendment would constitute the first amendment to the City's Land Use Element for Calendar Year 2022.

The project would amend the Land Use Diagram, itself part of the Land Use Element of the City of Mendota General Plan Update 2005-2025 from Medium High Density Residential (6.1-11.0 dwelling units per acre) to High Density Residential (11.1-25.0 dwelling units per acre). The High Density Residential designation is intended to facilitate development of multifamily dwellings, which could include apartments, condominiums, row houses, zero-lot-line single-family residences, or other housing types at densities within the established range. It does not necessarily indicate that the site would contain "affordable" housing, or housing offered at a reduced cost, although such housing could be provided at the location. That being said, rental costs are often less expensive than costs of ownership, and historically Mendota has been at a loss for quality lower-cost housing opportunities. At a size of 0.60 acres, the site could support a maximum of 15 units under the High Density Residential designation. The applicant has stated that he intends to voluntarily keep the rental costs low and will likely rent the units to his employees.

Importantly, if the General Plan Land Use remains as Medium High Density Residential, the site can support up to six multifamily dwellings with no discretionary oversight from the City; if the applicant chooses to pursue additional units under California's Density Bonus Law (Gov Code Section 65915, et seq.), which would require that he formally agree to maintain the affordability level of the units pursuant to an agreement with the City, the same project site could support up to 12 units. Further, the applicant would be entitled under that same law to four (4) incentives or concessions, which could include waiver of development standards, reduction of fees, or other modified provisions that would serve to enhance affordability.

Senate Bill (SB) 18, codified at Government Code Section 65352.3, requires that a city consult with Native American Tribes whenever it proposes to amend its general plan. The City requested and received a list of potentially affected Tribes from the California Native American Heritage Commission (NAHC). On August 11, 2021, the City sent consultation letters to the Tribal Governments listed below. Those listed with an asterisk (*) were sent two letters due to NAHC providing two contacts for these tribes.

- Big Sandy Rancheria of Western Mono Indians
- Chicken Ranch Rancheria of Me-Wuk Indians
- Cold Springs Rancheria
- Dumna Wo-Wah Tribal Government
- Dunlap Band of Mono Indians*
- Kings River Choinumni Farm Tribe
- Nashville Enterprise Miwok-Maidu-Nishinam Tribe
- North Fork Mono Tribe
- North Valley Yokuts Tribe*
- Picayune Rancheria of the Chukchansi Indians
- Traditional Choinumni Tribe*
- Wuksache Indian Tribe / Eshom Valley Band
- Xolon-Salinan Tribe
- Tule River Indian Tribe
- Table Mountain Rancheria*
- Santa Rosa Rancheria Tachi Yokut Tribe

The statute provides that Tribes have 90 days to respond to the City's request for consultation, which in this case ended on November 8, 2021. No requests for formal consultation were received within the 90-day time period.

Rezone

The process to amend the Zoning Ordinance, including the Official Zoning Map, is contained within Government Code Sections 65853-65857, as well as within MMC Section 17.08.040, and is very similar to the general plan amendment process. The Planning Commission is required to conduct a noticed public hearing to consider the proposal, following which it may make a recommendation to the City Council. The City Council then conducts a noticed hearing and considers the proposal.

The project site is currently located within the R-2 (Medium/High Density Residential). The Project proposes to amend the zoning for the site to be zoned R-3 (High Density Multiple-Family Residential). Consistent with the proposed High Density Residential General Plan Land Use, this would ultimately allow for construction of higher-density residential dwellings. At the Planning Commission hearing on May 17, 2022, members of the public who reside near the project site expressed concern about the potential for loss of privacy resulting from the construction of two-story multifamily dwellings near their properties. Accordingly, the Planning Commission's recommendation to the City Council included a provision that any construction on the site be

limited to a single story. When considering that aspect of the Commission’s recommendation, the Council should note that currently, two-story development is permitted on the site by right (i.e., without any discretionary consideration by the City), a situation that was discussed during the Planning Commission hearing. Similarly, and as discussed under General Plan Amendment above, the project site can support between 6 and 12 units without Council approval of the rezone and the applicant would likely be eligible for mandatory concessions and incentives. For these reasons, staff suggests that the Council does not include the one-story restriction.

ENVIRONMENTAL

The first step in complying with the California Environmental Quality Act (CEQA) is to determine whether the activity in question constitutes a “project” as defined by CEQA, Public Resources Code section 21000, et seq. and the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, section 15000, et seq. A “project” consists of the whole of an action (i.e., not the individual pieces or components) that may have a direct or reasonably foreseeable indirect effect on the environment. The second step is to determine whether the project is subject to or exempt from the statute. This proposal qualifies as a project under CEQA because it involves the issuance to a person of a “lease, permit, license, certificate, or other entitlement for use” as described in CEQA Guidelines section 15378 and will have a direct physical effect on the environment. Additionally, section 15378 expressly includes amendments to a general plan or a zoning ordinance within the definition of “project.”¹

Assembly Bill 52 (AB 52), codified at Public Resources Code section 21080.3.1, et seq., requires that prior to releasing a CEQA document for public review, a lead agency, in this case the City of Mendota, must notify any Native American Tribe that has presented the City with a written request for notification. The City received such a letter from the Santa Rosa Rancheria Tachi Yokut Tribe on August 8, 2016. As a result, the City is obligated to notify Santa Rosa of any project for which it intends to prepare a negative declaration, mitigated negative declaration, or environmental impact report prior to releasing the document for public review. This is a separate process from the SB 18 process described above under General Plan Amendment.

Tribes have 30 days from receipt of the notice to provide comments or request that the City initiate formal consultation. Within a further 30 days, the City must initiate that consultation, the intention of which is to identify potential impacts to tribal cultural resources and any mitigation that can reduce or eliminate those impacts. Once initiated, there is no limit to the duration of the formal consultation: either mitigation is agreed upon; the parties agree that no mitigation is needed; or one party determines that a good-faith effort has been made to agree, but no agreement is forthcoming. The City mailed notice of the project to Santa Rosa as well as to the same tribes notified pursuant to SB 18 on August 11, 2021 via certified mail. No comments were received during the 30-day period.

Based on the results of the initial study, the City Planner made a preliminary finding on April 28, 2022 that the project would not have a significant impact on the environment, and that a negative declaration would be prepared. Also on April 28, 2022, a notice of intent to adopt an initial study/

¹ Recently clarified by the California Supreme Court regarding zoning in *Union of Medical Marijuana Patients, Inc. v. City of San Diego* (2019) 7 Cal. 5th 1171.

Based on the results of the initial study, the City Planner made a preliminary finding on April 28, 2022 that the project would not have a significant impact on the environment, and that a negative declaration would be prepared. Also on April 28, 2022, a notice of intent to adopt an initial study/negative declaration (IS/ND) was published in *The Business Journal* and filed electronically with the State Clearinghouse (SCH) of the Governor's Office of Planning and Research. The notice of intent indicated that the IS/ND would be subject to a public review and comment period starting on April 28, 2022 and ending on May 17, 2022. It further stated that the Mendota Planning Commission would consider the CEQA document and other components of the project at a regular meeting on May 17, 2022 and that the Mendota City Council would consider the project at a to-be-determined date.

SCH assigned the unique identifier 2022040623 to the IS/ND. No comments were received during the 20-day CEQA review period.

At the Planning Commission hearing, members of the public indicated concerns about traffic, noise, and dust. The initial study, including reference to a CalEEMod air quality analysis, the Fresno Council of Governments' Vehicle Miles Traveled (VMT) Calculator Tool, and compliance with the City's noise ordinance, determined that there would not be significant effects to those impact categories. Note that traffic congestion, a specific allegation about the project, is not of concern for at least two reasons. The first is that CEQA no longer expressly considers congestion (as indicated by "level of service" or "LOS") as a factor when determining environmental effects. Secondly, the Institute of Traffic Engineers Trip Generation Manual (10th Edition) indicates a range of 6.28-8.14 average daily trips (ADT) per dwelling for low-rise multifamily projects (varying by weekday, Saturday, and Sunday) and 0.56-0.70 trips per dwelling during the peak hours of traffic (also varying by day). This indicates a total of 94.2-122.1 trips per day, or 8.4-10.5 trips during the busiest hour of the day. For reference, if developed under the current land use and zoning, trip generation would be 37.7-97.7 daily trips and 3.4-8.4 peak-hour trips. Note that these numbers are averages and the calculations are simplified for the purposes of this report. Marie Street has long been designated as a collector street by the General Plan circulation element, indicating that it is a primary route for traffic. Marie Street remains of a sufficient width, pavement type, and level of improvement to accommodate the minimal additional traffic resulting from the project.

PUBLIC NOTICE

In addition to the CEQA notice of intent published and filed on April 28, 2022, a notice of this public hearing was published in the June 3, 2022 edition of *The Business Journal*, was individually mailed to property owners within 300 feet of the project site, and was posted at City Hall and on the City's website.

FISCAL IMPACT

Review and processing of the planning applications, engineering plans, and building plans are paid for by the applicant, and the project will be responsible for payment of development impact fees. If built at 15 units as proposed, the project would pay approximately \$107,000 in impact fees, plus water and sewer connection fees to be determined. Building fees will be determined when a building permit is requested.

RECOMMENDATION

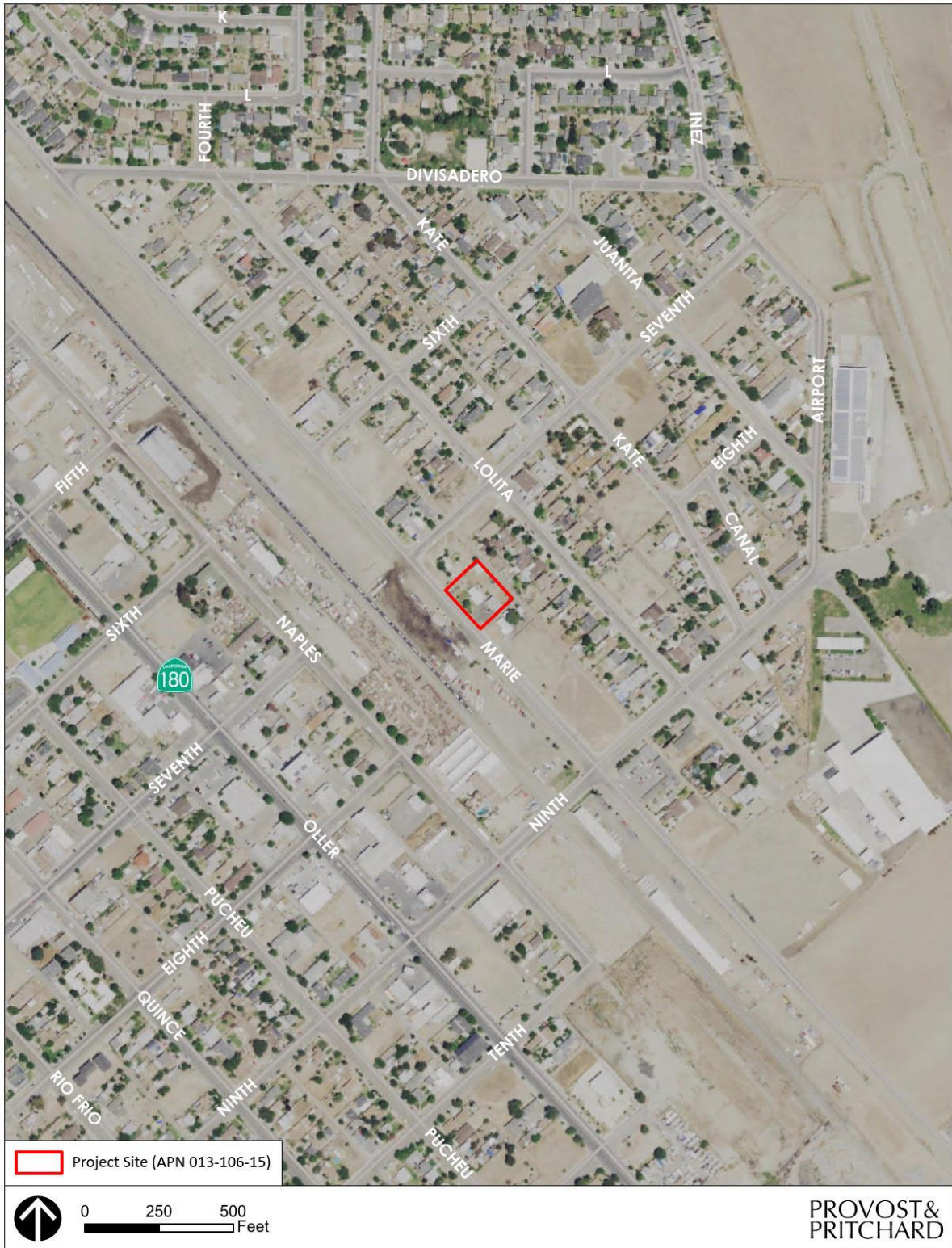
Staff recommends that the City Council:

1. Adopts Resolution No. 22-38, adopting a mitigated negative declaration and mitigation monitoring and reporting program and determining that, with mitigation incorporated, the project will not result in a significant effect on the environment.
2. Adopts Resolution No. 22-39, amending the General Plan Land Use designation of APN 013-106-15 from Medium High Density Residential to High Density Residential.
3. Introduces and waives the first reading of Ordinance No. 22-01, which would amend the zone district of APN 013-106-15 from R-2 (Medium/High Density Residential) to R-3 (High Density Multiple-Family Residential).

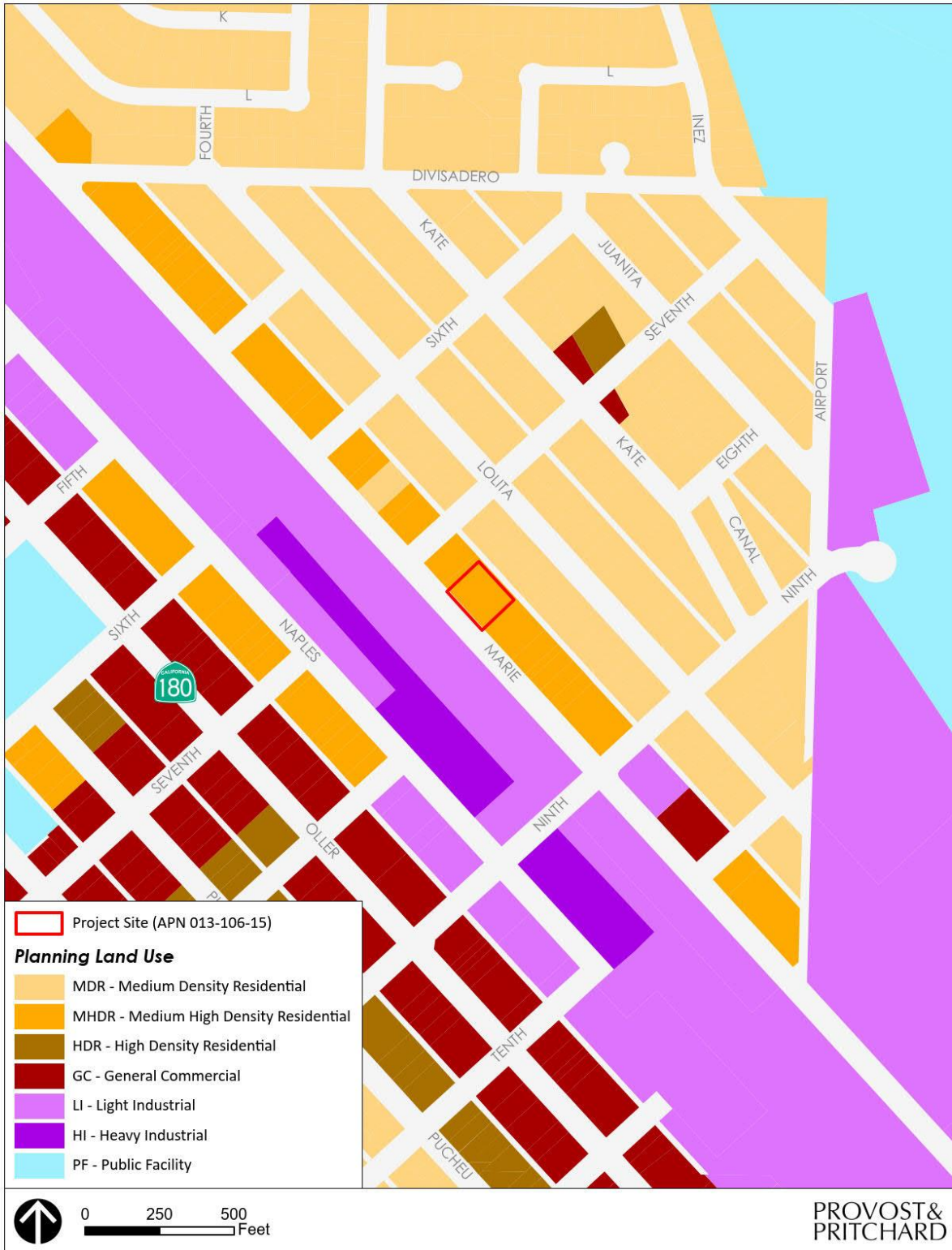
Attachment(s):

1. Aerial photo and site depiction
2. General Plan Exhibit
3. Zoning Exhibit
4. Assessor's Parcel Map
5. Initial Study
6. Resolution No. 22-38
7. Resolution No. 22-39
8. Ordinance No. 22-01

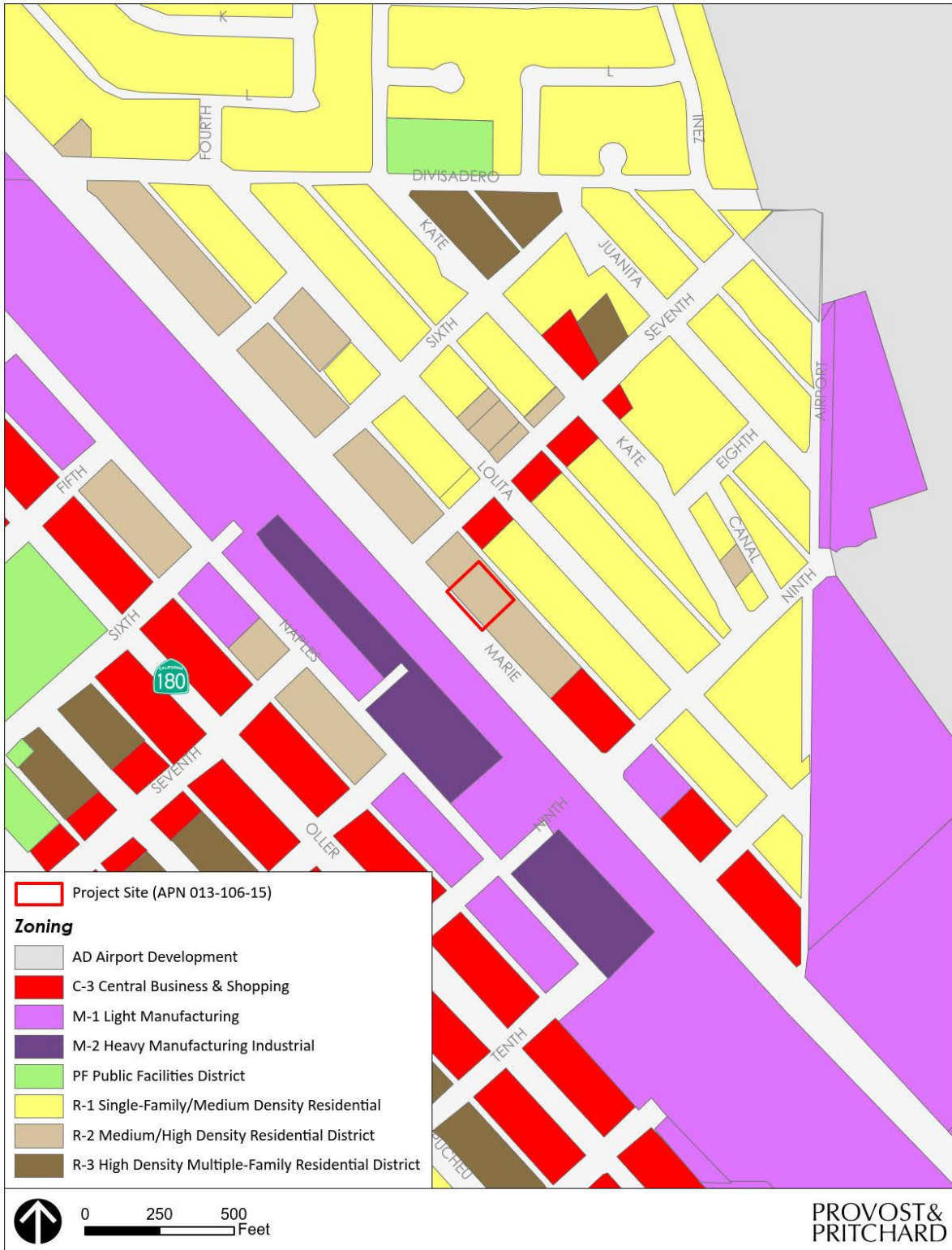
AERIAL PHOTO AND SITE DEPICTION



GENERAL PLAN EXHIBIT

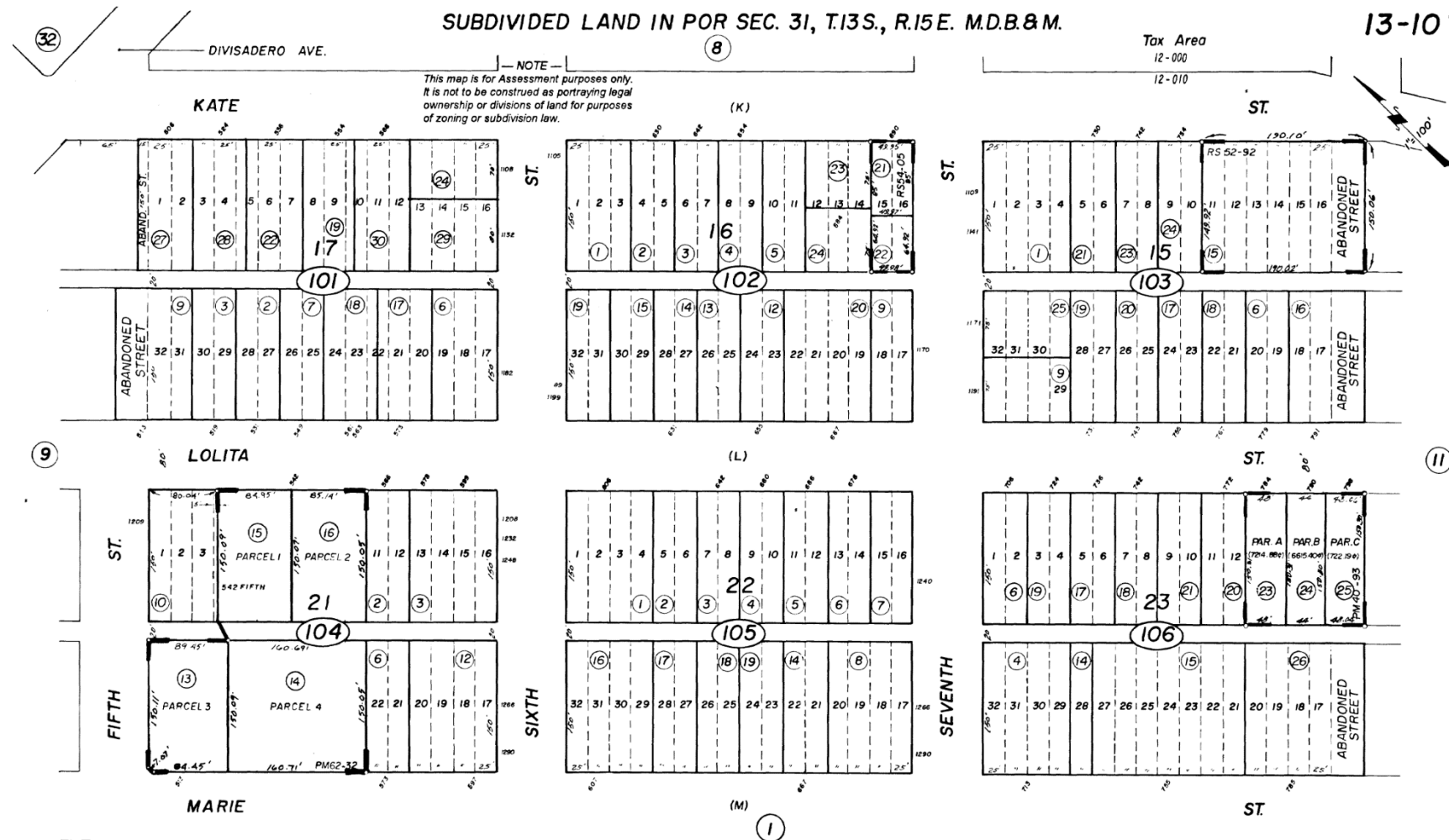


ZONING EXHIBIT



SITE PLAN

SUBDIVIDED LAND IN POR SEC. 31, T.13S., R.15E. M.D.B.&M.



Agricultural Preserve
 Town of Mendota - Misc. 1, Pg. 18
 Parcel Map No. 9-7-83, Bk. 40, Pg. 93
 Parcel Map No. 02-01, Bk. 62, Pgs. 32, 33

Record of Survey- Bk. 52, Pg. 92
 Record of Survey- Bk. 54, Pg. 05

NOTE - Assessor's Block Numbers Shown in Ellipses.
 Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 13 - Pg. 10
 County of Fresno, Calif.

1961

City of Mendota

General Plan Amendment, Rezone, and Site Plan Review No. 21-10

Draft Initial Study / Negative Declaration

April 2022

City of Mendota
643 Quince Street
Mendota, CA 93640



Table of Contents

1	Chapter 1 Introduction	1-1
1.1	Regulatory Information	1-1
1.2	Document Format	1-1
2	Chapter 2 Project Description	2-1
2.1	Project Background and Objectives	2-1
2.1.1	Project Title	2-1
2.1.2	Lead Agency Name and Address	2-1
2.1.3	Contact Person and Phone Number	2-1
2.1.4	Project Location	2-1
2.1.5	Latitude and Longitude	2-1
2.1.6	Project Details	2-1
2.1.7	Land Uses and Zoning	2-2
2.1.8	Other Public Agencies Whose Approval May Be Required	2-2
2.1.9	Consultation with California Native American Tribes	2-2
	Environmental Factors Potentially Affected	2-8
3	Chapter 3 Impact Analysis	3-1
3.1	Environmental Factors Potentially Affected	3-1
3.2	Aesthetics	3-2
3.2.1	Environmental Setting	3-2
3.2.2	Impact Assessment	3-2
3.3	Agriculture and Forestry Resources	3-4
3.3.1	Environmental Setting	3-4
3.3.2	Impact Assessment	3-5
3.4	Air Quality	3-7
3.4.1	Methodology	3-7
3.4.2	Environmental Setting	3-10
3.4.3	Impact Assessment	3-10
3.5	Biological Resources	3-13
3.5.1	Environmental Setting	3-13
3.5.2	Soils	3-14
3.5.3	Methodology	3-14
3.5.4	Impact Assessment	3-22

3.6	Cultural Resources	3-23
3.6.1	Environmental Setting.....	3-23
3.6.2	Impact Assessment	3-23
3.7	Energy.....	3-25
3.7.1	Environmental Setting.....	3-25
3.7.2	Impact Assessment	3-25
3.8	Geology and Soils.....	3-26
3.8.1	Environmental Setting.....	3-26
3.8.2	Impact Assessment	3-27
3.9	Greenhouse Gas Emissions	3-31
3.9.1	Environmental Setting.....	3-31
3.9.2	Impact Assessment	3-33
3.10	Hazards and Hazardous Materials	3-35
3.10.1	Environmental Setting.....	3-35
3.10.2	Impact Assessment	3-36
3.11	Hydrology and Water Quality	3-38
3.11.1	Environmental Setting.....	3-38
3.11.2	Impact Assessment	3-39
3.12	Land Use and Planning	3-40
3.12.1	Environmental Setting.....	3-40
3.12.2	Impact Assessment	3-40
3.13	Mineral Resources	3-43
3.13.1	Environmental Setting.....	3-43
3.13.2	Impact Assessment	3-43
3.14	Noise	3-45
3.14.1	Environmental Setting.....	3-45
3.14.2	Impact Assessment	3-47
3.15	Population and Housing	3-48
3.15.1	Environmental Setting.....	3-48
3.15.2	Impact Assessment	3-48
3.16	Public Services	3-49
3.16.1	Environmental Setting.....	3-49
3.16.2	Impact Assessment	3-50
3.17	Recreation.....	3-51

3.17.1	Environmental Setting.....	3-51
3.17.2	Impact Assessment	3-51
3.18	Transportation	3-52
3.18.1	Environmental Setting.....	3-52
3.18.2	Impact Assessment	3-52
3.19	Tribal Cultural Resources.....	3-54
3.19.1	Environmental Setting.....	3-54
3.19.2	Impact Assessment	3-54
3.20	Utilities and Service Systems	3-56
3.20.1	Environmental Setting.....	3-56
3.20.2	Impact Assessment	3-57
3.21	Wildfire	3-58
3.21.1	Environmental Setting.....	3-58
3.21.2	Impact Assessment	3-58
3.22	CEQA Mandatory Findings of Significance	3-60
3.22.1	Impact Assessment	3-60
3.23	Determination: (To be completed by the Lead Agency)	3-62
Appendix A.....		A-1
CalEEMod Output Files		A-1

List of Figures

Figure 2-1. Vicinity Map	2-4
Figure 2-2. Topographic Quadrangle Map	2-5
Figure 2-3. Aerial of Project Site	2-6
Figure 2-4. Site Plan.....	2-7
Figure 3-1. Farmland Designation Map	3-6
Figure 3-2. Flood Zones	3-30
Figure 3-3. General Plan Land Use Designation Map	3-41
Figure 3-4. Zoning Map.....	3-42

List of Tables

Table 2-1. Subject Assessor Parcel Numbers.....	2-2
Table 3-1. Aesthetics Impacts.....	3-2
Table 3-2. Agriculture and Forestry Resources Impacts	3-4
Table 3-3. Air Quality Impacts	3-7
Table 3-4. Summary of Ambient Air Quality Standards and Attainment Designation.....	3-9
Table 3-5. Unmitigated Short-Term Construction-Generated Emissions of Criteria Air Pollutants	3-11
Table 3-6. Unmitigated Long-Term Operational Emissions.....	3-11
Table 3-7. Biological Resources Impacts	3-13
Table 3-8. List of Special Status Animals with Potential to Occur Onsite and/or in the Vicinity.....	3-15
Table 3-9. List of Special Status Plants with Potential to Occur Onsite and/or in the Vicinity.	3-19
Table 3-10. Cultural Resources Impacts	3-23
Table 3-11. Energy Impacts	3-25
Table 3-12. Geology and Soils Impacts.....	3-26
Table 3-13. Greenhouse Gas Emissions Impacts	3-31
Table 3-14. Construction Greenhouse Gas Emissions	3-33
Table 3-15. Operational Greenhouse Gas Emissions 2021	3-33
Table 3-16. Hazards and Hazardous Materials Impacts.....	3-35
Table 3-17. Hydrology and Water Quality Impacts	3-38
Table 3-18. Land Use and Planning Impacts	3-40
Table 3-19. Mineral Resources Impacts	3-43
Table 3-20. Noise Impacts	3-45

Table 3-21. Exterior Noise Level Performance Protection Standards.....	3-45
Table 3-22. Typical Construction Equipment Noise Levels.....	3-46
Table 3-23. Population and Housing Impacts	3-48
Table 3-24. Public Services Impacts	3-49
Table 3-25. Project Student Generation	3-50
Table 3-26. Recreation Impacts.....	3-51
Table 3-27. Transportation Impacts	3-52
Table 3-28. Tribal Cultural Resources Impacts.....	3-54
Table 3-29. Utilities and Service Systems Impacts	3-56
Table 3-30. Wildfire Impacts	3-58
Table 3-31. Mandatory Findings of Significance Impacts.....	3-60

Acronyms and Abbreviations

AB	Assembly Bill
APE	Area of Potential Effect
BAU	Business as Usual
BPS	Best Performance Standards
CalEEMod	California Emissions Estimator Model
CARB	California Air Resources Board
CAAQS	California Ambient Air Quality Standards
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFCs	Chlorofluorocarbons
C ₂ H ₃ Cl	vinyl chloride
CH ₄	Methane
City	City of Mendota
CNDDDB	California Department of Fish and Wildlife Natural Diversity Database
CNPS	California Native Plant Society
CO	Carbon Monoxide
CO _{2e}	Carbon Dioxide Equivalent
Cortese	Hazardous Waste and Substances List
DOGGR	California Department of Conservation’s Division of Oil, Gas, and Geothermal Resources
DTSC	Department of Toxic Substance Control
EIR	Environmental Impact Report
EOP	Emergency Operations Plan
FCFPD	Fresno County Fire Protection District
FMMP	Farmland Mapping and Monitoring Program
GHG	Greenhouse Gas
GSP	Groundwater Sustainability Plan
GWP	Global Warming Potential
HFCs	Hydrofluorocarbons
H ₂ S	hydrogen sulfide
HUC	Hydrologic Unit Code
IPaC	U.S. Fish and Wildlife Service’s Information for Planning and Consultation system
IS	Initial Study

IS/MND.....	Initial Study/Mitigated Negative Declaration
km	kilometers
MGD.....	million gallons per day
MMRP	Mitigation Monitoring & Reporting Program
MND.....	Mitigated Negative Declaration
MRZ.....	Mineral Resource Zone
MT CO ₂ ℓ.....	Metric Tons of Carbon Dioxide Equivalent
N ₂ O	Nitrous Oxide
NAAQS.....	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
ND	Negative Declaration
NO ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxide
NRCS.....	Natural Resources Conservation Service
O ₃	Ozone
PFCs.....	Perfluorocarbons
PG&E.....	Pacific Gas and Electric
Pb	Lead
PM _{2.5}	Particulate Matter less than 2.5 microns in diameter
PM ₁₀	Particulate Matter less than 10 microns in diameter
Ppb	parts per billion
Ppm	parts per million
Project.....	Carballo Apartments, General Plan Amendment, Rezone, and Site Plan Review No. 21-10
R-2	Multiple Family Medium High Density Residential – 3,000 sqft lot per dwelling unit
R-3	Multiple Family High Density Residential – 1,500 sqft lot per dwelling unit
ROG.....	Reactive Organic Gases
SB	Senate Bill
SF6	Sulfur Hexafluoride
SJVAB.....	San Joaquin Valley Air Basin
SJVAPCD.....	San Joaquin Valley Air Pollution Control District
SMARA	Surface Mining and Reclamation Act
SO ₂	Sulfur Dioxide
SO ₄	sulfates
SR	State Route
SRA	State Responsibility Area

State	California
SWRCB.....	State Water Resources Control Board
TPY	Tons Per Year
µg/m ³	microgram per cubic meter
USFWS	U. S. Fish and Wildlife Service
UST	Underground Storage Tanks
VMT.....	Vehicle Miles Traveled

Chapter 1 Introduction

Provost & Pritchard Consulting Group has prepared this Initial Study/Negative Declaration (IS/ND) on behalf of the City of Mendota (City) to address the potential environmental effects of Carballo Apartments, Site Plan Review Application No. 21-10 pertaining to ± 0.60 acres of property located on the southwest of the intersection at 7th Street and Marie Street approximately 0.17 miles northwest of State Route 180 within the City of Mendota (Project or proposed Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et. seq.* The City of Mendota (City) is the CEQA lead agency for this proposed Project.

The site and the proposed Project are described in detail in the **Project Description, Chapter 2.**

1.1 Regulatory Information

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with California Code of Regulations Title 14 (Chapter 3, Section 15000, *et seq.*)—also known as the CEQA Guidelines—Section 15064 (a)(1) states that an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. A negative declaration (ND) may be prepared instead if the lead agency finds that there is *no* substantial evidence in light of the whole record that the project may have a significant effect on the environment. An ND is a written statement describing the reasons why a proposed Project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a ND or *mitigated* ND shall be prepared for a project subject to CEQA when either:

- a. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed Project may have a significant effect on the environment, or
- b. The IS identified potentially significant effects, but:
 1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed ND and IS are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and
 2. There is no substantial evidence, in light of the whole record before the agency, that the proposed Project *as revised* may have a significant effect on the environment.

1.2 Document Format

This IS/MND contains six chapters and three appendices. **Chapter 1 Introduction**, provides an overview of the proposed Project and the CEQA process. **Chapter 2 Project Description**, provides a detailed description of proposed Project components and objectives. **Chapter 3 Impact Analysis**, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the proposed Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the proposed Project could have a potentially significant impact on a resource, the issue area discussion provides a description of

potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level.

The CalEEMod Output Files are provided as technical **Appendix A** at the end of this document.

The analyses of environmental impacts in **Chapter 3 Impact** Analysis are separated into the following categories:

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

Less than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. “No Impact” answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

Chapter 2 Project Description

2.1 Project Background and Objectives

2.1.1 Project Title

Carballo Apartments, General Plan Amendment, Rezone, and Site Plan Review No. 21-10

2.1.2 Lead Agency Name and Address

City of Mendota
643 Quince Street
Mendota, CA 93640

2.1.3 Contact Person and Phone Number

Lead Agency Contact
Jeffrey O'Neal, AICP
City Planner
559.655.3291

Project Applicant
JCC Transportation, Inc.
Julio Carballo
559.709.2662

2.1.4 Project Location

The Project site is located in central Mendota. Mendota is approximately 35 miles west of Fresno and eight miles south of Firebaugh in western Fresno County (see **Figure 2-1**). The Project site is located at 755 Marie Street which is located 200 feet southwest of the corner of 7th Street and Marie Street, approximately 0.21 miles northwest of the nearest entrance point of State Route 180. The Project is situated in Section 31, Township 13 South, Range 15 East, Mount Diablo Base & Meridian (see **Figure 2-2**). The property involved includes Assessor's Parcel Number 013-106-15 (see **Figure 2-3**).

2.1.5 Latitude and Longitude

The approximate centroid of the Project area is 36° 45' 23.82" north, -120° 22' 38" west.

2.1.6 Project Details

JCC Transportation, Inc. proposes a General Plan Amendment to change the subject property's land use designation from Medium-High Density Residential to High Density Residential, a rezone to amend the City's official Zoning Map to change the subject property's zoning designation from R-2 (Multiple Family Medium High Density Residential – 3,000 SF lot per dwelling unit) to R-3 (Multiple Family High Density Residential – 1,500 SF lot per dwelling unit), and a Site Plan Review to construct a 15-unit apartment complex on Assessor's Parcel Number 013-106-15 located southwest of the intersection at 7th Street and Marie Street approximately

0.17 miles northwest of State Route 180 within the City of Mendota. The site will have access to Marie Street and the abutting alley.

Additional Project activities may include the following: dedications and/or acquisitions for public street rights-of-way and utility easements, construction of public facilities and infrastructure in accordance with the specifications and policies of the City of Mendota, and landscaping as required by City ordinance for residential developments.

2.1.6.1 Construction

Construction of the Project is anticipated to last approximately six months, beginning in late 2022 and ending mid-2023. Activities will include grading, site preparation, and construction of the apartment complex. Equipment will likely include excavators, skid loaders, bulldozers, backhoes, trenchers, concrete mixers, and hand tools.

Generally, construction will occur between the hours of 7 am and 5 pm, Monday through Friday, excluding holidays. Staging areas will be located onsite.

Although construction is not expected to generate hazardous waste, field equipment used during construction has the potential to contain various hazardous materials such as diesel fuel, hydraulic oil, grease, solvents, adhesives, paints, and other petroleum-based products.

2.1.7 Land Uses and Zoning

The Project site is surrounded by residential to the north and east, vacant land to the southeast, and a trucking yard to the south and southwest. As mentioned above, the Project will include a general plan amendment, rezoning, and site plan review, as necessary. The table below details land uses, zoning, and proposed actions for the properties involved (also see **Figure 3-3** and **Figure 3-4**).

Table 2-1. Subject Assessor Parcel Numbers

Assessor's Parcel Number	Current Land Use Designation	Proposed Land Use Designation	Current Zoning Designation	Proposed Zoning Designation	Project Discretionary Action
013-106-15	Medium-High Density Residential	High Density Residential	R-2 Medium/High Density Residential	R-3 High Density Multiple Family Residential	General Plan Amendment, Rezone, Site Plan Review

2.1.8 Other Public Agencies Whose Approval May Be Required

- City of Mendota
- Mendota Unified School District
- Fresno County Fire Protection District
- State Water Resources Control Board (SWRCB)
- San Joaquin Valley Air Pollution Control District (SJVAPCD)

2.1.9 Consultation with California Native American Tribes

Assembly Bill 52 (AB 52; codified at Public Resources Code Section 21080.3.1, *et seq.*) requires that a lead agency, within 14 days of determining that it will undertake a project, must notify in writing any California

Native American Tribe traditionally and culturally affiliated with the geographic area of the project if that Tribe has previously requested notification about projects in that geographic area. The notice must briefly describe the project and inquire whether the Tribe wishes to initiate request formal consultation. Tribes have 30 days from receipt of notification to request formal consultation. The lead agency then has 30 days to initiate the consultation, which then continues until the parties come to an agreement regarding necessary mitigation or agree that no mitigation is needed, or one or both parties determine that negotiation occurred in good faith, but no agreement will be made.

Pursuant to Senate Bill 18 (SB 18), Native American tribes traditionally and culturally affiliated with the project area were invited to consult regarding the project based on a list of contacts provided by the Native American Heritage Commission (NAHC).

On August 11, 2021, the City of Mendota (City) notified 20 tribes of the Project pursuant to AB 52 and SB 18. No Tribe responded with a request for formal consultation on the Project within the required time period.

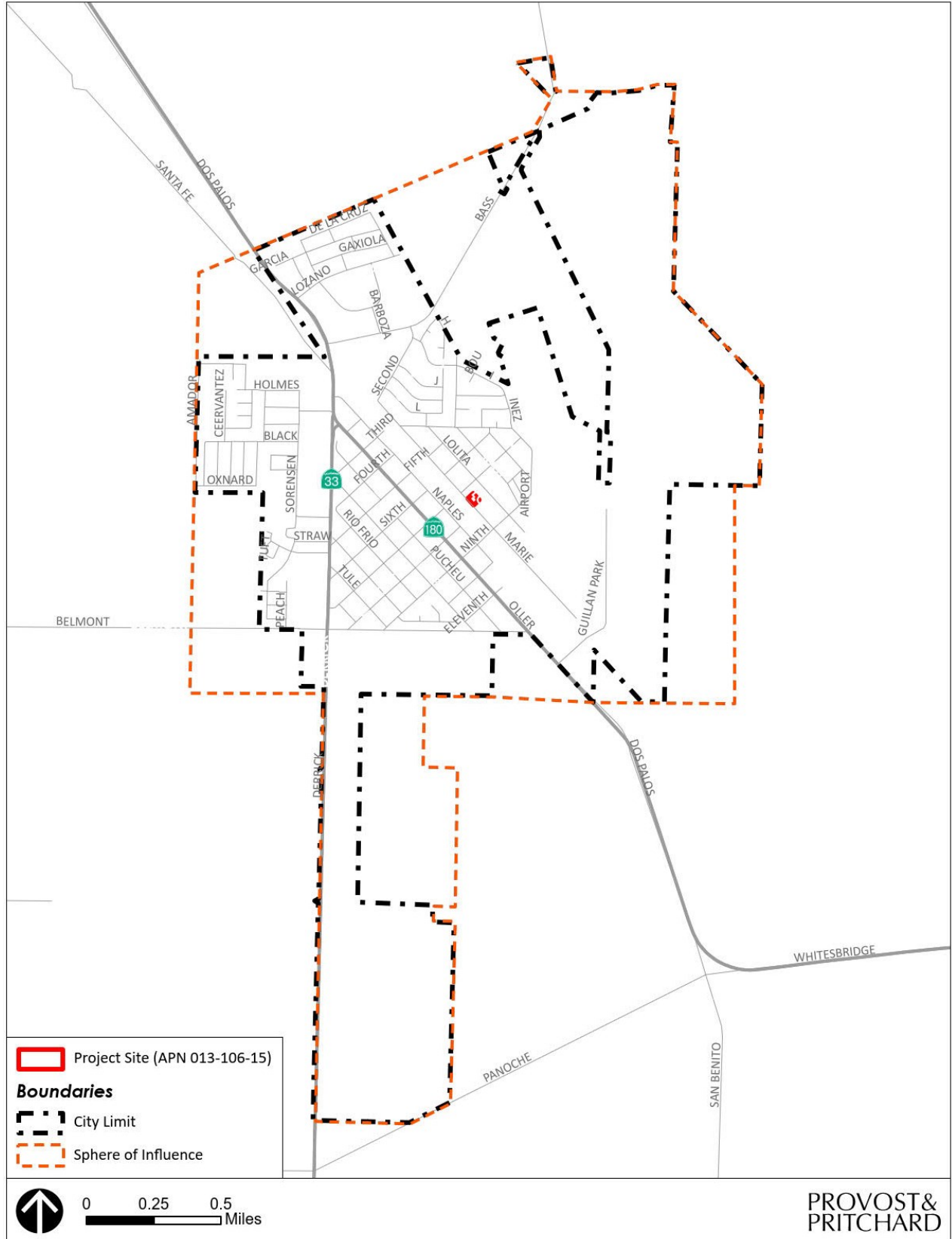


Figure 2-1. Vicinity Map

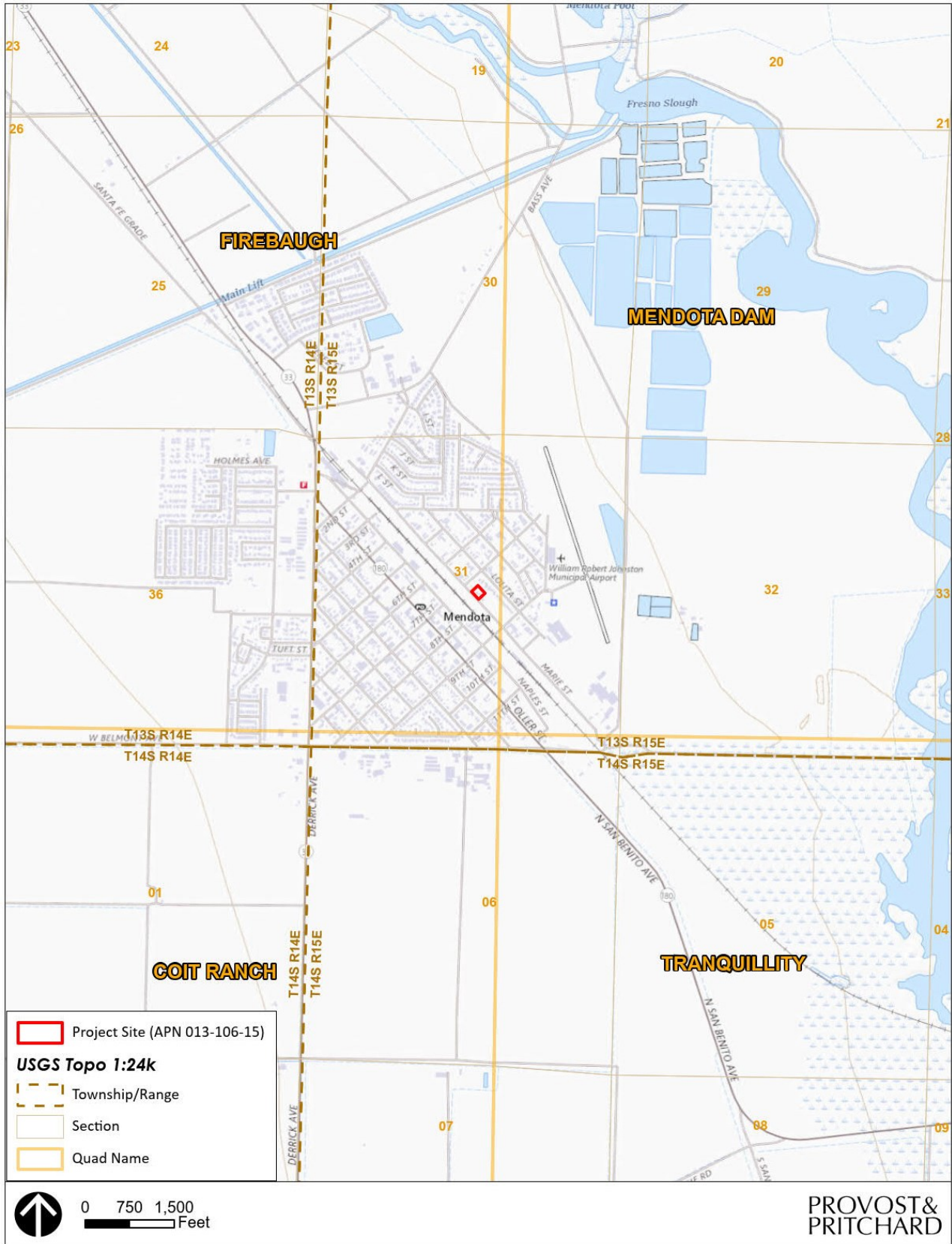


Figure 2-2. Topographic Quadrangle Map

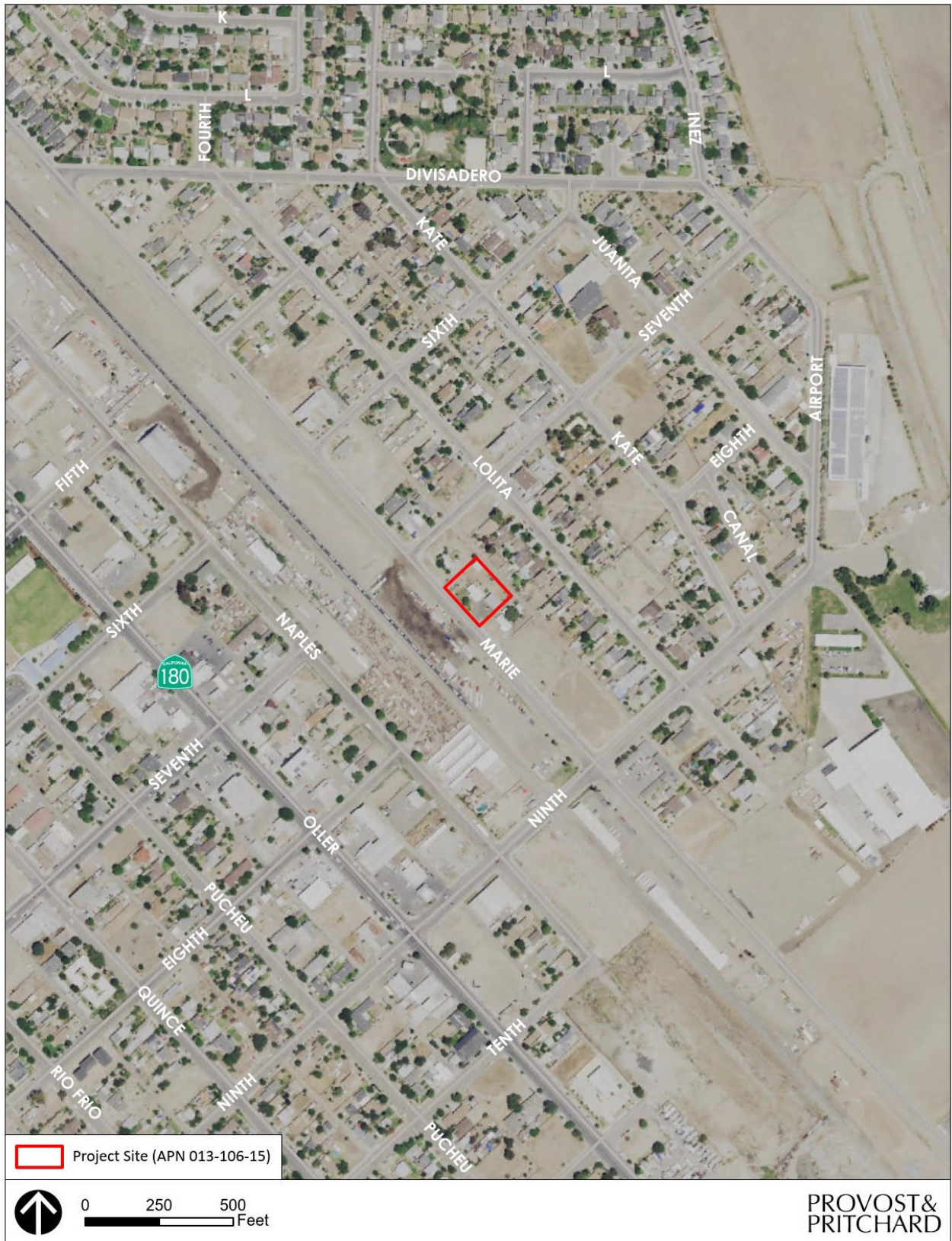


Figure 2-3. Aerial of Project Site

Environmental Factors Potentially Affected

As indicated by the discussions of existing conditions and impact analyses that follow in **Chapter 3** Impact Analysis, environmental factors not checked below would have no impact or less than significant impacts resulting from the project. Environmental factors that are checked below would have potentially significant impacts resulting from the project. Required regulations or mitigation measures would reduce the impact to less than significant.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Printed Name/Position

Chapter 3 Impact Analysis

3.1 Environmental Factors Potentially Affected

As indicated by the discussions of existing and baseline conditions, and impact analyses that follow in this Chapter, environmental factors not checked below would have no impacts or less than significant impacts resulting from the project. Environmental factors that are checked below would have potentially significant impacts resulting from the project. Mitigation measures are recommended for each of the potentially significant impacts that would reduce the impact to less than significant.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

The analyses of environmental impacts here in **Chapter 3 Impact Analysis** are separated into the following categories:

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

Less than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. “No Impact” answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis)

3.2 Aesthetics

Table 3-1. Aesthetics Impacts

Aesthetics				
Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.2.1 Environmental Setting

The Project is located in the northwestern part of Fresno County in the Central San Joaquin Valley. The Project site is in an urbanized area with residential uses to the north, west, and east and a truck yard across Marie Street to the south. The Project is adjacent to the eastern City limit of Mendota. In Fresno County, portions of State Routes (SR) 168 and 180 have been officially designated by the California Department of Transportation as State Scenic Highways. However, those sections are respectively approximately 38 and 54 miles east of the Project. Mendota is located approximately 40 miles west of the foothills of the Sierra Nevada Mountain Range and approximately 18 miles east of the foothills of the Coastal Mountain Range. The Coastal range can be seen on a clear day from the vantage point of the Project site. The Project site is previously developed and contains multiple structures, including a primary residence. The proposed Project is consistent with the aesthetics of the area.

3.2.2 Impact Assessment

a) Would the project have a substantial adverse effect on a scenic vista?

Less than Significant Impact. The Project site is bordered by residential development to the north, west, and east, while a trucking yard is divided by Marie Street to the south. There is no viewshed of particular importance that would be impacted by the proposed Project. As the Project would be aesthetically consistent with its surroundings, impacts would be less than significant.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The Scenic Highway Program was created to preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. A highway may be officially designated “scenic” depending upon how much of the natural landscape can be seen by travelers, the scenic

quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view.

As the closest segment of state scenic highway is located approximately 38 miles to the east of the Project, there would be no impact.

c) Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No Impact. As part of the Project, the subject property's land use designation would be amended to High Density Residential, and it would be rezoned to R-3 High Density Residential. The Project site would be zoned for high density residential use and a 15-unit apartment complex would be compatible with uses surrounding the Project site. The proposed 15-unit apartment complex would not conflict with applicable zoning or regulations governing scenic quality so there would be no impact.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact. The proposed Project would include lighting in the area that is suitable for residential areas and it would be in accordance with City ordinances. All lights would be hooded and angled downwards. It is not expected that the Project would result in substantial glare. Impacts would be less than significant.

3.3 Agriculture and Forestry Resources

Table 3-2. Agriculture and Forestry Resources Impacts

Agriculture and Forestry Resources				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.3.1 Environmental Setting

The Project is located in the California’s Central San Joaquin Valley in Fresno County and more specifically within the City of Mendota. Fresno County is located within California’s agricultural heartland. For crop year 2016–2017, the most recent year for which data is available, Fresno County ranked third in the State in estimated value of agricultural production at 7.04 billion dollars.¹

A wide range of commodities are grown in the county, with production primarily consisting of milk, poultry, livestock, and other animal commodities, row crops, nuts and fruit tree crops, and vegetables. Rich soil, irrigation water, a Mediterranean climate, and steady access to global markets make this possible.

The Project site is located in an urbanized area. The lot itself contains an existing residence. According to the California Department of Conservation’s Farmland Mapping and Monitoring Program (FMMP), the Project site is designated Urban and Built-Up Land.²

¹ (United States Department of Agriculture National Agricultural Statistics Service, 2020) Accessed 20 September 2021

² California Important Farmland Finder (FMMP). <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed 20 September 2021.

3.3.2 Impact Assessment

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. The Project is designated as Urban and Built-Up Land according to the FMMP. Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. There would be no impact.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The Project site is and will be zoned for residential uses. The Project would not conflict with existing zoning for agricultural use or a Williamson Act contract. There would be no impact.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

c and d) No Impact. There are no forest lands or timberlands within the Project site or vicinity. The City's General Plan and Zoning maps have designated the Project site for residential use. There would be no impact.

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. As discussed above, the Project would not involve forest land or require the conversion of existing agricultural land. The Project site is previously developed and the Project would replace one residential use with another. There would be no impact.

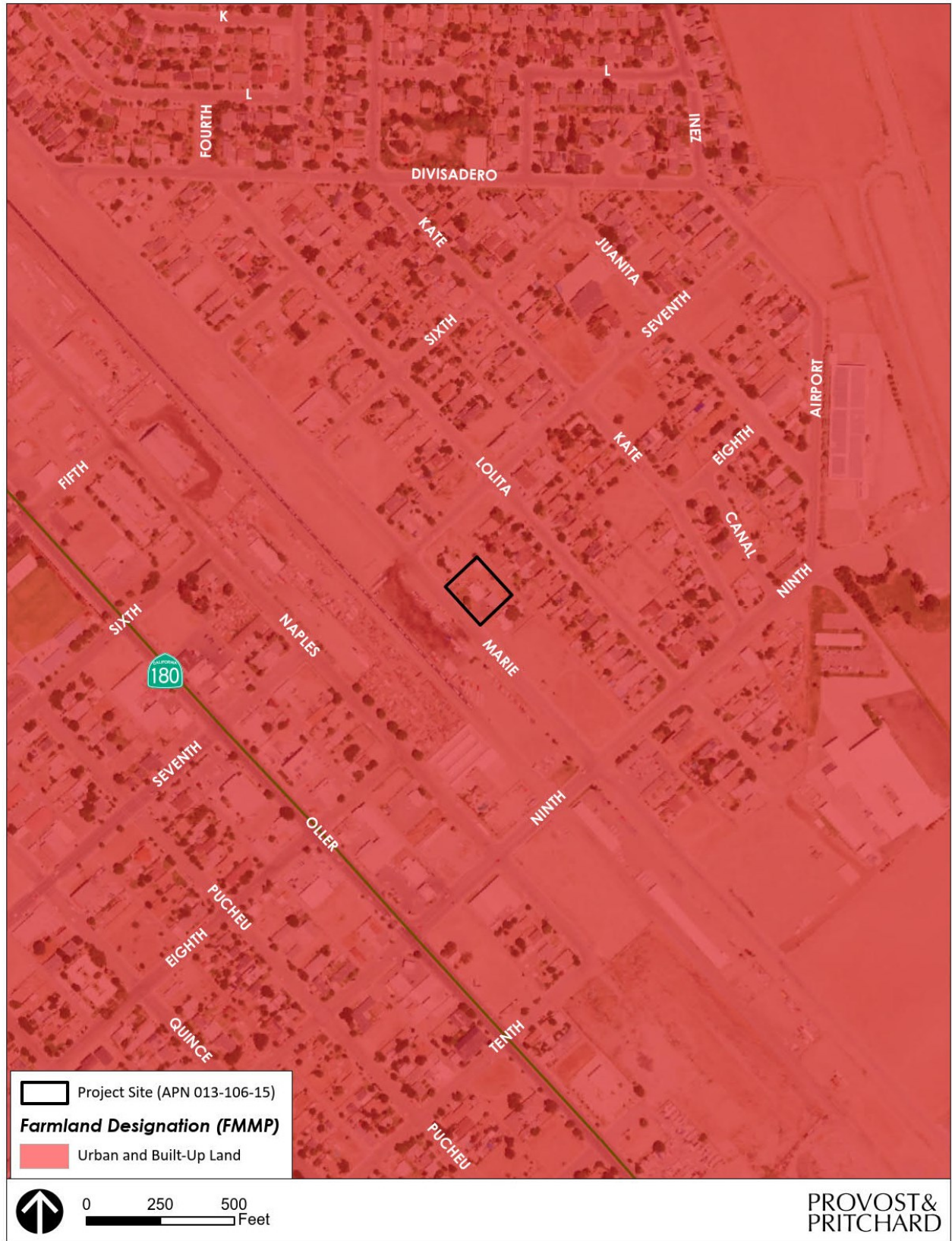


Figure 3-1. Farmland Designation Map

3.4 Air Quality

Table 3-3. Air Quality Impacts

Air Quality				
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.4.1 Methodology

CalEEMod Output files ([Appendix A](#)) were prepared using CalEEMod, Version 2020.4.0 for the Project in September 2021. CalEEMod is an air quality analysis model used to analyze a project’s potential emission output due to a project’s construction and operational activities. The sections below detail the methodology of the air quality and greenhouse gas emissions analysis and its conclusions.

Emissions associated with the Project were calculated using CalEEMod, Version 2020.4.0. Construction emissions modeling includes emissions generated by demolition activities, off-road equipment, haul trucks, and worker commute trips. All assumptions were based on the default parameters contained in the model. Long-term operational emissions associated with the Project come mainly from vehicle trips to and from the residences. It is assumed that due to the multifamily nature of the Project, no fireplaces would be installed. In order to more accurately estimate the type of vehicle emissions that are likely to come from a residential neighborhood, the SJVAPCD Residential Fleet Mix Year 2025 was used in the modeling software. Modeling assumptions and output files are included in [Appendix A](#).

3.4.1.1 Thresholds of Significance

To assist local jurisdictions in the evaluation of air quality impacts, the SJVAPCD has published the *Guide for Assessing and Mitigating Air Quality Impacts*. This guidance document includes recommended thresholds of significance to be used for the evaluation of short-term construction, long-term operational, odor, toxic air contaminant, and cumulative air quality impacts. Accordingly, the SJVAPCD-recommended thresholds of significance are used to determine whether implementation of the proposed Project would result in a significant air quality impact. Projects that exceed these recommended thresholds would be considered to have a potentially significant impact to human health and welfare. The thresholds of significance are summarized, as follows:

Short-Term Emissions of Particulate Matter (PM₁₀): Construction impacts associated with the proposed Project would be considered significant if the feasible control measures for construction in compliance with Regulation

VIII as listed in the SJVAPCD guidelines are not incorporated or implemented, or if project-generated emissions would exceed 15 tons per year (TPY).

Short-Term Emissions of Ozone Precursors (ROG and NO_x): Construction impacts associated with the proposed Project would be considered significant if the project generates emissions of Reactive Organic Gases (ROG) or NO_x that exceeds 10 TPY.

Long-Term Emissions of Particulate Matter (PM₁₀): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of PM₁₀ that exceed 15 TPY.

Long-Term Emissions of Ozone Precursors (ROG and NO_x): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of ROG or NO_x that exceeds 10 TPY.

Conflict with or Obstruct Implementation of Applicable Air Quality Plan: Due to the region's nonattainment status for ozone, PM_{2.5}, and PM₁₀, if the project-generated emissions of either of the ozone precursor pollutants (i.e., ROG and NO_x) or PM₁₀ would exceed the SJVAPCD's significance thresholds, then the project would be considered to conflict with the attainment plans. In addition, if the project would result in a change in land use and corresponding increases in vehicle miles traveled, the project may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

Local Mobile-Source CO Concentrations: Local mobile source impacts associated with the proposed Project would be considered significant if the project contributes to CO concentrations at receptor locations in excess of the CAAQS (i.e. 9.0 ppm for 8 hours or 20 ppm for 1 hour).

Toxic Air Contaminants: Exposure to toxic air contaminants would be considered significant if the probability of contracting cancer for the Maximally Exposed Individual (i.e., maximum individual risk) would exceed 20 in 1 million or would result in a Hazard Index greater than 1.

Odors: Odor impacts associated with the proposed Project would be considered significant if the project has the potential to frequently expose members of the public to objectionable odors.

Table 3-4. Summary of Ambient Air Quality Standards and Attainment Designation

Summary of Ambient Air Quality Standards & Attainment Designation					
Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary	Attainment Status
Ozone (O ₃)	1-hour	0.09 ppm	Nonattainment/ Severe	–	No Federal Standard
	8-hour	0.070 ppm	Nonattainment	0.075 ppm	Nonattainment (Extreme)**
Particulate Matter (PM ₁₀)	AAM	20 µg/m ³	Nonattainment	–	Attainment
	24-hour	50 µg/m ³		150 µg/m ³	
Fine Particulate Matter (PM _{2.5})	AAM	12 µg/m ³	Nonattainment	12 µg/m ³	Nonattainment
	24-hour	No Standard		35 µg/m ³	
Carbon Monoxide (CO)	1-hour	20 ppm	Attainment/ Unclassified	35 ppm	Attainment/ Unclassified
	8-hour	9 ppm		9 ppm	
	8-hour (Lake Tahoe)	6 ppm		–	
Nitrogen Dioxide (NO ₂)	AAM	0.030 ppm	Attainment	53 ppb	Attainment/ Unclassified
	1-hour	0.18 ppm		100 ppb	
Sulfur Dioxide (SO ₂)	AAM	–	Attainment	--	Attainment/ Unclassified
	24-hour	0.04 ppm		--	
	3-hour	–		0.5 ppm	
	1-hour	0.25 ppm		75 ppb	
Lead (Pb)	30-day Average	1.5 µg/m ³	Attainment	–	No Designation/ Classification
	Calendar Quarter	–		--	
	Rolling 3-Month Average	–		0.15 µg/m ³	
Sulfates (SO ₄)	24-hour	25 µg/m ³	Attainment	No Federal Standards	
Hydrogen Sulfide (H ₂ S)	1-hour	0.03 ppm (42 µg/m ³)	Unclassified		
Vinyl Chloride (C ₂ H ₃ Cl)	24-hour	0.01 ppm (26 µg/m ³)	Attainment		
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/km-visibility of 10 miles or more due to particles when the relative humidity is less than 70%.	Unclassified		

* For more information on standards visit: <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>

** No Federal 1-hour standard. Reclassified extreme nonattainment for the Federal 8-hour standard May 5, 2010.

***Secondary Standard

Source: CARB 2015; SJV APCD 2020

3.4.2 Environmental Setting

The Project lies within the eight-county San Joaquin Valley Air Basin (SJVAB), which is managed by the SJVAPCD. Air quality in the SJVAB is influenced by a variety of factors, including topography and local and regional meteorology. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O₃), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb). The CAAQS also set standards for sulfates (SO₄), hydrogen sulfide (H₂S), vinyl chloride (C₂H₃Cl), and visibility.

Air quality plans or attainment plans are used to bring the applicable air basin into attainment with all State and Federal ambient air quality standards designed to protect the health and safety of residents within that air basin. Areas are classified under the Federal Clean Air Act as either “attainment,” “nonattainment,” or “extreme nonattainment” areas for each criteria pollutant based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by the California Air Resources Board (CARB). The San Joaquin Valley is designated as a State and Federal nonattainment area for O₃, a State and Federal nonattainment area for PM_{2.5}, a State nonattainment area for PM₁₀, a Federal and State attainment area for CO, SO₂, and NO₂, and a State attainment area for sulfates, vinyl chloride, and Pb.³

3.4.3 Impact Assessment

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact. As noted in Impact Assessments III-b and III-c below, implementation of the Project would not result in short-term or long-term increases in emissions that would exceed applicable thresholds of significance. Projects that do not exceed the recommended thresholds would not be considered to conflict with or obstruct the implementation of applicable air quality plans. Therefore, impacts would be less than significant.

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than Significant Impact.

Short-Term Construction-Generated Emissions

Construction-generated emissions would be temporary and short in duration. Construction is assumed to take approximately six months. The construction of the Project would result in the temporary generation of emissions associated with site grading and building, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces.

Estimated construction-generated emissions and operational emissions are summarized in **Table 3-5** and **Table 3-6**, respectively.

³ (San Joaquin Valley Air Pollution Control District, 2006-2012). Accessed 21 September 2021.

Table 3-5. Unmitigated Short-Term Construction-Generated Emissions of Criteria Air Pollutants

Short-Term Construction-Generated Emissions of Criteria Air Pollutants					
Source	Annual Emissions (Tons/Year) ⁽¹⁾				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Total	0.0995	0.4626	0.4494	0.0385	0.0274
SJVAPCD Significance Thresholds:	10	10	100	15	15
Exceed SJVAPCD Thresholds?	No	No	No	No	No

1. Refer to Appendix A for modeling results and assumptions. Totals may not sum due to rounding.

Table 3-6. Unmitigated Long-Term Operational Emissions

Long-Term Operational Emissions of Criteria Air Pollutants					
Source	Annual Emissions (Tons/Year) ⁽¹⁾				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Annual Project Emissions:	0.1105	0.0764	0.5305	0.1992	0.0333
SJVAPCD Significance Thresholds:	10	10	100	15	15
Exceed SJVAPCD Thresholds?	No	No	No	No	No

1. Refer to Appendix A for modeling results and assumptions. Totals may not sum due to rounding.

Given that project-generated emissions would not exceed applicable SJVAPCD significance thresholds, construction-generated emissions of criteria pollutants would be considered less than significant.

Long-Term Operational Emissions

As illustrated in **Table 3-6**, long-term operational emissions associated with the Project would not exceed SJVAPCD thresholds of significance. Therefore, Project-related impacts to air quality would be considered less than significant.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. Sensitive receptors are those who are sensitive to air pollution, including children, the elderly, and the infirm. The SJVAPCD considers a sensitive receptor a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include hospitals, residences, convalescent facilities, and schools. The closest existing off-site sensitive receptors are single-family homes located on adjacent properties. As a residential land use development project, proposed residences included as part of the Project would also be considered sensitive receptors once occupied.

As demonstrated in **Table 3-5**, and **Table 3-6**, the Project would not exceed the SJVAPCD's thresholds established in accordance with health-based standard for determining significance of criteria pollutant emissions. Furthermore, given the short-term nature of the construction of the Project, exposure to toxic air contaminants would be minimal. Therefore, in accordance with these standards, the Project would have a less than significant impact related to exposure of sensitive receptors to substantial pollutant concentrations.

d) Would the project result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?

Less than Significant Impact. Implementation of the Project would not result in long-term emissions of odors. However, construction would involve the use of a variety of gasoline- or diesel-powered equipment that

would emit exhaust fumes. Exhaust fumes, particularly diesel exhaust, may be considered objectionable by some people. Construction activities would be short-term and intermittent in nature, spanning approximately six months. Impacts would be less than significant.

3.5 Biological Resources

Table 3-7. Biological Resources Impacts

Biological Resources				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.5.1 Environmental Setting

The Project is located in Fresno County within the lower San Joaquin Valley, part of the Great Valley of California. The Valley is bordered by the Sierra Nevada Mountain Ranges to the east, the Coast Ranges to the west, the Klamath Mountains and Cascade Range to the north, and the Transverse Ranges and Mojave Desert to the south.

Like most of California, the San Joaquin Valley experiences a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer temperatures often reach above 90 degrees Fahrenheit, and the humidity is generally low. Winter temperatures are often below 60 degrees Fahrenheit during the day and rarely exceed 70 degrees. On average, the Central Valley receives approximately 12 inches of precipitation in the form of rainfall yearly, most of which occurs between October and March.

The Project is located within the Mowry Lake-Fresno Slough watershed; Hydrologic Unit Code (HUC): 180300091003⁴, approximately 2 miles southwest of the Mendota Pool at the confluence of the San Joaquin River and the Fresno Slough, and 7.5 miles east of Panoche Creek. The San Joaquin River, Fresno Slough, and Mendota Pool have been leveed and much of the surrounding land is now intensively cultivated for agricultural production. Historically, the Mendota area supported large areas of riparian wetlands and important waterfowl habitat. Due to alteration of the aquatic features in the vicinity and the conversion of natural habitat to agricultural lands, the riparian habitat is now limited to the margins of these waterways and to undisturbed areas within ecological reserves, managed wildlife areas, and national wildlife refuges.

There are several managed reserves and wildlife areas in the vicinity of Mendota, most of which are dedicated to the preservation of native habitat for waterfowl and special status species. The California Department of Fish and Wildlife (CDFW)-managed Mendota Wildlife Area lies approximately three miles southeast of the Project and encompasses 11,825 acres of wetland and upland habitats including a portion of the Fresno Slough. The Alkali Sink Ecological Reserve and the Kerman Ecological Reserve are located east-southeast of the Project, at a distance of approximately 6 miles and 10 miles, respectively. Little Panoche Reservoir Wildlife Area and the Panoche Hills Ecological Reserve are located west of Interstate 5, approximately 20 miles west of the Project.

3.5.2 Soils

One soil mapping unit representing one soil type was identified within the Project area; Calflax clay loam, saline-sodic, wet, 0 to 1 percent slopes, within the Major Land Resource Area of California 17 map. None of the minor soil mapping units was identified as hydric. Hydric soils are defined as soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions such that under sufficiently wet conditions, hydrophytic vegetation can be supported.

The Calflax soil series consists of very deep, moderately well drained soils formed in alluvium derived from calcareous sedimentary rock. These soils have low runoff and moderately slow permeability. Calflax soils are used for cultivation in most areas. Native vegetation growing in these soils consist of annual grasses, forbs, and saltbrush.

3.5.3 Methodology

The Area of Potential Effect (APE) consists of the entire project boundary and the nearby surrounding lands. A qualified biologist conducted an analysis of potential Project-related impacts to biological resources based on the resources known to exist or with potential to exist within the Project site and surrounding areas. Sources of information used in preparation of this analysis included: CDFW, California Natural Diversity Database (CNDDDB); the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system; the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Vascular Plants of California; CalFlora's online database of California native plants; the Jepson Herbarium online database; USFWS Environmental Conservation Online System; the NatureServe Explorer online database; the United States Department of Agriculture Natural Resources Conservation Service (NRCS) Plants Database; the CDFW California Wildlife Habitat Relationships database; the California Herps online database; and various manuals, reports, and references related to plants and animals of the San Joaquin Valley region.

A thorough search of the CNDDDB for published accounts of special status plant and animal species was conducted for the *Firebaugh* 7.5-minute quadrangle that contain the APE in its entirety, and for the eight surrounding quadrangles: *Oxalis*, *Poso Farm*, *Firebaugh NE*, *Broadview Farms*, *Mendota Dam*, *Chaney Ranch*, *Tranquillity*, and *Coit Ranch*. A species list was also obtained using the USFWS IPaC system for federally listed species with potential to be affected by the proposed Project. These species, and their potential to occur within the proposed Project area are listed in **Table 3-8** and **Table 3-9**.

⁴ (United States Environmental Protection Agency, n.d.) Accessed September 2021.

Table 3-8. List of Special Status Animals with Potential to Occur Onsite and/or in the Vicinity.

Species	Status	Habitat	Occurrence on Project Site
American badger <i>(Taxidea taxus)</i>	CSC	Grasslands, savannas, and mountain meadows near timberline are preferred. Most abundant in drier open spaces of shrub and grassland. Burrows in soil.	Absent. Suitable habitat for this species appears to be absent from the APE. Activities within the surrounding ruderal, urban, and agricultural areas would likely deter this species from passing through the site. The nearest regional recorded observation of this species occurred in the Alkali Sink Ecological Reserve, approximately 5 miles southeast of the site. It is unlikely that any individual would inhabit the suboptimal habitats near the APE when high quality habitat exists in the immediate region.
Bank swallow (<i>Riparia riparia</i>)	CT	These aerial insectivores nest colonially in burrows constructed along vertical banks and bluffs near waterbodies. This disturbance tolerant species is also known to nest in man-made sites, such as quarries, mounds of gravel or dirt, and road cuts.	Unlikely. Suitable habitat appear to be absent from the Project APE and surrounding lands. At most, an individual could pass through the site as a transient or during migration.
Blunt-nosed leopard lizard (<i>Gambelia sila</i>)	FE, CE, CFP	Inhabits semi-arid grasslands, alkali flats, low foothills, canyon floors, large washes, and arroyos, usually on sandy, gravelly, or loamy substrate, sometimes on hardpan. Often found where there are abundant rodent burrows in dense vegetation or tall grass. Cannot survive on lands under cultivation. Known to bask on kangaroo rat mounds and often seeks shelter at the base of shrubs, in small mammal burrows, or in rock piles. Adults may excavate shallow burrows, but rely on deeper pre-existing rodent burrows for hibernation and reproduction.	Absent. The disturbed habitats and clay soils onsite are unsuitable for this species.
Burrowing owl (<i>Athene cucularia</i>)	CSC	Resides in open, dry annual or perennial grasslands, deserts, and scrublands with low growing vegetation. Nests underground in existing burrows created by burrowing mammals, most often ground squirrels.	Unlikely. The ruderal habitats of the APE appear unsuitable for this species. Proximity to development, large trees and raptor perches would likely deter this species. The nearest observation of this species was recorded in 1987 approximately 3.5 miles southeast of the Project area. The population at this site was surveyed again in 1989 and found to be in decline.
California red-legged frog (<i>Rana draytonii</i>)	FT	Inhabits perennial rivers, creeks, and stock ponds with vegetative cover within the Coast Range and northern Sierra foothills.	Absent. The Project area does not provide suitable habitat for this species and is outside of its current known range.
Coast horned lizard (<i>Phrynosoma blainvillii</i>)	CSC	Found in grasslands, coniferous forests, woodlands, and chaparral, primarily in open areas with patches of loose, sandy soil and low-lying	Absent. The highly disturbed habitats of the APE are unsuitable for this species. There are recorded observations of this species within the Alkali Sink Ecological

Species	Status	Habitat	Occurrence on Project Site
		vegetation in valleys, foothills, and semi-arid mountains. Frequently found near ant hills and along dirt roads in lowlands along sandy washes with scattered shrubs.	Reserve, approximately 5 miles southeast of the Project.
Crotch bumblebee <i>(Bombus crotchii)</i>	CCE	Occurs throughout coastal California, as well as east to the Sierra-Cascade crest, and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	Absent. Suitable forage for this species appears to be absent from the ruderal APE. The only regional recorded observations of this species are from collections over 65 years old.
Delta smelt <i>(Hypomesus transpacificus)</i>	FT, CE	This pelagic and euryhaline species is Endemic to the Sacramento-San Joaquin River Delta, upstream through Contra Costa, Sacramento, San Joaquin, and Solano Counties.	Absent. Suitable perennial aquatic habitat for this species is absent from the APE and surrounding lands.
Fresno kangaroo rat <i>(Dipodomys nitratoides exilis)</i>	FE, CE	An inhabitant of alkali sink open grassland environments in western Fresno County. Prefers bare, alkaline, clay-based soils subject to seasonal inundation with more friable soil mounds around shrubs and grasses.	Absent. The highly disturbed habitats of the APE and surrounding lands are unsuitable for this species. There is a recorded observation of this species within the Alkali Sink Ecological Reserve in 1992, approximately 4.5 miles southeast of the Project. The status of this observation has since been updated to “possibly extirpated,” which means the species has been searched for but unobserved for many years.
Giant gartersnake <i>(Thamnophis gigas)</i>	FT, CT	Occurs in marshes, sloughs, drainage canals, irrigation ditches, rice fields, and adjacent uplands. Prefers locations with emergent vegetation for cover and open areas for basking. This species uses small mammal burrows adjacent to aquatic habitats for hibernation in the winter and to escape from excessive heat in the summer.	Absent. Habitats required by this species are absent from the proposed APE and surrounding lands. All nearby recorded observations of this species are in the vicinity of large freshwater bodies.
Giant kangaroo rat <i>(Dipodomys ingens)</i>	FE, CE	Inhabits annual grassland communities with few or no shrubs and well-drained, sandy-loam soils on gentle slopes.	Absent. The highly disturbed habitats of the APE and surrounding lands are unsuitable for this species. The only regional recorded observation of this species occurred in 1987 approximately 16 miles southwest of the APE. The status of this observation has since been updated to “possibly extirpated,” which means the species has been searched for but unobserved for many years.
Longhorn fairy shrimp <i>(Branchinecta longiantenna)</i>	FE	Inhabits clear to turbid vernal pools or seasonally ponded areas.	Unlikely. Traditional vernal pools are absent. Although the clay soils onsite are conducive to seasonal pooling, frequent disturbance makes the site unsuitable for this species.

Species	Status	Habitat	Occurrence on Project Site
Merlin (<i>Falco columbarius</i>)	CWL	Found throughout North America in habitats ranging from tidal estuaries to open woodlands and valley grasslands. Generally roosts in clumps of trees or windbreaks.	Possible. While breeding habitat is absent from the APE, suitable nest trees are likely abundant near the San Joaquin River and Mendota Pool. The only regional recorded observation of this species occurred less than a mile from the APE in 2007.
Mountain Plover (<i>Charadrius montanus</i>)	CSC	Breeds on open plains at moderate elevations. Winters in short-grass plains and fields, plowed or fallow fields, and sandy deserts. Prefers flat, bare ground with burrowing rodents.	Unlikely. The three regional recorded observations of this species all occurred during winter within fallow fields. The ruderal habitats on site and in the surrounding area do not present suitable breeding or wintering habitat for this species.
Nelson's antelope squirrel (<i>Ammospermophilus nelsoni</i>)	CT	Found in the western San Joaquin Valley on dry, sparsely vegetated loamy soils. Relies heavily on existing small mammal burrows.	Absent. The disturbed habitats and clay soils onsite are unsuitable for this species.
Northern California legless lizard (<i>Anniella pulchra</i>)	CSC	Found primarily underground, burrowing in loose, sandy soil. Forages in loose soil and leaf litter during the day. Occasionally observed on the surface at dusk and night.	Unlikely. The highly disturbed habitats and clay soils of the APE are unsuitable for this species. The only regional. Recorded observation of this species occurred in riparian habitat along the San Joaquin River approximately 5 miles east of the site.
San Joaquin coachwhip (<i>Masticophis flagellum ruddocki</i>)	CSC	Found in open dry habitats with little or no tree cover in valley grassland and saltbush scrub communities in the San Joaquin Valley. Relies on mammal burrows for refuge and oviposition sites.	Absent. The disturbed habitats of the site do not provide suitable habitat for this species. The only regional recorded observation of this species occurred within the Alkali Sink Ecological Reserve in 2004, approximately 4.5 miles southeast of the Project.
San Joaquin kit fox (<i>Vulpes macrotis mutica</i>)	FE, CT	Underground dens with multiple entrances in alkali sink, valley grassland, and woodland in valleys and adjacent foothills.	Unlikely. The APE is located approximately 20 miles east of the nearest known core population in Ciervo-Panoche Natural Area. Although some populations of San Joaquin Kit Fox in other parts of California have adapted to an urbanized environment, modern kit fox occurrences are locally scarce. At most, this species could conceivably pass through the Project area during dispersal movements, although that would be unlikely considering the Project is separated from the Ciervo-Panoche core population by Interstate 5 and miles of land intensively disturbed by agricultural practices.
Steelhead – Central Valley DPS (<i>Oncorhynchus mykiss irideus pop.11</i>)	FT	This winter-run fish begins migration to fresh water during peak flows during December and February. Spawning season is typically from February to April. After hatching, fry move to deeper, mid-channel habitats in late summer and fall. In general, both juveniles and adults prefer complex habitat boulders,	Absent. Suitable perennial aquatic habitat for this species is absent from the Project area and surrounding lands.

Species	Status	Habitat	Occurrence on Project Site
		submerged clay and undercut banks, and large woody debris.	
Swainson's Hawk <i>(Buteo swainsoni)</i>	CT	Nests in large trees in open areas adjacent to grasslands, grain or alfalfa fields, or livestock pastures suitable for supporting rodent populations.	Possible. There are numerous regional recorded observations of this. Nesting habitat appears to be absent from the APE. Although the constant disturbance and presence of humans would likely discourage nesting near the site, it is feasible that the areas around the APE could be used for foraging.
Tricolored Blackbird <i>(Agelaius tricolor)</i>	CCE, CSC	Nests colonially near fresh water in dense cattails or tules, or in thickets of riparian shrubs. Forages in grassland and cropland. Large colonies are often found on dairy farm forage fields.	Unlikely. Suitable nesting habitat is absent from the APE and surrounding lands. The nearest known occurrence of this species was recorded approximately 3.5 miles southeast of the Project area in 1994.
Tulare grasshopper mouse <i>(Onychomys torridus tularensis)</i>	CSC	Typically inhabit arid shrubland communities in hot, arid grassland and shrubland associations. Diet consists almost exclusively of arthropods.	Absent. The only recorded observation of this species in the vicinity of the APE is a historic collection from Panoche Creek in 1918.
Two-striped gartersnake <i>(Thamnophis hammondi)</i>	CSC	Highly aquatic, found in or near permanent fresh water. Often along streams with rocky beds and riparian growth.	Absent. Habitats required by this species are absent from the site and surrounding lands. The only regional recorded observation of this species occurred approximately 30 years ago adjacent to the San Joaquin River.
Vernal pool fairy shrimp <i>(Branchinecta lynchi)</i>	FT	Occupies vernal pools, clear to tea-colored water, in grass or mud-bottomed swales, and basalt depression pools.	Unlikely. Traditional vernal pools appear to be absent. Although the clay soils onsite are conducive to seasonal pooling, frequent disturbance makes the site unsuitable for this species.
Western mastiff bat <i>(Eumops perotis californicus)</i>	CSC	Found in open, arid to semi-arid habitats, including dry desert washes, flood plains, chaparral, oak woodland, open ponderosa pine forest, grassland, and agricultural areas, where it feeds on insects in flight. Roosts most commonly in crevices in cliff faces, but may also use high buildings and tunnels.	Unlikely. Breeding and foraging habitats for this species appear to be absent from the APE. The nearest regional observation of this species occurred in 1911. The only other regional recorded observation occurred within the Mendota Wildlife Refuge.
Western pond turtle <i>(Emys marmorata)</i>	CSC	An aquatic turtle of ponds, marshes, slow-moving rivers, streams, and irrigation ditches with riparian vegetation. Requires adequate basking sites and sandy banks or grassy open fields to deposit eggs.	Absent. This species is known to occur in parts of the San Joaquin River, Fresno Slough, and Mendota Pool; however, the highly disturbed habitats of the APE and surrounding lands are. Major roads and urban development separate Mendota's suitable aquatic features from the site.
Western red bat <i>(Lasiurus blossevillii)</i>	CSC	Roosts primarily in trees, 2-40 ft above ground, from sea level up through mixed conifer forests. Prefers habitat edges and mosaics with trees that are protected from above and open below with open areas for foraging.	Unlikely. Breeding and foraging habitats for this species appear to be absent from the APE. The only two regional recorded observations of this species occurred in riparian and grassland habitats near the San Joaquin River.

Species	Status	Habitat	Occurrence on Project Site
Western spadefoot <i>(Spea hammondi)</i>	CSC	Prefers open areas with sandy or gravelly soils, in a variety of habitats including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Vernal pools or temporary wetlands, lasting a minimum of three weeks, which do not contain bullfrogs, fish, or crayfish are necessary for breeding.	Unlikely. The highly disturbed habitats of the proposed APE and surrounding lands are unsuitable for this species. Furthermore, the site and surrounding lands do not appear to contain typical vernal pools or wetlands which are required for suitable breeding habitat. All occurrences in the vicinity have been reported within vernal pool in alkali sink and within undisturbed lands of ecological reserves.
Western Yellow-billed Cuckoo <i>(Coccyzus americanus occidentalis)</i>	FT, CE	Suitable nesting habitat in California includes dense riparian willow-cottonwood and mesquite habitats along a perennial river. Once a common breeding species in riparian habitats of lowland California, this species currently breeds consistently in only two locations in the State: along the Sacramento and South Fork Kern Rivers.	Absent. Suitable nesting habitat for this species appears to be absent from the proposed APE and surrounding lands. The only regional recorded observation of this species was recorded near the Mendota Pool, along the San Joaquin River, approximately 1 miles northeast of the site in 1950. The status of this observation has since been updated to “possibly extirpated” .
White Faced Ibis <i>(Plegadis chihi)</i>	CWL	Found in shallow freshwater marshes, using tule thickets for nesting and nearby areas of shallow water for foraging.	Absent. Suitable habitat for this species appears to be absent from the proposed APE and surrounding lands. The only regional recorded observation of this species occurred in the Mendota Wildlife Management area, 5.5 miles southeast of the site.
Yellow-headed Blackbird <i>(Xanthocephalus xanthocephalus)</i>	CSC	Nests in freshwater emergent wetlands with dense vegetation and deep water. Often along borders of lakes or ponds.	Absent. Suitable habitat appears to be absent from the proposed APE and surrounding area. The only regional recorded observation of this species occurred in 1919 at an unspecified location near the City of Los Banos.

Table 3-9. List of Special Status Plants with Potential to Occur Onsite and/or in the Vicinity.

Species	Status	Habitat	Occurrence on Project Site
Alkali-sink goldfields <i>(Lasthenia chrysantha)</i>	CNPS 1B	Found in vernal pool and wet saline flat habitats. Occurrences documented in the San Joaquin and Sacramento Valleys at elevations below 656 feet. Blooms February - April.	Absent. Vernal pool habitat is absent from the APE. All regional recorded observations have occurred within the Alkali Sink Ecological Reserve.
Brittlescale <i>(Atriplex depressa)</i>	CNPS 1B	Found in the San Joaquin Valley and Sacramento Valley in alkali or clay soils in shadescale scrub, valley grassland, alkali sink, and riparian communities at elevations below 1050 feet. Equally likely to occur in wetlands and non-wetlands. Blooms June – October.	Absent. The disturbed habitats of the APE are unsuitable for this species. The nearest observation of this species was recorded approximately 4.5 miles east of the site in 2008.

Species	Status	Habitat	Occurrence on Project Site
California alkali grass <i>(Puccinellia simplex)</i>	CNPS 1B	Found in the San Joaquin Valley and other parts of California in saline flats and mineral springs within valley grassland and wetland-riparian communities at elevations below 3000 feet. Blooms March – May.	Absent. Suitable habitat required by this species is absent from the APE and surrounding lands. The nearest known occurrence of this species was recorded approximately 12 miles northeast of the Project area in 2011.
Heartscale (<i>Atriplex cordulata var. cordulata</i>)	CNPS 1B	Found in the San Joaquin Valley and Sacramento Valley in alkaline flats and sandy soils in chenopod scrub, valley and foothill grassland, meadows and seeps at elevations up to 900 feet. Blooms June – July.	Absent. The disturbed habitats of the APE are unsuitable for this species. The nearest observation of this species occurred within Mendota Wildlife Area, approximately 2.5 miles southeast of the Project site in 1996.
Lesser saltscale <i>(Atriplex minuscula)</i>	CNPS 1B	Found in the San Joaquin Valley in playas; sandy, alkaline soils in shadescale scrub, valley grassland, and alkali sink communities at elevations below 300 feet. Blooms April – October.	Absent. The disturbed habitats of the APE are unsuitable for this species. The nearest observation of this species occurred within Alkali Sink Ecological Reserve, approximately 4.5 miles southeast of the Project site in 2009.
Lost Hills crownscale <i>(Atriplex coronata var. vallicola)</i>	CNPS 1B	Found in the San Joaquin Valley in chenopod scrub, valley and foothill grassland, and vernal pools at elevations below 1400 feet. Typically found in dried ponds on alkaline soils. Blooms April – September.	Absent. The disturbed habitats of the APE are unsuitable for this species. There are two recorded observations of this species in the vicinity of the Project. One occurrence is a historic collection (1937) from an unknown location in the vicinity of Mendota. The most recent occurrence is from 2008 near Alkali Sink Ecological Reserve, approximately 5 miles east of the Project area.
Munz’s tidy-tips <i>(Layia munzii)</i>	CNPS 1B	Found in the San Joaquin Valley in alkali clay soils at elevations between 160 feet and 2625 feet in shadescale scrub, valley grassland, and riparian communities. Occurs predominantly in wetlands, but occasionally found in non-wetlands. Blooms March – April.	Absent. The disturbed habitats of the APE are unsuitable for this species. The only recent observation of this species was recorded in 2008 near Alkali Sink Ecological Reserve, approximately 5 miles east of the Project.
Palmate-bracted bird’s beak <i>(Chloropyron palmatum)</i>	FE, CE, CNPS 1B	Found in the San Joaquin Valley and Sacramento Valley in alkaline soils (usually Pescadero silty clay) in chenopod scrub, valley and foothill grassland at elevations below 500 feet. Blooms June – August.	Absent. The disturbed habitats of the APE are unsuitable for this species. The only recent observation of this species was recorded in 2017 in Alkali Sink Ecological Reserve, approximately 5 miles east of the Project.
Panoche pepper-grass <i>(Lepidium jaredii ssp. album)</i>	CNPS 1B	Found on steep slopes, washes, alluvial-fans, and clay, sometimes alkaline, within Valley and Foothill Grassland communities in western Fresno County at elevations between 600 feet and 2400 feet. Blooms February – June.	Absent. Suitable habitat required by this species is absent from the APE and surrounding lands. The Project area is also outside of the elevational range of this species. The only recorded observation of this species in the vicinity has been reportedly extirpated by gravel extraction activities.
Recurved larkspur <i>(Delphinium recurvatum)</i>	CNPS 1B	Found in the San Joaquin Valley and other parts of California. Occurs in poorly drained, fine, alkaline soils in grassland at elevations between 100 feet and 1965 feet. Most often found	Absent. The disturbed habitats of the proposed APE are unsuitable for this species. The nearest observation of this species corresponds to a historic (1903) collection mapped to the general area

Species	Status	Habitat	Occurrence on Project Site
		in non-wetlands, but occasionally found in wetlands. Blooms March – June.	northeast of Mendota, exact location unknown.
San Joaquin woollythreads <i>(Monolopia congdonii)</i>	FE, CNPS 1B	Occurs in the San Joaquin Valley in sandy soils in shadescale shrub and grasslands at elevations between 300 feet and 2300 feet. Found primarily in non-wetlands, but occasionally found in wetlands. Blooms February – May.	Absent. The disturbed habitats of the proposed APE are unsuitable for this species. The nearest observation of this species corresponds to a historic (1935) collection approximately 5 miles south of the site. The status of this observation has been updated to “possibly extirpated” due to conversion of native habitat to irrigated agriculture.
Sanford’s arrowhead <i>(Sagittaria sanfordii)</i>	CNPS 1B	Found in the San Joaquin Valley and other parts of California in freshwater-marsh, primarily ponds and ditches, at elevations below 1000 feet. Blooms May – October.	Absent. Habitats required by this species are absent from the APE. The nearest observation of this species corresponds to a historic (1948) collection 1.5 miles northeast of the site in the vicinity of Mendota pool. This site was surveyed in 1980 and no observations of this species were made.
Subtle orache <i>(Atriplex subtilis)</i>	CNPS 1B	Found in the San Joaquin Valley in saline depressions at elevations below 230 feet. Blooms June – October.	Absent. The disturbed habitats of the proposed APE are unsuitable for this species. The nearest observation was recorded in 2009, 9.5 miles northeast of the site.

EXPLANATION OF OCCURRENCE DESIGNATIONS AND STATUS CODES

Present: Species observed on the site at time of field surveys or during recent past.
Likely: Species not observed on the site, but it may reasonably be expected to occur there on a regular basis.
Possible: Species not observed on the site, but it could occur there from time to time.
Unlikely: Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient.
Absent: Species not observed on the site, and precluded from occurring there due to absence of suitable habitat.

STATUS CODES

FE	Federally Endangered	CE	California Endangered
FT	Federally Threatened	CT	California Threatened
FPE	Federally Endangered (Proposed)	CCT	California Threatened (Candidate)
FPT	Federally Threatened (Proposed)	CFP	California Fully Protected
FC	Federal Candidate	CSC	California Species of Special Concern
		CWL	California Watch List
		CCE	California Endangered (Candidate)
		CR	California Rare

CNPS LISTING

1A	Plants Presumed Extinct in California.	2	Plants Rare, Threatened, or Endangered in California, but more common elsewhere.
1B	Plants Rare, Threatened, or Endangered in California and elsewhere.		

3.5.4 Impact Assessment

- a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less than Significant Impact. The Project site is a previously developed parcel within a residential neighborhood, containing one single family residence with two other buildings existing on the site. The site is located in a substantially urbanized area that is accustomed to relatively high levels of vehicular and pedestrian traffic. The landscaped areas of the subject parcel contain some shrubs, as well as a tree within the front yard of the property. While species could use these vegetative areas for habitat, this is a highly disturbed area within the City of Mendota, making it unlikely. As a result, impacts would be less than significant.

- b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

- c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. The Project site does not contain aquatic features. Implementation of the Project should have no impact on jurisdictional waters, wetlands, navigable waters, wild and scenic rivers, or other water features, and riparian habitat. Furthermore, the Project would not impact any bodies of water and would not require compliance with the Fish and Wildlife Coordination Act. Therefore, there would be no impact.

- d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact. The Project area does not contain features that would be likely to function as a wildlife movement corridor. Furthermore, the Project is located in an urbanized area which experiences high volumes of vehicle and pedestrian traffic which would discourage dispersal and migration. Therefore, implementation of the Project would have no impact on wildlife movement corridors, and any impacts would be less than significant.

- e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The Project would not conflict with any applicable local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, there would be no impact.

- f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The Project site is not within a designated Habitat Conservation Plan, Natural Conservation Plan, or any other State or local habitat conservation plan. The Project would not conflict with any other applicable plan or policy regulating conservation within the area. Therefore, there would be no impact.

3.6 Cultural Resources

Table 3-10. Cultural Resources Impacts

Cultural Resources				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.6.1 Environmental Setting

The Project is located in Fresno County within the San Joaquin Valley, which is an archaeologically and historically rich area. The Project site is located in an urbanized setting on land that has been previously developed. Previous development on the Project site and the surrounding land have already caused land disturbing activities related to construction in the past.

3.6.2 Impact Assessment

- a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less than Significant Impact. The Project is located in a previously disturbed environment due to the existing development that is located onsite. The Project site currently has multiple structures located on it. Due to the Project site having been previously disturbed, it is unlikely that the Project would cause a substantial adverse change in the significance of a historical or archaeological resource.

In accordance with Public Resources Code Section 21080.3.1 (Assembly Bill 52) and /or Government Code Section 65352.3 (Senate Bill 18), on August 11, 2021, the following tribes were notified of the Project:

1. *Big Sandy Rancheria of Western Mono Indians, Elizabeth D. Kipp, Chairperson*
2. *Chicken Ranch Rancheira of Me-Wuk Indians, Lloyd Mathiesen, Chairperson*
3. *Cold Springs Rancheria, Carol Bill, Chairperson*
4. *Dumna Wo-Wah Tribal Government, Robert Ledger Sr., Chairperson*
5. *Dunlap Band of Mono Indians, Benjamin Charley Jr., Tribal Chair*
6. *Dunlap Band of Mono Indians, Dick Charley, Tribal Secretary*
7. *Kings River Choinummi Farm Tribe, Stan Alec*
8. *Nashville Enterprise Miwok-Maidu-Nishinam Tribe, Cosme A. Valdez, Chairperson*
9. *North Fork Mono Tribe, Ron Goode, Chairperson*
10. *North Valley Yokuts Tribe, Katherine Erolinda Perez, Chairperson*

-
11. *North Valley Yokuts Tribe, Timothy Perez, MLD Contact*
 12. *Picayune Rancheria of Chuckchansi Indians, Claudia Gonzales, Chairwoman*
 13. *Santa Rosa Rancheria Tachi Yokut Tribe, Leo Sisco, Chairperson*
 14. *Table Mountain Rancheria, Leanne Walker-Grant, Chairperson*
 15. *Table Mountain Rancheria, Bob Pennell, Cultural Resources Director*
 16. *Traditional Choinumni Tribe, David Alvarez, Chairperson*
 17. *Traditional Choinumni Tribe, Rick Osborne, Cultural Resources*
 18. *Tule River Indian Tribe, Neil Peyron, Chairperson*
 19. *Wuksache Indian Tribe/Eshom Valley Band, Kenneth Woodrow, Chairperson*
 20. *Xolon-Salinan Tribe, Karen White, Chairperson*

No written responses were received. In the unlikely event that an archaeological resource is uncovered during the construction of this Project, all construction activities would cease, and a qualified archaeologist would be contacted to assess the uncovered resource. The Project would follow all of the applicable federal, State, and local requirements set for archaeological resource recovery. Any impacts would be considered less than significant.

c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant Impact. Impact. Although no formal cemeteries or other places of human internment are anticipated to exist on the Project site due to its existing disturbed status, in accordance with Health and Safety Code Section 7050.5 and Public Resource Code Section 5097.98, if human remains are uncovered, construction activities would cease, and the Fresno County Coroner would be contacted. The Project would adhere to all applicable federal, State, and local requirements regarding the discovery of human remains due to Project activities. Any impacts would be considered less than significant.

3.7 Energy

Table 3-11. Energy Impacts

Energy				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.7.1 Environmental Setting

Pacific Gas and Electric (PG&E) supplies electricity and natural gas to the Project area. PG&E obtains its power through hydroelectric, thermal (natural gas), wind, and solar generation or purchases. PG&E continually produces new electric generation and natural gas sources and implements continuous improvements to gas lines throughout its service areas to ensure the provision of services to residents. New construction would be subject to Titles 20 and 24 of the California Code of Regulations which each serve to reduce demand for electrical energy by implementing energy-efficient standards for residential, as well as non-residential buildings.

3.7.2 Impact Assessment

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less than Significant Impact. As discussed in **Section 3.4**, the Project would not exceed any air emission thresholds during construction or operation. The Project would be required to comply with Building Energy Efficiency of the California Building Code (Title 24); therefore, the Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation. Any potential impacts would be considered less than significant.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact. The Project would comply with state and local requirements regarding renewable energy and energy efficiency. There would be no impact.

3.8 Geology and Soils

Table 3-12. Geology and Soils Impacts

Geology and Soils				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.8.1 Environmental Setting

3.8.1.1 Geology and Soils

The Project is located in the City of Mendota in northwestern Fresno County, in the central section of California’s Great Valley Geomorphic Province, or Central Valley. The Sacramento Valley makes up the northern third and the San Joaquin Valley makes up the southern two-thirds of the geomorphic province. Both valleys are watered by large rivers flowing west from the Sierra Nevada Range, with smaller tributaries flowing

east from the Coast Ranges. Most of the surface of the Great Valley is covered by Quaternary (present day to 1.6 million years ago) alluvium. The sedimentary formations are steeply upturned along the western margin due to the uplifted Sierra Nevada Range.⁵ From the time the Valley first began to form, sediments derived from erosion of igneous and metamorphic rocks and consolidated marine sediments in the surrounding mountains have been transported into the Valley by streams.

3.8.1.2 Faults and Seismicity

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone and no known faults cut through the local soil at the site. The nearest named fault is the O'Neill fault located approximately 20 miles to the west.

3.8.1.3 Liquefaction

The potential for liquefaction, which is the loss of soil strength due to seismic forces, is dependent on soil types and density, depth to groundwater, and the duration and intensity of ground shaking. Although no specific liquefaction hazard areas have been identified in the county, this potential is recognized throughout the San Joaquin Valley where unconsolidated sediments and a high-water table coincide. According to the United States Department of Agriculture - Natural Resources Conservation Service soil survey in Fresno County, liquefaction risk in the Project area is low.

3.8.1.4 Soil Subsidence

Subsidence occurs when a large land area settles due to over-saturation or extensive withdrawal of ground water, oil, or natural gas. These areas are typically composed of open-textured soils that become saturated. These areas are high in silt or clay content. The Project site is comprised of calfax clay loam (0–1% slopes). It is moderately well drained with a low risk of subsidence. According to the United States Geological Survey, the Project site is located within an area that has experienced subsidence as a result of groundwater pumping. The California Central Valley relies upon groundwater pumping in order to supply enough water for its cities and the millions of acres of agricultural land that require irrigation water. A reliance on groundwater pumping has put the underlying aquifer and water table in overdraft. The continual practice of groundwater pumping within the Valley has resulted on the gradual sinking of the water table as water demand rises.

3.8.1.5 Dam and Levee Failure

There are no dams or levees within the vicinity of the Project that would cause inundation of the site during failure of a dam or levee. In addition, the Project site lies approximately 2,760 feet north of the nearest flood zone (see **Figure 3-2**).

3.8.2 Impact Assessment

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

a-i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

a-ii) Strong seismic ground shaking?

Less than Significant Impact. There are no known faults near the Project area. The Project site is subject to relatively low seismic hazards compared to many other parts of California. Potential ground shaking produced by earthquakes generated on regional faults lying outside the immediate vicinity in the Project area may occur. Due to the distance of the known faults in the region, no significant ground shaking is anticipated on this site.

⁵ Harden, D.R. 1998, California Geology, Prentice Hall, 479 pages

Seismic hazards on the built environment are addressed in The Uniform Building Code that is utilized by the City of Mendota Building Division to monitor safe construction within the City limits. Impacts would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. Liquefaction is a process which involves the temporary transformation of soil from a solid state to a fluid form during intense and prolonged groundshaking. Water-saturated areas with shallow depth to groundwater and uniform sands, loose-to-medium in density, are prone to liquefaction. No subsidence-prone soils, oil or gas production or overdraft exists at the Project site. Furthermore, soil conditions on the site are not prone to soil instability due to its low shrink-swell behavior. The impact would be less than significant.

a-iv) Landslides?

No Impact. As the Project is located on the Valley floor, no major geologic landforms exist on or near the site that could result in a landslide event. The potential landslide impact at this location is minimal as the site is approximately 18 miles from the foothills to the west and the local topography is essentially flat and level. There would be no impact.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact. The Project site would be entirely covered with a combination of hardscape features and landscaping (turf, trees, etc.). It would be graded for positive drainage, and there is little likelihood of erosion or loss of topsoil. Construction would utilize Best Management Practice's detailed in the California Storm Water Best Management Practice Handbook for Construction Activity.⁶ Since the Project site has relatively flat terrain with a low potential for soil erosion the impact would be less than significant.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Would the project be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial direct or indirect risks to life or property?

c and d) Less than Significant Impact. Soils onsite consist of Calflax clay loam, saline-sodic, wet 0 to 1 percent slopes. The Project site and surrounding areas do not contain substantial grade changes. Risk of landslides, lateral spreading, subsidence, liquefaction, and collapse are minimal. The Project does not propose significant alteration of the topography of the site and is not located on expansive soil. Furthermore, the Project would be consistent with the California Building Standards Code. Any impacts would be less than significant.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. No septic system is proposed. The Project would connect to the City's wastewater conveyance system. There would be no impact.

⁶ (California Stormwater Quality Association, 2003) Accessed 28 September 2021.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant Impact. No known paleontological resources have been identified at the Project site. In the unlikely event that a unique paleontological resource or geologic feature is uncovered during construction activities, construction would cease, and a qualified paleontologist or geologist would be contacted to assess the discovery. The Project would adhere to all applicable federal, State, and local requirements regarding paleontological and geologic resource discovery. Any impacts would be considered less than significant.



Figure 3-2. Flood Zones

3.9 Greenhouse Gas Emissions

Table 3-13. Greenhouse Gas Emissions Impacts

Greenhouse Gas Emissions				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.9.1 Environmental Setting

The Earth’s climate has been warming for the past century. It is believed that this warming trend is related to the release of certain gases into the atmosphere. Greenhouse gases (GHG) absorb infrared energy that would otherwise escape from the Earth. As the infrared energy is absorbed, the air surrounding the Earth is heated. An overall warming trend has been recorded since the late 19th century, with the most rapid warming occurring over the past two decades. The 10 warmest years of the last century all occurred within the last 15 years. It appears that the decade of the 1990s was the warmest in human history (National Oceanic and Atmospheric Administration, 2010). Human activities have been attributed to an increase in the atmospheric abundance of greenhouse gases. The following is a brief description of the most commonly recognized GHGs.

3.9.1.1 Greenhouse Gases

Commonly identified GHG emissions and sources include the following:

Carbon dioxide (CO₂) is an odorless, colorless natural greenhouse gas. CO₂ is emitted from natural and anthropogenic sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic out gassing. Anthropogenic sources include the burning of coal, oil, natural gas, and wood.

Methane (CH₄) is a flammable greenhouse gas. A natural source of methane is the anaerobic decay of organic matter. Geological deposits, known as natural gas fields, also contain methane, which is extracted for fuel. Other sources are from landfills, fermentation of manure, and ruminants such as cattle.

Nitrous oxide (N₂O), also known as laughing gas, is a colorless greenhouse gas. Nitrous oxide is produced by microbial processes in soil and water, including those reactions that occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load.

Water vapor is the most abundant, and variable greenhouse gas. It is not considered a pollutant; in the atmosphere, it maintains a climate necessary for life.

Ozone (O₃) is known as a photochemical pollutant and is a greenhouse gas; however, unlike other greenhouse gases, ozone in the troposphere is relatively short-lived and, therefore, is not global in nature. Ozone is not emitted directly into the atmosphere but is formed by a complex series of chemical reactions between volatile organic compounds, nitrogen oxides, and sunlight.

Aerosols are suspensions of particulate matter in a gas emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light.

Chlorofluorocarbons (CFCs) are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were first synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. CFCs destroy stratospheric ozone; therefore, their production was stopped as required by the Montreal Protocol in 1987.

Hydrofluorocarbons (HFCs) are synthetic chemicals that are used as a substitute for CFCs. Of all the greenhouse gases, HFCs are one of three groups (the other two are perfluorocarbons and sulfur hexafluoride) with the highest global warming potential. HFCs are human-made for applications such as air conditioners and refrigerants.

Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere; therefore, PFCs have long atmospheric lifetimes, between 10,000 and 50,000 years. The two main sources of PFCs are primary aluminum production and semiconductor manufacture.

Sulfur hexafluoride (SF₆) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It has the highest global warming potential of any gas evaluated. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

3.9.1.2 Effects of Climate Change

There are uncertainties as to exactly what the climate changes will be in various local areas of the earth, and what the effects of clouds will be in determining the rate at which the mean temperature will increase. There are also uncertainties associated with the magnitude and timing of other consequences of a warmer planet: sea level rise, spread of certain diseases out of their usual geographic range, the effect on agricultural production, water supply, sustainability of ecosystems, increased strength and frequency of storms, extreme heat events, air pollution episodes, and the consequence of these effects on the economy.

Emissions of GHGs contributing to global climate change are largely attributable to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. About three-quarters of human emissions of CO₂ to the global atmosphere during the past 20 years are due to fossil fuel burning. Atmospheric concentrations of CO₂, CH₄, and N₂O have increased 31 percent, 151 percent, and 17 percent respectively since the year 1750 (California Energy Commission 2008). GHG emissions are typically expressed in carbon dioxide-equivalents (CO₂e), based on the GHG's Global Warming Potential (GWP). The GWP is dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. For example, one ton of CH₄ has the same contribution to the greenhouse effect as approximately 21 tons of CO₂. Therefore, CH₄ is a much more potent GHG than CO₂.

An individual project cannot generate enough GHG emissions to cause a discernible change in global climate. However, the Project would participate in the potential for global climate change by its incremental contribution of GHGs. When combined with the cumulative increase of all other sources of GHGs the Project's incremental contributions constitute potential influences on global climate change.

The reference gas for global warming potential is carbon dioxide (CO₂). To describe how much global warming a given type of GHG may cause, the carbon dioxide equivalent (CO₂e) is used and quantified in metric tons (MTCO₂e). A carbon dioxide equivalent is the mass emissions of an individual GHG, multiplied by its global warming potential.

3.9.1.3 Short-Term Construction-Generated Emissions

Methodology assumed the Project construction would start in 2022 with full buildout completed in 2023. The Project was assumed to be completed in a single phase. The CalEEMod default schedule for building construction was used. Total GHG emissions generated during construction are presented in **Table 3-14** and **Table 3-15** below:

Table 3-14. Construction Greenhouse Gas Emissions

Construction Greenhouse Gas Emissions	
Year	Annual Emissions (MTCO ₂ e)
Total	70.4977
Amortized over 30 years	2.3500
<i>Notes:</i> MTCO ₂ e = metric tons of carbon dioxide equivalents Source: CalEEMod output (Appendix A).	

3.9.1.4 Long-Term Operational Emissions

Operational or long-term emissions occur over the life of the Project. Sources of emissions may include motor vehicles, energy usage, water usage, waste generation, and area sources, such as landscaping activities and residential wood burning. First occupancy of the Project was assumed to occur in 2023. The Project's operational emissions are listed in **Table 3-14**.

Table 3-15. Operational Greenhouse Gas Emissions 2021

Operational Greenhouse Gas Emissions		
Source	Emissions (MTCO ₂ e per Year)	
	BAU (Business as Usual)	2022 ⁷
Project	202.6131	139.1002
Amortized Emissions	2.6908	2.3500
Total	205.3039	141.4502
Reduction from BAU	63.8537	
Percent Reduction	31%	
Reduction Goal (Threshold)	29%	
Are Emissions Significant?	No	
<i>Notes:</i> MTCO ₂ e = metric tons of carbon dioxide equivalents The project achieves the SJV-APCD 29 percent reduction from BAU threshold and the 21.7 percent required to show consistency with AB 32 targets. No new target has been set for 2030. b. Source: CalEEMod output (Appendix A).		

3.9.2 Impact Assessment

3.9.2.1 Thresholds of Significance

A project would be considered to have a significant impact to climate change if it would:

⁷ With regulation and Project Design Features.

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or,
- b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

In accordance with SJVAPCD's *CEQA Greenhouse Gas Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects*⁸, proposed projects complying with Best Performance Standards (BPS) would be determined to have a less-than-significant impact. Projects not complying with BPS would be considered less than significant if operational GHG emissions would be reduced or mitigated by a minimum of 29 percent, in comparison to BAU (year 2004) conditions. In addition, project-generated emissions complying with an approved plan or mitigation program would also be determined to have a less-than-significant impact.

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact. The Scoping Plan implemented to enact the requirements of the CARB's California Global Warming Solutions Act (Assembly Bill 32) (hereafter referenced as Scoping Plan), called for reductions from BAU in excess of 29 percent in 2020. The Project's year 2022 emissions, that include reductions gained from both regulation and Project design features are quantified in **Table 3-14**, and summarized in **Table 3-15** for the Project. The Project generated emissions would be approximately 141 MTCO_{2e} for year 2022, an approximately 31% reduction from BAU.

Using the quantification method, the SJVAPCD, *Guidance for Valley Land Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* states that projects determined to have reduced or mitigated GHG emissions by 29%, consistent with targets established in the Scoping Plan would be considered to have a less than significant impact.⁹As such, the Project, which represents reductions of 31% for the Project as a whole, would have less than significant impacts.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact. In accordance with SJVAPCD's recommended guidance, project-generated GHG emissions would be considered less than significant if: (1) the Project complies with applicable BPS; (2) operational GHG emissions would be reduced or mitigated by a minimum of 29 percent in comparison to BAU (year 2004) conditions; or (3) project-generated emissions would comply with an approved plan or mitigation program.

As discussed in Impact Assessment a) and illustrated in **Table 3-14** and **Table 3-15** above, the Project complies with the reduction of operational GHG emissions by a minimum of 29 percent in comparison to BAU (year 2004) conditions. Implementation of the proposed Project is not anticipated to conflict with any applicable plan, policy or regulation for reducing the emissions of GHGs, nor would the Project have a significant impact on the environment. The impact would be considered less than significant.

⁸ (San Joaquin Valley Air Pollution Control District, 2009)

⁹ (San Joaquin Valley Air Pollution Control District, 2009)

3.10 Hazards and Hazardous Materials

Table 3-16. Hazards and Hazardous Materials Impacts

Hazards and Hazardous Materials				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.10.1 Environmental Setting

3.10.1.1 Hazardous Materials

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. DTSC's EnviroStor database provides DTSC's component of Cortese List data (DTSC, 2010). In addition to the EnviroStor database, the State Water Resources Control Board (SWRCB) Geotracker database provides information on regulated hazardous waste facilities in California, including underground storage tank (UST) cases and non-UST cleanup programs, including Spills-Leaks-Investigations-Cleanups sites, Department of Defense sites, and Land Disposal program. A search of the DTSC EnviroStor database and the SWRCB

Geotracker performed on September 21, 2021 determined that there are no known active hazardous waste generators or hazardous material spill sites within the Project site or immediate surrounding vicinity. Implementation of the Project would not increase the risk hazards or hazardous materials affecting the community.

3.10.1.2 Airports

The Fresno Yosemite International Airport is located approximately 35 miles east and William Robert Johnston Municipal Airport is located approximately 0.25 miles east of the Project site.

3.10.1.3 Emergency Response Plan

The City of Mendota has prepared an Emergency Operations Plan (EOP) in 2006. The objective of the EOP is to incorporate and coordinate all the facilities and personnel of the City into an efficient organization capable of responding to any emergency.

3.10.1.4 Sensitive Receptors

To the north and the west are single-family residences each less than 100 feet from the Project site. The nearest school (Washington Elementary School) is located approximately 0.2 miles west of the Project. Both single family residences and schools are considered sensitive receptors.

3.10.2 Impact Assessment

- a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

a-c) Less than Significant Impact. The Project site is located approximately 0.25 miles northeast of Washington Elementary School). The Project would not produce or utilize and hazardous substances, nor would it result in the emission of any hazardous substances. There would be no handling of hazardous or acutely hazardous materials at the Project site

Construction of the Project may involve the use of hazardous materials associated with construction equipment, such as diesel fuel, lubricants, hydraulic oil, grease, adhesive, paints, solvents, other petroleum-based products. Any potential accidental hazardous materials spills during construction are the responsibility of the contractor to remediate in accordance with industry best management practices and State and county regulations (Fresno County Hazardous Waste Management Plan). Therefore, impacts would be less than significant.

- d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. The Project would not involve land that is listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control. A search of the DTSC EnviroStor database and the SWRCB Geotracker performed on September 21, 2021 determined that there are no known active hazardous waste generators or hazardous material spill sites within the Project site or immediate surrounding vicinity. There would be no impact.

e) Would the project for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less than Significant Impact. The Mendota Municipal Airport, also called the William Robert Johnston Municipal Airport, is located approximately 0.2 miles east of the Project site. The Project site is located within the Traffic Pattern Zone of the William Robert Johnston Municipal Airport. Residential uses are allowed within this safety zone. There would be no safety hazard as a result of the proximity to the airport. Impacts would be less than significant.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The Project includes the construction of a 15-unit apartment complex. Construction traffic associated with the Project would be temporary over a period of approximately six months. Operational traffic would consist residential traffic trips. Work may be completed within the Marie Street frontage, however, this would be temporary and cease upon completion of the Project. Disturbances to traffic patterns, such as a partial road closures and detours on Marie Street are not to be expected. Therefore, Project-related impacts to emergency evacuation routes or emergency response routes on local roadways would be less than significant.

g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?

No Impact. The nearest State Responsibility Area is located approximately 14.5 miles southwest of the Project site. The Project is located in an urbanized area, with residential uses to the north and agricultural land adjacent to the west and south. The agricultural land is disked regularly for fire prevention. There is no risk associated with wildland fires. There would be no impact.

3.11 Hydrology and Water Quality

Table 3-17. Hydrology and Water Quality Impacts

Hydrology and Water Quality				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.11.1 Environmental Setting

The Project is located within the lower San Joaquin Valley, part of the Great Valley of California. The Valley is bordered by the Sierra Nevada Mountain Ranges to the east, the Coast Ranges to the west, the Klamath Mountains and Cascade Range to the north, and the Transverse Ranges and Mojave Desert to the south. Like most of California, the San Joaquin Valley experiences a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer temperatures often reach above 90 degrees Fahrenheit, and the humidity is generally low. Winter temperatures are often below 60 degrees Fahrenheit during the day and rarely exceed 70 degrees. On average, the Central Valley receives an average of seven inches of precipitation in the form of rainfall yearly, most of which occurs between October and March.

3.11.2 Impact Assessment

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant Impact. The 15-unit apartment complex would be connected to the City's water and sewer systems. Surface runoff from the development would be accommodated by the stormwater drainage system in the City. Wastewater created by the apartment's residents would be accommodated by the City's sewer system. The Project would comply with required standards. The Project would not violate any water quality standards or waste discharge requirements or substantially degrade surface or ground water quality. Impacts would be less than significant.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin?

Less than Significant Impact. The water table and overall groundwater supply would not be substantially impacted. The City's wells produce approximately 3,100 gallons per minute or 4.5 million gallons per day (MGD). Peak summer water usage is approximately 2.8 MGD. The calculated annual water usage for the Project would be approximately 1,800 gallons per day (gpd). This would not substantially decrease groundwater supplies or interfere with groundwater recharge such that the Project would impede sustainable groundwater management of the basin. In addition, the City adopted the Groundwater Sustainability Plan (GSP) developed by San Joaquin River Exchange Contractors Water Authority, thereby participating in sustainable groundwater management of the area's underlying basin. Impacts would be less than significant.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

(i) result in substantial erosion or siltation on- or off-site;

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;

(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

(iv) impede or redirect flood flows?

c-i - c-iv) Less than Significant Impact. The Project site is an already developed lot with multiple structures. The Project would demolish the existing structures and replace them with a 15-unit multi-family development. Any changes to the Project site in terms of erosion, siltation, and drainage would be remain less than significant with the use of construction best management practices. Therefore impacts would be less than significant.

d) Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. As discussed earlier, the Project is not located in a flood hazard, tsunami, or seiche zone. There would be no impact.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact. The City of Mendota, and thus the Project, is located in the Delta-Mendota Subbasin. Nine Groundwater Sustainability Agencies adopted the GSP for the San Joaquin River Exchange Contractors GSP Group in the Delta-Mendota Subbasin in December 2021. This GSP is inclusive of the City of Mendota, helping to set standards for water conservancy within the City. The Project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. Therefore, there would be a less than significant impact.

3.12 Land Use and Planning

Table 3-18. Land Use and Planning Impacts

Land Use and Planning				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.12.1 Environmental Setting

The Project is located in the City of Mendota. The City of Mendota is within the northwestern portion of Fresno County. The Project site is located approximately 0.52 miles east of State Route 33 and approximately 850 feet northeast of State Route 180. The Project is located at 755 Marie Street which is located 200 feet southwest of the corner of 7th Street and Marie Street, approximately 0.21 miles northwest of the nearest entrance point of State Route 180. The Project site is surrounded by residential uses to the north and east, vacant land to the southeast, and a trucking yard to the south and southwest.

The Project is located on approximately 0.6 acres of land identified as Assessor’s Parcel Number 013-106-15. Currently, the Project site is zoned R-2 (Medium/High Density Residential District) by the City of Mendota (Figure 3-4). Furthermore, the Project is planned as Medium-High Density Residential by the Mendota General Plan (Figure 3-3).

3.12.2 Impact Assessment

a) Would the project physically divide an established community?

No Impact. The Project would result in the demolition of one single family residence in order to facilitate the construction of a new 15-unit apartment complex. Construction would occur on the previously developed parcel and would not physically divide the community. There would be no impact.

b) Would the project cause a significant environmental conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact. The Project would rezone the property from the R-2 (Medium-High Density Residential) zone district to the R-3 (High Density Zone District) and amend the General Plan by changing the land use designation for the Project site from Medium-High Density Residential to High Density Residential. The 15-unit apartment complex, with the rezone and General Plan Amendment, would be consistent with the City’s General Plan and the Zoning Ordinance. Impacts would be less than significant.

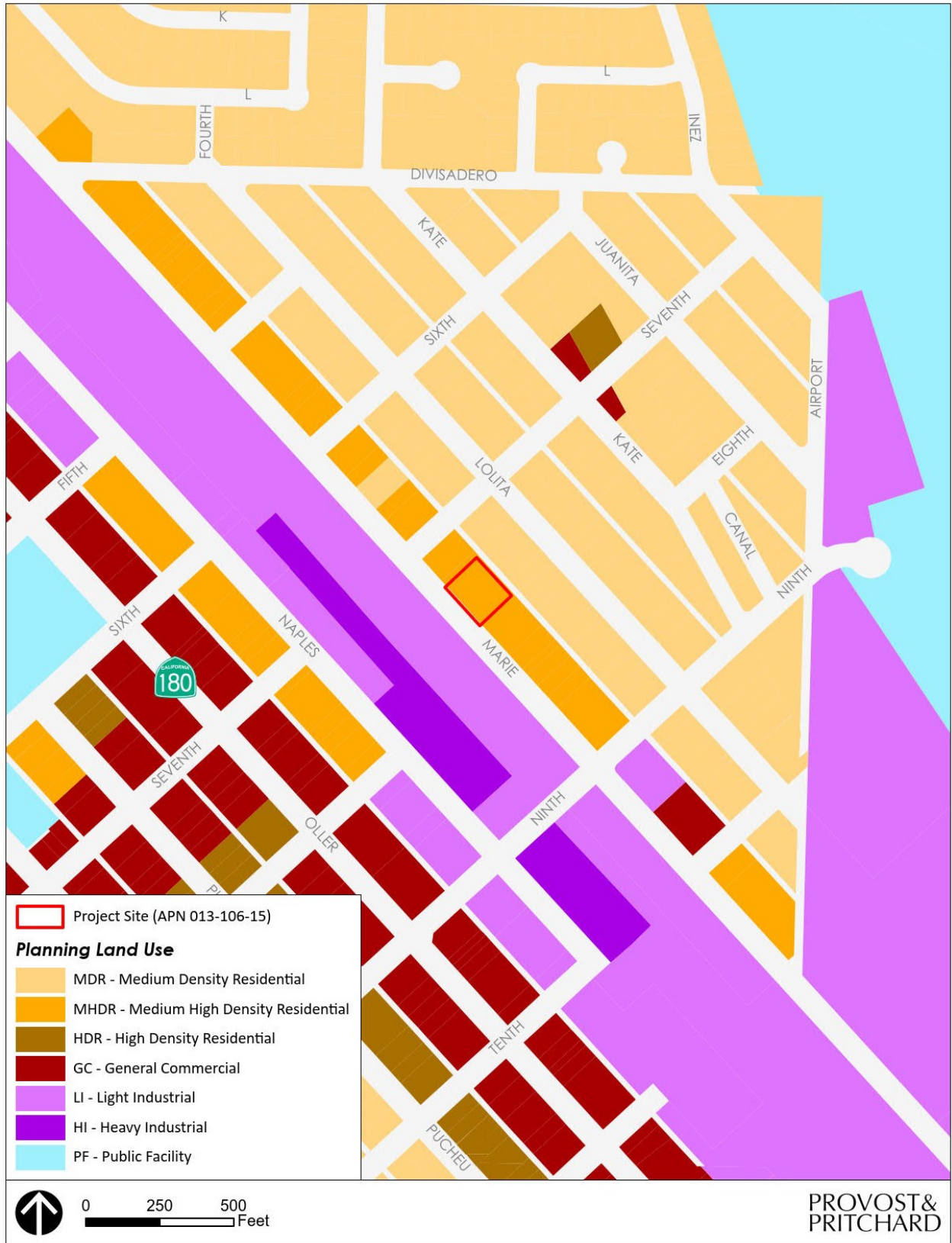


Figure 3-3. General Plan Land Use Designation Map

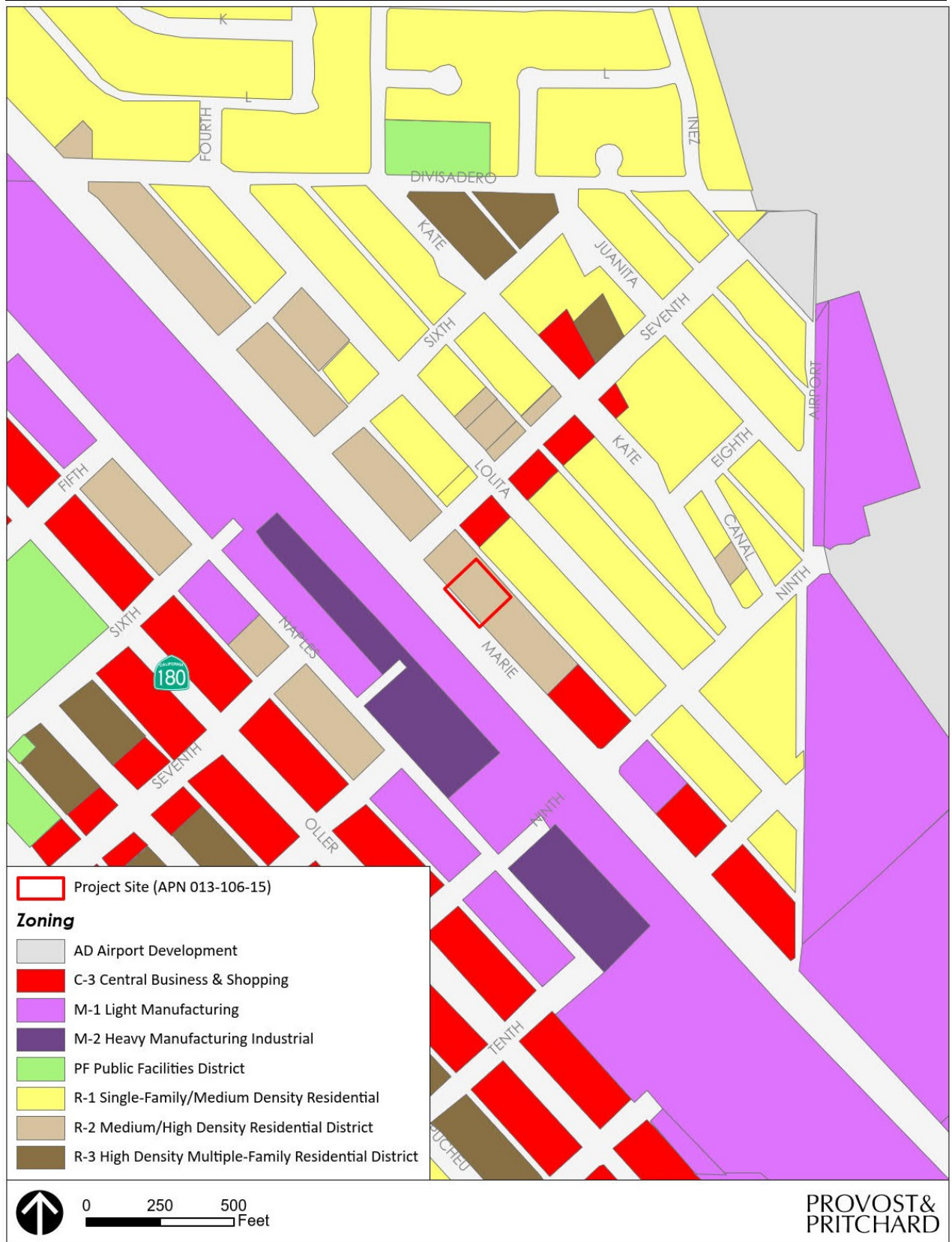


Figure 3-4. Zoning Map

3.13 Mineral Resources

Table 3-19. Mineral Resources Impacts

Mineral Resources				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.13.1 Environmental Setting

The Project is located in the City of Mendota within the northwestern portion of Fresno County. The area is a part of the southern section of California’s Great Valley Geomorphic Province, or Central Valley. Historically, Fresno County has been a leading producer of a variety of minerals including aggregate, fossil fuels, metals, and other materials used construction or in industrial processes. Currently, aggregate and petroleum are the County’s most significant mineral resources. The Coalinga area, in western Fresno County, has been a valuable region for mineral resources as a top producer of commercial asbestos and home to extensive oil recovery operations.

California Department of Conservation’s Division of Oil, Gas, and Geothermal Resources (DOGGR) maintains a database of oil wells in the Project area. According to the DOGGR Well Finder there are three plugged and abandoned wells within two miles of the Project site (Donco Co. #1, D.J. Pickrell #1, and Gamma Corp #1). There are no active wells within two miles of the Project site.

There are no known current or historic mineral resource extraction or recovery operations in the Project vicinity nor are there any known significant mineral resources onsite.

3.13.2 Impact Assessment

- a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

a and b) No Impact. The California Surface Mining and Reclamation Act of 1975 (SMARA) was intended to protect the State’s need for a continuing supply of mineral resources, while protecting public an environmental health. SMARA requires that all cities incorporate into their general plans mapped mineral resource designations approved by the State Mining and Geology Board. The State Geologist classifies land in California based on availability of mineral resources. Because available aggregate construction material is limited, five designations have been established for the classification of sand, gravel and crushed rock resources: Scientific Resource, Mineral Resource Zone 1, Mineral Resources Zone 2, and Mineral Resource Zone 3, and Mineral Resource Zone 4.

According to the Department of Conservation Special Report 158, *Mineral Land Classification: Aggregate Materials in the Fresno Production-Consumption Region Sanger Plate*, the Project is in an undefined area of Fresno County. However, there are no known mineral resources locations near the Project. Mineral Resource Zone 3 (MRZ-3) is an area where the significance of mineral deposits cannot be determined from the available data. There are no known sources of mineral resources extraction or recovery operations in the Project vicinity nor any known significant mineral resources onsite.¹⁰ Therefore, the Project could be classified in as MRZ-3. Implementation of the Project would not result in the loss of availability of a known mineral resource since no known mineral resources occur in this area. In addition, DOGGR has no record of active or inactive oil or gas wells or petroleum resources on the Project site or in the vicinity¹¹ and the Project area has not been designated as a locally important mineral resource recovery site by a general plan, specific plan, or land use plan. There would be no impact.

¹⁰ (Fresno County General Plan Policy Document, 2000) Accessed May 2021.

¹¹ (California Department of Conservation Well Finder, 2020) Accessed May 2021.

3.14 Noise

Table 3-20. Noise Impacts

Noise				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.14.1 Environmental Setting

There are a variety of sources that produce noise in Mendota including traffic, airport operations, and agricultural operations. Airport, traffic, and railroad noise are the dominant sources of ambient noise near the Project site. The William Robert Johnston Municipal Airport is the largest source of noise in the area due to the airport being approximately a quarter mile east of the Project site. The Southern Pacific Railroad, which runs parallel to Marie Street approximately 220 feet to the southwest of the property, is a large source of noise as well.

Table 3-21. Exterior Noise Level Performance Protection Standards

Exterior Noise Level Performance Protection Standards for Noise Sensitive Land Uses Affected by Non-Transportation Noise Sources			
Noise Level Descriptor	Daytime (7 a.m. to 7 p.m.)	Evening (p.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
Hourly – Average (Leq), dBA	55	50	45
Maximum (Lmax), dBA	70	60	55
The noise level specified above shall be lowered by 5 dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings). The City can impose noise level standards which are more or less restrictive than those specified above based upon determination of existing ambient noise levels. Fixed-noise sources which are typically of concern include, but are not limited to, the following: HVAC Systems, Cooling Towers/Evaporative Condensers, Pump Stations, Lift Stations, Emergency Generators, Boilers, Steam Valves, Steam Turbines, Generators, Fans / Blowers, Air Compressors, Heavy Equipment, Conveyro Systems, Transformers, Pile Drivers, Grinders, Drill Rigs, Gas or Diesel Motors, Welders, Cutting Equipment, Outdoor Speakers.			

Exterior Noise Level Performance Protection Standards for Noise Sensitive Land Uses Affected by Non-Transportation Noise Sources			
Noise Level Descriptor	Daytime (7 a.m. to 7 p.m.)	Evening (p.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
<p>The exterior noise level standard shall be applied at exterior activity areas. In areas where exterior activity areas are not clearly defined the noise level standard shall be applied at the property line of the receiving land use or at a distance of 100 feet from the residence, whichever location is nearest to the residence.. For multi-family dwellings, an onsite common open-space or recreation area maybe designated as the open space area in lieu of individual dwelling balcony or patio areas. If the ambient noise level exceeds the noise standards identified in the above categories, the maximum ambient noise level shall be the noise standard for that category.</p> <p>Note: For the purposes of the Noise Element, transportation noise sources are defined as traffic on public roadways, railroad line operations, and aircraft in flight. Control of noise from these sources is preempted by Federal and State regulations. Other noise sources are presumed to be subject to local regulations, such as a noise control ordinance. Non-transportation noise sources may include industrial operations, outdoor recreation facilities, HVAC units, loading docks, etc. a noise control ordinance. Non- transportation noise sources may include industrial operations, outdoor recreation facilities, HVAC units, loading docks, etc.</p>			

Table 3-22. Typical Construction Equipment Noise Levels

Typical Construction Equipment Noise Levels	
Equipment	Typical Noise Levels (dBa Lmax) 50 feet from Source
Backhoe	80
Compactor	82
Dozer	85
Grader	85
Truck	88
Air Compressor	81
Concrete Pump	82
Concrete Vibrator	76
Crane, Mobile	83
Generator	81
Impact Wrench	85
Jack Hammer	88
Paver	89
Pneumatic Tool	85
Pump	76
Roller	74

Typical Construction Equipment Noise Levels	
Equipment	Typical Noise Levels (dBa Lmax) 50 feet from Source
Saw	76

3.14.2 Impact Assessment

a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than Significant Impact. The Project would result in the construction of a 15-unit apartment complex. After completion of the Project expected noise levels would be similar to that of the adjacent neighborhoods. Any potential increase in noise level would not be significant or obtrusive. Temporary noise would occur during construction and cease upon completion of the Project. Noise levels generated by the equipment would range from 76 to 88 dBA (decibel) at a distance of 50 feet from the noise source; at 100 feet, the noise levels would range from 70 to 82 dBA. The City of Mendota does not have a comprehensive noise ordinance. The City’s nuisance ordinance only places limitations on the time of day during which excessive noise may be produced. Due to the nature of construction noise and the proximity of the site to existing residential areas, hours of construction shall be limited to 7:00 AM to 7:00 PM on weekdays, and 8:00 AM to 6:00 PM on Saturdays. Therefore, impacts would be less than significant.

b) Would the project result in generation of excessive ground borne vibration or ground borne noise levels?

Less than Significant Impact. Construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. Construction activities can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures, and soil type. The generation of vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight damage at the highest levels. Given the type of construction, it is not anticipated the Project would generate excessive ground-borne vibration or ground-borne noise levels. In addition, vibration levels subside with increased distance from the source, diminishing the effect the Project would have. Impacts would be less than significant.

c) For a project located within the vicinity of a private air strip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less than Significant Impact. The Mendota Municipal Airport, also called the William Robert Johnston Municipal Airport, is located approximately 0.25 miles east of the Project. The Project site is located within the Traffic Pattern Zone of the William Robert Johnston Municipal Airport. Residential uses are allowed within this safety zone. Impacts would be less than significant.

3.15 Population and Housing

Table 3-23. Population and Housing Impacts

Population and Housing				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.15.1 Environmental Setting

According to the United States Census Bureau, the City of Mendota's population was estimated to be 12,595 in 2020, with approximately 4.29 persons per household in the City.¹²

3.15.2 Impact Assessment

a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less than Significant Impact. The Project proposes to change the land use designation and zoning for the property from Medium-High Density to High Density Residential. According to the General Plan, Medium-High Density Residential allows for a density of 6.1 to 11.0 dwelling units per acre, whereas High Density Residential allows for a density of 11.1 to 25 dwelling units per acre. The City of Mendota 2025 General Plan estimated a population of 22,434 residents by 2025. With a current population of approximately 12,448 an annual growth rate of 0.2 percent, the completion of the Project would not substantially induce unplanned population growth. Impacts would be less than significant.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Less than Significant Impact. The Project site currently houses a mobile home, detached garage, and a metal carport, but they are anticipated to be demolished prior to the construction of the Project. The property was sold to the current owner and the previous owner vacated the property voluntarily, therefore, the Project would not result in the displacement of people. The Project site would continue to be utilized for residential uses with the construction of a 15-unit apartment complex. Impacts would be less than significant.

¹² <https://www.census.gov/quickfacts/mendolacitycalifornia> United States Census Bureau. Accessed April 25, 2022..

3.16 Public Services

Table 3-24. Public Services Impacts

Public Services				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.16.1 Environmental Setting

Fire Protection: The closest fire station is Fresno County Fire District, Station 96, Mendota located approximately 0.6 miles northwest of the Project.

Police Protection: The closest law enforcement is the Mendota Police Department located approximately 0.2 miles east of the Project. The next closest law enforcement is the Fresno County Sheriff's Office, San Joaquin Station, located approximately 17 miles southeast of the Project site.

Schools: The closest school to the Project is the Washington Elementary School located approximately 0.2 miles west of the Project site.

Parks: Mendota has three City parks. The closest park is the Veteran's Park located approximately 0.25 miles north of the Project site. Rojas-Pierce Park approximately 0.66 miles west of the Project. Lozano-Lindgren Park is located approximately 0.75 miles northwest of the Project.

Landfills: The closest landfill to the Project site is the American Avenue located approximately 14 miles southeast.

3.16.2 Impact Assessment

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Less than Significant Impact. The Project would utilize existing services provided by the County of Fresno and City of Mendota. Impacts would be less than significant.

Fire Protection – The City of Mendota is served by the Fresno County Fire Protection District (FCFPD). The Project site would be served by Station 96, located approximately 0.6 miles north on McCabe Street. The Project would be required to comply with the requirements of the FCFPD regarding access, water mains, fire flow, hydrants, and review of engineering plans. Standard fire suppression conditions are incorporated as part of the Project. Increased demands for fire service are funded almost entirely through property taxes. Therefore, impacts to fire protection services are considered less than significant.

Police Protection – The Project site would be served by local police located in the City of Mendota. The Project is not expected to result in a significant impact to police protection. Therefore, impacts to police protection would be less than significant.

Schools – The Project would generate approximately 18 students, distributed as follows:

Table 3-25. Project Student Generation

Project Student Generation			
Grades	Students/ Dwelling Unit ¹³	Subdivisions Proposed	
		Dwelling Units	Students
K-6	0.5	15	7.5
7-8	0.5	15	7.5
9-12	0.2	15	3

The Project site is within the Mendota Unified School District , located approximately 0.5 miles from Mendota Community High School and 0.2 miles from Washington Elementary School. The Project would not substantially impact schools by generating a substantial number of students; therefore, impacts would be less than significant

Parks and other public facilities – The Project site is located within the City of Mendota Department of Parks and Recreation service area. The nearest park is the Veteran’s Park located approximately 0.25 miles north of the Project site. The Rojas-Pierce Park is located approximately 0.66 miles west of the Project and the Lozano-Lindgren Park is located approximately 0.75 miles northwest. The potential addition of population that could be generated from the Project would not be substantial and Mendota has adequate park and public facilities for the potential minor population increase. Therefore, impacts would be less than significant to parks and recreation.

¹³ California Department of Education 2019 student generation rates.

3.17 Recreation

Table 3-26. Recreation Impacts

Recreation				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.17.1 Environmental Setting

The Mendota General Plan calculated the amount of park and recreational land based upon the combined total of developed park acreage plus 50 percent of the amount of school sites that have adjoining sports fields. The City currently has 23 acres of existing park and recreational land. City parks include: Veteran’s Park, Lozano-Lindgren Park, Rojas-Pierce Park, and the Mendota Pool Park. A buffer along the Fresno Slough provides additional open space. Existing recreational opportunities in Mendota range from traditional active sports such as softball and soccer to passive recreation such as nature observation and simply spending time outdoors. Residents also utilize these parks for activities including picnicking, walking and bicycling, and playground activities.

3.17.2 Impact Assessment

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less than Significant Impact. The Project would be subject to all rules and regulations outlined for new development through the City of Mendota Municipal Code, including compliance with the Park Impact Fee program. As a result, any increase in the use of existing neighborhood or regional parks or other recreational facilities due to the development of the Project would be lessened through compliance. The Project neither includes nor requires the construction of recreation facilities. As such, any impact would be less than significant.

3.18 Transportation

Table 3-27. Transportation Impacts

Transportation				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.18.1 Environmental Setting

The City of Mendota is a small rural community in western Fresno County. The City is located west of Fresno and east of Interstate 5. SR 180/Oller Street runs east-west and is approximately 850 feet southwest of the Project. SR 33/Derrick Avenue runs north-south and is approximately 2,700 feet west of the Project. Both of these routes provide a transportation corridor for residents of Mendota and farmers in the area.

3.18.2 Impact Assessment

a) Would the project conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less than Significant Impact. The Project would be conditioned to make improvements to pedestrian facilities and potentially to drive approaches within the Marie Street frontage. Any improvements to the street frontage and pedestrian facilities would be approved by the City Engineer. The Project would not require any off-site improvements that would conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, impacts would be less than significant.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3. Subdivision (b)?

Less than Significant Impact. The Project is located within the city limits in an urbanized environment. While the Project would result in the increase of Vehicle Miles Traveled (VMT), Fresno COG's VMT Calculator Tool indicates that the Project would result in a per-capita VMT of 7.4 vs. a County per-capita VMT of 16.1. Such a difference falls well beneath the 13% reduction set by the Fresno Council of Governments VMT Analysis Guide.¹⁴ The Project would be consistent with CEQA Guidelines section 15064.3 subdivision (b). Impacts would be less than significant.

¹⁴ Fresno Council of Governments. Welcome to Fresno COG's VMT analysis guide. <https://www.fresnocog.org/project/vmt-analysis/>. Accessed April 25, 2022.

c) Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The Project site does not propose any sharp curves or dangerous intersections, nor does it propose any incompatible uses. The Project site is fronting Marie Street at a location that does not have an intersection. The closest intersection is approximately 900 feet northwest of the Project site at 9th Street. Any improvements associated with the Project would be approved by the City Engineer. There would be no impact.

d) Would the project result in inadequate emergency access?

Less than Significant Impact. The Project would not result in any inadequate emergency access due to work completed within the Marie Street roadway. Any construction that would impact traffic circulation would utilize a partial lane split road closure. Any work completed within the Marie Street frontage would be approved by the City Engineer. Therefore, impacts would be less than significant.

3.19 Tribal Cultural Resources

Table 3-28. Tribal Cultural Resources Impacts

Tribal Cultural Resources				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.19.1 Environmental Setting

Penutian-speaking Yokuts tribal groups occupied the southern San Joaquin Valley region and much of the nearby Sierra Nevada mountains. For a variety of historical reasons, existing research information emphasizes the central Yokuts tribes who occupied both the valley and particularly the foothills of the Sierra Nevada mountains.

Although population estimates vary and population size was greatly affected by the introduction of Euro-American diseases and social disruption, the Yokuts were one of the largest, most successful groups in Native California. It is estimated that the Yokuts region contained 27 percent of the aboriginal population in the state at the time of contact; other estimates are even higher. Many Yokuts descendants continue to live in Fresno County, either on tribal reservations, or in local towns and communities.

3.19.2 Impact Assessment

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural

landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a-i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- a-ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

a-i-a-ii) No Impact. The Project site is located on a previously developed parcel within the City. The Project site currently has multiple structures located on it. Due to the Project site having been previously disturbed, it is unlikely that the Project would cause a substantial impact to a tribal cultural resource.

In accordance with Public Resources Code Section 21080.3.1 (Assembly Bill 52) and /or Government Code Section 65352.3 (Senate Bill 18), on August 11, 2021, the following tribes were notified of the Project:

1. *Big Sandy Rancheria of Western Mono Indians, Elizabeth D. Kipp, Chairperson*
2. *Chicken Ranch Rancheira of Me-Wuk Indians, Lloyd Mathiesen, Chairperson*
3. *Cold Springs Rancheria, Carol Bill, Chairperson*
4. *Dumna Wo-Wab Tribal Government, Robert Ledger Sr., Chairperson*
5. *Dunlap Band of Mono Indians, Benjamin Charley Jr., Tribal Chair*
6. *Dunlap Band of Mono Indians, Dick Charley, Tribal Secretary*
7. *Kings River Choinumni Farm Tribe, Stan Alec*
8. *Nashville Enterprise Mivok-Maidu-Nishinam Tribe, Cosme A. Valdez, Chairperson*
9. *North Fork Mono Tribe, Ron Goode, Chairperson*
10. *North Valley Yokuts Tribe, Katherine Erolinda Perez, Chairperson*
11. *North Valley Yokuts Tribe, Timothy Perez, MLD Contact*
12. *Picayune Rancheria of Chuckchansi Indians, Claudia Gonzales, Chairwoman*
13. *Santa Rosa Rancheria Tachi Yokut Tribe, Leo Sisco, Chairperson*
14. *Table Mountain Rancheria, Leanne Walker-Grant, Chairperson*
15. *Table Mountain Rancheria, Bob Pennell, Cultural Resources Director*
16. *Traditional Choinumni Tribe, David Alvarez, Chairperson*
17. *Traditional Choinumni Tribe, Rick Osborne, Cultural Resources*
18. *Tule River Indian Tribe, Neil Peyron, Chairperson*
19. *Wuksache Indian Tribe/Eshom Valley Band, Kenneth Woodron, Chairperson*
20. *Xolon-Salinan Tribe, Karen White, Chairperson*

No written responses were received. In the unlikely event that an archaeological resource is uncovered during construction, tribal in relation or not, all construction would cease, and a qualified archaeologist would be contacted to assess the resource. The Project would adhere to all applicable federal, State, and local requirements in regard to tribal cultural resources.

In addition, while it is unlikely that human resources would be uncovered during construction activities associated within this Project, discovery of human remains on-site would result in the ceasing of all construction activities and the contacting of the Fresno County Coroner. If the Coroner determines that the remains are that of tribal descent, they would contact the NAHC to determine the most likely descendant. The Project would be required to comply with all applicable federal, State, and local requirements in relation to the uncover of human remains. Any impacts would be considered less than significant.

3.20 Utilities and Service Systems

Table 3-29. Utilities and Service Systems Impacts

Utilities and Service Systems				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reductions goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.20.1 Environmental Setting

The Project is located within the Mowry Lake-Fresno Slough watershed; HUC: 180300091003 (Environmental Protection Agency, 2019), approximately two and a half miles southwest of the Mendota Pool at the confluence of the San Joaquin River and the Fresno Slough, and seven miles east of Panoche Creek. The San Joaquin River, Fresno Slough, and Mendota Pool have been levied and much of the surrounding land is now intensively cultivated for agricultural production. Historically, the Mendota area supported large areas of riparian wetlands and important waterfowl habitat. Due to alteration of the aquatic features in the vicinity and the conversion of natural habitat to agricultural lands, the riparian habitat is now limited to the margins of these waterways and to undisturbed areas within ecological reserves, managed wildlife areas, and national wildlife refuges.

The City of Mendota's Public Utilities Department's mission is to deliver potable water to the residents of Mendota and provide sewer services for the disposal of wastewater. See [Section 3.11.2](#) for a discussion of the City's water production capabilities.

The City's wastewater treatment plant has been in operation since 1974 and is located northeast of the city.

3.20.1.1 Water Supply

The Project would connect to the City of Mendota's existing water supply system.

3.20.1.2 Wastewater Collection and Treatment

The Project would be connected to the City of Mendota's existing sewer system.

3.20.1.3 Landfills

The City of Mendota is served by the American Avenue Landfill which is located approximately 14 miles southwest of the Project site.

3.20.2 Impact Assessment

a) Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less than Significant Impact. The Project includes the construction of a 15-unit apartment complex. The Project is anticipated to use approximately 1,800 gpd, with an estimated wastewater volume of 1,500 gpd. The Project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. Impacts would be less than significant.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less than Significant Impact. The Project includes the construction of a 15-unit apartment complex. The Project is anticipated to use approximately 1,800 gpd, with an estimated wastewater volume of 1,500 gpd. The City has sufficient water production to serve the Project. Impacts would be less than significant.

c) Would the project result in a determination by the wastewater treatment provider which serves or **may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Less than Significant Impact. See discussion under a) above.

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact. The Project site would be served by the American Avenue landfill, operated by the County of Fresno, approximately 15 miles southeast, which has sufficient capacity to operate through 2031.¹⁵ Impacts would be less than significant.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact. The Project would comply with all regulations related to the generation, storage, and disposal of solid waste. Therefore, impacts would be less than significant.

¹⁵ City of Fresno. Department of Public Utilities, Facilities and Infrastructure. <https://www.fresno.gov/publicutilities/facilities-infrastructure/american-avenue-landfill/>. Accessed April 25, 2022.

3.21 Wildfire

Table 3-30. Wildfire Impacts

Wildfire				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.21.1 Environmental Setting

The Project is located in Fresno County in the City of Mendota. The Project site is in a flat urbanized area of the City. The Project is not located in or near State Responsibility Areas (SRA) or lands classified as very high fire hazard severity zones.^{16 17}

3.21.2 Impact Assessment

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, or other factors exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from wildfire or the uncontrolled spread of wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

¹⁶ CAL FIRE. State Responsibility Area Viewer. <https://bof.fire.ca.gov/projects-and-programs/state-responsibility-area-viewer/>. Accessed April 25, 2022.

¹⁷ CAL FIRE. Fire Hazard Severity Zone Viewer. <https://egis.fire.ca.gov/FHSZ/>. Accessed April 25, 2022.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

a-d) No Impact. The Project is not located in or near an SRA or lands classified as very high fire hazard severity zones. The nearest SRA is approximately 15 miles southwest of the Project site. Additionally, the site is approximately 20 miles from the nearest Very High classification of Fire Hazard Severity Zone . The Project would not impair an emergency response plan or exacerbate fire risks. Therefore, further analysis of the Projects potential impacts to wildfire are not warranted. There would be no impacts.

3.22 CEQA Mandatory Findings of Significance

Table 3-31. Mandatory Findings of Significance Impacts

Mandatory Findings of Significance				
	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.22.1 Impact Assessment

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less than Significant Impact. The analysis conducted in this Initial Study/ Negative Declaration results in a determination that the Project would have a less than significant effect on the environment.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less than Significant Impact. CEQA Guidelines Section 15064(i) States that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. The proposed Project would change the subject property’s land use designation from Medium-High Density Residential to High Density Residential, amend the official Zoning Map to change the subject property’s zoning designation from R-2 to R-3, and a Site Plan Review to construct a 15-unit apartment complex.

The potential impacts are individually limited and not cumulatively considerable.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact. The Project would be constructed and operated in accordance with regulations pertaining to the Project. Since, all potential impacts would be considered less than significant, it would be unlikely that any environmental effects would cause substantial adverse effect on human beings, directly or indirectly.

3.23 Determination: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

04/28/2022

Date

Jeffrey O’Neal, AICP, City Planner

Printed Name/Position

Appendix A

CalEEMod Output Files

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

**Carballo Apartments - Business as Usual
Fresno County, Annual**

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Apartments Low Rise	15.00	Dwelling Unit	0.60	16,654.00	68

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	45
Climate Zone	3			Operational Year	2005
Utility Company	Statewide Average				
CO2 Intensity (lb/MWhr)	453.21	CH4 Intensity (lb/MWhr)	0.033	N2O Intensity (lb/MWhr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Lot Acreage and Square Feet revised to as shown on site plan.

Population assumes 4.54 persons per household, per the 2015 Multi-Jurisdictional Housing Element

Demolition -

Architectural Coating -

Fleet Mix -

Area Coating -

Mobile Land Use Mitigation -

Area Mitigation -

Woodstoves -

Table Name	Column Name	Default Value	New Value
tblLandUse	LandUseSquareFeet	15,000.00	16,654.00

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

tblLandUse	LotAcreage	0.94	0.60
tblLandUse	Population	43.00	68.00

2.0 Emissions Summary

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2005	0.1227	0.7409	0.3878	5.2400e-003	0.0112	0.0597	0.0709	3.8800e-003	0.0597	0.0636	0.0000	49.2441	49.2441	9.9200e-003	7.3000e-004	49.7088
2006	0.3377	0.4604	0.2481	3.2600e-003	2.4200e-003	0.0374	0.0399	6.5000e-004	0.0374	0.0381	0.0000	30.7321	30.7321	6.2600e-003	4.3000e-004	31.0156
Maximum	0.3377	0.7409	0.3878	5.2400e-003	0.0112	0.0597	0.0709	3.8800e-003	0.0597	0.0636	0.0000	49.2441	49.2441	9.9200e-003	7.3000e-004	49.7088

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2005	0.1227	0.7409	0.3878	5.2400e-003	0.0112	0.0597	0.0709	3.8800e-003	0.0597	0.0636	0.0000	49.2440	49.2440	9.9200e-003	7.3000e-004	49.7088
2006	0.3377	0.4604	0.2481	3.2600e-003	2.4200e-003	0.0374	0.0399	6.5000e-004	0.0374	0.0381	0.0000	30.7321	30.7321	6.2600e-003	4.3000e-004	31.0155
Maximum	0.3377	0.7409	0.3878	5.2400e-003	0.0112	0.0597	0.0709	3.8800e-003	0.0597	0.0636	0.0000	49.2440	49.2440	9.9200e-003	7.3000e-004	49.7088

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	9-21-2005	12-20-2005	0.7696	0.7696
2	12-21-2005	3-20-2006	0.8832	0.8832
		Highest	0.8832	0.8832

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.1096	9.1800e-003	0.2426	4.0000e-004		0.0191	0.0191		0.0191	0.0191	2.4256	6.6800	9.1057	0.0118	1.2000e-004	9.4351
Energy	1.1000e-003	9.4300e-003	4.0100e-003	6.0000e-005		7.6000e-004	7.6000e-004		7.6000e-004	7.6000e-004	0.0000	23.6623	23.6623	1.1400e-003	3.1000e-004	23.7839
Mobile	0.2039	0.5307	2.3670	3.5300e-003	0.1203	0.0107	0.1310	0.0322	0.0102	0.0424	0.0000	157.1798	157.1798	0.0217	0.0179	163.0566
Waste						0.0000	0.0000		0.0000	0.0000	1.4006	0.0000	1.4006	0.0828	0.0000	3.4700
Water						0.0000	0.0000		0.0000	0.0000	0.3101	1.5304	1.8405	0.0320	7.7000e-004	2.8675
Total	0.3145	0.5493	2.6136	3.9900e-003	0.1203	0.0306	0.1509	0.0322	0.0300	0.0623	4.1363	189.0525	193.1888	0.1494	0.0191	202.6131

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.1096	9.1800e-003	0.2426	4.0000e-004		0.0191	0.0191		0.0191	0.0191	2.4256	6.6800	9.1057	0.0118	1.2000e-004	9.4351
Energy	1.1000e-003	9.4300e-003	4.0100e-003	6.0000e-005		7.6000e-004	7.6000e-004		7.6000e-004	7.6000e-004	0.0000	23.6623	23.6623	1.1400e-003	3.1000e-004	23.7839
Mobile	0.2039	0.5307	2.3670	3.5300e-003	0.1203	0.0107	0.1310	0.0322	0.0102	0.0424	0.0000	157.1798	157.1798	0.0217	0.0179	163.0566
Waste						0.0000	0.0000		0.0000	0.0000	1.4006	0.0000	1.4006	0.0828	0.0000	3.4700
Water						0.0000	0.0000		0.0000	0.0000	0.3101	1.5304	1.8405	0.0320	7.7000e-004	2.8675
Total	0.3145	0.5493	2.6136	3.9900e-003	0.1203	0.0306	0.1509	0.0322	0.0300	0.0623	4.1363	189.0525	193.1888	0.1494	0.0191	202.6131

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	9/21/2005	10/4/2005	5	10	
2	Site Preparation	Site Preparation	10/5/2005	10/5/2005	5	1	
3	Grading	Grading	10/6/2005	10/7/2005	5	2	

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4	Building Construction	Building Construction	10/8/2005	2/24/2006	5	100
5	Paving	Paving	2/25/2006	3/3/2006	5	5
6	Architectural Coating	Architectural Coating	3/4/2006	3/10/2006	5	5

Acres of Grading (Site Preparation Phase): 0.5

Acres of Grading (Grading Phase): 1.5

Acres of Paving: 0

Residential Indoor: 33,724; Residential Outdoor: 11,241; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	4	6.00	9	0.56
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	4.00	231	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Grading	Graders	1	6.00	187	0.41
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	7.00	130	0.42
Paving	Rollers	1	7.00	80	0.38
Demolition	Rubber Tired Dozers	1	1.00	247	0.40
Grading	Rubber Tired Dozers	1	6.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Grading	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	4	10.00	0.00	18.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	2	5.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	5	11.00	2.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	2.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2005

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					1.9700e-003	0.0000	1.9700e-003	3.0000e-004	0.0000	3.0000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0157	0.0935	0.0444	6.6000e-004		8.0100e-003	8.0100e-003		8.0100e-003	8.0100e-003	0.0000	5.6973	5.6973	1.2800e-003	0.0000	5.7293
Total	0.0157	0.0935	0.0444	6.6000e-004	1.9700e-003	8.0100e-003	9.9800e-003	3.0000e-004	8.0100e-003	8.3100e-003	0.0000	5.6973	5.6973	1.2800e-003	0.0000	5.7293

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Demolition - 2005

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	6.4000e-004	8.0600e-003	1.9400e-003	6.0000e-005	1.5000e-004	2.9000e-004	4.4000e-004	4.0000e-005	2.8000e-004	3.2000e-004	0.0000	0.6618	0.6618	3.0000e-005	1.0000e-004	0.6934
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.7000e-004	1.0100e-003	7.7600e-003	0.0000	4.0000e-004	1.0000e-005	4.1000e-004	1.1000e-004	1.0000e-005	1.1000e-004	0.0000	0.4390	0.4390	6.0000e-005	5.0000e-005	0.4560
Total	1.4100e-003	9.0700e-003	9.7000e-003	6.0000e-005	5.5000e-004	3.0000e-004	8.5000e-004	1.5000e-004	2.9000e-004	4.3000e-004	0.0000	1.1009	1.1009	9.0000e-005	1.5000e-004	1.1494

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					1.9700e-003	0.0000	1.9700e-003	3.0000e-004	0.0000	3.0000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0157	0.0935	0.0444	6.6000e-004		8.0100e-003	8.0100e-003		8.0100e-003	8.0100e-003	0.0000	5.6973	5.6973	1.2800e-003	0.0000	5.7293
Total	0.0157	0.0935	0.0444	6.6000e-004	1.9700e-003	8.0100e-003	9.9800e-003	3.0000e-004	8.0100e-003	8.3100e-003	0.0000	5.6973	5.6973	1.2800e-003	0.0000	5.7293

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Demolition - 2005

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	6.4000e-004	8.0600e-003	1.9400e-003	6.0000e-005	1.5000e-004	2.9000e-004	4.4000e-004	4.0000e-005	2.8000e-004	3.2000e-004	0.0000	0.6618	0.6618	3.0000e-005	1.0000e-004	0.6934
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.7000e-004	1.0100e-003	7.7600e-003	0.0000	4.0000e-004	1.0000e-005	4.1000e-004	1.1000e-004	1.0000e-005	1.1000e-004	0.0000	0.4390	0.4390	6.0000e-005	5.0000e-005	0.4560
Total	1.4100e-003	9.0700e-003	9.7000e-003	6.0000e-005	5.5000e-004	3.0000e-004	8.5000e-004	1.5000e-004	2.9000e-004	4.3000e-004	0.0000	1.1009	1.1009	9.0000e-005	1.5000e-004	1.1494

3.3 Site Preparation - 2005

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.7000e-004	0.0000	2.7000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.0000e-003	7.9300e-003	2.8000e-003	6.0000e-005		4.7000e-004	4.7000e-004		4.7000e-004	4.7000e-004	0.0000	0.5117	0.5117	8.0000e-005	0.0000	0.5138
Total	1.0000e-003	7.9300e-003	2.8000e-003	6.0000e-005	2.7000e-004	4.7000e-004	7.4000e-004	3.0000e-005	4.7000e-004	5.0000e-004	0.0000	0.5117	0.5117	8.0000e-005	0.0000	0.5138

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Site Preparation - 2005

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.0000e-005	5.0000e-005	3.9000e-004	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0220	0.0220	0.0000	0.0000	0.0228
Total	4.0000e-005	5.0000e-005	3.9000e-004	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0220	0.0220	0.0000	0.0000	0.0228

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.7000e-004	0.0000	2.7000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.0000e-003	7.9300e-003	2.8000e-003	6.0000e-005		4.7000e-004	4.7000e-004		4.7000e-004	4.7000e-004	0.0000	0.5117	0.5117	8.0000e-005	0.0000	0.5138
Total	1.0000e-003	7.9300e-003	2.8000e-003	6.0000e-005	2.7000e-004	4.7000e-004	7.4000e-004	3.0000e-005	4.7000e-004	5.0000e-004	0.0000	0.5117	0.5117	8.0000e-005	0.0000	0.5138

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Site Preparation - 2005

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.0000e-005	5.0000e-005	3.9000e-004	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0220	0.0220	0.0000	0.0000	0.0228
Total	4.0000e-005	5.0000e-005	3.9000e-004	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0220	0.0220	0.0000	0.0000	0.0228

3.4 Grading - 2005

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					5.3100e-003	0.0000	5.3100e-003	2.5700e-003	0.0000	2.5700e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.0100e-003	0.0248	8.4500e-003	1.7000e-004		1.3300e-003	1.3300e-003		1.3300e-003	1.3300e-003	0.0000	1.4822	1.4822	2.4000e-004	0.0000	1.4883
Total	3.0100e-003	0.0248	8.4500e-003	1.7000e-004	5.3100e-003	1.3300e-003	6.6400e-003	2.5700e-003	1.3300e-003	3.9000e-003	0.0000	1.4822	1.4822	2.4000e-004	0.0000	1.4883

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Grading - 2005

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2000e-004	1.6000e-004	1.2400e-003	0.0000	6.0000e-005	0.0000	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0703	0.0703	1.0000e-005	1.0000e-005	0.0730
Total	1.2000e-004	1.6000e-004	1.2400e-003	0.0000	6.0000e-005	0.0000	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0703	0.0703	1.0000e-005	1.0000e-005	0.0730

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					5.3100e-003	0.0000	5.3100e-003	2.5700e-003	0.0000	2.5700e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.0100e-003	0.0248	8.4500e-003	1.7000e-004		1.3300e-003	1.3300e-003		1.3300e-003	1.3300e-003	0.0000	1.4822	1.4822	2.4000e-004	0.0000	1.4883
Total	3.0100e-003	0.0248	8.4500e-003	1.7000e-004	5.3100e-003	1.3300e-003	6.6400e-003	2.5700e-003	1.3300e-003	3.9000e-003	0.0000	1.4822	1.4822	2.4000e-004	0.0000	1.4883

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Grading - 2005

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2000e-004	1.6000e-004	1.2400e-003	0.0000	6.0000e-005	0.0000	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0703	0.0703	1.0000e-005	1.0000e-005	0.0730
Total	1.2000e-004	1.6000e-004	1.2400e-003	0.0000	6.0000e-005	0.0000	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0703	0.0703	1.0000e-005	1.0000e-005	0.0730

3.5 Building Construction - 2005

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0947	0.5824	0.2637	4.1200e-003		0.0489	0.0489		0.0489	0.0489	0.0000	36.0006	36.0006	7.7300e-003	0.0000	36.1939
Total	0.0947	0.5824	0.2637	4.1200e-003		0.0489	0.0489		0.0489	0.0489	0.0000	36.0006	36.0006	7.7300e-003	0.0000	36.1939

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2005

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.6000e-003	0.0164	5.8900e-003	1.3000e-004	4.0000e-004	6.3000e-004	1.0300e-003	1.1000e-004	6.0000e-004	7.2000e-004	0.0000	1.4615	1.4615	7.0000e-005	2.2000e-004	1.5289
Worker	5.0700e-003	6.6500e-003	0.0512	3.0000e-005	2.6400e-003	6.0000e-005	2.7000e-003	7.0000e-004	6.0000e-005	7.6000e-004	0.0000	2.8977	2.8977	4.1000e-004	3.4000e-004	3.0095
Total	6.6700e-003	0.0231	0.0571	1.6000e-004	3.0400e-003	6.9000e-004	3.7300e-003	8.1000e-004	6.6000e-004	1.4800e-003	0.0000	4.3592	4.3592	4.8000e-004	5.6000e-004	4.5384

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0947	0.5824	0.2637	4.1200e-003		0.0489	0.0489		0.0489	0.0489	0.0000	36.0006	36.0006	7.7300e-003	0.0000	36.1939
Total	0.0947	0.5824	0.2637	4.1200e-003		0.0489	0.0489		0.0489	0.0489	0.0000	36.0006	36.0006	7.7300e-003	0.0000	36.1939

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2005

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.6000e-003	0.0164	5.8900e-003	1.3000e-004	4.0000e-004	6.3000e-004	1.0300e-003	1.1000e-004	6.0000e-004	7.2000e-004	0.0000	1.4615	1.4615	7.0000e-005	2.2000e-004	1.5289
Worker	5.0700e-003	6.6500e-003	0.0512	3.0000e-005	2.6400e-003	6.0000e-005	2.7000e-003	7.0000e-004	6.0000e-005	7.6000e-004	0.0000	2.8977	2.8977	4.1000e-004	3.4000e-004	3.0095
Total	6.6700e-003	0.0231	0.0571	1.6000e-004	3.0400e-003	6.9000e-004	3.7300e-003	8.1000e-004	6.6000e-004	1.4800e-003	0.0000	4.3592	4.3592	4.8000e-004	5.6000e-004	4.5384

3.5 Building Construction - 2006

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0631	0.3883	0.1758	2.7500e-003		0.0326	0.0326		0.0326	0.0326	0.0000	24.0004	24.0004	5.1500e-003	0.0000	24.1293
Total	0.0631	0.3883	0.1758	2.7500e-003		0.0326	0.0326		0.0326	0.0326	0.0000	24.0004	24.0004	5.1500e-003	0.0000	24.1293

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2006

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.0600e-003	0.0109	3.9300e-003	9.0000e-005	2.7000e-004	4.2000e-004	6.9000e-004	8.0000e-005	4.0000e-004	4.8000e-004	0.0000	0.9743	0.9743	5.0000e-005	1.5000e-004	1.0193
Worker	3.3800e-003	4.4400e-003	0.0341	2.0000e-005	1.7600e-003	4.0000e-005	1.8000e-003	4.7000e-004	4.0000e-005	5.0000e-004	0.0000	1.9318	1.9318	2.7000e-004	2.3000e-004	2.0064
Total	4.4400e-003	0.0154	0.0381	1.1000e-004	2.0300e-003	4.6000e-004	2.4900e-003	5.5000e-004	4.4000e-004	9.8000e-004	0.0000	2.9061	2.9061	3.2000e-004	3.8000e-004	3.0256

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0631	0.3883	0.1758	2.7500e-003		0.0326	0.0326		0.0326	0.0326	0.0000	24.0004	24.0004	5.1500e-003	0.0000	24.1292
Total	0.0631	0.3883	0.1758	2.7500e-003		0.0326	0.0326		0.0326	0.0326	0.0000	24.0004	24.0004	5.1500e-003	0.0000	24.1292

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2006

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.0600e-003	0.0109	3.9300e-003	9.0000e-005	2.7000e-004	4.2000e-004	6.9000e-004	8.0000e-005	4.0000e-004	4.8000e-004	0.0000	0.9743	0.9743	5.0000e-005	1.5000e-004	1.0193
Worker	3.3800e-003	4.4400e-003	0.0341	2.0000e-005	1.7600e-003	4.0000e-005	1.8000e-003	4.7000e-004	4.0000e-005	5.0000e-004	0.0000	1.9318	1.9318	2.7000e-004	2.3000e-004	2.0064
Total	4.4400e-003	0.0154	0.0381	1.1000e-004	2.0300e-003	4.6000e-004	2.4900e-003	5.5000e-004	4.4000e-004	9.8000e-004	0.0000	2.9061	2.9061	3.2000e-004	3.8000e-004	3.0256

3.6 Paving - 2006

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	6.9900e-003	0.0450	0.0213	3.3000e-004		3.4000e-003	3.4000e-003		3.4000e-003	3.4000e-003	0.0000	2.7483	2.7483	5.7000e-004	0.0000	2.7625
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	6.9900e-003	0.0450	0.0213	3.3000e-004		3.4000e-003	3.4000e-003		3.4000e-003	3.4000e-003	0.0000	2.7483	2.7483	5.7000e-004	0.0000	2.7625

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Paving - 2006

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	6.9000e-004	9.1000e-004	6.9800e-003	0.0000	3.6000e-004	1.0000e-005	3.7000e-004	1.0000e-004	1.0000e-005	1.0000e-004	0.0000	0.3951	0.3951	6.0000e-005	5.0000e-005	0.4104
Total	6.9000e-004	9.1000e-004	6.9800e-003	0.0000	3.6000e-004	1.0000e-005	3.7000e-004	1.0000e-004	1.0000e-005	1.0000e-004	0.0000	0.3951	0.3951	6.0000e-005	5.0000e-005	0.4104

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	6.9900e-003	0.0450	0.0213	3.3000e-004		3.4000e-003	3.4000e-003		3.4000e-003	3.4000e-003	0.0000	2.7483	2.7483	5.7000e-004	0.0000	2.7625
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	6.9900e-003	0.0450	0.0213	3.3000e-004		3.4000e-003	3.4000e-003		3.4000e-003	3.4000e-003	0.0000	2.7483	2.7483	5.7000e-004	0.0000	2.7625

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Paving - 2006

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	6.9000e-004	9.1000e-004	6.9800e-003	0.0000	3.6000e-004	1.0000e-005	3.7000e-004	1.0000e-004	1.0000e-005	1.0000e-004	0.0000	0.3951	0.3951	6.0000e-005	5.0000e-005	0.4104
Total	6.9000e-004	9.1000e-004	6.9800e-003	0.0000	3.6000e-004	1.0000e-005	3.7000e-004	1.0000e-004	1.0000e-005	1.0000e-004	0.0000	0.3951	0.3951	6.0000e-005	5.0000e-005	0.4104

3.7 Architectural Coating - 2006

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.2605					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.8800e-003	0.0107	5.2000e-003	7.0000e-005		9.6000e-004	9.6000e-004		9.6000e-004	9.6000e-004	0.0000	0.6383	0.6383	1.5000e-004	0.0000	0.6422
Total	0.2624	0.0107	5.2000e-003	7.0000e-005		9.6000e-004	9.6000e-004		9.6000e-004	9.6000e-004	0.0000	0.6383	0.6383	1.5000e-004	0.0000	0.6422

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.7 Architectural Coating - 2006

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	8.0000e-005	1.0000e-004	7.8000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0439	0.0439	1.0000e-005	1.0000e-005	0.0456
Total	8.0000e-005	1.0000e-004	7.8000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0439	0.0439	1.0000e-005	1.0000e-005	0.0456

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.2605					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.8800e-003	0.0107	5.2000e-003	7.0000e-005		9.6000e-004	9.6000e-004		9.6000e-004	9.6000e-004	0.0000	0.6383	0.6383	1.5000e-004	0.0000	0.6422
Total	0.2624	0.0107	5.2000e-003	7.0000e-005		9.6000e-004	9.6000e-004		9.6000e-004	9.6000e-004	0.0000	0.6383	0.6383	1.5000e-004	0.0000	0.6422

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.7 Architectural Coating - 2006

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	8.0000e-005	1.0000e-004	7.8000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0439	0.0439	1.0000e-005	1.0000e-005	0.0456
Total	8.0000e-005	1.0000e-004	7.8000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0439	0.0439	1.0000e-005	1.0000e-005	0.0456

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.2039	0.5307	2.3670	3.5300e-003	0.1203	0.0107	0.1310	0.0322	0.0102	0.0424	0.0000	157.1798	157.1798	0.0217	0.0179	163.0566
Unmitigated	0.2039	0.5307	2.3670	3.5300e-003	0.1203	0.0107	0.1310	0.0322	0.0102	0.0424	0.0000	157.1798	157.1798	0.0217	0.0179	163.0566

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	109.80	122.10	94.20	320,297	320,297
Total	109.80	122.10	94.20	320,297	320,297

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	10.80	7.30	7.50	48.40	15.90	35.70	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.477591	0.081668	0.164575	0.168109	0.036290	0.006715	0.016687	0.017024	0.000893	0.000307	0.021194	0.000966	0.007982

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	12.7384	12.7384	9.3000e-004	1.1000e-004	12.7951
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	12.7384	12.7384	9.3000e-004	1.1000e-004	12.7951
NaturalGas Mitigated	1.1000e-003	9.4300e-003	4.0100e-003	6.0000e-005		7.6000e-004	7.6000e-004		7.6000e-004	7.6000e-004	0.0000	10.9239	10.9239	2.1000e-004	2.0000e-004	10.9888
NaturalGas Unmitigated	1.1000e-003	9.4300e-003	4.0100e-003	6.0000e-005		7.6000e-004	7.6000e-004		7.6000e-004	7.6000e-004	0.0000	10.9239	10.9239	2.1000e-004	2.0000e-004	10.9888

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	204705	1.1000e-003	9.4300e-003	4.0100e-003	6.0000e-005		7.6000e-004	7.6000e-004		7.6000e-004	7.6000e-004	0.0000	10.9239	10.9239	2.1000e-004	2.0000e-004	10.9888
Total		1.1000e-003	9.4300e-003	4.0100e-003	6.0000e-005		7.6000e-004	7.6000e-004		7.6000e-004	7.6000e-004	0.0000	10.9239	10.9239	2.1000e-004	2.0000e-004	10.9888

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	204705	1.1000e-003	9.4300e-003	4.0100e-003	6.0000e-005		7.6000e-004	7.6000e-004		7.6000e-004	7.6000e-004	0.0000	10.9239	10.9239	2.1000e-004	2.0000e-004	10.9888
Total		1.1000e-003	9.4300e-003	4.0100e-003	6.0000e-005		7.6000e-004	7.6000e-004		7.6000e-004	7.6000e-004	0.0000	10.9239	10.9239	2.1000e-004	2.0000e-004	10.9888

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Low Rise	61965.4	12.7384	9.3000e-004	1.1000e-004	12.7951
Total		12.7384	9.3000e-004	1.1000e-004	12.7951

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Low Rise	61965.4	12.7384	9.3000e-004	1.1000e-004	12.7951
Total		12.7384	9.3000e-004	1.1000e-004	12.7951

6.0 Area Detail

6.1 Mitigation Measures Area

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.1096	9.1800e-003	0.2426	4.0000e-004		0.0191	0.0191		0.0191	0.0191	2.4256	6.6800	9.1057	0.0118	1.2000e-004	9.4351
Unmitigated	0.1096	9.1800e-003	0.2426	4.0000e-004		0.0191	0.0191		0.0191	0.0191	2.4256	6.6800	9.1057	0.0118	1.2000e-004	9.4351

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0261					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0650					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0129	7.4200e-003	0.1134	4.0000e-004		0.0186	0.0186		0.0186	0.0186	2.4256	6.4981	8.9237	0.0115	1.2000e-004	9.2458
Landscaping	5.5900e-003	1.7600e-003	0.1292	1.0000e-005		5.5000e-004	5.5000e-004		5.5000e-004	5.5000e-004	0.0000	0.1819	0.1819	2.9000e-004	0.0000	0.1892
Total	0.1096	9.1800e-003	0.2426	4.1000e-004		0.0191	0.0191		0.0191	0.0191	2.4256	6.6800	9.1057	0.0118	1.2000e-004	9.4351

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0261					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0650					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0129	7.4200e-003	0.1134	4.0000e-004		0.0186	0.0186		0.0186	0.0186	2.4256	6.4981	8.9237	0.0115	1.2000e-004	9.2458
Landscaping	5.5900e-003	1.7600e-003	0.1292	1.0000e-005		5.5000e-004	5.5000e-004		5.5000e-004	5.5000e-004	0.0000	0.1819	0.1819	2.9000e-004	0.0000	0.1892
Total	0.1096	9.1800e-003	0.2426	4.1000e-004		0.0191	0.0191		0.0191	0.0191	2.4256	6.6800	9.1057	0.0118	1.2000e-004	9.4351

7.0 Water Detail

7.1 Mitigation Measures Water

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	1.8405	0.0320	7.7000e-004	2.8675
Unmitigated	1.8405	0.0320	7.7000e-004	2.8675

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	0.97731 / 0.61613	1.8405	0.0320	7.7000e-004	2.8675
Total		1.8405	0.0320	7.7000e-004	2.8675

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	0.97731 / 0.61613	1.8405	0.0320	7.7000e-004	2.8675
Total		1.8405	0.0320	7.7000e-004	2.8675

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	1.4006	0.0828	0.0000	3.4700
Unmitigated	1.4006	0.0828	0.0000	3.4700

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Low Rise	6.9	1.4006	0.0828	0.0000	3.4700
Total		1.4006	0.0828	0.0000	3.4700

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Low Rise	6.9	1.4006	0.0828	0.0000	3.4700
Total		1.4006	0.0828	0.0000	3.4700

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

Carballo Apartments - Business as Usual - Fresno County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA ADOPTING
A NEGATIVE DECLARATION IN THE
MATTER OF APPLICATION NO. 21-20,
THE CARBALLO (SALOMON) APARTMENTS
PROJECT (755 MARIE STREET; APN 013-106-15)**

RESOLUTION NO. 22-38

WHEREAS, at a regular meeting on June 14, 2022, the Mendota City Council considered Application No. 21-10, submitted by Ubaldo Garcia on behalf of Julio Carballo, said application proposing to develop approximately 0.60 acres at 755 Marie Street (Assessor's Parcel No. 013-106-15) with up to 15 multiple family dwellings; and

WHEREAS, to facilitate said development, the applicant has requested that the City undertake various processes, said processes to include:

1. An amendment to the General Plan Land Use Designation of the Project Site from Medium-High Density Residential to High Density Residential.
2. An amendment to the zoning of the site from R-2 (Medium/High Density Residential) to R-3 (High Density Multiple-Family Residential).
3. Site Plan Review; and

WHEREAS, the requested processes and the resulting physical development of the Project Site, individually and collectively, constitute a "project" pursuant to the California Environmental Quality Act, Public Resources Code section 21000, *et seq.* ("CEQA") and the CEQA Guidelines, California Code of Regulations, title 14, division 6, section 15000, *et seq.*; and

WHEREAS, pursuant to Public Resources Code section 21080.3.1, on August 11, 2021, the City provided notice of the Project to the Santa Rosa Rancheria Tachi Yokut Tribe, said tribe having previously requested notice of proposed projects, and also as a courtesy notified additional tribes identified by the Native American Heritage Commission, and received no response therefrom; and

WHEREAS, the City has prepared an initial study pursuant to the provisions of the CEQA and made a preliminary determination that approval of the Project would not result in any significant impacts to the environment, and accordingly adoption of a negative declaration would be appropriate; and

WHEREAS, on April 28, 2022 the City published a notice of intent to adopt a negative declaration in *The Business Journal*, said notice indicating that the initial study and proposed negative declaration ("IS/ND") would be available for public review starting on April 28, 2022, and ending on May 17, 2022; and

WHEREAS, on April 28, 2022, the City filed the IS/ND and accompanying support documents with the State Clearinghouse; and

WHEREAS, the IS/ND was assigned the State Clearinghouse Number 2022040623; and

WHEREAS, on April 28, 2022 the City also provided copies of said IS/MND to various local entities for review; and

WHEREAS, no comments were received following this submission; and

WHEREAS, the City Council finds that it cannot be fairly argued, nor is there any substantial evidence in the record, that the Project could have a significant effect on the environment, either directly or indirectly; and

WHEREAS, based upon the initial study and negative declaration and the record, the project will not individually or cumulatively have an adverse impact on environmental resources; and

WHEREAS, the City of Mendota is the custodian of the documents and other materials that constitute the record of the proceedings upon which the City Council's decision is based, and Mendota City Hall, 643 Quince Street, Mendota, CA 93640, is the location of this record; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota, that the City of Mendota takes the following actions:

1. Finds that the initial study and negative declaration prepared for the project comply with provisions of the California Environmental Quality Act and the CEQA Guidelines, and affirm that the project will not have a significant effect on the environment; and
2. Adopts the negative declaration as attached hereto as Exhibit "A", said negative declaration based upon the initial study (SCH #2022040623) incorporated herein by reference; and
3. Directs the City Manager or his designee to file a notice of determination with the Fresno County Clerk within five (5) business days following approval of the Project.

Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council held at Mendota City Hall on the 14th day of June 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

Exhibit "A"
Resolution No. 22-38

NEGATIVE DECLARATION

LEAD AGENCY: City of Mendota
643 Quince Street
Mendota, CA 93640

PROJECT TITLE: Application No. 21-10 – Carballo (Salomon) Apartments Project

STATE CLEARINGHOUSE: 2022040623

ADDRESS/LOCATION: 755 Marie Street; Fresno County APN 013-106-15

PROJECT APPLICANT: Julio Carballo

PROJECT DESCRIPTION: The Project proposes to develop a 0.60-acre multiple family residential project of up to 15 dwellings. The Project includes a general plan amendment and rezoning.

CONTACT PERSON: Jeffrey O'Neal, ACIP, City Planner; 559.655.3291

The City Council of the City of Mendota has reviewed the proposed Project described herein along with the initial study prepared pursuant to the California Environmental Quality Act (CEQA), and has found that this Project will have no significant impact on the environment for the following reasons:

1. The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
2. The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
3. The project does not have possible environmental effects which are individually limited but cumulatively considerable; "cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
4. The environmental effects of a project will not cause substantial adverse effects on human beings, either directly or indirectly.
5. Mitigation measures were, were not made a condition of the approval of the project.

On June 14, 2022, based upon a preliminary determination by staff and a recommendation from the Mendota Planning Commission, the Mendota City Council adopted Resolution No. 22-38, determining that the above Project would have no significant effect on the environment. Copies of the documents relating to the Project, including the initial study, may be examined by interested parties at Mendota City Hall, 643 Quince Street, Mendota, CA 93640.

Dated: June 14, 2022

Attest: _____
Hon. Rolando Castro, Mayor

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA APPROVING
AN AMENDMENT TO THE LAND USE
ELEMENT OF THE CITY OF MENDOTA
GENERAL PLAN UPDATE 2005-2025 IN
THE MATTER OF APPLICATION NO. 21-10,
THE CARBALLO (SALOMON) APARTMENTS
PROJECT (755 MARIE STREET; APN 013-106-15)**

RESOLUTION NO. 22-39

WHEREAS, at a regular meeting on June 14, 2022, the Mendota City Council considered Application No. 21-10, submitted by Ubaldo Garci on behalf of Julio Carballo, said application proposing to develop approximately 0.60 acres at 755 Marie Street (Assessor's Parcel No. 013-106-15) with up to 15 multiple family dwellings; and

WHEREAS, the project site is designated Medium-High Density Residential by the City of Mendota General Plan Update 2005-2025 (General Plan) and is zoned R-2 (Medium/High Density Residential); and

WHEREAS, Application No. 21-10 proposes to amend the Land Use designation of the project site to High Density Residential and amend the zoning to R-3 (High Density Multiple-Family Residential), which combination of land use designation and zoning would accommodate the proposed Project; and

WHEREAS, pursuant to Government Code section 65353, if a city has a planning commission authorized to make recommendations regarding an amendment to a general plan, said planning commission shall conduct at least one public hearing on the matter before forwarding a recommendation to the city council; and

WHEREAS, at a regular meeting on May 17, 2022, the Mendota Planning Commission conducted a duly-noticed public hearing and adopted Resolution No. PC 22-02 by a vote of 4-1, recommending that the City Council approves the proposed amendment to the General Plan; and

WHEREAS, pursuant to Government Code section 65355, prior to amending a general plan, the City Council shall conduct at least one public hearing; and

WHEREAS, on June 3, 2022, a notice of public hearing before the City Council was published in *The Business Journal*, similar notices were individually mailed to property owners within 300 feet of the project site, and a copy of the notice was posted in the Mendota City Hall bulletin window and on the City's website; and

WHEREAS, at a regular meeting on June 14, 2022, the City Council did conduct a public hearing at which it considered testimony regarding the project, including the recommendation of the Planning Commission; and

WHEREAS, approval of the project consists of a “lease, permit, license, certificate, or other entitlement for use” and involves an amendment to the General Plan that may have a reasonably foreseeable indirect effect on the environment, and is therefore a “project” pursuant to the California Environmental Quality Act, Public Resources Code Section 21000, *et seq.* (“CEQA”) and the CEQA Guidelines, California Code of Regulations Title 14, Chapter 3, Section 15000, *et seq.*; and

WHEREAS, as the agency primarily responsible for carrying out or approving said project, the City of Mendota assumes the role of lead agency pursuant to CEQA; and

WHEREAS, the City Council has adopted Resolution No. 22-38 determining that the activities proposed within Application No. 21-10 will not have a significant effect on the environment and, consistent with the California Environmental Quality Act and the CEQA Guidelines, has adopted a negative declaration.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota, that the General Plan Land Use designation for APN 013-106-15 is hereby amended from Medium-High Density Residential to High Density Residential as illustrated in Exhibit “A” attached hereto, said amendment constituting the first (1st) amendment to the Land Use Element of the General Plan in Calendar Year 2022.

Rolando Castro, Mayor

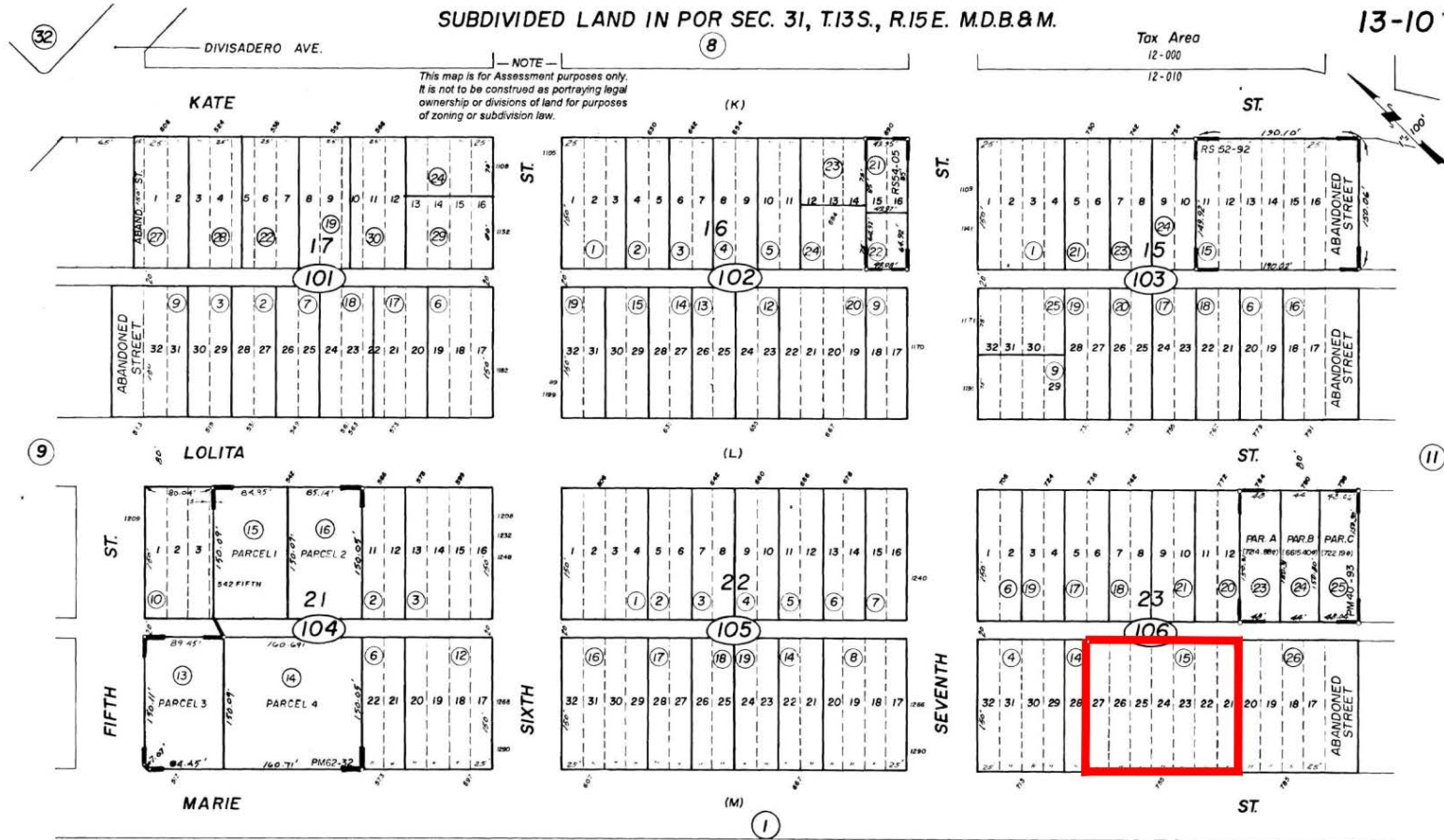
ATTEST:

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 Mendota City Hall on the 14th day of June 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

EXHIBIT "A" TO RESOLUTION NO. 22-39
GENERAL PLAN AMENDMENT



Agricultural Preserve
Town of Mendota - Misc. 1, Pg. 18
Parcel Map No. 9-7-83, Bk. 40, Pg. 93
Parcel Map No. 02-01, Bk. 62, Pgs. 32, 33

Record of Survey - Bk. 52, Pg. 92
Record of Survey - Bk. 54, Pg. 05

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 13 - Pg. 10
County of Fresno, Calif.

Application No. 21-10
GPA: Medium High Density Residential to High Density Residential

APN 013-106-15



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

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MENDOTA AMENDING
THE OFFICIAL ZONING MAP OF THE CITY
OF MENDOTA IN THE MATTER OF APPLICATION
NO. 21-20, THE CARBALLO (SALOMON)
APARTMENTS PROJECT (755 MARIE STREET;
APN 013-106-15)**

ORDINANCE NO. 22-01

WHEREAS, at a regular meeting on June 14, 2022, the Mendota City Council considered Application No. 21-10, submitted by Ubaldo Garci on behalf of Julio Carballo, said application proposing to develop approximately 0.60 acres at 755 Marie Street (Assessor's Parcel No. 013-106-15) with up to 15 multiple family dwellings; and

WHEREAS, the project site is designated Medium-High Density Residential by the City of Mendota General Plan Update 2005-2025 (General Plan) and is zoned R-2 (Medium/High Density Residential); and

WHEREAS, Application No. 21-10 proposes to amend the Land Use designation of the project site to High Density Residential and amend the zoning to R-3 (High Density Multiple-Family Residential), which combination of land use designation and zoning would accommodate the proposed Project; and

WHEREAS, via Resolution No. 22-39, the City Council has amended the Land Use Element of the General Plan to reflect APN 013-106-15 as High Density Residential; and

WHEREAS, pursuant to Government Code section 65854, the Planning Commission shall conduct at least one public hearing on a proposal to amend the zoning ordinance before forwarding a recommendation to the City Council; and

WHEREAS, at a regular meeting on May 17, 2022, the Planning Commission conducted a duly-noticed public hearing and adopted Resolution No. PC 22-02 by a vote of 4-1, recommending that the City Council approves the proposed amendment to the zoning map with the condition that said amendment be conditioned upon limitation of future construction on the site to not more than one (1) story in height; and

WHEREAS, pursuant to Government Code section 65856, upon receipt of a recommendation from the Planning Commission regarding a change of zone, the City Council shall conduct a public hearing; and

WHEREAS, on June 3, 2022, a notice of public hearing before the City Council was published in *The Business Journal*, similar notices were individually mailed to

property owners within 300 feet of the project site, and a copy of the notice was posted in the Mendota City Hall bulletin window and on the City's website; and

WHEREAS, at a regular meeting on June 14, 2022, the City Council did conduct a public hearing at which it considered testimony regarding the project, including the recommendation of the Planning Commission; and

WHEREAS, for reasons cited in the record, the City Council finds it is not in the best interest of the project or the health, safety, and general welfare of the public to impose an additional limitation to the height of future construction beyond that which already is imposed by the R-3 (High Density Multiple-Family Residential) District; and

WHEREAS, approval of the project consists of a "lease, permit, license, certificate, or other entitlement for use" and involves an amendment to zoning that may have a reasonably foreseeable indirect effect on the environment, and is therefore a "project" pursuant to the California Environmental Quality Act, Public Resources Code Section 21000, *et seq.* ("CEQA") and the CEQA Guidelines, California Code of Regulations Title 14, Chapter 3, Section 15000, *et seq.*; and

WHEREAS, as the agency primarily responsible for carrying out or approving said project, the City of Mendota assumes the role of lead agency pursuant to CEQA; and

WHEREAS, the City Council has adopted Resolution No. 22-38 determining that the activities proposed within Application No. 21-10 will not have a significant effect on the environment and, consistent with the California Environmental Quality Act and the CEQA Guidelines, has adopted a negative declaration.

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

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

SECTION 2. The zone district of APN 013-106-15, more particularly described as Lots 21 through 27 of Block 23 of the Town of Mendota, recorded at Page 18 of Volume 1 of Miscellaneous Maps, Official Records of Fresno County, is hereby amended from R-2 (Medium/High Density Residential) to R-3 (High Density Multiple-Family Residential) as illustrated in Exhibit "A" attached hereto.

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

SECTION 4. This ordinance shall take effect thirty (30) days after its passage.

SECTION 5. The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

* * * * *

The foregoing ordinance was introduced on the 14th day of June 2022 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 28th day of June 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Rolando Castro, Mayor

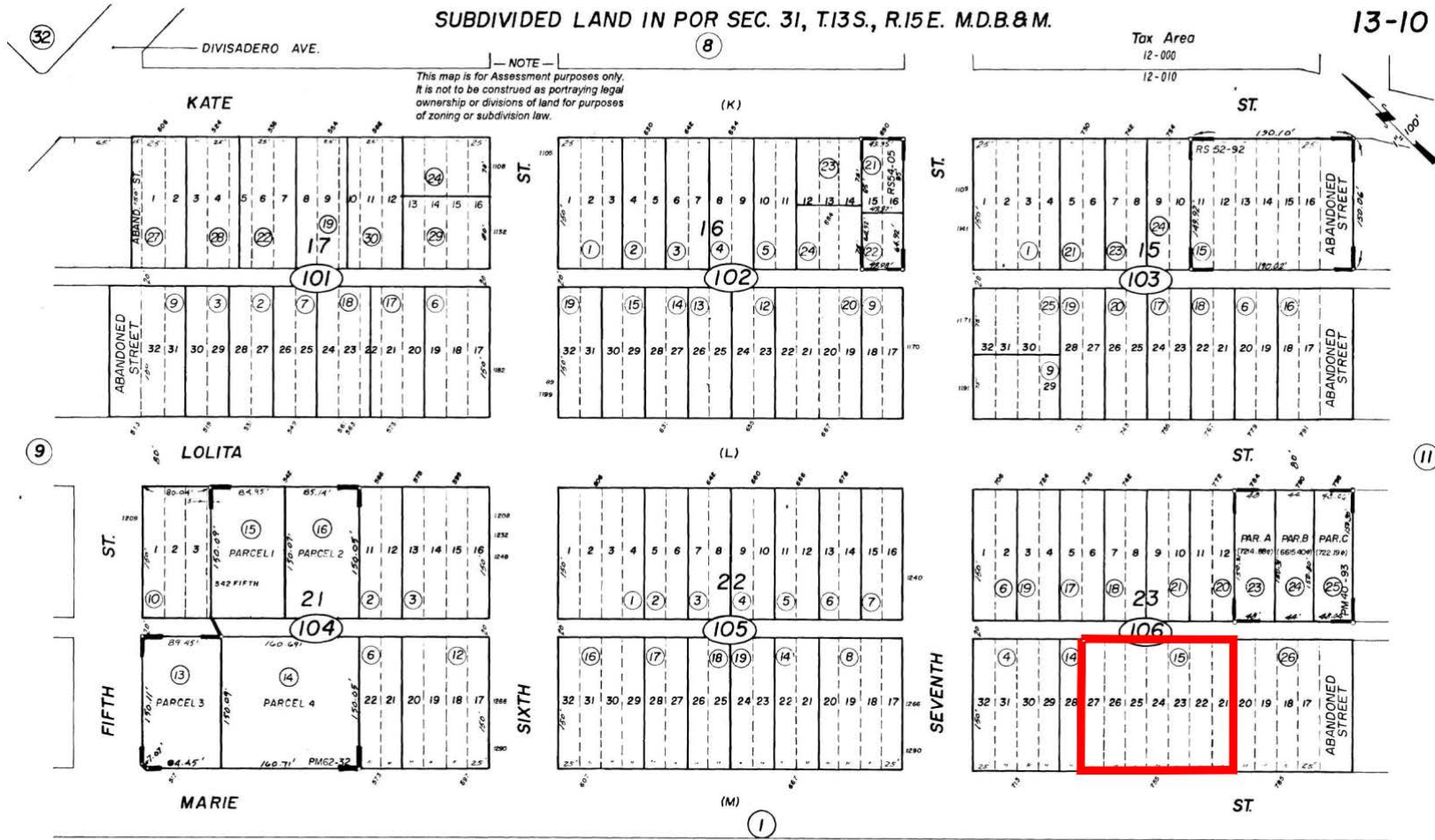
ATTEST:

Celeste Cabrera-Garcia, City Clerk

APPROVED AS TO FORM:

John Kinsey, City Attorney

EXHIBIT "A" TO ORDINANCE NO. 22-01
REZONE



1961
Agricultural Preserve
Town of Mendota - Misc. 1, Pg. 18
Parcel Map No. 9-7-83, Bk. 40, Pg. 93
Parcel Map No. 02-01, Bk. 62, Pgs. 32, 33

Record of Survey - Bk. 52, Pg. 92
Record of Survey - Bk. 54, Pg. 05

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 13 - Pg. 10
County of Fresno, Calif.

Application No. 21-10

APN 013-106-15

Project

RZ: R-2 (Medium/High Density Residential) to R-3 (High Density Multiple-Family Residential)

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: SPORTS FIELDS ACCESS HOURS AND POLICY
DATE: JUNE 14, 2022

ISSUE

Shall the City Council direct staff to open the sports fields to the public during regular park hours?

BACKGROUND

The City constructed a new soccer field and a new baseball diamond next to the existing Benny Mares Sr. Baseball Field, which was also recently renovated in 2012. Since then, the fields have been kept closed during regular park hours and only opened when a facility use application is applied for and approved. Recently, the City Council inquired about possibly opening the two (2) baseball diamonds and new soccer field during regular park hours for the public to utilize.

At its June 9th regular meeting, the Council discussed the item and elected to table the item to a future meeting agenda.

ANALYSIS

Mendota Municipal Code Section 12.20.040 requires that no park areas or facilities be used for any pre-advertised assembly or by groups of twenty-five (25) or more persons without a facility use permit. To open the sports fields two options exist: (1) The Council can direct staff to draft an amendment to the Mendota Municipal Code to allow open use regardless of the size of the group, but still grant priority to those that use the facility use application process or (2) The Council can direct staff to open the sports fields and limit the use to groups without an approved facility use application to less than twenty-five (25) persons. Counting how many people are at a field is not difficult but enforcing a number limit can be challenging.

FISCAL IMPACT

Should the City Council decide to open the fields for open use, staff anticipates more calls to the Public Works Department and possibly the Code Enforcement and Police Departments, resulting in an increase in staff time spent at the parks.

RECOMMENDATION

Staff recommends that the City Council discuss the following options and direct staff on how to proceed:

1. Direct staff to open the sports fields during regular park hours (7am-11pm) for groups smaller than twenty-five (25) persons, but still give priority to users that have an approved facility use application. This would also likely result in the need to approve park trespassing ordinances to provide enforcement options.
2. Direct staff to open the sports fields to all users during regular park hours (7am-11pm) regardless of the size of the group and amend the Mendota Municipal Code to reflect this. With this option, the City Council can choose to also continue giving priority through the exclusive facility use process or abolish it.
3. Leave as is and continue using the facility use application process only.

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY BANDA, FINANCE DIRECTOR
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: APPROVING A RATE FOR A GENERAL TRANSACTIONS AND USE TAX MEASURE BALLOT
DATE: JUNE 14, 2022

ISSUE

Shall the City Council provide direction to staff on the rate for a general transaction and use tax measure ballot?

BACKGROUND

The City of Mendota (“City”) plans to submit a transaction and use tax for general purposes by ordinance following approval of two-thirds of the City Council and majority vote of the qualified electors of the City voting in an election on the issue. This levy or increase in transactions and use tax is a general tax, the revenue of which will be placed in the City’s general fund. This agenda item is only to determine the rate. There will be an agenda item approving the ordinance to be submitted to the County of Fresno to be placed on the November 2022 ballot at a City Council meeting in the near future.

ANALYSIS

Staff contacted the California Department of Tax and Fee Administration (“CDTFA”) for estimated revenues to be received as a result of a successful transactions and use tax increase. Based on the calendar year 2021, the CDTFA determined the following estimated revenues:

Calendar Year	Quarter	Proposed Tax Rate	Estimated Revenue	Proposed Tax Rate	Estimated Revenue	Proposed Tax Rate	Estimated Revenue
2021	1	1%	87,348	1.125%	98,267	1.25%	109,185
2021	2	1%	97,264	1.125%	109,422	1.25%	121,581
2021	3	1%	112,898	1.125%	127,010	1.25%	141,122
2021	4	1%	97,289	1.125%	109,450	1.25%	121,611
			\$ 394,799.00		\$ 444,149.00		\$ 493,499.00

The total tax rate of 1% in a calendar year would generate \$394,799.00 in transactions and use taxes. The total tax rate of 1.125% in a calendar year would generate \$444,149.00. The total tax rate of 1.25% in a calendar year would generate \$493,499.00. Staff is requesting direction from the City Council on what proposed tax rate to place on the necessary documents to submit.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that the City Council provide direction to staff on the rate for a general transaction and use tax measure ballot.

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: FISCAL YEAR 2022-2023 PROPOSED BUDGET
DATE: JUNE 14, 2022

ISSUE

Shall the City Council adopt Resolution No. 22-40, approving and adopting the operating budget for the City of Mendota for Fiscal Year 2022-2023?

BACKGROUND

The budget for the City of Mendota is the financial representation of the City Council's goals and priorities together with costs to conduct business from July 1, 2022 through June 30, 2023. Mendota's budget is conveyed in two categories: the General Fund and Enterprise Funds.

The General Fund generates its revenues primarily from property tax, sales tax, and fees. From those revenue streams, the City is able to provide city administration, public safety, finance services, street and park maintenance, and general support operations.

As for the Enterprise Funds, there are the City's water, sewer, refuse, aviation, donation, streets, community facilities district, and the newly approved landscape and lighting maintenance district. Funds consist of user fees for water and sewer service, or specialized voter-approved taxes. The Enterprise Funds are primarily collected and restricted to be expended solely on what it was collected for.

ANALYSIS

The current economic situation poses inflation concerns. This, along with supply chain issues and increased interest rates, has created major challenges for any projects moving forward. While uncertainty is amongst us, still, the filing of the 2022-2023 Fiscal Year Budget will represent considerable projects amongst all departments. While the short- and long-term economic effects of the pandemic are expected to be substantial throughout the country, the City of Mendota is positioned to demonstrate, once again, its resilience and efficiency as it relates to City operations but thanks to an aggressive minded council that opened their doors to cannabis, we are in a strong fiscal position. While cannabis has had its challenges, the public benefit fees received so far are significant. Each year the City expects to gain at least 1.3 million dollars in public benefit fees. This allows the City to be competitive in all sectors.

With the leadership of our City Council, the city is able to implement the following projects, despite being in the tail end of a global pandemic. This is in part to franchise fees, grant funding, and property taxes. This budget draft includes the Council's priority projects such as a repairing the irrigation system at the Pool Park (\$275,000) public safety camera system installed

throughout town (\$35,000), replenishing the emergency general fund (\$50,000), and parks improvements (\$800,000).

Other on-going projects, such as the new automatic water meters for all users, phase II of the Rojas-Pierce Park Expansion Project (\$550,000), citywide railroad corridor crossing improvements, and other street projects will be moving to this fiscal year's budget. This budget includes the improved school pedestrian crossing on Belmont Avenue for the Junior High School (\$158,000) and a citywide safe route to school master plan (\$110,000).

Our grant projects to be implemented for this fiscal year budget will include funding from Proposition 64, Department of Justice, San Joaquin Valley Air Pollution Control District, California Department of Housing and Community Development, the County of Fresno Community Development Grant and California Department of Parks and Recreation. These projects are the Community Resource Officers focusing on Youth Development/Prevention and Intervention, Public Benefit Grant Program, SB Planning Grant for City Hall front counter improvements, and the Rojas-Pierce Park Expansion.

Street projects include improvements to sections of Kate, Riofrio and Stamoules Streets. Planning and engineering services for the roundabout at highways 180 and 33 will begin during this upcoming fiscal year as well.

Infrastructure projects include a booster station with tanks, an upgrade to stand by well #5, a recycled water irrigation system for Pool Park and a backwash water recycling project for the water treatment plant.

A major priority project is funding a new Police Station with new City Council Chambers. The city went through a guaranteed maximum price (GMP) process and was quoted 3 million dollars over budget for a Police Station and City Hall combined and since there was only one contractor that gave a GMP the city council directed staff to change the scope of a project to a Police Station and Council Chambers only and then go out to rebid the project through a formal low responsible bidder process. Though the city is expecting to go to bid soon interest rates have quickly increased, and supply shortages have worsened so we can only hope for the best but be prepared for the worse. Funding from various special Senator allocations have provided close to 3 million dollars towards the project and there is another 1.5 million being considered in the States budget to help get us across that finish line. Currently the Police Department operates out of an old cold storage office building on the east side of town.

In terms of personnel, there is a glaring need for additional help in all departments.

During the 2021-2022 fiscal year, with the addition of the La Colonia subdivision, which includes over 80 new homes and with the Rojas-Pierce Park expansion, there is a need for additional staffing. Additional staff is needed to focus on the parks, utilities services and on the increased number of streets that need to be maintained. As such, we are proposing three (3) additional positions in the Public Works Department, one (1) full time and the other two (2) temporary full-time and one (1) additional position in the Public Utilities Department. The Police Department anticipates recruiting one (1) new traffic officer to address the concerns about traffic

and police visibility in the community. This new officer would focus on enforcing traffic on Oller, Derrick, 7th and around the school sites as a primary duty.

Our Senior Center Coordinator position - which was frozen due to the City no longer having a facility to utilize and the lack of interest from applicants - is being brought back as a hybrid position that would also include the duty of coordinating recreational activities. The proposed position would be a temporary full-time position that would last one year long. If approved, the Council chambers can be used on as a temporary senior center for 2-3 days out of the week until a more permanent location can be secured.

City Hall staffing proposes to make our current temporary position a full-time position and proposes to add two (2) part time administrative assistant positions: one to assist with the new refuse and video court programs and the other to assist the City Clerk/Event Coordinator.

CONCLUSION

This year we will continue to be more strategic than ever, leveraging local funds with outside resources, such as CDBG, CMAQ (congestion and mitigation air quality) grants, Proposition 64 and ATP (active transportation) grants amongst other grant funding in order to accomplish meaningful improvements in 2022-2023. Staff will also continue to attract economic development projects and grant funding opportunities.

RECOMMENDATION

Staff recommends that the City Council consider Resolution No. 22-40, approving and adopting the operating budget for the City of Mendota for Fiscal Year 2022-2023?

Attachment(s):

1. Resolution No. 22-40
2. Exhibit "A" - Fiscal Year 2022-2023 Proposed Budget

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA IN THE
MATTER OF APPROVING AND ADOPTING
THE OPERATING BUDGET FOR THE
CITY OF MENDOTA FOR FISCAL YEAR
2022-2023**

RESOLUTION NO. 22-40

WHEREAS, the City Council of the City of Mendota (“City”), in carrying out its fiduciary responsibility in the management of taxpayer funds, establishes an operating budget each fiscal year; and

WHEREAS, the City Council, in collaboration with City staff, has prepared a balanced budget that provides for the delivery of core services to the residents of Mendota, through the approval of specific departmental expenditures; and

WHEREAS, the City Council has reviewed these specific departmental expenditures; and

WHEREAS, the City Council has held multiple budget hearings and allowed the public to provide input on the proposed budget; and

WHEREAS, in order to ensure that the total expenditures approved herein by the City Council for each department remain at, or under the approved amounts, the City Manager may make minor changes to individual line items, so long as such changes do not increase the total expenditure amounts approved for each department.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota does hereby adopt the 2022-2023 operating budget for the City of Mendota, as presented by the City Manager, subject to minor changes to individual line items by the City Manager so long as such changes do not increase the total expenditures approved for each department, attached hereto and made part hereof as Exhibit “A”.

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 14th day of June, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

Exhibit A

City of Mendota
Fiscal Year
2022 – 2023
Proposed Budget

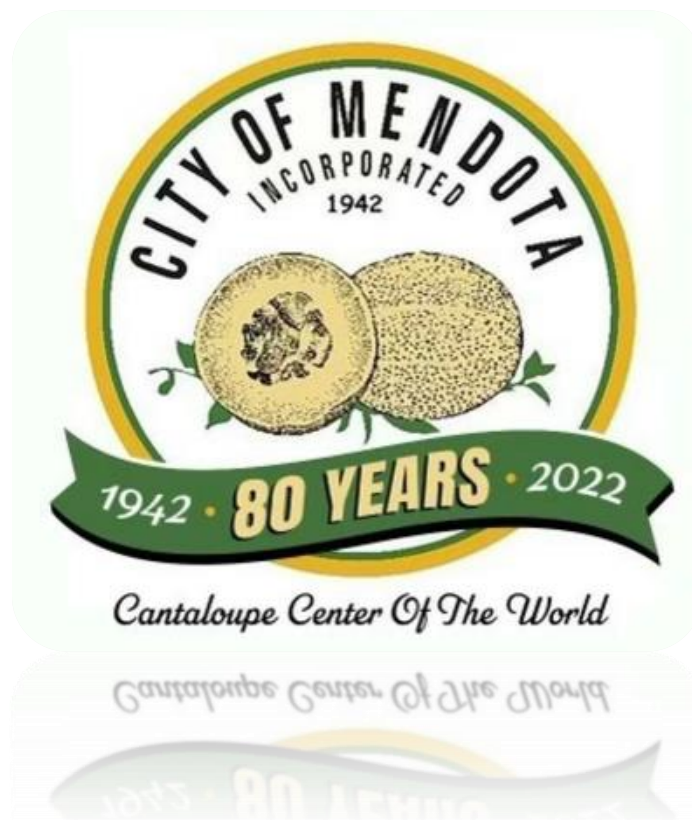


Table of Contents

	Page
I. Directory	1
II. General Fund - Summary	2
General Fund Revenues Summary.....	3
General Fund Expenditures Summary.....	5
III. General Fund Budget	7
City Council.....	8
City Administration.....	9
Finance Department.....	10
Planning & Engineering.....	11
Police.....	12
Code Enforcement.....	13
Animal Control.....	14
Building Department.....	15
Buildings & Grounds.....	16
Administrative Services.....	17
Senior Center/Recreation.....	17
Human Resources.....	17
IV. Enterprise Fund Budget	18
Refuse Operation Fund.....	19
Sewer Operation Fund.....	20
Water Operation Fund.....	22
Gas Tax - Street Fund.....	24
Measure "C" - Street Fund.....	25
"LTF" - Street Fund.....	26
Mendota "CFD" Fund.....	27
Aviation.....	28
"COPS" Fund.....	29
Donation Fund.....	30
Landscape & Lighting Maintenance District.....	31
V. Organizational Chart.....	32
VI. Payroll Allocations Summary	33

Directory

City of Mendota
643 Quince Street
Mendota, CA 93640
(559) 655-3291 Phone
(559) 655-4064 Fax
www.cityofmendota.com

City Council meetings are scheduled every 2nd and 4th Tuesday of the month at City Council Chambers 643 Quince Street, Mendota, California 93640.

City Council

Mayor	Rolando Castro	Term Expires	2022
Mayor Pro-Tem	Jesus "Jesse" Mendoza	Term Expires	2022
Council Member	Jose Alonso	Term Expires	2024
Council Member	Joseph Riofrio	Term Expires	2022
Council Member	Oscar Rosales	Term Expires	2024

Departments

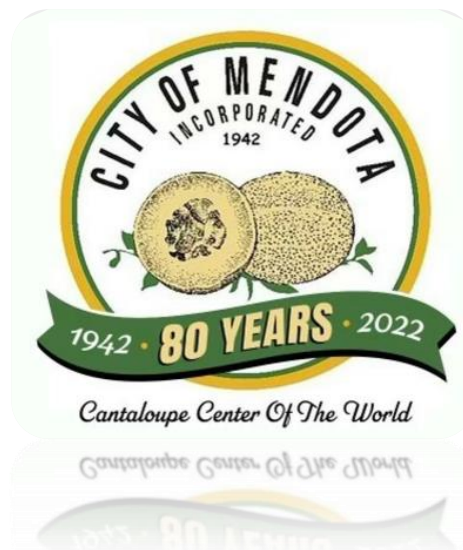
City Manager	Cristian Gonzalez	(559) 860-8882	cristian@cityofmendota.com
Finance Director	Nancy Banda	(559) 260-5057	nancy@cityofmendota.com
City Clerk/Events Coordinator	Celeste Cabrera-Garcia	(559) 577-7692	ccabrera@cityofmendota.com
Director of Administrative Services/Assistant City Manager	Jennifer Lekumberry	(559) 630-2849	jennifer@cityofmendota.com
Police Chief	Kevin W. Smith	(559) 288-8053	Kevin.Smith@fcl.org

Contract Services

City Attorney	Wanger Jones Helsley PC Attorneys	(559) 233-4800
City Engineer/Planner	Provost & Pritchard	(559) 449-2700

General Fund Budget – Summary

- 1) General Fund Revenue Summary
 - A. Taxes & Fines
 - B. Revenues from use of money or property
 - C. Inter-Governmental Agencies
 - D. Services
 - E. Other Revenues
- 2) General Fund Expenditure Summary
 - A. Salaries & Overtime
 - B. Fringe Benefits
 - C. Contract Services
 - D. Communication Supplies
 - E. Supplies
 - F. Fuel & Utilities
 - G. Repair & Maintenance
 - H. Property & General Liability Insurance
 - I. Meetings-Travel-Training
 - J. Other Expenditures
 - K. Capital Outlay



GENERAL FUND REVENUES

		Average	Approved	FY 21/22	Approved	Proposed
		Past 3 Years	Budget	Actual as of	Budget	Budget
			FY 20/21	Apr-22	FY 21/22	FY 22/23
TAXES & FINES:						
01-3000-3010	Current Year Secured - Property Taxes	991,928	975,000	1,144,422	1,030,000	1,030,000
01-3000-3030	Prior Year Secured - Property Taxes	1,495	1,000	-	1,000	1,000
01-3000-3040	Current Year Unsecured - Property Taxes	14,820	13,100	19,755	14,000	15,000
01-3000-3050	Prior Year Unsecured - Property Taxes	1,867	1,200	96	2,000	1,000
01-3000-3070	Home Owner Apportionment - Property Taxes	2,793	1,300	1,401	1,300	1,300
01-3000-3150	Transfer Tax - Property Taxes	15,033	10,000	13,177	10,000	11,000
01-3100-3110	Sales Tax & Use Tax	735,134	616,000	606,688	520,000	685,000
01-3100-3120	Franchise Fees	461,761	512,000	983,039	665,000	715,014
01-3100-3130	Business License Tax	83,740	79,000	94,808	79,000	90,000
01-3100-3140	Transient Tax	3,742	3,000	3,380	3,000	3,000
01-3200-3210	Animal License Tax	2,506	3,000	4,095	4,000	4,000
01-3300-3310	Vehicle Fines	41,322	33,500	31,463	33,500	33,500
01-3300-3320	Code Enforcement Fees	13,569	6,000	14,614	20,000	13,000
01-3300-3340	Police Services	7,276	4,000	6,661	2,000	7,000
01-3300-3351	Police Administration Fees	6,577	6,500	5,501	4,500	6,500
01-3300-3359	Vehicle Impound Fees	29,728	17,000	28,418	25,000	25,000
01-3300-3362	DUI	14,584	10,000	12,250	10,000	12,000
01-3800-3350	Parking Citation	14,574	8,000	17,510	10,000	15,000
	TOTAL TAXES & FINES	2,442,449	2,299,600	2,987,277	2,434,300	2,668,314

- Rental Income: Workforce Connection & Employment Development Department: \$3,909.50 (Monthly); Department of Motor Vehicles: \$487.00 (Monthly); Madera County Action Partnership: \$348.85 (Monthly); American Ambulance: \$1,111.95 (Monthly); Mendota Youth Recreation, Inc. \$1.00 (Annual); TerraForm (Solar Farm next to Covanta): \$10,000.00 (Annual); United Security Bank \$1,000.00 (Monthly); Department of Motor Vehicles Kiosk: \$200.00 (Monthly); Fresno Westside Mosquito Abatement: \$1,499.04 (Annual)

INTER-GOVERNMENTAL AGENCIES:						
01-3100-3115	Local Public Safety AB2788	43,809	-	51,491	47,156	48,000
01-3500-3580	Public Safety	8,333	10,500	-	10,500	10,500
01-3500-3600	Grants	157,890	450,429	1,445,880	1,086,336	865,429
01-4000-3520	Reimbursements	237,644	228,029	75,063	255,000	255,000
	TOTAL INTER-GOV. AGENCIES	447,677	688,958	1,572,433	1,398,992	1,178,929

- Grants: County of Fresno CDBG \$500,000.00; COPS Hiring Program \$30,429.00; California HCD \$160,000.00; USDA \$50,000.00; Proposition 64 \$125,000.00

GENERAL FUND REVENUES – CONTINUED

SERVICES:						
01-3800-3890	Debit Card Services	2,731	2,500	2,104	2,500	2,500
01-3800-3810	Planning/Engineering (Pass-Thru)	132,454	50,000	63,170	50,000	60,000
01-3200-3228	Plan Check Fees	59,289	40,000	74,045	40,000	50,000
01-3800-3860	Street Sweeping	14,553	14,553	7,277	14,553	14,553
01-3200-3220	Building Fees	90,618	40,000	87,320	40,000	60,000
01-3222-4650	Encroachment Permits	10,134	10,000	3,113	10,000	4,000
	TOTAL SERVICES	309,779	157,053	237,028	157,053	191,053
OTHER REVENUES:						
01-4000-4010	Sale of Property	40,374	4,000	-	4,000	2,000
01-4000-0000		-	-	-	-	-
01-4000-4060	Over/Short	77	-	297	-	-
01-4000-4650	Capital Contributions	29,510	6,000	109,587	6,000	6,000
		-				
	TOTAL OTHER REVENUE	69,961	10,000	109,884	10,000	8,000
01-3900-3903	TRANSFER	234,862	389,518	-	336,029	456,029
TOTAL GENERAL FUND REVENUES		3,601,275	3,646,629	4,998,781	4,438,874	4,604,825

- Transfer: \$336,029.00 (CDBG Fund 9 – Program Income); \$50,000.00 (General Fund Reserve); \$70,000.00 (Public Impact Fees)

GENERAL FUND EXPENDITURES

Fund	Description	Average Past 3 Years	Approved Budget FY 20/21	FY 21/22 Actual as of Apr-22	Approved Budget FY 21/22	Proposed Budget FY 22/23
	SALARIES & OVERTIME					
01-xxx-5010	Salaries, Regular	1,004,886	1,056,562	1,064,080	1,290,655	1,400,929
01-xxx-5060	Overtime	73,881	59,350	76,381	59,350	75,350
	Total Salaries & Overtime	1,078,767	1,115,912	1,140,462	1,350,005	1,476,279
	FRINGE BENEFITS					
01-xxx-5900	Uniform	12,546	12,700	8,301	14,760	15,900
01-xxx-6050	Retirement	36,301	39,065	38,525	72,460	72,643
01-xxx-6060	Health & Life Insurance	237,376	286,272	183,858	280,548	266,379
01-xxx-6070	F.I.C.A./Medicare	84,725	85,375	122,584	103,278	109,579
01-xxx-6080	Workers Compensation	147,371	148,920	149,430	190,190	195,960
01-xxx-6090	Unemployment Insurance	6,370	3,000	5,530	6,000	7,500
01-xxx-6100	Disability Insurance	11,382	12,052	18,623	14,579	15,557
	Total Fringe Benefits	536,071	587,384	526,852	681,815	683,518
	CONTRACT SERVICES					
01-xxx-5100	Election	2,997	2,800	-	2,800	3,000
01-xxx-5820	Legal Services	76,681	124,500	206,116	73,500	79,740
01-xxx-5821	Engineering Services	18,108	18,000	12,000	18,000	18,000
01-xxx-5840	Audit	12,344	11,000	11,723	11,000	12,000
01-xxx-5860	Contract Services - Dispatch	121,533	117,600	97,437	166,056	176,796
01-xxx-5850	Contract Services	169,532	267,190	269,939	369,015	678,241
01-xxx-5851	Contract Services (Pass-Thru)	130,950	50,000	80,445	50,000	50,000
01-xxx-5400	Lab Fees	2,188	2,000	370	2,000	500
01-xxx-5810	Abatement	3,301	8,000	1,545	7,000	7,000
	Total Contract Services	537,634	601,090	679,574	699,371	1,025,277
	COMMUNICATION					
01-xxx-5200	Telephone / Radio's	32,615	29,180	32,117	29,500	35,156
01-xxx-5360	Postage	3,962	3,530	3,503	3,420	3,730
	Total Communication	36,577	32,710	35,620	32,920	38,886
	SUPPLIES					
01-xxx-5350	Office Supplies	10,961	8,750	5,225	9,200	7,500
01-xxx-5800	Special Department Supplies	53,324	37,400	29,200	47,800	45,867
	Total Supplies	64,285	46,150	34,425	57,000	53,367
	FUEL & UTILITY					
01-xxx-5500	Fuel	16,375	19,434	20,869	17,534	22,700
01-xxx-5150	Utilities	37,289	33,740	27,125	29,000	32,000
	Total Fuel & Utility	53,664	53,174	47,993	46,534	54,700

GENERAL FUND EXPENDITURES - CONTINUED

	REPAIR & MAINTENANCE					
01-xxx-5450	Vehicle Maintenance/Operations	23,668	20,200	19,132	22,650	23,815
01-xxx-5460	Facility Repair	36,436	51,620	35,772	31,053	54,500
01-xxx-5600	Office Equipment Maintenance	3,902	2,124	6,432	3,500	6,500
	Total Repair & Maintenance	64,006	73,944	61,337	57,203	84,815
01-xxx-6110	P & GL INSURANCE	5,558	7,411	10,155	10,166	10,200
01-xxx-6300	MEETINGS/TRAVEL/TRAINING	17,636	19,300	16,412	19,100	21,900
	OTHER EXPENDITURES					
01-xxx-5300	Advertising & Publication	5,535	4,900	1,987	4,600	2,650
01-xxx-5950	Rent/Lease of Equip./ PD Bld.	48,587	67,500	36,135	54,500	54,000
01-xxx-6200	Principal	30,155	25,358	28,640	24,555	24,555
01-xxx-6210	Bonds-Interest	9,055	-	1,360	-	-
01-xxx-6211	Interest Expense	10,470	9,425	-	5,445	5,445
01-xxx-6250	Memberships & Dues	8,581	7,233	5,984	7,358	7,383
01-xxx-6305	K-9 Progam	-	-	862	1,900	1,200
01-xxx-6310	Proposition 64	-	-	25,300	82,850	83,000
01-xxx-6400	Taxes and Assessments	293	453	283	453	300
01-xxx-6510	Community Promotion	907	1,000	130	600	600
01-xxx-xxx	Transfer	-	-	-	-	50,000
01-xxx-7000	American Rescue Plan	-	-	440,472	517,500	-
	Total Other Expenditures	113,583	115,869	541,153	699,761	229,133
01-xxx-6500	CAPITAL OUTLAY	388,724	1,046,325	94,171	785,000	926,750
	TOTAL General Fund EXPENDITURES	2,896,505	\$ 3,699,269	\$ 3,188,152	4,438,875	4,604,825

General Fund Budgets

- 1) City Council
- 2) City Administration
- 3) Finance Department
- 4) Planning & Engineering
- 5) Police
- 6) Code Enforcement
- 7) Animal Control
- 8) Building Department
- 9) Buildings & Grounds
- 10) Administrative Services
 - A Senior Center
 - B. Human Resources



CITY COUNCIL
Proposed Budget for Fiscal Year 2022-23 – General Fund

			Approved	FY 21/22	Approved	Proposed
		Average	Budget	Actual as of	Budget	Budget
Fund	Description	Past 3 Years	FY 20/21	Apr-22	FY 21/22	FY 22/23
City Council						
01-5060-5010	Salaries, Regular	17,900	18,000	15,000	18,000	18,000
01-5060-5100	Elections	2,997	2,800	-	2,800	3,000
01-5060-5200	Telephone	1,312	1,300	1,753	1,300	1,900
01-5060-5350	Office Supplies	629	350	31	900	200
01-5060-6060	Health & Life Insurance	46,192	68,635	37,610	62,958	65,437
01-5060-6070	F.I.C.A. / Medicare	2,032	1,377	1,530	1,377	1,377
01-5060-6100	Disability Insurance	274	194	232	194	194
01-5060-6300	Meetings/Travel/Training	7,246	8,000	10,004	7,500	8,000
01-5060-6510	Community Promotions	907	1,000	130	600	600
	Total Expenditures	79,488	101,656	66,291	95,629	98,708

CITY ADMINISTRATION

Proposed Budget for Fiscal Year 2022-23 – General Fund

			Approved	FY 21/22	Approved	Proposed
		Average	Budget	Actual as of	Budget	Budget
Fund	Description	Past 3 Years	FY 20/21	Apr-22	FY 21/22	FY 22/23
City Administration						
01-5070-5010	Salaries, Regular	60,237	72,855	63,801	83,145	99,423
01-5070-5200	Telephone	3,521	3,650	2,172	3,650	2,606
01-5070-5300	Advertising & Publication	4,654	3,500	1,987	3,500	2,500
01-5070-5350	Office Supplies	6,461	5,000	4,264	5,000	5,000
01-5070-5360	Postage	2,175	2,000	2,052	2,000	2,200
01-5070-5450	Vehicle Maintenance/Operations	378	200	841	200	900
01-5070-5600	Office Equipment Maintenance	3,902	2,124	6,432	3,500	6,500
01-5070-5800	Special Department Supplies	2,628	3,000	1,330	4,700	7,667
01-5070-5820	Legal Services	54,433	35,000	45,240	45,000	49,740
01-5070-5850	Contract Services/Fire Protection	107,871	197,000	209,220	310,812	484,045
01-5070-5950	Lease Payment	452	3,500	3,530	3,500	4,000
01-5070-6050	Retirement	4,289	5,515	4,423	6,429	7,427
01-5070-6060	Health & Life Insurance	9,365	15,003	9,839	14,254	13,907
01-5070-6070	F.I.C.A. / Medicare	4,465	5,573	38,230	6,361	7,606
01-5070-6080	Workers Compensation	9,194	9,881	8,332	11,871	13,712
01-5070-6090	Unemployment Insurance	304	1,000	2,518	1,000	2,500
01-5070-6100	Disability Insurance	600	787	5,945	898	1,074
01-5070-6250	Memberships & Dues	7,566	6,000	5,371	6,000	6,000
01-5070-6300	Meetings/Travel/Training	1,691	2,000	175	2,000	3,000
01-5070-6500	Capital Outlay	24,267	6,000	-	-	-
01-5070-7000	American Rescue Plan-Premium Pay	-	-	440,472	517,500	-
01-0000-000	Transfer	-	-	-	-	50,000
	Total Expenditures	308,455	379,588	856,174	1,031,320	769,807

- Special Department Supplies: Portable Address System, Portable Podium (shared cost with the Water and Sewer Funds) (5800)
- Contract Services: Fire Protection Services (\$270,000.00) (5850)
- Transfer to General Fund Reserve (\$50,000.00)

FINANCE DEPARTMENT
Proposed Budget for Fiscal Year 2022-23 – General Fund

			Approved	FY 21/22	Approved	Proposed
		Average	Budget	Actual as of	Budget	Budget
Fund	Description	Past 3 Years	FY 20/21	Apr-22	FY 21/22	FY 22/23
Finance Department						
01-5080-5010	Salaries, Regular	23,057	43,629	6,041	43,629	22,842
01-5080-5200	Telephone	233	130	349	250	350
01-5080-5350	Office Supplies	420	800	-	600	600
01-5080-5840	Audit Fee	12,344	11,000	11,723	11,000	12,000
01-5080-5900	Uniform	316	400	555	700	1,800
01-5080-6050	Retirement	1,518	3,373	66	3,373	412
01-5080-6060	Health & Life Insurance	1,968	2,910	-	2,910	5,420
01-5080-6070	F.I.C.A. / Medicare	1,752	3,338	462	3,338	1,747
01-5080-6080	Workers Compensation	3,470	5,917	770	6,229	3,142
01-5080-6100	Disability Insurance	228	471	72	471	247
01-5080-6250	Memberships & Dues	317	433	265	433	433
01-5080-6300	Meetings/Travel/Training	280	400	-	600	1,500
	Total Expenditures	45,903	72,801	20,303	73,533	50,493

PLANNING & ENGINEERING
Proposed Budget for Fiscal Year 2022-23 – General Fund

Fund	Description	Average Past 3 Years	Approved Budget FY 20/21	FY 21/22 Actual as of Apr-22	Approved Budget FY 21/22	Proposed Budget FY 22/23
Planning & Engineering						
01-5110-5010	Salaries - Regular	6,140	-	100	3,600	3,600
01-5110-5300	Advertising & Publications	683	1,000	-	700	-
01-5110-5800	Special Dept. Supplies	56	-	-	-	-
01-5110-5821	Engineering	18,108	18,000	12,000	18,000	18,000
01-5110-5850	Contract Services	14,178	28,000	29,747	15,000	141,296
01-5110-5851	Contract Services (Pass-Thru)	130,950	50,000	80,445	50,000	50,000
01-5110-6050	Retirement	370	-	8	-	-
01-5110-6060	Health & Life	498	-	-	-	-
01-5110-6070	F.I.C.A. / Medicare	470	-	7	275	275
01-5110-6080	Workers Compensation	873	-	7	526	498
01-5110-6100	Disability Insurance	57	-	1	39	39
01-5110-6300	Travel/Meetings	11	-	-	-	-
01-5110-6500	Capital Outlay	-	160,000	-	160,000	160,000
	Total Expenditures	172,396	257,000	122,313	248,140	373,708

- Contract Services: Multijurisdictional Housing Element \$111,296.00 (5850)
- Contract Services (Pass-Thru): This line item is for development projects that are paid by the applicant. The applicant pays the City as a pass-thru for services provided by contracted parties.
- Capital Outlay: SB2 Planning Grant – Zoning Update; City Hall Front Counter Improvements; Scanner - \$160,000.00 (6500)

POLICE

Proposed Budget for Fiscal Year 2022-23 – General Fund

Fund	Description	Average Past 3 Years	Approved Budget FY 20/21	FY 21/22 Actual as of Apr-22	Approved Budget FY 21/22	Proposed Budget FY 22/23
Police						
01-6150-5010	Salaries - Regular	624,673	648,021	592,420	664,323	650,065
01-6150-5020	Salaries - Part - Time	36,529	78,922	96,411	192,608	245,925
01-6150-5060	Overtime	64,676	55,000	66,548	55,000	65,000
01-6150-5150	Utilities	20,721	17,000	14,033	15,000	16,000
01-6150-5200	Telephone	27,349	24,000	27,842	24,000	30,000
01-6150-5300	Advertising & Publication	198	400	-	400	150
01-6150-5350	Office Supplies	2,602	2,000	733	2,000	1,000
01-6150-5360	Postage	1,615	1,400	1,328	1,300	1,400
01-6150-5400	Lab Fees	2,188	2,000	370	2,000	500
01-6150-5450	Vehicle Maintenance/Operations	16,727	13,500	14,259	17,000	17,000
01-6150-5460	Facility Repair / Maint.	1,323	1,000	302	1,000	500
01-6150-5500	Fuel	14,123	17,000	18,296	15,000	19,000
01-6150-5800	Special Department Supplies	22,853	15,000	6,397	25,200	15,000
01-6150-5820	Legal Services	14,197	85,000	122,487	25,000	25,000
01-6150-5850	Contract Services	25,611	22,000	20,711	23,000	23,000
01-6150-5860	Contract Services Dispatch	121,533	117,600	97,437	166,056	176,796
01-6150-5900	Uniform	11,157	11,400	6,535	12,600	12,000
01-6150-5950	Lease Payment	48,135	51,000	32,605	51,000	50,000
01-6150-6050	Retirement	12,895	18,262	12,888	42,985	40,935
01-6150-6060	Health & Life	147,328	156,168	109,454	143,411	131,657
01-6150-6070	F.I.C.A. / Medicare	57,032	59,818	59,411	69,763	72,750
01-6150-6080	Workers Compensation	100,822	106,053	103,102	130,202	130,895
01-6150-6090	Unemployment Insurance	6,066	2,000	3,013	5,000	5,000
01-6150-6100	Disability Insurance	7,698	8,445	8,984	9,849	10,271
01-6150-6110	P & GL Insurance	3,582	4,666	6,394	6,405	6,400
01-6150-6250	Memberships & Dues	699	800	348	800	550
01-6150-6300	Meetings/Travel	8,010	8,000	5,346	8,000	8,000
01-6150-6500	Capital Outlay	92,808	159,000	1,288	50,000	131,750
	Total Expenditures	1,493,149	1,685,455	1,428,943	1,758,902	1,886,544

- Salaries – Part-Time: (4) R124 (5020)
- Contract Services Dispatch: Fresno County Sheriff Department (5860)
- Capital Outlay: (3) Police Ford Explorer Interceptors \$123,000.00 (\$50,000.00-Grant Reimbursable); Camera System (6500)

CODE ENFORCEMENT

Proposed Budget for Fiscal Year 2022-23 – General Fund

Fund	Description	Average 3 Years	Approved Budget FY 20/21	FY 21/22 Actual as of Apr-22	Approved Budget FY 21/22	Proposed Budget FY 22/23
Code Enforcement						
01-6160-5010	Salaries	27,525	26,462	58,909	98,364	96,775
01-6160-5060	Overtime	335	500	1,608	500	500
01-6160-5360	Postage	173	130	123	120	130
01-6160-5450	Vehicle Maintenance/Operations	92	750	275	200	300
01-6160-5500	Fuel	386	534	558	534	600
01-6160-5800	Special Department Supplies	1,086	600	-	200	200
01-6160-5810	Abatement	3,301	8,000	1,545	7,000	7,000
01-6160-5820	Legal Services	8,051	4,500	38,388	3,500	5,000
01-6160-5850	Contract Services	240	100	0	100	100
01-6160-5900	Uniform	394	200	496	480	550
01-6160-6050	Retirement	1,865	2,046	4,453	7,606	6,630
01-6160-6060	Health & Life Insurance	2,413	2,786	5,306	37,875	15,278
01-6160-6070	F.I.C.A. / Medicare	2,281	2,063	4,834	7,564	7,441
01-6160-6080	Workers Compensation	3,007	3,657	8,097	14,115	13,480
01-6160-6100	Disability Insurance	308	291	721	1,068	1,051
01-6160-6300	Travel/Meeting	38	300	-	300	300
01-6160-6310	Proposition 64	-	-	25,300	82,850	83,000
	Total Expenditures	51,494	52,919	150,613	262,376	238,335

- Salaries: (2) Community Service Officers (Grant Reimbursable) (5010)
- Proposition 64: Meetings, Events, Trainings, K-9, Vehicle, Drone, Tablet, Professional Services (6310)

ANIMAL CONTROL

Proposed Budget for Fiscal Year 2022-23 – General Fund

			Approved	FY 21/22	Approved	Proposed
		Average	Budget	Actual as of	Budget	Budget
Fund	Description	Past 3 Years	FY 20/21	Apr-22	FY 21/22	FY 22/23
Animal Control						
01-6170-5010	Salaries	23,918	26,462	22,783	28,358	19,592
01-6170-5060	Overtime	864	850	835	850	850
01-6170-5450	Vehicle Maintenance/Operations	956	750	91	750	400
01-6170-5460	Facility Repair/Maintenance	1,089	500	912	500	1,000
01-6170-5500	Fuel	319	400	418	500	500
01-6170-5800	Special Department Supplies	1,776	2,800	2,282	2,500	2,500
01-6170-5850	Contract Services	12,608	9,000	1,350	1,500	1,500
01-6170-5900	Uniform	322	200	443	480	550
01-6170-6050	Retirement	1,845	1,996	1,711	2,193	865
01-6170-6060	Health & Life Insurance	3,171	2,786	1,359	2,786	4,101
01-6170-6070	F.I.C.A. / Medicare	1,991	2,097	1,801	2,235	1,563
01-6170-6080	Workers Compensation	3,541	3,718	3,360	4,170	2,812
01-6170-6100	Disability Insurance	271	296	272	315	221
01-6170-6300	Travel/Meeting	359	200	887	200	600
01-6170-6305	K-9 Program Expenses	-	-	862	1,900	1,200
01-6170-6500	Capital Outlay	-	-	51,664	-	0
	Total Expenditures	53,029	52,055	91,032	49,237	38,254

BUILDING DEPARTMENT

Proposed Budget for Fiscal Year 2022-23 – General Fund

			Approved	FY 21/22	Approved	Proposed
		Average	Budget	Actual as of	Budget	Budget
Fund	Description	Past 3 Years	FY 20/21	Apr-22	FY 21/22	FY 22/23
Building Department						
01-7180-5010	Salaries	37,374	43,148	37,929	45,677	37,505
01-7180-5350	Office Supplies	130	-	-	-	-
01-7180-5500	Fuel	428	500	523	500	600
01-7180-5800	Special Department Supplies	585	1,000	564	200	500
01-7180-5850	Contract Services	116	1,000	-	400	-
01-7180-6050	Retirement	2,535	3,336	2,070	3,286	2,802
01-7180-6060	Health & Life Insurance	4,677	6,762	699	2,262	4,106
01-7180-6070	F.I.C.A./Medicare	2,556	3,301	2,131	3,494	2,869
01-7180-6080	Workers Compensation	6,258	5,852	4,945	6,522	5,159
01-7180-6100	Disability Insurance	307	466	248	493	405
01-7180-6200	Bond Principal	15,938	23,259	28,640	24,555	24,555
01-7180-6210	Bond Interest	9,055	-	1,360	-	-
01-7180-6211	Interest Expense	9,490	6,741	-	5,445	5,445
	Total Expenditures	89,449	95,365	79,109	92,834	83,946

- Bond Principal (6200) and Interest Expense (6211): Redevelopment Agency Payment for the City Hall Expansion

BUILDINGS & GROUNDS

Proposed Budget for Fiscal Year 2022-23 – General Fund

			Approved	FY 21/22	Approved	Proposed
		Average	Budget	Actual as of	Budget	Budget
Fund	Description	Past 3 Years	FY 20/21	Apr-22	FY 21/22	FY 22/23
Buildings & Grounds						
01-7250-5010	Salaries	143,124	86,063	170,686	92,567	173,818
01-7250-5060	Overtime	8,006	3,000	7,391	3,000	9,000
01-7250-5150	Utilities	15,130	15,140	13,092	14,000	16,000
01-7250-5450	Vehicle Maintenance/Operations	5,094	5,000	3,666	4,500	5,215
01-7250-5460	Facility Repair/Maintenance	34,024	50,000	34,558	29,553	53,000
01-7250-5500	Fuel	1,120	1,000	1,074	1,000	2,000
01-7250-5800	Special Department Supplies	24,340	15,000	18,627	15,000	20,000
01-7250-5850	Contract Services	8,639	9,870	8,910	18,203	15,000
01-7250-5900	Uniform	357	500	271	500	1,000
01-7250-5950	Lease Payment	-	13,000	-	0	-
01-7250-6050	Retirement	10,970	4,537	12,907	6,588	11,078
01-7250-6060	Health & Life Insurance	21,766	31,222	19,590	14,092	26,473
01-7250-6070	F.I.C.A./Medicare	11,808	6,813	14,179	7,311	11,397
01-7250-6080	Workers Compensation	19,557	12,079	20,818	13,645	21,670
01-7250-6100	Disability Insurance	1,597	962	2,147	1,032	1,694
01-7250-6110	Property & General Liability	1,975	2,745	3,761	3,761	3,800
01-7250-6200	Principal	14,217	2,099	-	-	-
01-7250-6211	Interest	981	2,684	-	-	-
01-7250-6400	Taxes & Assessments	293	453	283	453	300
01-7250-6500	Capital Outlay	271,649	721,325	41,219	575,000	635,000
	Total Expenditures	594,647	983,492	373,179	800,205	1,006,445

- Facility Repair/Maintenance: Council Chambers Audio; Binder for Tire-Derived Product at CA 180 Welcome Sign Improvements (5460)
- Capital Outlay: Phase II Rojas-Pierce Park Expansion (\$550,000.00); Truck Purchase; Honor Wall at Rojas-Pierce Park (6500)

ADMINISTRATIVE SERVICES

Proposed Budget for Fiscal Year 2022-23 – General Fund

Fund	Description	Average Past 3 Years	Approved Budget FY 20/21	FY 21/22 Actual as of Apr-22	Approved Budget FY 21/22	Proposed Budget FY 22/23
<u>Administrative Services</u>						
<u>Senior Center & Recreation</u>						
01-8320-5010	Salaries	4,408	13,000	-	20,384	33,384
01-8320-5150	Utilities	1,438	1,600	-	0	-
01-8320-5200	Telephone	199	100	-	300	300
01-8320-5350	Office Supplies	140	300	-	300	300
01-8320-5460	Building Operations S/M	-	120	-	0	-
01-8320-5850	Contract Services	270	220	-	0	13,300
01-8320-6050	Retirement	13	-	-	0	2,494
01-8320-6070	F.I.C.A./Medicare	337	995	-	1,560	2,554
01-8320-6080	Workers Compensation	647	1,763	-	2,910	4,592
01-8320-6100	Disability Insurance	43	140	-	220	361
01-8320-6300	Travel/Meetings	-	-	-	100.00	-
	Expenditures	7,496	18,238	-	25,774	57,285
<u>Human Resources</u>						
01-8321-5350	Office Supplies	579	300	195	400	400
01-8321-6250	Memberships/Dues	-	-	-	125	400
01-8321-6300	Travel/Meetings	476	400	-	400	500
	Expenditures	1,055	700	195	925	1,300
	Total Expenditures	8,551	18,938	195	26,699	58,585

- Salaries: Senior Center and Recreation Activities (5010)
- Contract Services: AMOR Facility Rents (5850)

Enterprise Fund Budgets

- 1) Refuse Operation Fund
- 2) Sewer Operation Fund
- 3) Water Operation Fund
- 4) Gas Tax – Street Fund
- 5) **Measure “C”** – Street Fund
- 6) **“LTF”** – Street Fund
- 7) Mendota Community Facilities District Fund (CFD)
- 8) Aviation
- 9) **“COPS”**
- 10) Donation Fund
- 11) Landscape & Lighting Maintenance District



REFUSE OPERATION FUND

Proposed Budget for Fiscal Year 2022-23

		Average	Approved	FY 21/22	Approved	Proposed
Fund	Description	Past 3 Years	Budget	Actual as of	Budget	Budget
			FY 20/21	Apr-22	FY 21/22	FY 22/23
Revenues						
13-3400-3410	Interest Income	-	-	-	-	-
13-4400	Refuse Service	767,848	680,502	595,153	680,502	1,113,147
13-3592-3890	State Grant	6,667	5,000	5,000	5,000	5,000
13-4000-4650	Misc Income	-	-	-	-	-
	TOTAL REVENUES	774,515	685,502	600,153	685,502	1,118,147
Expenditures						
13-7240-5010	Salaries, Regular	34,141	37,039	41,310	43,963	67,635
13-7240-5060	Overtime	1,156	500	546	500	500
13-7240-5374	State Grant	6,172	5,000	621	5,000	5,000
13-7240-5800	Special Department Supplies	194	500	130	500	9,250
13-7240-5840	Audit	1,038	1,230	732	1,230	800
13-7240-5850	Contract Services	673,569	605,509	524,870	605,509	890,514
13-7240-6050	Retirement	2,015	2,713	3,114	3,001	5,502
13-7240-6060	Health & Life Insurance	6,844	12,535	7,649	7,927	14,924
13-7240-6070	F.I.C.A./Medicare	2,632	2,864	3,227	3,402	5,212
13-7240-6080	Workers Compensation	5,172	5,078	5,332	6,348	9,472
13-7240-6100	Disability Insurance	353	404	489	480	736
	Total Expenditures	733,285	673,372	588,020	677,860	1,009,545

- Special Department Supplies: Cameras (5800)

SEWER OPERATION FUND

Proposed Budget for Fiscal Year 2022-23

			Approved	FY 21/22	Approved	Proposed
		Average	Budget	Actual as of	Budget	Budget
Fund	Description	Past 3 Years	FY 20/21	Apr-22	FY 21/22	FY 22/23
Revenues						
10-3400-3410	Interest Income	6,555	-	-	-	-
10-3500-3600	Grant	477		3,333	30,000	4,078,699
10-3900-3903	Transfer	44,785	-	-	388,800	200,000
10-4000-4650	Misc Revenue	9,613	-	500	-	-
10-4300-4200	Sewer Service	1,501,323	1,344,445	1,191,553	1,387,108	1,590,553
10-4200-4300	Connection Fee	12,722	4,000	3,847	4,000	4,000
	TOTAL REVENUES	1,575,475	1,348,445	1,199,233	1,809,908	5,873,252
Expenditures						
10-7210-5010	Salaries, Regular	261,571	405,552	281,347	478,419	491,104
10-7210-5060	Overtime	21,792	15,000	14,588	15,000	16,000
10-7210-5150	Utilities	134,851	116,668	28,225	65,000	34,000
10-7210-5200	Telephone	12,062	11,000	8,914	11,000	11,000
10-7210-5300	Advertising & Publication	2,011	2,000	1,060	1,500	1,500
10-7210-5350	Office Supplies	4,684	5,000	4,296	5,000	6,000
10-7210-5360	Postage	7,739	8,000	8,172	8,000	9,000
10-7210-5400	Lab Analysis	5,144	5,000	8,026	5,500	9,000
10-7210-5410	Chemicals	7,042	7,000	3,381	7,000	7,000
10-7210-5450	Vehicle Maintenance/Operations	12,110	13,000	7,409	6,000	10,717
10-7210-5460	Facility Repair / Maint.	78,536	180,000	65,131	188,000	194,750
10-7210-5500	Fuel	26,079	24,000	35,893	24,000	37,000
10-7210-5600	Office Equipment Maintenance	6,022	3,600	6,432	5,500	7,000
10-7210-5800	Special Department Supplies	14,838	25,000	15,813	16,000	17,666
10-7210-5820	Legal Services	37,436	31,372	24,224	31,372	31,372
10-7210-5821	Engineering Services	19,018	15,000	12,000	15,000	15,000
10-7210-5840	Audit	20,979	20,000	26,379	20,000	27,000
10-7210-5850	Contract Services	97,600	85,000	109,483	101,333	121,333
10-7210-5900	Uniform	3,975	3,700	3,822	4,500	5,000
10-7210-5950	Lease Payment	5,377	81,000	128,069	247,229	129,229
10-7210-6050	Retirement	15,752	28,636	19,393	36,729	39,349
10-7210-6060	Health & Life Insurance	68,578	81,188	50,518	85,600	102,082
10-7210-6070	F.I.C.A./Medicare	21,396	32,172	21,511	37,747	38,717
10-7210-6080	Workers Compensation	39,682	57,038	36,063	70,449	69,715
10-7210-6090	Unemployment Insurance	2,806	4,000	594	3,000	3,000
10-7210-6100	Disability Insurance	2,859	4,542	3,172	5,329	5,466
10-7210-6110	P & GL Insurance	2,363	3,567	4,325	4,330	4,330
10-7210-6200	Bond / Principle	227,956	180,000	75,701	191,081	55,000
10-7210-6210	Bond / Interest	30,007	198,853	2,041	187,969	132,326

10-7210-6211	Interest Expense	-	83,207	-	-	-
10-7210-6250	Memberships & Dues	16,212	12,500	15,534	12,500	17,000
10-7210-6300	Meetings/Travel/Training	1,129	1,100	-	2,500	3,666
10-7210-6400	Taxes & Assessment	751	900	801	850	850
10-7210-6500	Capital Outlay	338,350	90,995	791,739	345,800	4,518,699
	Total Expenditures	1,546,707	1,835,590	1,814,056	2,239,237	6,170,871
	FUND BALANCE:	-	424,411	531,377	429,330	297,619

- Facility Repair/Maintenance: Base Rock for access roads to WWTP (\$50,000.00); Cameras (5460)
- Lease Payment: Signature Payment for Engie Project (5950)
- Capital Outlay: Urban Flood Protection Grant Project (\$4,078,699); (1) Truck; Purple Pipe Project (\$200,000); Backwash Project (\$200,000) (6500)

LONG-TERM LIABILITIES – SEWER

	Principal	Interest	
Wastewater Bonds 2021	\$ 55,000.00	\$ 132,325.74	\$ 187,325.74

WATER OPERATION FUND

Proposed Budget for Fiscal Year 2022-23

			Approved	FY 21/22	Approved	Proposed
		Average	Budget	Actual as of	Budget	Budget
Fund	Description	Past 3 Years	FY 20/21	Apr-22	FY 21/22	FY 22/23
02-3400-3410	Interest Income	8,159	50	-	50	50
02-3500-3600	Grant	1,790,820	200,000	46,377	230,000	730,000
02-3900-3903	Transfer (ARPA)	-	6,020,331	1,136,605	2,458,111	1,230,000
02-4000-4650	Misc Income	146,130	1,500	52,736	1,500	1,500
02-4200-4201	Water Service	2,059,815	1,939,572	1,703,268	1,960,553	2,081,268
02-4200-4213	Repair Charge	3,198	2,500	4,393	2,500	2,500
02-4200-4300	Connection Fee	32,198	6,000	71,792	6,000	6,000
02-4200-4330	Penalty/Shut-Off	80,187	30,000	6,047	200	200
	TOTAL REVENUES	4,120,508	8,199,953	3,021,217	4,658,914	4,051,518
02-7220-5010	Salaries, Regular	369,865	437,829	341,791	526,130	502,705
02-7220-5060	Overtime	22,600	23,000	17,134	23,000	23,000
02-7220-5150	Utilities	403,457	345,886	287,865	345,886	345,886
02-7220-5200	Telephone	18,761	18,000	15,538	18,000	18,000
02-7220-5300	Advertising & Publication	2,007	2,400	1,060	1,200	1,200
02-7220-5350	Office Supplies	4,620	5,224	4,291	5,224	5,224
02-7220-5360	Postage	7,531	7,200	6,333	6,200	6,400
02-7220-5400	Lab Analysis	19,415	17,397	14,939	17,397	17,397
02-7220-5410	Chemicals	34,333	30,000	28,872	30,000	30,000
02-7220-5450	Vehicle Maintenance/Operations	11,604	9,000	5,407	9,000	11,717
02-7220-5460	Facility Repair / Maint.	32,551	85,000	106,696	234,500	206,250
02-7220-5500	Fuel	26,766	27,000	36,635	27,000	27,000
02-7220-5600	Office Equipment Maintenance	5,936	3,600	6,432	4,600	4,600
02-7220-5800	Special Department Supplies	44,883	73,000	33,147	50,000	51,867
02-7220-5820	Legal Services	35,857	31,309	25,699	31,309	31,309
02-7220-5821	Engineering Services	18,000	16,200	12,000	16,200	16,200
02-7220-5840	Audit	22,642	23,766	27,112	23,766	23,766
02-7220-5850	Contract Services	81,516	77,640	84,195	85,974	85,974
02-7220-5900	Uniform	3,961	3,507	5,400	4,940	5,740
02-7220-5950	Lease Payment	160,683	213,939	212,094	300,694	300,694
02-7220-6050	Retirement	20,259	31,367	23,944	40,027	39,154
02-7220-6060	Health & Life Insurance	92,483	78,690	63,319	92,819	98,963
02-7220-6070	F.I.C.A./Medicare	30,233	35,253	26,535	42,008	40,217
02-7220-6080	Workers Compensation	55,801	62,501	43,713	78,403	72,411
02-7220-6090	Unemployment Insurance	2,806	4,000	594	3,000	3,000
02-7220-6100	Disability Insurance	4,024	4,977	3,934	5,931	5,678
02-7220-6110	P & GL Insurance	2,091	2,745	4,325	4,330	4,400
02-7220-6200	Bond / Principle	72,861	48,000	57,763	50,000	60,000
02-7220-6210	Bond / Interest	19,243	19,855	8,887	16,650	10,000

02-7220-6211	Interest Expense	-	48,314	-	-	-
02-7220-6250	Memberships & Dues	19,243	21,000	27,167	21,000	28,000
02-7220-6300	Meetings/Travel/Training	897	1,000	444	1,900	3,167
02-7220-6400	Taxes & Assessment	216	250	236	245	245
02-7220-6500	Capital Outlay	327,208	260,995	41,657	725,000	1,550,000
02-7220-8004	Mowry Bridge - Pass-thru	-	6,020,331	1,136,605	1,958,111	-
02-7220-4660	Meter Project	-	-	595,028	-	500,000
02-7220-5854	Online Fees	6,096	-	15,062	15,563	15,563
	Total Expenditures	1,980,450	8,090,175	3,321,854	4,816,007	4,145,726
	FUND BALANCE:	-	48,138	157,093		94,208

- Facility Maintenance: Council Chambers Audio; Public Works Heater; Software Update (\$63,500); Cameras (5460)
- Capital Outlay: Backwash Project (\$200,000.00); (1) Truck; Water Storage Project (ARPA-\$1,000,000); Drinking Water – Pool Park (\$80,000) Generator (\$230,000) (6500)

LONG-TERM LIABILITIES – WATER

USDA Water Improvement Loan				
Year Ended June 30	Principal	Interest	Totals	
2023	52,000	14,355	66,355	
2024	54,000	11,970	65,970	
2025	57,000	9,473	66,473	
2026-2028	122,000	12,285	134,285	
Total	285,000	48,083	333,083	

- USDA Water Improvement Loan debt service will terminate 2028.

GAS TAX – STREET FUND

Proposed Budget for Fiscal Year 2022-23

Fund	Description	Average Past 3 Years	Approved Budget FY 20/21	FY 21/22 Actual as of Apr-22	Approved Budget FY 21/22	Proposed Budget FY 22/23
Revenues						
07-3500-3527	State Allocation -	13,627	-	124,428	13,627	13,627
07-3500-3528	State Allocation - 2032	222,093	163,896	21,746	163,896	163,896
07-3500-3529	State Allocation - 2103	69,555	32,972	74,822	32,972	32,972
07-3500-3530	State Allocation - 2105	64,231	49,325	52,627	49,325	49,325
07-3500-3531	State Allocation - 2106	37,255	28,645	30,799	28,645	28,645
07-3500-3532	State Allocation - 2107	82,915	60,473	59,775	60,473	60,473
07-3500-3533	State Allocation - 2107.5	3,000	3,000	3,000	3,000	3,000
07-3400-3410	Interest Income	944	-	-	-	-
07-3900-3903	Interfund Transfer		-	-	41,456	41,456
07-3500-3600	Grant	168,041	870,552	28,792	860,670	2,155,919
07-4000-4650	Misc Revenue	-	-	3,888	-	0
	Total Revenues	661,662	1,208,863	399,878	1,254,064	2,549,313
Expenditures						
07-7190-5010	Salaries, Regular	11,079	16,445	17,022	24,879	32,800
07-7190-5060	Overtime	91	500	997	500	500
07-7190-5150	Utilities- Street Lights	85,077	71,000	90,084	71,000	71,000
07-7190-5450	Vehicle Maintenance / Operations	803	500	794	500	3,717
07-7190-5470	Street Repair / Maintenance	11,883	35,000	7,211	25,000	25,000
07-7190-5800	Special Department Supplies	4,531	2,000	4,995	2,000	10,000
07-7190-5821	Engineering Services	-	1,000	-	1,000	1,000
07-7190-5840	Audit Fees	1,785	1,850	2,198	1,850	1,900
07-7190-6050	Retirement	766	1,272	1,104	1,985	2,064
07-7190-6060	Health & Life Insurance	1,209	4,334	2,236	3,097	6,710
07-7190-6070	F.I.C.A./Medicare	798	1,297	1,171	1,942	2,548
07-7190-6080	Workers Compensation	1,708	2,298	2,169	3,624	4,680
07-7190-6100	Disability Insurance	104	183	163	274	360
07-7190-6500	Capital Outlay	200,009	961,068	438,492	1,191,085	3,046,902
	Total Expenditures	319,843	1,098,747	568,635	1,328,736	3,209,180
	FUND BALANCE:	197,552		74,672	74,672	659,868

- Estimated Allocation for Fiscal Year 22/23
- Capital Outlay: Projects: 1) MJHS SRTS Project; 2) Citywide Safe Routes to School Master Plan; 3) Citywide Railroad Corridor Crossing Improvements; 4) 5th & Quince Street Rehabilitation; 5) Derrick & Oller Roundabout; 6) Rio Frio, Stamoules & Kate;

MEASURE “C” STREET FUND

Proposed Budget for Fiscal Year 2022-23

Fund	Description	Average Past 3 Years	Approved Budget FY 20/21	FY 21/22 Actual as of Apr-22	Approved Budget FY 21/22	Proposed Budget FY 22/23
Revenues						
14-3100-3175	County Allocation	160,945	166,208	154,010	152,587	152,587
14-3100-3180	County Allocation (ADA)	5,338	5,817	5,197	5,341	5,341
14-3100-3190	County Allocation (Flexible)	193,586	197,530	182,987	180,593	180,593
14-3400-3410	Interest Income	474	-	-	-	-
14-3500-3600	Grant	129,152	701,105	20,223	356,881	796,753
14-3900-3903	Interfund Transfer	-	-	-	35,382	35,382
	Total Revenues	489,496	1,070,660	362,416	730,784	1,170,656
Expenditures						
14-7190-5010	Salaries, Regular	106,309	135,980	85,608	132,058	136,102
14-7190-5060	Overtime	896	1,000	215	500	500
14-7190-5420	Street ADA Projects	-	-	-	-	-
14-7190-5450	Vehicle Maintenance/Operations	11,114	8,000	28,252	7,000	10,717
14-7190-5470	Street Repair / Maint.	14,143	40,000	6,875	23,000	23,000
14-7190-5480	Sidewalk / Curb / Gutter-Maint.	-	1,000	-	1,000	1,000
14-7190-5800	Special Department Supplies	7,859	8,000	9,839	7,900	12,000
14-7190-5840	Audit	2,418	2,500	2,933	2,500	2,500
14-7190-5850	Contract Services	27,051	35,000	17,106	35,000	35,000
14-7190-6050	Retirement	7,799	9,381	6,160	10,446	10,291
14-7190-6060	Health & Life Insurance	26,883	34,358	16,768	32,504	38,199
14-7190-6070	F.I.C.A./Medicare	8,420	10,479	6,478	10,179	10,488
14-7190-6080	Workers Compensation	15,842	18,578	10,778	18,998	18,958
14-7190-6100	Disability Insurance	1,123	1,479	969	1,437	1,481
14-7190-6500	Capital Outlay	165,664	805,089	286,948	790,194	1,126,029
	Total Expenditures	395,522	1,110,844	478,928	1,072,716	1,426,264
	FUND BALANCE:		40,184	341,932	341,932	255,609

- Estimated Allocation for Fiscal Year 22/23
- Capital Outlay: Projects: 1) MJHS SRTS Project; 2) Citywide Safe Routes to School Master Plan; 3) Citywide Railroad Corridor Crossing Improvements; 4) 5th & Quince Street Rehabilitation; 5) Derrick & Oller Roundabout; 6) Rio Frio, Stamoules & Kate;

“LTF” STREET FUND

Proposed Budget for Fiscal Year 2022-23

Fund	Description	Average Past 3 Years	Approved Budget FY 20/21	FY 21/22 Actual as of Apr-22	Approved Budget FY 21/22	Proposed Budget FY 22/23
Revenues						
12-3100-3160	Article III	9,171	9,275	10,403	10,403	10,403
12-3100-3170	Article VIII	364,983	418,807	483,085	469,724	469,724
12-3100-3410	Interest Income	905	100	-	100	100
12-3500-3600	Grant	170,547	653,797	19,458	621,618	1,734,109
12-3900-3903	Interfund Transfer	-	-	-	-	-
12-4000-4650	Other Revenue	1,343	-	-	-	-
	Total Revenues	546,950	1,081,979	512,946	1,101,845	2,214,336
Expenditures						
12-7190-5010	Salaries, Regular	96,094	81,551	87,603	89,442	90,517
12-7190-5060	Overtime	1,337	1,000	1,487	2,000	2,000
12-7190-5440	Street Painting	-	-	-	-	-
12-7190-5450	Veh. Maint/Operations	7,953	7,000	7,596	7,000	9,717
12-7190-5470	Street Repair	27,348	-	8,974	35,000	35,000
12-7190-5480	Sidewalk / Curb	-	-	-	-	-
12-7190-5500	Fuel	6,574	5,000	10,007	5,000	10,000
12-7190-5800	Special Department Supplies	13,613	10,000	10,439	12,000	17,000
12-7190-5821	Engineering Services	433	-	-	-	-
12-7190-5840	Audit Fees	1,995	1,851	2,198	1,851	1,900
12-7190-5850	Contract Services	2,776	5,000	809	5,000	5,000
12-7190-6050	Retirement	7,037	5,844	6,600	6,882	6,620
12-7190-6060	Health & life Insurance	22,676	14,912	19,985	14,375	21,104
12-7190-6070	F.I.C.A./Medicare	7,517	6,315	7,232	6,584	7,001
12-7190-6080	Workers Compensation	14,121	11,196	11,363	12,913	12,688
12-7190-6100	Disability Insurance	1,004	892	1,086	977	988
12-7190-6500	Capital Outlay	202,811	752,998	278,362	754,404	2,450,769
	Total Expenditures	413,289	903,559	453,739	953,428	2,670,304
	FUND BALANCE:	-	-			455,968

- Estimated Allocation for Fiscal Year 22/23
- Capital Outlay: Projects: 1) MJHS SRTS Project; 2) Citywide Safe Routes to School Master Plan; 3) Citywide Railroad Corridor Crossing Improvements; 4) 5th & Quince Street Rehabilitation; 5) Derrick & Oller Roundabout; 6) Rio Frio, Stamoules & Kate;

MENDOTA CFD FUND
Proposed Budget for Fiscal Year 2022-23

Fund	Description	Average Past 3 Years	Approved Budget FY 20/21	FY 21/22 Actual as of Apr-22	Approved Budget FY 21/22	Proposed Budget FY 22/23
Revenues						
61-3000-3015	Mendota CFD / 2006 - 01	420,548	415,000	260,020	420,000	486,847
61-3400-3410	Interest Income	98	50	-	50	50
61-3500-3600	Grant	-	14,987	-	-	-
	Total Revenues	420,645	430,037	260,020	420,050	486,897
Expenditures						
61-6150-5010	Salaries, Regular	237,279	278,328	163,031	278,453	334,180
61-6150-5060	Overtime	10,006	8,000	7,515	8,000	8,000
61-6150-5850	Contract Services	18,145	44,466	13,167	25,000	20,000
61-6150-6050	Retirement	1,862	12,319	246	13,949	15,121
61-6150-6060	Health & life Insurance	50,993	50,819	16,550	73,349	43,935
61-6150-6070	F.I.C.A./Medicare	19,705	21,904	13,359	20,585	26,177
61-6150-6080	Workers Compensation	36,013	38,834	21,353	38,419	47,167
61-6150-6100	Disability Insurance	2,654	3,092	2,024	2,906	3,696
	Total Expenditures	376,658	457,762	237,246	460,661	498,276
	FUND BALANCE:		27,725	40,611	40,611	11,379

AVIATION

Proposed Budget for Fiscal Year 2022-23

			Approved	FY 21/22	Approved	Proposed
		Average	Budget	Actual as of	Budget	Budget
Fund	Description	Past 3 Years	FY 20/21	Apr-22	FY 21/22	FY 22/23
Revenues						
05-3500-3600	State Allocation	7,002	10,000	10,000	10,000	10,000
05-3400-3410	Interest Income	-	-	-	-	-
05-4000-4650	Misc. Revenue	2,672	-	-	-	-
	Total Revenues	9,673	10,000	10,000	10,000	10,000
Expenditures						
05-7230-5010	Salaries, Regular	1,773	1,969	2,848	2,233	2,279
05-7230-5060	Overtime	75	-	22	100	-
05-7230-5150	Utilities	198	217	116	200	200
05-7230-5460	Facility Repair/Maintenance	1,268	1,900	1,770	1,354	757
05-7230-5850	Contract Services	932	-	-	-	-
05-7230-6050	Retirement	141	152	217	178	181
05-7230-6060	Health & Life Insurance	258	388	414	388	387
05-7230-6070	F.I.C.A./Medicare	143	151	223	170	174
05-7230-6080	Workers Compensation	269	267	369	319	414
05-7230-6100	Disability Compensation	20	21	33	24	25
05-7230-6150	Airport Insurance	4,335	4,600	5,248	4,699	5,248
05-7230-6400	Taxes & Assesments	327	335	330	335	335
05-7230-6500	Capital Outlay	-	-	-	-	-
	Total Expenditures	5,352	10,000	11,591	10,000	10,000
			-		-	-

“COPS”

Proposed Budget for Fiscal Year 2022-23

		Average	Approved	FY 21/22	Approved	Proposed
Fund	Description	Past 3 Years	Budget	Actual as of	Budget	Budget
			FY 20/21	Apr-22	FY 21/22	FY 22/23
Revenues						
23-3500-3560	COPS	153,807	100,000	131,285	100,000	100,000
23-3400-3410	Interest Income	115	10	-	10	10
	Total Revenues	<u>153,922</u>	<u>100,010</u>	<u>131,285</u>	<u>100,010</u>	<u>100,010</u>
Expenditures						
23-6150-5010	Salaries, Regular	79,058	79,055	42,141	102,479	126,498
23-6150-5060	Overtime	13,673	15,000	1,541	15,000	2,000
23-6150-6050	Retirement	2,101	3,953	-	3,576	6,059
23-6150-6060	Health & life Insurance	18,292	17,755	2,169	28,146	29,417
23-6150-6070	F.I.C.A./Medicare	7,275	7,195	3,417	5,002	10,825
23-6150-6080	Workers Compensation	12,037	12,756	5,527	9,420	19,545
23-6150-6100	Disability Insurance	957	1,016	500	706	1,528
	Total Expenditures	<u>133,392</u>	<u>136,730</u>	<u>55,296</u>	<u>164,329</u>	<u>195,872</u>
	FUND BALANCE:		<u>36,720</u>		<u>64,319</u>	<u>95,862</u>

DONATION FUND

Proposed Budget for Fiscal Year 2022-23

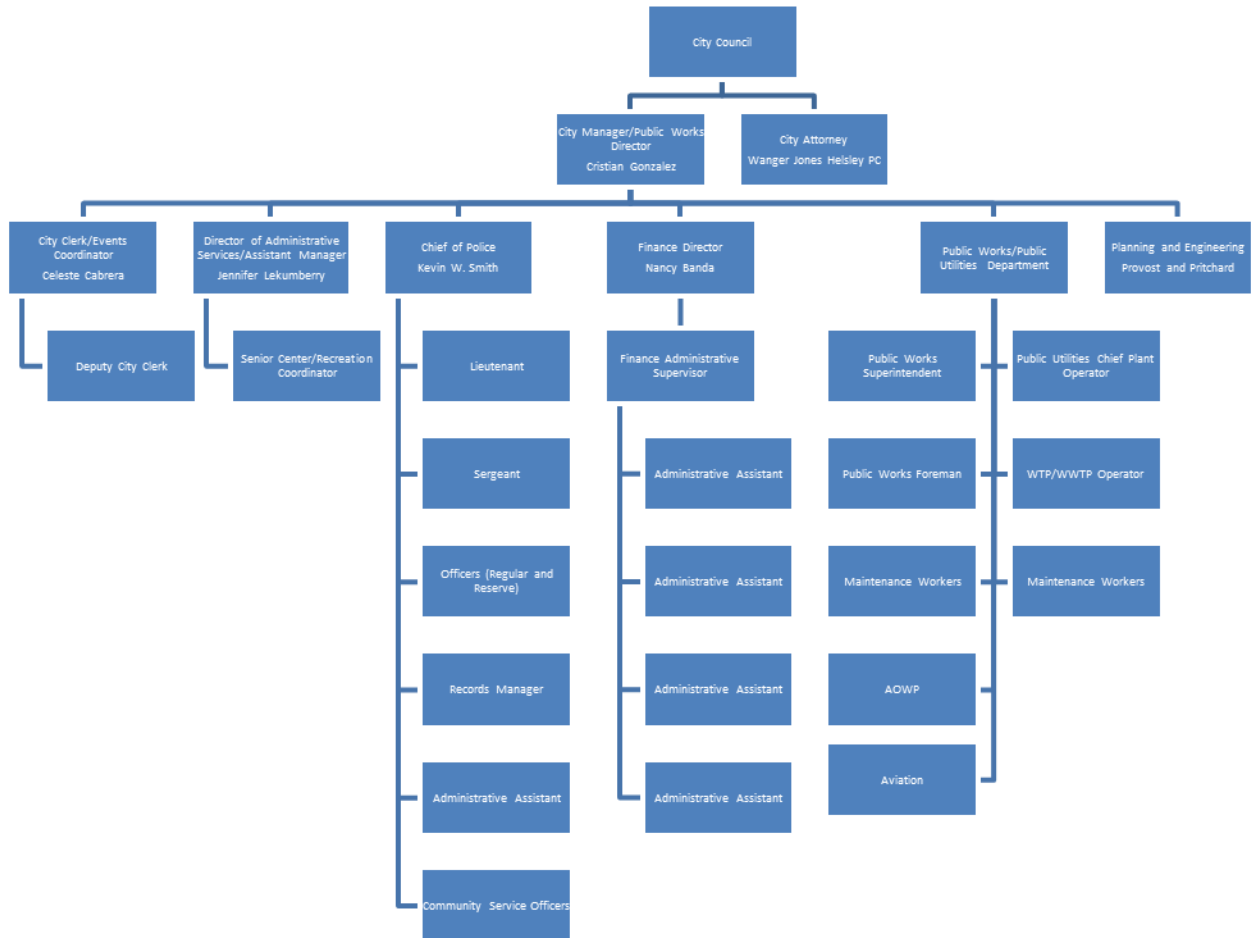
Fund	Description	Proposed Budget FY 22/23
Donation Fund		
24 (Fund Balance)	Donation Fund Balance	10,619
	Total Revenues	10,619
Expenditures		
24-5090-5800	Special Department Supplies	10,619
	Total Expenditures	10,619

- National Night Out Event
- K-9 Program

LANDSCAPE & LIGHTING MAINTENANCE DISTRICT FUND
Proposed Budget for Fiscal Year 2022-23

		FY 21/22	Approved	Proposed
		Actual as of	Budget	Budget
Fund	Description	Apr-22	FY 21/22	FY 22/23
Revenues				
78-3000-3015	L&LMD	10,998	21,638	21,638
Expenditures				
78-7250-5010	Salaries	1,913	13,711	12,507
78-7250-5060	Overtime	-	100	200
78-7250-5150	Utilities	-	500	500
78-7250-5460	Facility Repair/Maintenance	1,549	1,950	2,000
78-7250-5800	Special Department Supplies	-	200	500
78-7250-5850	Contract Services	766	1,000	400
78-7250-6050	Retirement	145	832	660
78-7250-6060	Health & Life Insurance	590	-	2,191
78-7250-6070	F.I.C.A./Medicare	153	1,056	965
78-7250-6080	Workers Compensation	213	431	552
78-7250-6100	Disability Insurance	24	149	136
78-7250-6110	Property & General Liability	-	400	400
78-7250-6400	Taxes & Assessments	-	25	40
	Total Expenditures	5,352	20,354	21,051

CITY OF MENDOTA Organizational Chart



CITY OF MENDOTA

Payroll Allocation Summary

City Manager		Finance Director	
General Fund	30%	General	25%
Water	25%	Water	23%
Sewer	25%	Sewer	22%
Gas Tax	5%	Refuse	10%
Measure C	5%	Measure C	10%
LTF	5%	LTF	10%
Refuse	5%		
		Finance Administrative Supervisor	
City Clerk/Events Coordinator		Water	40%
General Fund	40%	Sewer	40%
Water	30%	Refuse	20%
Sewer	30%		
		Administrative Assistant (2)	
Director of Administrative Services/ Assistant City Manager		Water	40%
General	40%	Sewer	40%
Water	30%	Refuse	20%
Sewer	30%		
		Administrative Assistant (1)	
Public Utilities Chief Plant Operator		Water	35%
Water	50%	Sewer	35%
Sewer	50%	Refuse	20%
		General	10%
Public Utilities Water/Wastewater Opr I (2)		Public Works Superintendent (1)	
Water	50%	General	10%
Sewer	50%	Water	20%
		Sewer	10%
Public Utilities Maintenance Worker III (1)		Measure C	30%
Water	60%	LTF	30%
Sewer	40%		
		Public Utilities Water/Wastewater Operator (1)	
Public Utilities Maintenance Worker (1)		Sewer	100%
Water	50%		
Sewer	50%		

Public Works Maintenance Worker (1)	
General	25%
Water	10%
Airport	5%
Sewer	10%
Gas Tax	15%
Measure C	15%
LTF	20%

Public Works Maintenance Worker I (1)	
General	90%
L&LMD	10%

Public Works Maintenance Worker III (1)	
General	80%
Water	5%
Sewer	5%
L&LM	10%

Public Works Maintenance Worker (3)	
General	25%
Water	25%
Sewer	25%
LTF	10%
Measure C	10%
Gas Tax	5%

Public Works Maintenance Worker (1)	
Measure C	100%

Public Works Foreman	
General	10%
Water	50%
Sewer	30%
Measure C	5%
LTF	5%

Public Works Maintenance Worker (2)	
Water	50%
Sewer	30%
Measure C	10%
LTF	10%

Public Works Maintenance Worker (3)	
General	14%
Water	33%
Sewer	33%
Measure C	10%
LTF	10%

Public Works Maintenance Worker (1)	
General	10%
Water	20%
Sewer	10%
Measure C	20%
LTF	20%
Gas Tax	20%

Public Works Maintenance Worker (1)	
Water	10%
Sewer	10%
Measure C	10%
LTF	10%
Refuse	10%
General	30%
L&LMD	10%
Gas Tax	10%

Police Chief General	100%	Police Officer (2) General	100%
Police Lieutenant (1) General	28%	Police Records Manager (1) General	100%
CFD	58%	Police Administrative Assistant (1) General	100%
COPS	14%	Police Officer R124 (4) General	100%
Police Sergeant (1) COPS	75%	Police Officer (1) CFD	100%
CFD	25%	Police Officer (1) General	40%
Police Sergeant (1) General	55%	CFD	60%
CFD	45%	Community Service Officer (2) General	60%
Police Officer-SRO (3) General	100%	Water	20%
Police Sergeant (1) General	38%	Refuse	20%
CFD	45%	Police Officer (1) COPS	50%
COPS	17%	CFD	50%
Reserve Officers (5) General	100%	Community Service Officer (2) General	100%
Police Officer (2) General	50%	Police Officer (1) COPS	50%
COPS	50%	CFD	50%
Police Officer General	33		
COPS	33		
CFD	34		

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY BANDA, FINANCE DIRECTOR
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: GRANTS UPDATE
DATE: JUNE 14, 2022

GRANTS UPDATE

- **America Rescue Plan Act of 2021 State Local Fiscal Recovery Funds** – Staff submitted the Project and Expenditure Report on April 29, 2022. The reporting period is from March 3, 2021 through March 31, 2022. The City will be required to submit future reports annually by the end of April.
- **SB1383 – Local Assistance Grant Program** – Cal Recycle approved our budget for twenty-one thousand two hundred twenty-four dollars (\$21,224.00). Staff will be working on implementing the grant. This grant program will provide aid to assist with the implementation of the Organics Regulations. Staff plans to hold educational workshops, purchase organics bins for households and other materials.
- **Beverage Container Recycling City/County Payment Program** – The City purchased eight (8) dual purpose trash containers for recycling and trash. The containers were installed on 7th Street. The City will be purchasing an additional seven (7) containers to change out the remainder on the 7th Street. The green and brown containers removed are anticipated to be installed at Pool Park in the future. Staff will be working on distributing blue containers for recycling purposes to local businesses from prior year funding.
- **FEMA-4482-DR-CA California Covid-19 Pandemic** – Staff is in the process of submitting for reimbursement.
- **COPS Hiring Program (2022)** – Staff will be submitting an application to the next cycle of the COPS Hiring Program for one (1) Officer.
- **Community Facilities Grant (USDA)** – Staff is having a meeting with Antonio Ibarra, our local representative with the USDA to discuss an application for the purchase of three (3) Ford Explorer Police Interceptors. This grant will be reimbursable in the amount of fifty thousand dollars (\$50,000) in total.
- **Adelante Mendota** – We have revised our schedule for *Movies in the Park* this summer. Our schedule will include three (3) Fridays in July. Our new movie nights will be on the following Fridays, July 8th, July 15th, and July 22.
- **Automatic Meter Read Project** – Staff will be submitting documentation for the first reimbursement request to the State Water Board.
- **Tire-Derived Product** – Staff will be having an agenda item at the June 28th City Council meeting to discuss color options for installation of tire-derived product (mulch) at various locations citywide.

- **Wastewater Arrearages Grant Program** – The City received the grant funds for the Wastewater Arrearages Grant Program. All accounts have been credited their past-due balance from March 2020 through June 2021.

In – Progress Grants:

- **Rojas-Pierce Park Expansion Project** – County of Fresno, Urban Community Development Block Grant (CDBG) Program
- **Rojas-Pierce Park Expansion Project** – Per Capita Program
- **Rojas-Pierce Park Expansion Project** – CDBG-CV
- **COPS Hiring Program** – Department of Justice

Attachment(s):

1. Grants Spreadsheet

Grant Name	Application Due Date	Award Date	Agency: Federal/State/County/ Private	Pass-thru	Matching	Award Amount	Purpose of Grant	Notes
T-Mobile	6/30/2022	6/30/2022	Private	N	N	\$ 50,000.00	Christmas Decorations & Pool Park amenities	
CA WA & WWA Arrearages Payment	4/1/2022	TBD	State	N	N	\$ 30,065.39	Financial assistance for customers' accounts 60 days+ for wastewater only	
CalRecycle SB 1383 Grant	2/1/2022	TBD	State	N	N	\$ 20,000.00	Implementation program for SB 1383. Staff will conduct educational presentations, site visits, and enforcement activities.	
Clean California Local Grant Program	2/1/2022	3/1/2022	State	N	N	\$ 5,000,000.00	(4) Projects: 1-Pocket Park at Bass Avenue and 2nd Street; 2-Art Sculpture at Bass Avenue Roundabout; 3-Trail to Pool Park; 4-Trails in Pool Park	DENIED
Outdoor Equity Grant Program	10/8/2021	3/1/2022	State	N	N	\$ 154,861.00	Outdoor activities in the community and traveling inside of California	DENIED
Office of Traffic Safety Grants	1/31/2021	3/1/2022	State	N	N	\$ 550,000.00	DUI Checkpoints with partnering cities in the Westside	Mendota will be the lead agency
CA WA & WWA Arrearages Payment	12/6/2021	3/15/2022	State	N	N	\$ 70,743.47	Financial assistance for customers' accounts 60 days+ for water only	
Small Community Drought Relief Program	TBD	TBD	State	N	N	TBD	Water Storage Tank	
Wonderful Community Grants	8/31/2021	9/30/2021	Private	N	N	\$ 50,000.00	(30) Rental Assistance (Continuing) (135) Utility Assistance (100) Dental Care	DENIED
Tire-Derived Product Grant	6/1/2021	8/31/2021	State	N	N	\$ 149,995.02	Install rubber mulch at (7) project sites citywide for landscape purposes.	
New Alternative Fuel Vehicle Purchase	TBD	TBD	Local	N	N	Up to \$20,000 per vehicle	Purchase (2) electric "Zero" motorcycles for the Police Department and (3) vehicles for Public Works & Public Utilities	
Statewide Park Development and Community Revitalization Program (SPP)	3/12/2021	August/September	State	N	N	Maximum \$8,500,000	1) Community Center - Rojas-Pierce Park; 2) Fitness Court - Veterans Park; 3) Renovation - Pool Park	DENIED
Proposition 64 Public Health and Safety Grant Program	1/29/2021	5/1/2021	State	N	N	\$452,509.75	(2) Community Resource Officers, (2) Administrative Assistants, (1) K-9, (1) vehicle	Partnership with City of Fresno (Lead Applicant), Fresno EOC, The Boys & Girls Clubs of Fresno County
Good Neighbor Citizenship Company Grants	10/31/2020	4/30/2021	Private	N	N	\$ 198,825.00	Pocket Park at Bass Avenue and I Street	DENIED
CARES County of Fresno	10/1/2020	12/31/2020	County	N	N	\$ 229,732.87	COVID-19 relief funds; Non-profit organizations; Message Trailers; Overtime	
Coronavirus Relief Funds (CRF)	10/1/2020	7/1/2020	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.	DENIED
California Aid to Airports Program	7/9/2020	3/31/2021	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, uplift 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	DENIED
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	\$ 575,222.00	Phase II Rojas-Pierce Park Expansion Project	For Fiscal Years 2019/2020; 2020/2021 & 2021/2022
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
Closed

Memorandum

To: City Council via Cristian Gonzalez, City Manager

From: Michael Osborn, City Engineer
Jeff O'Neal, City Planner

Subject: City Engineer's Report to City Council

Date: June 6, 2022

Engineering Projects:

1. Rojas Pierce Park:
 - Phase 2 expansion project in progress with construction of lighting in Fall 2022
2. Well 10 and Water Main Relocation
 - On hold; pending coordination with USBR and BB Limited
3. Mendota Meter Reading Project
 - Construction is in progress with Waterboard funding
 - It looks like they will be complete in July 2022
4. Citywide RRXG Improvements:
 - Coordinating crossing improvements at SR 33 with Railroad, Caltrans & private business owner
5. MJHS Safe Routes to School Project
 - ATP funded: 2nd Round Bid opening on 5/26; Construction in Summer 2022
6. 2022 Local Street Reconstruction Project
 - SB1 funded: Design in progress; Construction in late Summer 2022
7. Backwash Reclaim Project
 - Design is underway; looking for funding opportunities for construction
8. Mendota Stormwater Improvement Project
 - Prop 68 UFPGP funded: Land acquisition, CEQA & Final design in progress; Construction in Spring/Summer 2023
9. Derrick & Oller Roundabout
 - Design & CEQA preparation in progress; Construction in Fall 2023

Planning/Development Projects

1. Salomon Multifamily Project at 755 Marie Street
 - On Council Agenda for June 14
2. Rojas Pierce Park Annexation
 - Continuing discussions with USBR about whether and how the WWD land retirement program affects the project.
3. Regional Housing Needs Allocation
 - Fresno COG held kick-off meeting for 6th Cycle multijurisdictional Housing Element
4. New City Hall & Police Station
 - Initiated Phase 1 Environmental Site Assessment

5. Safe Routes to School Master Plan
 - ATP funded: Information gathering and Public outreach is in process
6. Escalante Apartments
 - Applicant to submit a parcel map for an urban lot split under SB 9

Grant Applications:

1. 5th Street & Quince Street Reconstruction:
 - \$706,251 in STBG funding AWARDED; Construction authorization in FFY 23/24
2. Amador & Smoot Extension:
 - \$874,000 in STBG & CMAQ TPP funds; Construction authorization in FFY 23/24

On-going (this month):

1. Representation of the City at FCOG TTC and Measure C Technical Working Group
2. Discussion of road projects with Caltrans
3. Assistance to Finance Director for grant opportunities
4. Investigating feasibility of new municipal well within City limits

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

- Engineers: 10
- Planners: 2
- Surveyors: 2
- Environmental Specialist: 0
- GIS/CAD Specialists: 3
- Construction Manager: 0
- Project Administrator: 1

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