



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

October 11, 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

PRESENTATION

1. Council to recognize Raul Varela for his service to the City of Mendota.
2. Jennifer Peterson with MRC Recreation to provide a presentation on the layout of a proposed inclusive park.
3. City Planner O'Neal to present information about Senate Bill 9 housing developments and urban lot splits.

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 September 27, 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. SEPTEMBER 28, 2022 THROUGH OCTOBER 4, 2022
WARRANT LIST CHECK NOS. 52351 THROUGH 52409
TOTAL FOR COUNCIL APPROVAL = \$477,384.05
2. Proposed adoption of **Resolution No. 22-62**, approving the use of unmanned aircraft systems (drones).
3. Proposed adoption of **Resolution No. 22-63**, directing staff to proceed with repairs to the surfacing at the existing splash pad located at Rojas-Pierce Park, and approving the estimate submitted by Panthers Concrete, Inc., for the related work.
4. Proposed adoption of **Resolution No. 22-64**, directing staff to proceed with the purchase of a concrete mixing attachment as approved in the 2022-2023 fiscal year budget.

BUSINESS

1. Council to receive presentation from developer and discuss the status of the Odyssey Agricultural Development, LLC, project.
 - a. *Receive report from City Attorney Kinsey*
 - b. *Receive presentation from developer*
 - c. *Inquiries from City Council to staff*
 - d. *Mayor Castro opens the floor to receive any comment from the public*
 - e. *City Council provides direction to staff as appropriate*

2. Council discussion and consideration of financing options for the Police Station/Council Chambers project.
 - a. *Receive report from City Manager Gonzalez*
 - b. *Receive presentation from NHA Advisors*
 - c. *Inquiries from City Council to staff*
 - d. *Mayor Castro opens floor to receive any comment from the public*
 - e. *City Council takes action as appropriate*

3. Council discussion and consideration of the membership of the Public Safety Sub-Committee.
 - a. *Receive report from City Clerk Cabrera-Garcia*
 - b. *Inquiries from City Council to staff*
 - c. *Mayor Castro opens floor to receive any comment from the public*
 - d. *City Council takes action as appropriate*

4. Council discussion and consideration of **Resolution No. 22-58** regarding a recommendation from the Planning Commission in the matter of Application No. 22-10, Tentative Parcel Map No. 22-01 (APN 013-223-19).
 - a. *Receive report from City Planner O'Neal*
 - b. *Inquiries from City Council to staff*
 - c. *Mayor Castro opens floor to receive any comment from the public*
 - d. *City Council considers adoption of Resolution No. 22-58*

5. Council discussion and consideration of **Resolution No. 22-59** regarding a recommendation from the Planning Commission in the matter of Application No. 22-11, Tentative Parcel Map No. 22-02 (APN 013-075-13S).
 - a. *Receive report from City Planner O'Neal*
 - b. *Inquiries from City Council to staff*
 - c. *Mayor Castro opens floor to receive any comment from the public*
 - d. *City Council considers adoption of Resolution No. 22-59*

6. Council discussion and consideration of **Resolution No. 22-60** regarding a recommendation from the Planning Commission in the matter of Application No. 22-12, Tentative Parcel Map No. 22-03 (APN 013-075-12).
 - a. *Receive report from City Planner O'Neal*
 - b. *Inquiries from City Council to staff*
 - c. *Mayor Castro opens floor to receive any comment from the public*
 - d. *City Council considers adoption of Resolution No. 22-60*

7. Council discussion and consideration of **Resolution No. 22-61** in the matter of Application No. 22-14, acceptance of dedications made by Parcel Map No. 22-04.
 - a. *Receive report from City Planner O'Neal*
 - b. *Inquiries from City Council to staff*
 - c. *Mayor Castro opens floor to receive any comment from the public*
 - d. *City Council considers adoption of Resolution No. 22-61*

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Finance Director
 - a) Grant Update
2. City Engineer
 - a) Update
3. City Attorney
 - a) Update
4. City Manager
 - a) Police Station/Council Chambers Project Update

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
2. Mayor

CLOSED SESSION

1. 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).
2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code sections 54954.5, subdivision (f), and 54957.6
 - a. Agency Designated Representative: Cristian Gonzalez, City Manager
 - b. Employee Organization: American Federation of State, County and Municipal Employees

ADJOURNMENT

CERTIFICATION OF POSTING

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota City Council Regular Meeting of October 11, 2022, was posted on the outside bulletin board located at City Hall, 643 Quince Street, on Friday, October 7, 2022, at 5:00 p.m.



Celeste Cabrera-Garcia, City Clerk



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

September 27, 2022

Meeting called to order by Mayor Castro at 6:03 p.m.

Roll Call

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

Council Members Absent: None

Flag salute led by Mayor Castro

Invocation led by Police Chaplain Robert Salinas

FINALIZE THE AGENDA

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

Director of Administrative Services/Assistant City Manager Lekumberry requested that Closed Session item 1 be tabled to a future City Council meeting.

A motion was made by Councilor Rosales to adopt the modified agenda as requested by staff, seconded by Councilor Riofrio; unanimously approved (5 ayes).

PRESENTATION

1. Council to recognize Bernice Topete for her service to the City of Mendota.

Chief Smith reported that Bernice Topete had accepted a position with the Kerman Police Department and thanked Ms. Topete for her service to Mendota.

The Council thanked and recognized Ms. Topete for her service to Mendota and presented a plaque to her.

2. Council to recognize Roger Lua for winning the statewide 'Get Off Your Apps' video contest.

The Council introduced Roger Lua who recently won the statewide 'Get Off Your Apps' video contest.

Mr. Lua's winning video was shown during the meeting.

The Council congratulated Mr. Lua and presented a certificate of recognition to him.

Discussion was held on Mr. Lua's success.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Jose Alvarado Mendoza – reported on an issue involving the police department regarding music and inquired about permitted noise levels.

Discussion was held on Mr. Mendoza's comments.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of September 13, 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 Rosales to approve items 1 and 2, seconded by Councilor Riofrio; unanimously approved (5 ayes).

CONSENT CALENDAR

1. SEPTEMBER 2, 2022 THROUGH SEPTEMBER 20, 2022
WARRANT LIST CHECK NOS. 52267 THROUGH 52350
TOTAL FOR COUNCIL APPROVAL = \$531,119.97
2. Proposed ratification of **Proclamation No. 22-03**, celebrating Salvadoran National Day and declaring September 15, 2022 as Salvadoran-American Friendship and Heritage Day in Mendota.
3. Proposed adoption of **Resolution No. 22-57**, approving a supplement to the contract for consulting services with Townsend Public Affairs, Inc.

A motion was made by Councilor Rosales to approve items 1 through 3 of the Consent Calendar, seconded by Councilor Riofrio; unanimously approved (5 ayes).

PUBLIC HEARING

1. Council discussion and consideration of **Resolution No. 22-56**, authorizing the placement of special assessments on the 2023/2024 property tax roll for 2022 nuisance abatement costs.

Mayor Castro introduced the item and Assistant City Attorney Castro provided the report.

Chief of Police Smith provided additional information on the item.

At 6:25 p.m. Mayor Castro opened the hearing to the public.

Benjamin Bunton – commented on the item.

Discussion was held on the item.

Daniel - commented on the item.

Discussion was held on the item.

Guapo Lua – commented on a variety of issues in the community.

Pedro Alvarado – shared that certain curbs that are adjacent to fire hydrants in the Las Palmas subdivision are not painted red, resulting in individuals mistakenly parking there.

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

Benjamin Bunton – commented on the item.

Discussion was held on the item.

At 7:19 p.m. Mayor Castro, seeing no one else willing to comment, closed the public hearing.

Discussion was held on the item.

A motion was made by Mayor Castro to waive all 2022 weed abatement enforcement costs, seconded by Councilor Rosales; unanimously approved (5 ayes).

2. Council discussion and consideration of **Ordinance No. 22-02**, amending Chapter 12.20 of Title 12 of the Mendota Municipal Code to promote access to City park and recreation facilities.

Mayor Castro introduced the item and Assistant City Attorney Castro provided the report.

Discussion was held on the item.

At 7:23 p.m. Mayor Castro opened the public hearing, and seeing no one willing to comment, closed it within the same minute.

A motion was made by Councilor Rosales to waive the second reading and adopt Ordinance No. 22-02, seconded by Councilor Riofrio; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

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

Chief of Police Smith presented the monthly logs for the Animal Control and Code Enforcement Departments and reported on the Dog Vaccine Clinic that was recently held.

Chief Smith provided the report for the Police Department, including weekly and monthly statistics and reported on significant cases.

Chief Smith presented pictures and drone video footage regarding a significant case.

Discussion was held as to whether the police department can assist individuals who are receiving threatening phone calls, and on the weed abatement process.

2. City Attorney
 - a) Update

Assistant City Attorney Castro reported on ongoing projects and tasks.

3. City Manager

Nothing to report.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Alonso thanked all of the individuals and organizations that made the Mendota Community Corporation's (MCC) annual golf tournament possible and reported on the upcoming Hispanic Heritage Celebrate at the AMOR Wellness Center.

Councilor Riofrio thanked all of the individuals and organizations that made the MCC's annual golf tournament possible.

Councilor Rosales thanked all of the individuals and organizations that made the MCC's annual golf tournament possible.

Mayor Pro Tem Mendoza thanked all of the individuals and organizations that made the MCC's annual golf tournament possible; commented on the Dog Vaccine Clinic that was recently held; commented on various items that were addressed during the meeting; and thanked the fire department for attending the meeting.

2. Mayor

Mayor Castro reported on a community meeting that is going to be held at FCI Mendota and reported on the upcoming Driver Awareness Event.

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code sections 54954.5, subdivision (f), and 54957.6

- a. Agency Designated Representative: Cristian Gonzalez, City Manager
- b. Employee Organization: American Federation of State, County and Municipal Employees

The item was tabled to a future meeting.

2. 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).

At 7:50 p.m. the Council moved into closed session.

At 8:11 p.m. the Council reconvened in open session and Assistant City Attorney Castro stated that in regard to item 2 of the Closed Session, there was no reportable action.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 8:11 p.m. by Councilor Rosales, seconded by Mayor Pro Tem Mendoza; unanimously approved (5 ayes).

Rolando Castro, Mayor

ATTEST:

Celeste Cabrera-Garcia, City Clerk

CITY OF MENDOTA
CASH DISBURSEMENTS
9/28/2022-10/4/2022
CK# 52351-52409

Date	Check #	Check Amount	Vendor	Department	Description
September 28, 2022	52351	\$ 844.75	ACME ROTARY BROOM SERVICE	STREETS	(1) 58" 4/3 HEAVY FILL SCHWARZE AVALANCHE M. BROOM
September 27, 2022	52352	\$ 140,808.00	CITY OF MENDOTA PAYROLL	GENERAL	PAYROLL TRANSFER FOR 9/12/2022-9/25/2022
September 30, 2022	52353	\$ 64.54	ADT SECURITY SERVICES	WATER	SECURITY SERVICES FOR WATER PLANT 10/4/22-11/3/22
September 30, 2022	52354	\$ 27,665.49	AETNA LIFE INSURANCE COMPANY	GENERAL	MEDICAL INSURANCE FOR OCTOBER 2022
September 30, 2022	52355	\$ 183.45	AGRI VALLEY IRRIGATION, INC.	GENERAL	(1) TORO (IRRITROL) 100 SERIES ELEC. VALVE 24VAC2"
September 30, 2022	52356	\$ 67,229.15	AQUA NATURAL SOLUTIONS	SEWER	MICROBE LIFT IND 275 GAL TOTE, EXCESSIVE SLUDGE BU, (1) MICROBE LIFT IND 5 GAL
September 30, 2022	52357	\$ 348.16	ARAMARK	GENERAL-WATER-SEWER	PUBLIC WORKS UNIFORM RENTAL SERVICES 9/22/22 & 9/29/22
September 30, 2022	52358	\$ 638.00	BSK ASSOCIATES	WATER-SEWER	GENERAL EDT MONTHLY 9/6/22, WW WEEKLY GRAB SAMPLE 9/6/2022, WW WEEKLY GRAB SAMPLE BOD, TDS, 9/13/2022
September 30, 2022	52359	\$ 825.00	CALIFORNIA POLICE	GENERAL	CHIEF KEVIN SMITH ANNUAL TRAINING SUMPOSIUM REGISTRATION FEE
September 30, 2022	52360	\$ 100,907.00	CSJVRMA	GENERAL	LIABILITY PROGRAM, WORKER'S COMPENSATION PROGRAM, CRIME SHIELD PROGRAM
September 30, 2022	52361	\$ 149.48	GRAINGER INC.	WATER	(4) TUBING, 5/32IN ON FILTERS 1-4 -WTP
September 30, 2022	52362	\$ 1,100.00	iCAD INC.	SEWER	SERVICE AT LOZANO LIFT STATION - REPLACED FUSE
September 30, 2022	52363	\$ 1,412.32	MENDOTA 1 SMOG	GENERAL-WATER-SEWER-STREETS	2016 FORD F-250, FRONT BRAKES REPLACED, 2012 FORD PICKUP- TRANSMISSION PAN & FLUID, GASKET
September 30, 2022	52364	\$ 1,621.71	METRO UNIFORM	GENERAL	(1) MENS LNG SLEEVE SHIRT (1) SHORT SLV&PATCH-ALCAZAR, (2) ULTRALIGHT (1) SHORTSLV SHIRT (2) PATCH-RENTERIA
September 30, 2022	52365	\$ 6,354.40	NORTHSTAR CHEMICAL	WATER	(850), (675), (730) GAL SODIUM HYPOCHLORITE- 12.5%
September 30, 2022	52366	\$ 760.00	PRICE, PAIGE & COMPANY	GENERAL-WATER-SEWER-STREETS-REFUSE	PROF SERV RE: PREPARATION OF 6/30/2022 GASB 68 CAL
September 30, 2022	52367	\$ 1,862.57	PROVOST & PRITCHARD	GENERAL	PASS-THRU PROF SERV 22-14 PAPPAS TPM JULY 2022
September 30, 2022	52368	\$ 1,157.00	RAMON'S TIRE & AUTO SERVICES	GENERAL-WATER-SEWER-STREETS	DODGE RAM 1287347 4-TIRE, BALANCE, ALIGNMENT
September 30, 2022	52369	\$ 719.17	SEBASTIAN	GENERAL	LOW VOLTAGE LABOR, (2) 24B BLACK PHONES FOR CITY HALL
September 30, 2022	52370	\$ 189.61	SUNNYSIDE TROPHY	GENERAL-WATER-SEWER	(2) 9X12 RED PLANO (2) ENGRAVING B. TOPETE, R.VARELA
October 4, 2022	52371	\$ 844.75	ACME ROTARY BROOM SERVICE	STREETS	(1) 58" HEAVY BLUE SCHWARZE A7 AVALANCHE MAIN BROOM
October 4, 2022	52372	\$ 336.92	ADT SECURITY SERVICES	GENERAL-WATER-SEWER	SECURITY SERVICES 10/13/22-11/12/22 EDD, DMV & CITYHALL
October 4, 2022	52373	\$ 706.57	AT&T	GENERAL-WATER-SEWER	CITYWIDE PHONE SERVICES 8/25/22-9/24/22
October 4, 2022	52374	\$ 1,410.82	AT&T MOBILITY	GENERAL	POLICE DEPARTMENT CELL PHONE SERVICES 8/12/22-9/11/22
October 4, 2022	52375	\$ 92.04	AUTOZONE, INC.	GENERAL	(1) VAKUCRAFT WIPER BLADE 26" (1) 22" WIPER (PD), (1) BOSCH ICON WIPER BLADE 22" & (1)26" WIPER (PD), (1) PROELITE DIP WASH
October 4, 2022	52376	\$ 210.00	MADERA DISPOSAL SYSTEMS INC.	GENERAL	21 TONS- ANIMAL CONTROL
October 4, 2022	52377	\$ 117.00	MACARIO BANUELOS	WATER-SEWER	EXPENSE REIM- FUEL TO LEAGUE OF CALIFORNIA CITIES
October 4, 2022	52378	\$ 190.31	BSK ASSOCIATES	WATER	GENERAL EDT WEEKLY TREATMENT & DISTRIBUTION 9/20/22
October 4, 2022	52379	\$ 219.03	COLONIAL LIFE	GENERAL	LIFE INSURANCE PREMIUM FOR SEPTEMBER 2022
October 4, 2022	52380	\$ 495.87	COMCAST BUSINESS	GENERAL	FRESNO COUNTY SHERIFF-MENDOTA PD CIRCUIT SEPT. 2022
October 4, 2022	52381	\$ 1,448.64	COOK'S COMMUNICATIONS	GENERAL	(3) CHANNEL KNOB,VOLUME KNOB, ANTENNA, PROG RADIOS (PD)
October 4, 2022	52382	\$ 1,169.01	CORBIN WILLITS SY'S INC.	GENERAL-WATER-SEWER	MOVED INFORMATION TO GL FROM MCC, ENHANCEMENT & SERVICE FEES MOMS SYS OCTOBER 2022
October 4, 2022	52383	\$ 395.69	DATAMATIC, INC.	WATER	MONTHLY SOFTWARE LICENSE & SERVICE MAINTENANCE FEE NOVEMBER 2022
October 4, 2022	52384	\$ 300.00	DISCOUNT SHRED	GENERAL	(2) 96 GALLON BIN DOCUMENT DESTRUCTION (PD)
October 4, 2022	52385	\$ 200.00	ECN POLYGRAPH & INVESTIGATIONS	GENERAL	(1) POLYGRAPH RESERVE POLICE OFFICER (PD)
October 4, 2022	52386	\$ 2,014.50	STANTEC CONSULTING SERVICES	SEWER	GROUNDWATER SAMPLING & REPORTING 2ND QTR REPORT 2022
October 4, 2022	52387	\$ 93.97	EMPLOYEE RELATIONS	GENERAL-WATER-SEWER	(1) COPY OF REPORT TO APPLICANT, (4) CRIMINAL COURT

CITY OF MENDOTA
CASH DISBURSEMENTS
9/28/2022-10/4/2022
CK# 52351-52409

October 4, 2022	52388	\$ 6,000.00	FRESNO COUNTY EDC	GENERAL	GOLD MEMBERSHIP RENEWAL 7/1/22-6/30/22
October 4, 2022	52389	\$ 678.75	iCAD INC.	WATER	PRISON METER SERVICE (3 HOURS) & MILEAGE
October 4, 2022	52390	\$ 1,284.26	M.C REPAIRS FULL DIAGNOSTIC	GENERAL	2019 DODGE CHARGER #M85 DURALAST RADIATOR, 2020 FORD-POLICE INTERCEPTOR K-9 M88-OIL CHANGE (PD)
October 4, 2022	52391	\$ 578.54	METRO UNIFORM	GENERAL	XFX CLASS A PT T-21, UNDERVEST, CHEVRON, C5 CASE LG SIZE PHONE HOLDER, PATCH, CHEVRON SGT G. GALAVIZ
October 4, 2022	52392	\$ 1,659.00	MID VALLEY DISPOSAL, INC.	STREETS-REFUSE	ROLL OFF BIN EXCHANGE 50Y QTY:4.03, 9.55, 7.54, ROLL OFF BIN EXCHANGE 10Y QTY: 5.79, 6.27
October 4, 2022	52393	\$ 5,358.34	MUNIQIP LLC	SEWER	ALUMINUM BPC300 72" ID X 78"OD, BASIN COVER 300PSF
October 4, 2022	52394	\$ 54,713.80	PROVOST & PRITCHARD	GENERAL-WATER-SEWER-STREETS	PROF SERV:WELL NO.10 & EXTENSION WATER MAIN AUGUST 2022, PROF SERV: ROJAS PIERCE PARK IMPROVEMENTS AUGUST 2022
October 4, 2022	52395	\$ 25.00	RAMON'S TIRE & AUTO SERVICE	GENERAL	FORD EXPLORER #M80 TIRE REPAIR (PD)
October 4, 2022	52396	\$ 4,511.69	SORENSEN MACHINE WORKS	GENERAL-WATER-SEWER-STREETS	MULTIPLE DEPARTMENTS SUPPLIES FOR AUGUST 2022
October 4, 2022	52397	\$ 194.85	TCM INVESTMENTS	GENERAL	MPC3503 RENTAL PAYMENT COPIER (PD)-SEPTEMBER 2022
October 4, 2022	52398	\$ 535.00	MARK ANTHONY DUARTE	GENERAL-WATER-SEWER	PEST CONTROL SERVICES ROJAS-PIERCE PARK, PEST CONTROL SERVICES CITYHALL/DMV/YOUTH CENTER, PUBLIC WORKS 9/27/22
October 4, 2022	52399	\$ 2,402.92	THE HOME DEPOT	GENERAL-WATER-SEWER	(1) GE 36IN 25.3FT SIDEBYSIDE REFRIGERATOR, (1) 1.7 CUBIC FT MICROWAVE (1) 3.1 CUBIC FT. MINI FRIDGE
October 4, 2022	52400	\$ 375.00	THE PIN CENTER	GENERAL	(200) 80TH ANNIVERSARY PINS SHIPPING & INSURANCE
October 4, 2022	52401	\$ 770.00	THE BUSINESS JOURNAL	GENERA-WATER-SEWER	REQUEST FOR PROPOSAL IT MANAGED SERVICES AD, REQUEST FOR BIDS 2022 LOCAL ST RECON PROJECT
October 4, 2022	52402	\$ 120.00	TOP DOG TRAINING CENTER, LLC	GENERAL	(1) K-9 MAINTENANCE TRAINING-OFFICER VACA & YANOSCH
October 4, 2022	52403	\$ 25.32	ULINE, INC	GENERAL	(1) 12" WIRE TIES FOR PLANS
October 4, 2022	52404	\$ 250.00	VETERINARY MEDICAL CENTER	GENERAL	(11) CITY EUTHANASIA FOR DOGS
October 4, 2022	52405	\$ 60.40	DENISE FUENTES	WATER	MO CUSTOMER REFUND FOR FUE0039
October 4, 2022	52406	\$ 71.25	TONY LOPEZ	WATER	MO CUSTOMER REFUND FOR MEM0001
October 4, 2022	52407	\$ 51.28	ARTURO RAMOS	WATER	MO CUSTOMER REFUND FOR RAM0143
October 4, 2022	52408	\$ 19,260.47	PG&E	GENERAL-WATER-SEWER-STREETS-AIRPORT	CITYWIDE UTILITIES 8/9/2022-9/8/2022
October 4, 2022	52409	\$ 13,373.26	BANKCARD CENTER	GENERAL-WATER-SEWER	CREDIT CARD EXPENSE 8/29/22-9/24/22 (POLICE DEPARTMENT MISC. SUPPLIES, GOLF TOURNAMENT SUPPLIES, LEAGUE OF CA. CITIES

\$ 477,384.05

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: APPROVAL TO OPERATE UNMANNED AIRCRAFT SYSTEMS (DRONES)
DATE: OCTOBER 11, 2022

ISSUE

Shall the City Council adopt Resolution No. 22-62, approving the use of unmanned aircraft systems?

BACKGROUND

The Central San Joaquin Valley Risk Management Authority “CSJVRMA” offers liability coverage for unmanned aircraft systems, commonly referred to as drones, to participating Cities as long as the City meets the conditions established below:

- (a) The unmanned aircraft system is operated in compliance with applicable Federal Aviation Administration (FAA) rules and regulations, including as necessary under a proper and valid Certificate of Authorization (COA) obtained from the FAA.
- (b) The operation of the unmanned aircraft system by an employee of the member city was approved, prior to operation, by a member employee or official, which employee or official was acting in a management or supervisory role when approving the operation of the unmanned aircraft system.
- (c) The operation of the unmanned aircraft system is in the course of legitimate activity which was approved by a member employee or official, which employee or official was acting in a management or supervisory role when approving the operation of the unmanned aircraft system.
- (d) If necessary, the appropriate agency of the member city has properly secured a search warrant prior to the operation of the unmanned aircraft system.
- (e) The Governing Body of the member before use has approved use of unmanned aircraft systems.

ANALYSIS

In order for the CSJVRMA to provide liability coverage for City owned and operated drones, the City must meet the conditions established in the background section of this report. The City is seeking formal approval from the Mendota City Council to use the unmanned aircraft system.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 22-62, approving the use of unmanned aircraft systems.

Attachment(s):

1. Resolution No. 22-62

**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 USE OF UNMANNED AIRCRAFT
SYSTEMS (DRONES)**

RESOLUTION NO. 22-62

WHEREAS, the Federal Aviation Administration (“FAA”) has promulgated regulations related to the operation of small unmanned aircraft (drones) which are commonly referred to as the Small Unmanned Aircraft Rule, Title 14 of the Code of Federal Regulations, Part 107 (“FAA Part 107”); and

WHEREAS, pursuant to FAA Part 107, and State and Local laws, the City of Mendota may operate small unmanned aircraft systems (drones) weighing 55 pounds or less; and

WHEREAS, the City Council seeks to enact this Resolution in order to outline the permissible uses of small unmanned aircraft (drones) by the City of Mendota’s employees.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota, that the City Council hereby approves the following conditions related to the operation of unmanned aircraft systems (drones) within the City of Mendota:

1. Unmanned aircraft systems (drones) shall be operated in compliance with all applicable Federal, State, and Local laws, rules, and regulations, including, but not limited to, the FAA rules and regulations contained in FAA Part 107; and
2. Employees of the City of Mendota are permitted to operate unmanned aircraft systems (drones) in the course of legitimate employment-related activities which shall be approved, prior to operation, by a City of Mendota employee or official acting in a management or supervisory role; and
3. Where required, the City of Mendota will properly secure a search warrant prior to operating unmanned aircraft systems (drones).

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 11th day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: DIRECTING STAFF TO PROCEED WITH REPAIRS TO THE SURFACING AT THE CITY'S EXISTING SPLASH PAD LOCATED AT ROJAS-PIERCE PARK AND APPROVING THE ESTIMATE SUBMITTED BY PANTHERS CONCRETE INC. FOR THE RELATED WORK
DATE: OCTOBER 11, 2022

ISSUE

Shall the City Council adopt Resolution No. 22-63, directing staff to proceed with repairs to the surfacing at the existing splash pad located at Rojas-Pierce Park and approving the estimate submitted by Panthers Concrete, Inc., for the related work?

BACKGROUND

The City of Mendota (the “City”) installed a splash pad as part of a large park renovation project at Rojas-Pierce Park in 2008. The project was funded through a park grant that provided splash pads, basketball courts, and playground areas. When the splash pad was installed, the surfacing option selected was a pour-in-place rubber surfacing. Due to the rubbery surfacing failing throughout the splash pad and the resulting safety concerns, public works crews removed the existing surfacing material and taped off the area until repairs are conducted. The City Council directed staff to review repair options for the splash pad, and staff requested replacement options from contractors by using the City’s informal bid procedures laid out in Chapter 2.50 of the Mendota Municipal Code.

ANALYSIS

Staff received two types of bids, one bid is to replace the existing material with the same pour-in-place rubber surface and the other two bids are to replace that rubber surfacing with concrete with a broomed and colored surface instead. Panther Concrete, Inc., came in as the lowest bidder. A breakdown of all quotes received are listed below:

BIDDER	BID AMOUNT	COMMENTS
Panther Concrete Inc.	\$33,750.00	30-60 days Broomed/color concrete finish
Playgrounds Unlimited	\$34,982.64	30-60 days using a poured-in-place rubbery surface material
NORGO Engineering	\$55,560.00	30-60 days Broomed/color concrete finish

FISCAL IMPACT

The fiscal impact for the project, depending on which option the Council chooses, will be funded through the General Fund.

RECOMMENDATION

Since a concrete finish is not only more cost effective, but also much more durable, staff recommends that the City Council adopt Resolution No. 22-63 directing staff to proceed with repairs to the surfacing at the existing splash pad located at Rojas-Pierce Park and approving the estimate submitted by Panthers Concrete, Inc., for the related work.

Attachment(s):

1. Bids received
 - a. Panther Concrete Inc.
 - b. Playgrounds Unlimited
 - c. NORGO Engineering
2. Resolution No. 22-63

Panthers Concrete Inc.

Phone: (559) 393 - 3860

Email: panthersconcrete@gmail.com

PO Box: 781 - Parlier Ca. 93648

License Number: #1016907

Rojas Pierce Park - Splash Park
City of Mendota -
300 Sorensen Ave. Mendota CA. 93640
Phone: (559) 860 - 8882 (ATTE - City Manager)
Email: cristian@cityofmendota.com

Estimate	
Estimate Number	Date
#715	08/18/22

1. Demolition of existing concrete - hauling of 50' (diameter)	1. \$7,600
2. Construction of P.C.C. 3000 PSI/28days on 50' (diameter) for Splash Park. New concrete with color option, salt finish and soft broom finish on 5'min thick concrete with rebar #4 @18" both sides. Provide control joins as required/planned.	2. \$26,150
Does not Include any electric or plumbing work	
	Total: \$33,750



www.playgroundsunlimited.net

M.A.K. Associates Inc.

980 Memorex Drive
Santa Clara CA 95050
408-244-9848
License: 756794
DIR#: 1000008376

Proposal

Proposal: 220412
Date: 09/06/2022

Client: City of Mendota
643 Quince St
Mendota CA 93640

Project: Rojas Pierce Park Splash Pad

Mendota CA

Attn: Cristian Gonzalez

Email: cristian@cityofmendota.com

Phone: 559.860.8882

Salesperson: Lionel Lopez

Email: Lionel@playgroundsunlimited.com

Phone: 408-244-9848

Special Instructions:

State Prevailing wages applied
Trucking and Bobcat access required

Scope of Work	Extended Price
2 Pressure Wash 1965 SF	1,994.98
Provide labor and equipment to pressure wash approx 1965 SF concrete paving.	
3 SAFEPOUR Elite TPV 1965 SF 1/2"	32,987.66
Poured-In-Place: Supply and install approx 1965 SF of SAFEPOUR Elite TPV pour-in-place resilient rubber surfacing at 1/2" thickness using 100% Standard Color with Premium "Aliphatic" binder.	
<hr/> <hr/> Proposal Total: \$34,982.64	

Terms & Conditions

By signing below you acknowledge and agree to our Contract; Exclusions, Conditions, & Payment Terms which are to be included in, and supersede any additional contracts or sub-contract agreements made separately based on this "Estimate". The values shown above represent a specific scope; no other work should be assumed to be included, (related or unrelated), unless specifically noted in the text of the above line items. Unless otherwise specified above we Exclude Responsibility for: material delivery &/or off loading equipment, removal of packaging accumulated by equipment supplied by others, project security, landscape & hardscape repair based on access route to site, delays or returns due to layout conflicts, missing or damaged components & hardware, removal of spoils from job site, locating underground; utilities, pipes, obstructions in work area, conditions unforeseen and/or not disclosed at time of estimate, permits, engineering, material testing, soil samples, play equipment certifications. PGU is a non union contractor, we are experienced with State & Federal prevailing wage and certified payroll requirements from DIR/DOL and will process when applicable. Union Agreements, including PLA's, are the responsibility of others and not to be included in our contracts. Conditions: Grades; stable, compacted, & workable, (rough grade to be taken + or - one tenth of one inch), adequate access to work site provided for workmen, materials, tools, & equipment. Estimate good for 90 Days. Payment Terms: Material balance due on delivery / Installation balance due upon completion of project.

Print Name: _____

Date: _____

Proposal Accepted by: _____

(signature)

\$34,982.64

Colors for Playpour “Elite” TPV (.5-1.5mm):

Designed for indoor and outdoor safety surface play areas, offers superior UV stability and is currently available in a wide range of colors.



Use the PIP color mixer at <https://www.rosehilltpv.com/rosehill-tpv-products/colour-mixer/> to get an idea of what your color blend of choice will be. Premium & Custom Colors may have extended lead times as long as 8-12 weeks.

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA DIRECTING
STAFF TO PROCEED WITH REPAIRS TO
THE SURFACING AT THE EXISTING SPLASH
PAD LOCATED AT ROJAS-PIERCE PARK,
AND APPROVING THE ESTIMATE
SUBMITTED BY PANTHERS CONCRETE, INC.,
FOR THE RELATED WORK**

RESOLUTION NO. 22-63

WHEREAS, the City of Mendota (“City”) is responsible for maintaining the City’s recreation amenities; and

WHEREAS, the surface of the splash pad located at the City’s Rojas-Pierce Park has deteriorated, causing safety concerns; and

WHEREAS, the City Council previously requested City staff research the City’s available options to repair the splash pad; and

WHEREAS, City staff solicited bids for various replacement and repair options from contractors pursuant to Mendota Municipal Code section 2.50.030; and

WHEREAS, the bid estimate submitted by Panthers Concrete, Inc., attached hereto as Attachment 1A, represents the lowest responsible bid amount that meets City staff’s expectations for the splash pad repairs.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota hereby directs City staff to proceed with repairs to the surfacing at the existing splash pad at Rojas-Pierce Park.

BE IT FURTHER RESOLVED, that the City Council approves the bid estimate submitted by Panthers Concrete, Inc., in substantially the form attached hereto as Attachment 1A, for the related splash pad repair work.

BE IT FURTHER RESOLVED, that the City Manager, or his designee, is authorized to execute such additional documents as may be necessary to effect the work required for the repairs to the surfacing of the splash pad as contemplated herein.

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 11th day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: DIRECTING STAFF TO PROCEED WITH THE PURCHASE OF A CONCRETE MIXING ATTACHMENT THAT WAS APPROVED IN THE 2022-2023 FISCAL YEAR BUDGET
DATE: OCTOBER 11, 2022

ISSUE

Shall the City Council adopt Resolution No. 22-64, directing staff to proceed with the purchase of a concrete mixing attachment that was approved in the 2022-2023 fiscal year budget?

BACKGROUND

The City of Mendota (the “City”) purchased a Bobcat brand skid steer tractor a few years ago. One of the many unique capabilities that this tractor has is that it can operate endless specialty attachments for all construction projects. Currently the City has an auger attachment, a broom attachment, flair mower attachment, a trenching attachment and a three in one bucket for grading and loading. In July, the City Council approved the 2022-2023 fiscal year budget which included the purchase of a concrete mixing attachment for the tractor that would make staff more efficient when replacing concrete areas throughout town.

ANALYSIS

Staff received one bid due to the attachment being a proprietary product that is only made and sold through Skid Steer Solutions:

BIDDER	BID AMOUNT	COMMENT
Skid Steer Solutions	\$8,718.27	Only company that carries this brand

FISCAL IMPACT

The fiscal impact for the project is \$8,718.27 that will be divided into the water fund, sewer fund, street fund and general fund.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 22-64, directing staff to proceed with the purchase of a concrete mixing attachment that was approved in the 2022 and direct staff to proceed with the purchase of a concrete mixing attachment that was approved in the 2022-2023 fiscal year budget.

Attachment(s):

1. Bid from Skid Steer Solutions
2. Resolution No. 22-64



SKID STEER
SOLUTIONS.COM

Skid Steer Solutions Invoice for Order #35091

Skid Steer Solutions
2314 E. Bakerview Rd. Ste. 102
Bellingham, WA 98226

Billing Details

Mark Banuelos
City of Mendota
643 Quince St.
Mendota, California 93640
United States

Machine Information
Bobcat S595
Lift Gate Service

Phone: (559) 577-7012
Email: mark@cityofmendota.com

Order: #35091
Payment Method: N/A (\$8,718.27)

Shipping Details

Mark Banuelos
City of Mendota
912 Marie St.
Mendota, California 93640
United States

Machine Information
Bobcat S595
Lift Gate Service

Phone: (559) 577-7012
Email: mark@cityofmendota.com

Order Date: 29th Mar 2022
Shipping Method: ODFL (LTL)

Order Items

Qty	Code/SKU	Product Name	Price	Total
1	ET-07M250-A001-63	Skid Steer Mix and Go Concrete Mixer Attachment Eterra	\$7,520.00 USD	\$7,520.00 USD
		Select Cement Mixer Model: 9 Cu. Ft. BMX-250		
		Select Attachment Control Device: SG-CB-1000A-100 7-Pin (Bobcat)		
			Subtotal:	\$7,520.00 USD
			Shipping:	\$554.34 USD
			Sales Tax:	\$643.93 USD
			Grand Total:	\$8,718.27 USD



SKID STEER SOLUTIONS, LLC ACCEPTED METHODS OF PAYMENT

Accepted Methods of Payment:

1. Credit Card: VISA, MasterCard, American Express and Discover

2. Checks in US Funds Only

Mail to: Skid Steer Solutions, LLC.

Attn: Accounting Dept

2314 E. Bakerview Rd., Ste. 102

Bellingham, WA 98226

3. Wire Transfers (Domestic and International)

Account Name: Skid Steer Solutions, Inc.

Account Number: 0000 1407 4017

Wire ABA Routing Number: **026009593** (Domestic)

Bank Name: Bank of America

Bank Address: 4251 Meridian St., Bellingham, WA 98226

SWIFT Code: **BOFAUS3N** (International)

Bank of America, NA

222 Broadway

New York, New York 10038

*The United States does not currently participate in IBAN

<https://www.bankofamerica.com/deposits/wire-transfers-faqs/>

-ACH (Domestic- US only)

Account Name: Skid Steer Solutions, Inc.

Account Number: 0000 1407 4017

ACH Routing Number: **125000024**

Bank Name: Bank of America

Bank Address: 4251 Meridian St., Bellingham, WA 98226

4. Financing now available! Contact us to discuss financing your order with monthly payments.

5. PayPal

If you wish to pick-up your order from our Bellingham, WA warehouse: All prices will include an 8.7% tax, or if you provide a Resale Certificate (as required by the State of Washington Dept. of Revenue)

*Note: Items needing to be built do not start production until paid in full, or a valid PO is accepted.

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Skid Steer Solutions LLC dba Eterra	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
<input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	
<input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ <u> S </u>	
<small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small>	
<input type="checkbox"/> Other (see instructions) ▶	
5 Address (number, street, and apt. or suite no.) See instructions. 2314 E Bakerview Rd	Requester's name and address (optional)
6 City, state, and ZIP code Bellingham, WA 98226	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number										
or										
Employer identification number										
0	4		-	3	7	6	3	3	6	0

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶ <i>Jordan Leib</i>	Date ▶ Nov 15 2021
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



STATE OF
WASHINGTON

RESELLER PERMIT

Washington State Department of Revenue

PO Box 47476 • Olympia, WA 98504-7476 • 1-800-647-7706

Issued to:

602-303-237
SKID STEER SOLUTIONS LLC
2314 E BAKERVIEW RD STE 102
BELLINGHAM, WA 98226-7176

Permit Number: A09225225

Effective Date: Jan-01-2022

Expiration Date: Dec-31-2025

Business Activities:

Outdoor Power Equipment Stores

This permit can be used to purchase:

- Merchandise and inventory for resale without intervening use
- Ingredients, components, or chemicals used in processing new articles of tangible personal property produced for sale
- Feed, seed, seedlings, fertilizer and spray materials by a farmer
- Materials and contract labor for retail/wholesale construction
- Items for dual purposes (see Purchases for Dual Purposes on back)

This permit cannot be used to purchase:

- Items for personal or household use
- Promotional items or gifts
- Items used in your business that are not resold, such as office supplies, equipment, tools, and equipment rentals
- Materials and contract labor for public road construction or U.S. government contracting (see Definitions on back)
- Materials and contract labor for speculative building

This permit is no longer valid if the business is closed.

The business named on this permit acknowledges:

- It is solely responsible for all purchases made under this permit
- Misuse of the permit:
 - Subjects the business to a penalty of 50 percent of the tax due, in addition to the tax, interest, and penalties imposed (RCW 82.32.291)
 - May result in this permit being revoked

Notes (optional): _____

Important: The Department of Revenue may use information from sellers to verify all purchases made with this permit were qualified.

UNIFORM SALES & USE TAX RESALE CERTIFICATE — MULTIJURISDICTION

The below-listed states have indicated that this certificate is acceptable as a resale/exemption certificate for sales/use tax, subject to the instructions and notes on pages 2–6. The issuing Buyer and the recipient Seller have the responsibility to determine the proper use of this certificate under applicable laws in each state, as these may change from time to time. This form was revised as of December 9, 2020.

Issued to Seller: _____

Address: _____

I certify that:

Name of Firm (Buyer): Skid Steer Solutions LLC

Address: 2314 E Bakerview Road Ste 102

is engaged or is registered as a

- Wholesaler
- Retailer
- Manufacturer
- Seller
- Lessor (see notes on pages 2–4)
- Other (Specify) _____

and is registered for sales/use tax with the below-listed states and cities within which Seller would deliver purchases to Buyer and that any such purchases are for wholesale, resale, or ingredients or components of a new product or service to be resold, leased, or rented in the normal course of business. Buyer is in the business of wholesaling, retailing, manufacturing, leasing (renting), or selling the following:

Description of Business: Skid Steer Attachment seller

General description of tangible property or taxable services to be purchased from the Seller: _____

State	State Registration, Seller's Permit, or ID Number of Purchaser	State	State Registration, Seller's Permit, or ID Number of Purchaser
AL ¹	SSU-R010996204	NE	14119188
AR	55278726-SLS	NV ¹⁹	1042610762-001
AZ ²	21389713	NJ	043-763-360/000
CA ³	225-757760	NM ^{4,20}	03-548306-00-7
CO ^{4,5}	94625238	NC ²¹	601341595
CT ⁶		ND	
FL ⁷	78-8018443662-9	OH ²²	99128384
GA ⁸	175-928178	OK ²³	SVU-15604969-02
HI ^{4,9}	GE-108-191-5904-01	PA ²⁴	67708303
ID ¹⁰	005524355-08	RI ²⁵	
IL ^{4,11}	4392-6721	SC	103092813
IA	100014061	SD ²⁶	
KS ¹²	005-043763360-F01	TN ²⁷	1001804970-SLC
KY ¹³	780452	TX ²⁸	32075182652
ME ¹⁴	1215434	UT	15262621-003-STC
MD ¹⁵	18654217	VT ²⁹	
MI ¹⁶	43763360	WA ³⁰	602 303 237
MN ¹⁷	7290550	WI ³¹	24044148
MO ¹⁸			

I further certify that if any property or service so purchased tax-free is used or consumed by Buyer so as to make it subject to sales/use tax, Buyer will pay the tax due directly to the proper taxing authority when state law so provides or inform the Seller for added tax billing. This certificate shall be a part of each order that Buyer may hereafter give to Seller, unless otherwise specified, and shall be valid until canceled by Buyer in writing or revoked by the city or state.

Under penalties of perjury, I swear or affirm that the information on this form is true and correct as to every material matter.

Authorized Signature: Jordan Leib
 (Owner, Partner, or Corporate Officer, or other authorized signer of Buyer)

Title: Vice President

Date: Oct 01 2021

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA DIRECTING
STAFF TO PROCEED WITH THE PURCHASE
OF A CONCRETE MIXING ATTACHMENT
AS APPROVED IN THE 2022-2023
FISCAL YEAR BUDGET**

RESOLUTION NO. 22-64

WHEREAS, the City of Mendota (“City”) allocated and approved funds for the purchase of a concrete mixing attachment in its 2022-2023 fiscal year budget; and

WHEREAS, purchasing this concrete mixing attachment will allow City staff to efficiently repair and replace concrete areas that have become broken down throughout the City; and

WHEREAS, the concrete mixing attachment is a proprietary product that is only made and sold by Skid Steer Solutions.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota hereby directs City staff to proceed with purchasing a concrete mixing attachment as approved in the City’s 2022-2023 fiscal year budget.

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 11th day of October, 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. 22-10, TENTATIVE PARCEL MAP NO. 22-01 (RIVAS)
DATE: OCTOBER 11, 2022

ISSUE

In the matter of Application No. 22-10, Tentative Parcel Map No. 22-01, shall the City Council make a finding of exemption from the California Environmental Quality Act and approve the tentative parcel map?

BACKGROUND

The Planning and Building Department has received an application for a Tentative Parcel Map (TPM) which proposes to subdivide the subject property into two lots. The existing property is currently vacant and undeveloped. At this time, no new development is being proposed, nor is a land use change or rezone proposed.

<u>Applicant/Owner:</u>	David Rivas
<u>Representative:</u>	Daniel Jauregui, Tri City Engineering, Inc.
<u>Location:</u>	(APN 013-223-19) Quince Street and Ninth Street See attached map and photo
<u>Site Size:</u>	0.17 acres (7,500 SF)
<u>General Plan:</u>	Medium Density Residential
<u>Zoning:</u>	R-1 (Single Family Medium Density Residential- Min. 6,000 SF per lot)
<u>Existing Use:</u>	Vacant
<u>Surrounding Uses:</u>	Northeast – Residential; R-1 Southeast – Residential; R-1 Southwest – Residential; R-1 Northwest – Residential; R-1
<u>Street Access:</u>	Quince Street and public alleyway

PLANNING COMMISSION ACTIONS

At a regular meeting on September 20, 2022, the Planning Commission by a vote of 3-0 (2 absent) adopted Resolution No. PC 22-04, which recommended the City Council finds that the proposal is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15315, Minor Land Divisions and approves Tentative Parcel Map No. 22-01 subject to conditions.

ANALYSIS

The California Subdivision Map Act (Government Code Section 66410, *et seq.*) establishes most of the procedures for subdivision of land. Other components are contained within Title 16 (Subdivision Ordinance) of the Mendota Municipal Code. Generally, a parcel map is required in order to subdivide land into four or fewer parcels. Although the Subdivision Ordinance indicates that tentative parcel maps are valid for one year following approval, the Map Act indicates that they are valid for two years and is the controlling law.

The Subdivision Ordinance lays out the process for TPMs as follows: the Planning Commission must conduct a public hearing and make a recommendation to the City Council. The City Council must then conduct a public hearing and consider approval of the map. If the City Council approves the TPM, the applicant may then file a final parcel map (technically just referred to as a “parcel map”) within 24 months. Although approval of parcel maps is typically vested with the City Council, the Subdivision Map Act provides that a City may, by ordinance, delegate the responsibility to another entity. In Mendota’s case, the authority to approve a parcel map based on an approved TPM has been delegated to the City Clerk; however, the authority to accept or reject dedications remains with the City Council.

TPM No. 22-01 proposes to subdivide the approximately 0.17-acre (7,500-SF) parcel into two parcels identified as “Parcel A” and “Parcel B”. For the purpose of future reference to the parcels following recordation of the parcel map, staff recommends that the parcels formally be called Parcel 1 and Parcel 2. They will be referred to as such throughout this report. Both Parcel 1 and Parcel 2 would contain approximately 0.085 acres (3,750 SF). No further development of or land use entitlements for any of the resultant parcels is being contemplated; any future development and/or new uses could be subject to the appropriate land use application(s).

Senate Bill 9 (SB9) went into effect on January 1, 2022. This bill allows for a one-time lot split of an existing single family residential parcel into two parcels. An application for an urban lot split under SB9 must be considered ministerially, without discretionary review or a hearing. These provisions supersede the City’s subdivision ordinance and related provisions of the Map Act related to notice and hearing. The public official(s) merely ensures that the proposed development meets all the applicable objective standards for the proposed action but uses no special discretion or judgement in reaching a final decision. The table below provides lot split requirements and compliance under SB9 for the proposed lot split:

Requirement	Analysis
<u>Urban Setting/ Single Family Zoning</u> The property is located in a single-family residential zone located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau.	Property is located within the R-1 (Single Family Medium Density Residential- Min. 6,000 SF per lot) Zone District.
<u>Lot Size/Ratio</u> The urban lot split would not result in any of the following • The creation of a lot less than 1,200 square feet.	The proposed lot split will split a 7,500 square foot lot into two 3,750 square foot lots (50%/50%). The resulting lots are not required to

• The creation of a lot that is less than 40% or more than 60% of the original lot size	conform to the R-1 standards for area or dimensions.
<u>No Previous Lot Split</u> The lot cannot have been not previously subdivided under SB9	No previous SB9 Lot Split has occurred on the subject property.
<u>No adjacent lot splits</u> The property owner, or a person working in concert with the property owner, is not proposing an urban lot split on an adjoining lot.	Property owner is not proposing a lot split on an adjacent lot.
<u>Public Street Access</u> Each lot created by the urban lot split would have direct access to a public street, or would have access to a public street through an easement.	Parcel A would have access through an alley and Parcel B will have direct access to Quince Street.
<u>Subdivision Map Act Compliance</u> The urban lot split will comply with all requirements of the Subdivision Map Act, except as otherwise expressly provided in SB9	Review determined compliance

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.

Under Government Code Section 66411.7(a)(1), SB9 approvals are considered to be ministerial actions. CEQA Guidelines Section 15268 indicates that ministerial actions are exempt from the CEQA review process. Therefore, the project is exempt from CEQA.

PUBLIC NOTICE

A notice of public hearing is not required or allowed for urban lot splits subject to SB9.

FINDINGS

Parcel maps for residential urban lot splits must meet certain requirements contained in Government Code 66411.7(a) in order to be approved. These requirements are discussed below:

FINDING A: The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.

The proposed subdivision would divide the existing parcel into two smaller parcels of equal size. The project would split a parcel of 7,500 SF into two parcels of 3,750 SF.

FINDING B: Both newly created parcels are no smaller than 1,200 square feet.

As discussed above, the two newly created parcels would each be 3,750 SF in size.

FINDING C: The parcel is located within a single-family zone district.

The existing and resulting parcels would be located within the R-1 (Single Family Medium Density Residential- Min. 6,000 SF per lot) zone district.

FINDING D: The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

The proposed lot split would be located within the city limits of the City of Mendota.

FINDING E: The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

The proposed subdivision would satisfy the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

FINDING F: The proposed urban lot split would not require demolition or alteration of any of the following types of housing:

- (i) **Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
- (ii) **Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
- (iii) **A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.**
- (iv) **Housing that has been occupied by a tenant in the last three years.**

The project site is vacant and has not been developed in the past. No demolition activity or removal of housing would result from the proposed subdivision.

FINDING G: The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources

Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

The subject parcel is not located within a historic district or is a property included on the State Historic Resources Inventory, nor is it a site that is designated or listed by the City of Mendota or County of Fresno as a landmark or historic property or district pursuant to a City or County ordinance.

FINDING H: The parcel has not been established through prior exercise of an urban lot split.

An urban lot split has not occurred for the subject property within the past.

FINDING I: Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.

The property owner of the subject parcel, nor any other person has acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.

FISCAL IMPACT

Review and processing of the planned development permit, engineering plans, and building plans are paid for by the applicant, and the project is responsible for payment of development impact fees. No development has been proposed. Any future development would be responsible for payment of fees consistent with the appropriate standards at the time of application.

RECOMMENDATION

Staff recommends that the City Council adopts Resolution No. 22-58, finding Application No. 22-10 exempt from CEQA and approving Tentative Parcel Map No. 22-01.

Attachment(s):

Resolution No. 22-58

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA REGARDING
A RECOMMENDATION FROM THE
PLANNING COMMISSION IN THE MATTER
OF APPLICATION NO. 22-10, TENTATIVE
PARCEL MAP NO. 22-01 (APN 013-223-19)**

RESOLUTION NO. 22-58

WHEREAS, on June 7, 2022, the City received a request for a tentative parcel map by Tri City Engineering on behalf of the applicant and property owner, David Rivas; and

WHEREAS, the proposal has been designated Application No. 22-10, consisting of Tentative Parcel Map No. 22-01; and

WHEREAS, Application No. 22-10 proposes to subdivide an existing parcel of approximately 0.17 acres (APN 013-223-19) into two smaller parcels of approximately 0.085 acres (3,750 SF) each, respectively, said subdivision of property subject to the provisions of Government Code section 66410, et seq.; and

WHEREAS, no development is proposed at the project site at this time; and

WHEREAS, the project has satisfied the requirements of Government Code section 66411.7, subdivision (a); and

WHEREAS, at a regular meeting on September 20, 2022, the Mendota Planning Commission considered Application No. 22-10 and, via adoption of Resolution No. P 22-04, has forwarded a recommendation of approval to the City Council; and

WHEREAS, approval of a tentative parcel map consists of a “lease, permit, license, certificate, or other entitlement for use”, and is therefore a “project” pursuant to the California Environmental Quality Act, Public Resources Code section 21000, et seq. (“CEQA”) and the CEQA Guidelines, Title 14, Chapter 3, California Code of Regulations 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 project is considered a residential urban lot split subject to ministerial approval under California Senate Bill 9, Government Code section 66411.7, subdivisions (a) and (b)(1); and

WHEREAS, California Senate Bill 9 residential urban lot splits are processed and approved ministerially in accordance with Government Code section 66411.7, subdivisions (a) and (b)(1); and

WHEREAS, ministerial projects, as here, are categorically exempt from CEQA's requirements under CEQA Guidelines section 15268. (14 Cal. Code Regs., § 15268.)

NOW, THEREFORE, BE IT RESOLVED that the Mendota City Council takes the following actions:

1. Finds that Application No. 22-10, consisting of Tentative Parcel Map No. 22-01, is exempt from CEQA pursuant to Government Code section 66411.7, subdivisions (a) and (b)(1), and CEQA Guidelines, Title 14, California Code of Regulations section 15268.
2. Approves Application No. 22-10, consisting of Tentative Parcel Map No. 22-01, substantially as illustrated in Exhibit "A" hereto and subject to the conditions contained in Exhibit "B" hereto.

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 11th day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

Exhibit "A"
Resolution No. 22-58

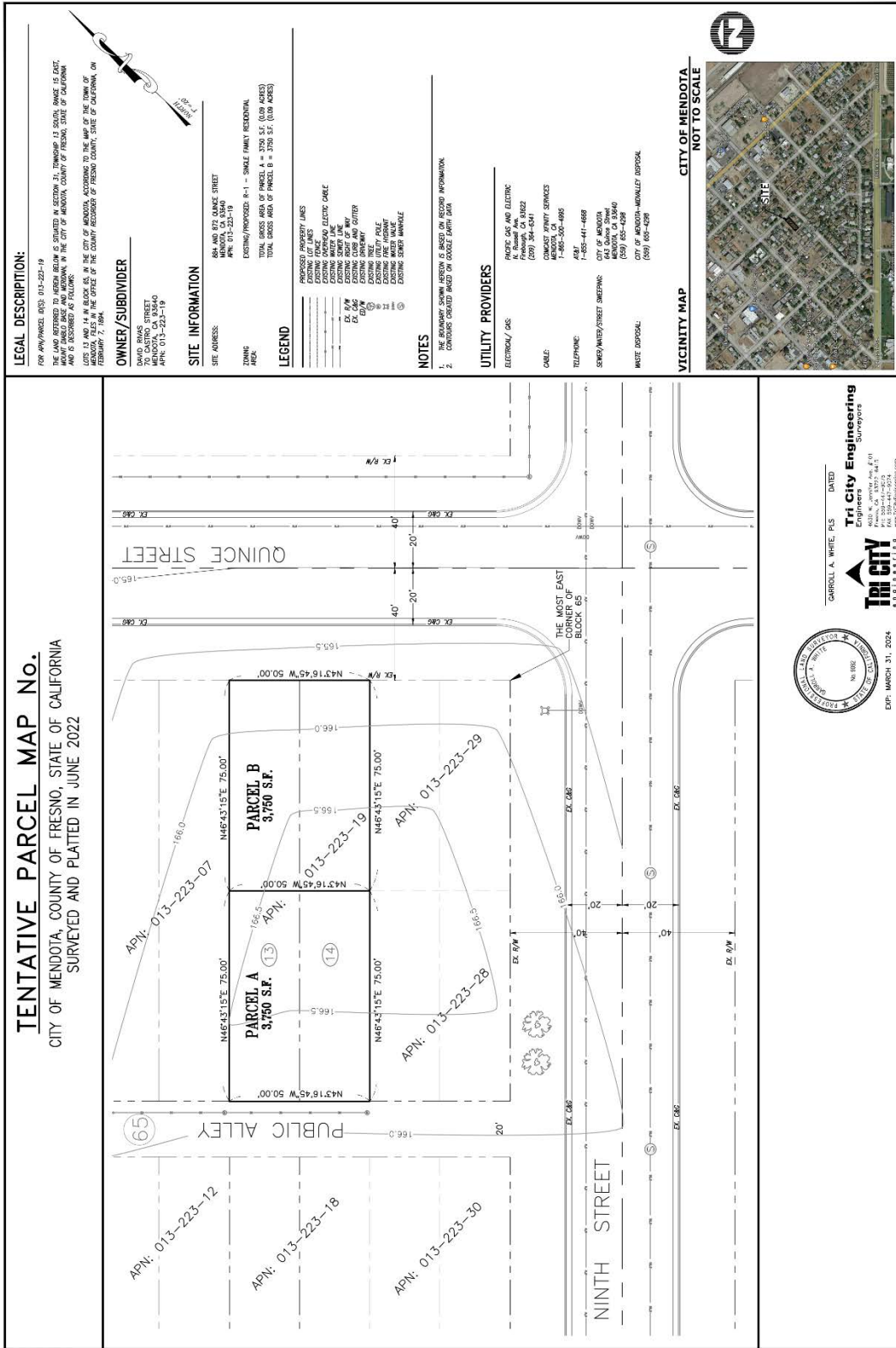


Exhibit “B”
Resolution No. 22-58

As may be used herein, the words “subdivider”, “owner,” “operator”, and “applicant” shall be interchangeable. Conditions of approval related to future development of the project site are either expressly (i.e., specific references using the term “future development” or similar) or impliedly (i.e., referring to activities that could only occur during site development) related, and shall be applicable at the time of approval of said future development.

General

1. The map shall be designated “Tentative Parcel Map No. 22-01”.
2. Tentative Parcel Map No. 22-01 shall be valid for a period of 24 months from the date of its approval or conditional approval by the City Council. Extensions to this period may be requested pursuant to Section 66453.3 of the California Subdivision Map Act.
3. Following City Council approval or conditional approval of the tentative parcel map and prior to its expiration, the subdivider may submit a final parcel map (“**Parcel Map No. 22-01**” or “Parcel Map” herein).
4. The Parcel Map shall be prepared in accordance with Chapter 2, Article 3 of the Subdivision Map Act by a California-licensed land surveyor or civil engineer qualified to perform such service.
5. The Parcel Map submittal shall include parcel closures and a preliminary title report dated no more than thirty (30) days prior to submission to the City Engineer. Copies of all easement documents referenced in the preliminary title report shall accompany the submittal. All parcel map fees and recording fees shall be paid as required by the City of Mendota and the County of Fresno prior to recordation of the map. The owner shall provide the City with a Land Division or Subdivision Guarantee and a Fresno County Tax Compliance Certification Request prior to the City submitting the Parcel Map to the Clerk to the Board of Supervisors.
6. The Parcel Map shall reflect two numbered parcels consistent with the approved Tentative Parcel Map, except as may be modified herein and as follows: “Parcel 1” and “Parcel 2” shall be named as shown.
7. Prior to recordation, the applicant shall execute and record an affidavit, prepared by the City Attorney, indicating his intention to reside in a dwelling on one of the resulting parcels for a period of not less than three (3) years.
8. Future development of the project site shall comply with all applicable provisions of the City of Mendota General Plan Update 2005-2025 and the Mendota Municipal Code, including but not limited to: potable water protection regulations (Chapter 13.24), business licensing requirements (Title 5), and Building Code Standards (Title 15); the Subdivision Ordinance (Title 16); and the regulations of the applicable zone district(s) and other relevant portions of the Zoning Ordinance (Title 17), including but not limited to

Exhibit "B"
Resolution No. 22-58

acquisition of a conditional use permit and/or approval of a site plan; and the City of Mendota Standard Specifications and Standard Drawings.

9. Construction drawings including but not limited to building and improvement plans; site, grading, irrigation, lighting, and landscaping shall be submitted to the Building Department and/or to the City Engineer as appropriate for review and approval. A building permit or permits, including payment of applicable fees, shall be acquired prior to start of any construction activities.
10. Grading and improvement plans shall be prepared by a California-licensed civil engineer.
11. Irrigation, lighting, and landscaping plans may be prepared by a California-licensed landscape architect, architect, or engineer, or by an unlicensed design professional.
12. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on abutting streets and rights-of-way.
13. Any work within City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
14. Any work within, across, above, beneath or otherwise affecting Caltrans, County of Fresno, or other agency right-of-way, property, or operations shall be subject to applicable provisions of said other agency, including but not limited to acquisition of encroachment permits, dedication or right-of-way, or other requirements.
15. It shall be the responsibility of the owner/developer to grant easements as necessary for the installation and maintenance of private utilities, including but not limited to: electricity, gas, telephone, and cable television.
16. Any work within, across, above, beneath or otherwise affecting right-of-way, property, and/or easements owned by or granted to purveyor(s) of private utilities shall be subject to the applicable provisions of said purveyor(s).
17. Prior to issuance of a certificate of occupancy for new development, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.
18. Development shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD).
19. Development shall comply with the requirements of the Fresno County Fire Protection District/CAL FIRE.

Exhibit "B"
Resolution No. 22-58

20. The owner of the project site, or of individual parcels created, shall be responsible for the ongoing and long-term maintenance of all onsite amenities to ensure that nuisance complaints are not received by the City.
21. Connection points for water and wastewater shall be determined by the City Engineer during review of future development proposals. Connections shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
22. Applicants for development of the project site shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures.
23. All City of Mendota Planning, Building, and Engineering fees and costs shall be paid in full to the City prior to recordation of a Parcel Map.
24. Applicants intending to construct on, operate on, or otherwise occupy the parcels created by the Parcel Map shall be responsible for payment of City of Mendota Application Fees, Plan Check and Engineering Fees, Building Fees, and/or Development Impact Fees in amounts to be determined during review, processing, and approval of their respective projects.
25. Development shall be responsible for payment of fees to Mendota Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no fees are required, prior to issuance of a certificate of occupancy.
26. Development shall be responsible for payment of Fresno County Regional Transportation Mitigation Fees and Fresno County Public Facilities Impact Fees and shall provide the City with evidence of payment, or evidence of the County's determination that no fees are required, prior to issuance of a certificate of occupancy.

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. 22-11, TENTATIVE PARCEL MAP NO. 22-02 (TORRES)
DATE: OCTOBER 11, 2022

ISSUE

In the matter of Application No. 22-11, Tentative Parcel Map No. 22-02, shall the City Council make a finding of exemption from the California Environmental Quality Act and approve the tentative parcel map?

BACKGROUND

The Planning and Building Department has received an application for a Tentative Parcel Map (TPM) which proposes to subdivide the subject property into two lots. The existing property is currently vacant and undeveloped. At this time, no new development is being proposed, nor is a land use change or rezone proposed.

<u>Applicant:</u>	Jesus Torres
<u>Owner:</u>	Juan Escalante
<u>Representative:</u>	Daniel Jauregui, Tri City Engineering, Inc.
<u>Location:</u>	(APN 013-075-13S) Juanita Street and Seventh Street See attached map and photo
<u>Site Size:</u>	0.17 acres (7,500 SF)
<u>General Plan:</u>	Medium Density Residential
<u>Zoning:</u>	R-1 (Single Family Medium Density Residential- Min. 6,000 SF per lot)
<u>Existing Use:</u>	Vacant
<u>Surrounding Uses:</u>	Northeast – Residential; R-1 Southeast – Residential; R-1 Southwest – Residential; R-1 Northwest – Residential; R-1
<u>Street Access:</u>	Juanita Street, Seventh Street, and public alleyway

PLANNING COMMISSION ACTIONS

At a regular meeting on September 20, 2022, the Planning Commission by a vote of 3-0 (2 absent) adopted Resolution No. PC 22-05, which recommended the City Council finds that the proposal is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15315, Minor Land Divisions approves Tentative Parcel Map No. 22-02 subject to conditions.

ANALYSIS

The California Subdivision Map Act (Government Code Section 66410, *et seq.*) establishes most of the procedures for subdivision of land. Other components are contained within Title 16 (Subdivision Ordinance) of the Mendota Municipal Code. Generally, a parcel map is required in order to subdivide land into four or fewer parcels. Although the Subdivision Ordinance indicates that tentative parcel maps are valid for one year following approval, the Map Act indicates that they are valid for two years and is the controlling law.

The Subdivision Ordinance lays out the process for TPMs as follows: the Planning Commission must conduct a public hearing and make a recommendation to the City Council. The City Council must then conduct a public hearing and consider approval of the map. If the City Council approves the TPM, the applicant may then file a final parcel map (technically just referred to as a “parcel map”) within 24 months. Although approval of parcel maps is typically vested with the City Council, the Subdivision Map Act provides that a City may, by ordinance, delegate the responsibility to another entity. In Mendota’s case, the authority to approve a parcel map based on an approved TPM has been delegated to the City Clerk; however, the authority to accept or reject dedications remains with the City Council.

TPM No. 22-01 proposes to subdivide the approximately 0.17-acre (7,524-SF) parcel into two parcels identified as “Parcel A” and “Parcel B”. For the purpose of future reference to the parcels following recordation of the parcel map, staff recommends that the parcels formally be called Parcel 1 and Parcel 2. They will be referred to as such throughout this report. Both Parcel 1 and Parcel 2 would contain approximately 0.086 acres (3,762 SF). No further development of or land use entitlements for any of the resultant parcels is being contemplated; any future development and/or new uses could be subject to the appropriate land use application(s).

Senate Bill 9 (SB9) went into effect on January 1, 2022. This bill allows for a one-time lot split of an existing single family residential parcel into two parcels. An application for an urban lot split under SB9 must be considered ministerially, without discretionary review or a hearing. These provisions supersede the City’s subdivision ordinance and related provisions of the Map Act related to notice and hearing. The public official(s) merely ensures that the proposed development meets all the applicable objective standards for the proposed action but uses no special discretion or judgement in reaching a final decision. The table below provides lot split requirements and compliance under SB9 for the proposed lot split:

Requirement	Analysis
<u>Urban Setting/ Single Family Zoning</u> The property is located in a single-family residential zone located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau.	Property is located within the R-1 (Single Family Medium Density Residential- Min. 6,000 SF per lot) Zone District.
<u>Lot Size/Ratio</u> The urban lot split would not result in any of the following • The creation of a lot less than 1,200 square feet.	The proposed lot split will split a 7,500 square foot lot into two 3,750 square foot lots (50%/50%). The resulting lots are not required to

• The creation of a lot that is less than 40% or more than 60% of the original lot size	conform to the R-1 standards for area or dimensions.
<u>No Previous Lot Split</u> The lot cannot have been not previously subdivided under SB9	No previous SB9 Lot Split has occurred on the subject property.
<u>No adjacent lot splits</u> The property owner, or a person working in concert with the property owner, is not proposing an urban lot split on an adjoining lot.	Property owner is not proposing a lot split on an adjacent lot.
<u>Public Street Access</u> Each lot created by the urban lot split would have direct access to a public street, or would have access to a public street through an easement.	Parcel A would have access through an alley and Parcel B will have direct access to Quince Street.
<u>Subdivision Map Act Compliance</u> The urban lot split will comply with all requirements of the Subdivision Map Act, except as otherwise expressly provided in SB9	Review determined compliance

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.

Under Government Code Section 66411.7(a)(1), SB9 approvals are considered to be ministerial actions. CEQA Guidelines Section 15268 indicates that ministerial actions are exempt from the CEQA review process. Therefore, the project is exempt from CEQA.

PUBLIC NOTICE

A notice of public hearing is not required or allowed for urban lot splits subject to SB9.

FINDINGS

Parcel maps for residential urban lot splits must meet certain requirements contained in Government Code 66411.7(a) in order to be approved. These requirements are discussed below:

FINDING A: The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.

The proposed subdivision would divide the existing parcel into two smaller parcels of equal size. The project would split a parcel of 7,524 SF into two parcels of 3,762 SF.

FINDING B: Both newly created parcels are no smaller than 1,200 square feet.

As discussed above, the two newly created parcels would each be 3,762 SF in size.

FINDING C: The parcel is located within a single-family zone district.

The existing and resulting parcels would be located within the R-1 (Single Family Medium Density Residential- Min. 6,000 SF per lot) zone district.

FINDING D: The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

The proposed lot split would be located within the city limits of the City of Mendota.

FINDING E: The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

The proposed subdivision would satisfy the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

FINDING F: The proposed urban lot split would not require demolition or alteration of any of the following types of housing:

- (i) **Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
- (ii) **Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
- (iii) **A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.**
- (iv) **Housing that has been occupied by a tenant in the last three years.**

The project site is vacant and has not been developed in the past. No demolition activity or removal of housing would result from the proposed subdivision.

FINDING G: The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources

Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

The subject parcel is not located within a historic district or is a property included on the State Historic Resources Inventory, nor is it a site that is designated or listed by the City of Mendota or County of Fresno as a landmark or historic property or district pursuant to a City or County ordinance.

FINDING H: The parcel has not been established through prior exercise of an urban lot split.

An urban lot split has not occurred for the subject property within the past.

FINDING I: Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.

The property owner of the subject parcel, nor any other person has acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.

FISCAL IMPACT

Review and processing of the planned development permit, engineering plans, and building plans are paid for by the applicant, and the project is responsible for payment of development impact fees. No development has been proposed. Any future development would be responsible for payment of fees consistent with the appropriate standards at the time of application.

RECOMMENDATION

Staff recommends that the City Council adopts Resolution No. 22-59, finding Application No. 22-11 exempt from CEQA and approving Tentative Parcel Map No. 22-02.

Attachment

Resolution No. 22-59

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA REGARDING
A RECOMMENDATION FROM THE
PLANNING COMMISSION IN THE MATTER
OF APPLICATION NO. 22-11, TENTATIVE
PARCEL MAP NO. 22-02 (APN 013-075-13S)**

RESOLUTION NO. 22-59

WHEREAS, on June 7, 2022, the City received a request for a tentative parcel map by Tri City Engineering on behalf of the applicant, Jesus Torres, and property owner, Juan Escalante; and

WHEREAS, the proposal has been designated Application No. 22-11, consisting of Tentative Parcel Map No. 22-02; and

WHEREAS, Application No. 22-11 proposes to subdivide an existing parcel of approximately 0.17 acres (APN 013-075-13S) into two smaller parcels of approximately 0.086 acres (3,762 SF) each, respectively, said subdivision of property subject to the provisions of Government Code section 66410, et seq.; and

WHEREAS, no development is proposed at the project site at this time; and

WHEREAS, the project has satisfied the requirements of Government Code section 66411.7, subdivision (a); and

WHEREAS, at a regular meeting on September 20, 2022 the Mendota Planning Commission considered Application No. 22-11 and, via adoption of Resolution No. PC 22-05, has forwarded a recommendation of approval to the City Council; and

WHEREAS, approval of a tentative parcel map consists of a “lease, permit, license, certificate, or other entitlement for use”, and is therefore a “project” pursuant to the California Environmental Quality Act, Public Resources Code section 21000, et seq. (“CEQA”) and the CEQA Guidelines, Title 14, Chapter 3, California Code of Regulations 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 project is considered a residential urban lot split subject to ministerial approval under California Senate Bill 9, Government Code section 66411.7, subdivisions (a) and (b)(1); and

WHEREAS, California Senate Bill 9 residential urban lot splits are processed and approved ministerially in accordance with Government Code section 66411.7, subdivisions (a) and (b)(1); and

WHEREAS, ministerial projects, as here, are categorically exempt from CEQA's requirements under CEQA Guidelines section 15268. (14 Cal. Code Regs., § 15268.)

NOW, THEREFORE, BE IT RESOLVED that the Mendota City Council takes the following actions:

1. Finds that Application No. 22-11, consisting of Tentative Parcel Map No. 22-02, is exempt from CEQA pursuant to Government Code section 66411.7, subdivisions (a) and (b)(1), and CEQA Guidelines, Title 14, California Code of Regulations section 15268.
2. Approves Application No. 22-11, consisting of Tentative Parcel Map No. 22-02, substantially as illustrated in Exhibit "A" hereto and subject to the conditions contained in Exhibit "B" hereto.

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 11th day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

Exhibit “B”
Resolution No. 22-59

As may be used herein, the words “subdivider”, “owner,” “operator”, and “applicant” shall be interchangeable. Conditions of approval related to future development of the project site are either expressly (i.e., specific references using the term “future development” or similar) or impliedly (i.e., referring to activities that could only occur during site development) related, and shall be applicable at the time of approval of said future development.

General

1. The map shall be designated “Tentative Parcel Map No. 22-02”.
2. Tentative Parcel Map No. 22-02 shall be valid for a period of 24 months from the date of its approval or conditional approval by the City Council. Extensions to this period may be requested pursuant to Section 66453.3 of the California Subdivision Map Act.
3. Following City Council approval or conditional approval of the tentative parcel map and prior to its expiration, the subdivider may submit a final parcel map (“**Parcel Map No. 22-02**” or “Parcel Map” herein).
4. The Parcel Map shall be prepared in accordance with Chapter 2, Article 3 of the Subdivision Map Act by a California-licensed land surveyor or civil engineer qualified to perform such service.
5. The Parcel Map submittal shall include parcel closures and a preliminary title report dated no more than thirty (30) days prior to submission to the City Engineer. Copies of all easement documents referenced in the preliminary title report shall accompany the submittal. All parcel map fees and recording fees shall be paid as required by the City of Mendota and the County of Fresno prior to recordation of the map. The owner shall provide the City with a Land Division or Subdivision Guarantee and a Fresno County Tax Compliance Certification Request prior to the City submitting the Parcel Map to the Clerk to the Board of Supervisors.
6. The Parcel Map shall reflect two numbered parcels consistent with the approved Tentative Parcel Map, except as may be modified herein and as follows: “Parcel 1” and “Parcel 2” shall be named as shown.
7. Prior to recordation, the applicant shall execute and record an affidavit, prepared by the City Attorney, indicating his intention to reside in a dwelling on one of the resulting parcels for a period of not less than three (3) years.
8. Future development of the project site shall comply with all applicable provisions of the City of Mendota General Plan Update 2005-2025 and the Mendota Municipal Code, including but not limited to: potable water protection regulations (Chapter 13.24), business licensing requirements (Title 5), and Building Code Standards (Title 15); the Subdivision Ordinance (Title 16); and the regulations of the applicable zone district(s) and other relevant portions of the Zoning Ordinance (Title 17), including but not limited to

Exhibit "B"
Resolution No. 22-59

acquisition of a conditional use permit and/or approval of a site plan; and the City of Mendota Standard Specifications and Standard Drawings.

9. Construction drawings including but not limited to building and improvement plans; site, grading, irrigation, lighting, and landscaping shall be submitted to the Building Department and/or to the City Engineer as appropriate for review and approval. A building permit or permits, including payment of applicable fees, shall be acquired prior to start of any construction activities.
10. Grading and improvement plans shall be prepared by a California-licensed civil engineer.
11. Irrigation, lighting, and landscaping plans may be prepared by a California-licensed landscape architect, architect, or engineer, or by an unlicensed design professional.
12. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on abutting streets and rights-of-way.
13. Any work within City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
14. Any work within, across, above, beneath or otherwise affecting Caltrans, County of Fresno, or other agency right-of-way, property, or operations shall be subject to applicable provisions of said other agency, including but not limited to acquisition of encroachment permits, dedication or right-of-way, or other requirements.
15. It shall be the responsibility of the owner/developer to grant easements as necessary for the installation and maintenance of private utilities, including but not limited to: electricity, gas, telephone, and cable television.
16. Any work within, across, above, beneath or otherwise affecting right-of-way, property, and/or easements owned by or granted to purveyor(s) of private utilities shall be subject to the applicable provisions of said purveyor(s).
17. Prior to issuance of a certificate of occupancy for new development, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.
18. Development shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD).
19. Development shall comply with the requirements of the Fresno County Fire Protection District/CAL FIRE.

Exhibit "B"
Resolution No. 22-59

20. The owner of the project site, or of individual parcels created, shall be responsible for the ongoing and long-term maintenance of all onsite amenities to ensure that nuisance complaints are not received by the City.
21. Connection points for water and wastewater shall be determined by the City Engineer during review of future development proposals. Connections shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
22. Applicants for development of the project site shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures.
23. All City of Mendota Planning, Building, and Engineering fees and costs shall be paid in full to the City prior to recordation of a Parcel Map.
24. Applicants intending to construct on, operate on, or otherwise occupy the parcels created by the Parcel Map shall be responsible for payment of City of Mendota Application Fees, Plan Check and Engineering Fees, Building Fees, and/or Development Impact Fees in amounts to be determined during review, processing, and approval of their respective projects.
25. Development shall be responsible for payment of fees to Mendota Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no fees are required, prior to issuance of a certificate of occupancy.
26. Development shall be responsible for payment of Fresno County Regional Transportation Mitigation Fees and Fresno County Public Facilities Impact Fees and shall provide the City with evidence of payment, or evidence of the County's determination that no fees are required, prior to issuance of a certificate of occupancy.

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. 22-12, TENTATIVE PARCEL MAP NO. 22-03 (FUENTES)
DATE: OCTOBER 11, 2022

ISSUE

In the matter of Application No. 22-12, Tentative Parcel Map No. 22-03, shall the City Council make a finding of exemption from the California Environmental Quality Act and approve the tentative parcel map?

BACKGROUND

The Planning and Building Department has received an application for a Tentative Parcel Map (TPM) which proposes to subdivide the subject property into two lots. The existing property is currently vacant and undeveloped. At this time, no new development is being proposed, nor is a land use change or rezone proposed.

<u>Applicant/Owner:</u>	Denise J. Fuentes
<u>Representative:</u>	Daniel Jauregui, Tri City Engineering, Inc.
<u>Location:</u>	(APN 013-075-12) Juanita Street and Seventh Street See attached map and photo
<u>Site Size:</u>	0.17 acres (7,524 SF)
<u>General Plan:</u>	Medium Density Residential
<u>Zoning:</u>	R-1 (Single Family Medium Density Residential- Min. 6,000 SF per lot)
<u>Existing Use:</u>	Vacant
<u>Surrounding Uses:</u>	Northeast – Residential; R-1 Southeast – Residential; R-1 Southwest – Residential; R-1 Northwest – Residential; R-1
<u>Street Access:</u>	Juanita Street and public alleyway

PLANNING COMMISSION ACTIONS

At a regular meeting on September 20, 2022, the Planning Commission by a vote of 3-0 (2 absent) adopted Resolution No. PC 22-06, which recommended the City Council finds that the proposal is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15315, Minor Land Divisions approves Tentative Parcel Map No. 22-03 subject to conditions.

ANALYSIS

The California Subdivision Map Act (Government Code Section 66410, *et seq.*) establishes most of the procedures for subdivision of land. Other components are contained within Title 16 (Subdivision Ordinance) of the Mendota Municipal Code. Generally, a parcel map is required in order to subdivide land into four or fewer parcels. Although the Subdivision Ordinance indicates that tentative parcel maps are valid for one year following approval, the Map Act indicates that they are valid for two years and is the controlling law.

The Subdivision Ordinance lays out the process for TPMs as follows: the Planning Commission must conduct a public hearing and make a recommendation to the City Council. The City Council must then conduct a public hearing and consider approval of the map. If the City Council approves the TPM, the applicant may then file a final parcel map (technically just referred to as a “parcel map”) within 24 months. Although approval of parcel maps is typically vested with the City Council, the Subdivision Map Act provides that a City may, by ordinance, delegate the responsibility to another entity. In Mendota’s case, the authority to approve a parcel map based on an approved TPM has been delegated to the City Clerk; however, the authority to accept or reject dedications remains with the City Council.

TPM No. 22-01 proposes to subdivide the approximately 0.17-acre (7,524-SF) parcel into two parcels identified as “Parcel A” and “Parcel B”. For the purpose of future reference to the parcels following recordation of the parcel map, staff recommends that the parcels formally be called Parcel 1 and Parcel 2. They will be referred to as such throughout this report. Both Parcel 1 and Parcel 2 would contain approximately 0.086 acres (3,762 SF). No further development of or land use entitlements for any of the resultant parcels is being contemplated; any future development and/or new uses could be subject to the appropriate land use application(s).

Senate Bill 9 (SB9) went into effect on January 1, 2022. This bill allows for a one-time lot split of an existing single family residential parcel into two parcels. An application for an urban lot split under SB9 must be considered ministerially, without discretionary review or a hearing. These provisions supersede the City’s subdivision ordinance and related provisions of the Map Act related to notice and hearing. The public official(s) merely ensures that the proposed development meets all the applicable objective standards for the proposed action but uses no special discretion or judgement in reaching a final decision. The table below provides lot split requirements and compliance under SB9 for the proposed lot split:

Requirement	Analysis
<u>Urban Setting/ Single Family Zoning</u> The property is located in a single-family residential zone located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau.	Property is located within the R-1 (Single Family Medium Density Residential- Min. 6,000 SF per lot) Zone District.
<u>Lot Size/Ratio</u> The urban lot split would not result in any of the following <ul style="list-style-type: none"> • The creation of a lot less than 1,200 square feet. 	The proposed lot split will split a 7,524 square foot lot into two 3,762 square foot lots (50%/50%). The resulting lots are not required to conform to the R-1 standards for area or dimensions.

• The creation of a lot that is less than 40% or more than 60% of the original lot size	
<u>No Previous Lot Split</u> The lot cannot have been not previously subdivided under SB9	No previous SB9 Lot Split has occurred on the subject property.
<u>No adjacent lot splits</u> The property owner, or a person working in concert with the property owner, is not proposing an urban lot split on an adjoining lot.	Property owner is not proposing a lot split on an adjacent lot.
<u>Public Street Access</u> Each lot created by the urban lot split would have direct access to a public street, or would have access to a public street through an easement.	Parcel A would have access through an alley and Parcel B will have direct access to Quince Street.
<u>Subdivision Map Act Compliance</u> The urban lot split will comply with all requirements of the Subdivision Map Act, except as otherwise expressly provided in SB9	Review determined compliance

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.

Under Government Code Section 66411.7(a)(1), SB9 approvals are considered to be ministerial actions. CEQA Guidelines Section 15268 indicates that ministerial actions are exempt from the CEQA review process. Therefore, the project is exempt from CEQA.

PUBLIC NOTICE

A notice of public hearing is not required or allowed for urban lot splits subject to SB9.

FINDINGS

Parcel maps for residential urban lot splits must meet certain requirements contained in Government Code 66411.7(a) in order to be approved. These requirements are discussed below:

FINDING A: The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.

The proposed subdivision would divide the existing parcel into two smaller parcels of equal size. The project would split a parcel of 7,524 SF into two parcels of 3,762 SF.

FINDING B: Both newly created parcels are no smaller than 1,200 square feet.

As discussed above, the two newly created parcels would each be 3,762 SF in size.

FINDING C: The parcel is located within a single-family zone district.

The existing and resulting parcels would be located within the R-1 (Single Family Medium Density Residential- Min. 6,000 SF per lot) zone district.

FINDING D: The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

The proposed lot split would be located within the city limits of the City of Mendota.

FINDING E: The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

The proposed subdivision would satisfy the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

FINDING F: The proposed urban lot split would not require demolition or alteration of any of the following types of housing:

- (i) **Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
- (ii) **Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
- (iii) **A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.**
- (iv) **Housing that has been occupied by a tenant in the last three years.**

The project site is vacant and has not been developed in the past. No demolition activity or removal of housing would result from the proposed subdivision.

FINDING G: The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources

Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

The subject parcel is not located within a historic district or is a property included on the State Historic Resources Inventory, nor is it a site that is designated or listed by the City of Mendota or County of Fresno as a landmark or historic property or district pursuant to a City or County ordinance.

FINDING H: The parcel has not been established through prior exercise of an urban lot split.

An urban lot split has not occurred for the subject property within the past.

FINDING I: Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.

The property owner of the subject parcel, nor any other person has acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.

FISCAL IMPACT

Review and processing of the planned development permit, engineering plans, and building plans are paid for by the applicant, and the project is responsible for payment of development impact fees. No development has been proposed. Any future development would be responsible for payment of fees consistent with the appropriate standards at the time of application.

RECOMMENDATION

Staff recommends that the City Council adopts Resolution No. 22-60, finding Application No. 22-12 exempt from CEQA and approving Tentative Parcel Map No. 22-03.

Attachment(s):

Resolution No. 22-60

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA REGARDING
A RECOMMENDATION FROM THE
PLANNING COMMISSION IN THE MATTER
OF APPLICATION NO. 22-12, TENTATIVE
PARCEL MAP NO. 22-03 (APN 013-075-12)**

RESOLUTION NO. 22-60

WHEREAS, on June 7, 2022, the City received a request for a tentative parcel map by Tri City Engineering on behalf of the applicant and property owner, Denise Fuentes; and

WHEREAS, the proposal has been designated Application No. 22-12, consisting of Tentative Parcel Map No. 22-03; and

WHEREAS, Application No. 22-12 proposes to subdivide an existing parcel of approximately 0.17 acres (APN 013-075-12) into two smaller parcels of approximately 0.086 acres (3,762 SF) each, respectively, said subdivision of property subject to the provisions of Government Code section 66410, et seq.; and

WHEREAS, no development is proposed at the project site at this time; and

WHEREAS, the project has satisfied the requirements of Government Code section 66411.7, subdivision (a); and

WHEREAS, at a regular meeting on September 20, 2022, the Mendota Planning Commission considered Application No. 22-12 and, via adoption of Resolution No. PC 22-06, has forwarded a recommendation of approval to the City Council; and

WHEREAS, approval of a tentative parcel map consists of a “lease, permit, license, certificate, or other entitlement for use”, and is therefore a “project” pursuant to the California Environmental Quality Act, Public Resources Code section 21000, et seq. (“CEQA”) and the CEQA Guidelines, Title 14, Chapter 3, California Code of Regulations 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 project is considered a residential urban lot split subject to ministerial approval under California Senate Bill 9, Government Code section 66411.7, subdivisions (a) and (b)(1); and

WHEREAS, California Senate Bill 9 residential urban lot splits are processed and approved ministerially in accordance with Government Code section 66411.7, subdivisions (a) and (b)(1); and

WHEREAS, ministerial projects, as here, are categorically exempt from CEQA's requirements under CEQA Guidelines section 15268. (14 Cal. Code Regs., § 15268.)

NOW, THEREFORE, BE IT RESOLVED that the Mendota City Council takes the following actions:

1. Finds that Application No. 22-12, consisting of Tentative Parcel Map No. 22-03, is exempt from CEQA pursuant to Government Code section 66411.7, subdivisions (a) and (b)(1), and CEQA Guidelines, Title 14, California Code of Regulations section 15268.
2. Approves Application No. 22-12, consisting of Tentative Parcel Map No. 22-03, substantially as illustrated in Exhibit "A" hereto and subject to the conditions contained in Exhibit "B" hereto.

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 11th day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, City Clerk

Exhibit “B”
Resolution No. 22-60

As may be used herein, the words “subdivider”, “owner,” “operator”, and “applicant” shall be interchangeable. Conditions of approval related to future development of the project site are either expressly (i.e., specific references using the term “future development” or similar) or impliedly (i.e., referring to activities that could only occur during site development) related, and shall be applicable at the time of approval of said future development.

General

1. The map shall be designated “Tentative Parcel Map No. 22-03”.
2. Tentative Parcel Map No. 22-03 shall be valid for a period of 24 months from the date of its approval or conditional approval by the City Council. Extensions to this period may be requested pursuant to Section 66453.3 of the California Subdivision Map Act.
3. Following City Council approval or conditional approval of the tentative parcel map and prior to its expiration, the subdivider may submit a final parcel map (“**Parcel Map No. 22-03**” or “Parcel Map” herein).
4. The Parcel Map shall be prepared in accordance with Chapter 2, Article 3 of the Subdivision Map Act by a California-licensed land surveyor or civil engineer qualified to perform such service.
5. The Parcel Map submittal shall include parcel closures and a preliminary title report dated no more than thirty (30) days prior to submission to the City Engineer. Copies of all easement documents referenced in the preliminary title report shall accompany the submittal. All parcel map fees and recording fees shall be paid as required by the City of Mendota and the County of Fresno prior to recordation of the map. The owner shall provide the City with a Land Division or Subdivision Guarantee and a Fresno County Tax Compliance Certification Request prior to the City submitting the Parcel Map to the Clerk to the Board of Supervisors.
6. The Parcel Map shall reflect two numbered parcels consistent with the approved Tentative Parcel Map, except as may be modified herein and as follows: “Parcel 1” and “Parcel 2” shall be named as shown.
7. Prior to recordation, the applicant shall execute and record an affidavit, prepared by the City Attorney, indicating his intention to reside in a dwelling on one of the resulting parcels for a period of not less than three (3) years.
8. Future development of the project site shall comply with all applicable provisions of the City of Mendota General Plan Update 2005-2025 and the Mendota Municipal Code, including but not limited to: potable water protection regulations (Chapter 13.24), business licensing requirements (Title 5), and Building Code Standards (Title 15); the Subdivision Ordinance (Title 16); and the regulations of the applicable zone district(s) and other relevant portions of the Zoning Ordinance (Title 17), including but not limited to

Exhibit "B"
Resolution No. 22-60

acquisition of a conditional use permit and/or approval of a site plan; and the City of Mendota Standard Specifications and Standard Drawings.

9. Construction drawings including but not limited to building and improvement plans; site, grading, irrigation, lighting, and landscaping shall be submitted to the Building Department and/or to the City Engineer as appropriate for review and approval. A building permit or permits, including payment of applicable fees, shall be acquired prior to start of any construction activities.
10. Grading and improvement plans shall be prepared by a California-licensed civil engineer.
11. Irrigation, lighting, and landscaping plans may be prepared by a California-licensed landscape architect, architect, or engineer, or by an unlicensed design professional.
12. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on abutting streets and rights-of-way.
13. Any work within City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
14. Any work within, across, above, beneath or otherwise affecting Caltrans, County of Fresno, or other agency right-of-way, property, or operations shall be subject to applicable provisions of said other agency, including but not limited to acquisition of encroachment permits, dedication or right-of-way, or other requirements.
15. It shall be the responsibility of the owner/developer to grant easements as necessary for the installation and maintenance of private utilities, including but not limited to: electricity, gas, telephone, and cable television.
16. Any work within, across, above, beneath or otherwise affecting right-of-way, property, and/or easements owned by or granted to purveyor(s) of private utilities shall be subject to the applicable provisions of said purveyor(s).
17. Prior to issuance of a certificate of occupancy for new development, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.
18. Development shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD).
19. Development shall comply with the requirements of the Fresno County Fire Protection District/CAL FIRE.

Exhibit "B"
Resolution No. 22-60

20. The owner of the project site, or of individual parcels created, shall be responsible for the ongoing and long-term maintenance of all onsite amenities to ensure that nuisance complaints are not received by the City.
21. Connection points for water and wastewater shall be determined by the City Engineer during review of future development proposals. Connections shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
22. Applicants for development of the project site shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures.
23. All City of Mendota Planning, Building, and Engineering fees and costs shall be paid in full to the City prior to recordation of a Parcel Map.
24. Applicants intending to construct on, operate on, or otherwise occupy the parcels created by the Parcel Map shall be responsible for payment of City of Mendota Application Fees, Plan Check and Engineering Fees, Building Fees, and/or Development Impact Fees in amounts to be determined during review, processing, and approval of their respective projects.
25. Development shall be responsible for payment of fees to Mendota Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no fees are required, prior to issuance of a certificate of occupancy.
26. Development shall be responsible for payment of Fresno County Regional Transportation Mitigation Fees and Fresno County Public Facilities Impact Fees and shall provide the City with evidence of payment, or evidence of the County's determination that no fees are required, prior to issuance of a certificate of occupancy.

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JEFFREY O'NEAL, AICP, CITY PLANNER
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: ACCEPTANCE OF DEDICATIONS FOR PARCEL MAP NO. 22-04
DATE: OCTOBER 11, 2022

ISSUE

In the matter of Parcel Map No. 22-04, shall the City Council accept dedications for public utilities easements and of rights-of-way on behalf of the public?

BACKGROUND

On August 23, 2022 the City Council adopted Resolution No. 22-55 approving Tentative Parcel Map No. 22-04. That map offered multiple dedications to the City: fee interest in the Naples Street and Second Street rights-of-way and a public utilities easement to accommodate existing utilities that extend across a portion of the property. The City's Subdivision Ordinance delegates the authority to approve the final parcel map itself to the City Clerk; however, the authority to accept or reject dedications remains with the City Council. Prior to the City Clerk certifying that the parcel map conforms to the approved tentative parcel map and initiating recordation of the parcel map, the City Council must take action to accept or reject the offers of dedication.

ANALYSIS

Given that the City has street improvements and public utilities within the areas offered for dedication, it is sensible for the City to accept the offers of dedication.

ENVIRONMENTAL

Via adoption of Resolution No. 22-55, the City Council determined that the division of land was exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15315, Minor Land Divisions. There is no additional review or analysis required under CEQA for acceptance of the offered dedications.

PUBLIC NOTICE

Both the Planning Commission and the City Council conducted noticed public hearings during their consideration of the tentative parcel map. There is no additional noticing required for acceptance of the offered dedications.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that the City Council adopts Resolution No. 22-61, accepting the offered dedication of public utilities easements and rights-of-way offered by Parcel Map No. 22-04.

Attachment(s):
Resolution No. 22-61

**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
APPLICATION NO. 22-14, ACCEPTANCE OF
DEDICATIONS MADE BY PARCEL MAP NO. 22-04**

RESOLUTION NO. 22-61

WHEREAS, at a regular meeting on August 23, 2022, the Mendota City Council adopted Resolution No. 22-55, approving Tentative Parcel Map No. 22-04; and

WHEREAS, Tentative Parcel Map No. 22-04 offered rights-of-way for Naples Street and Second Street along with two public utilities easements to accommodate existing underground municipal infrastructure for dedication to the City in fee; and

WHEREAS, Mendota Municipal Code section 16.28.050, subdivision (K), states the City Council may accept or reject offers of dedication by Resolution; and

WHEREAS, the City Council finds that it is in the best interest of the public to accept said offers of dedication on behalf of the public.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota hereby accepts the offers of dedication shown on Parcel Map No. 22-04 as illustrated in Exhibit "A" hereto, and authorizes the City Manager to execute all documents required to accept the same.

Rolando Castro, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at Mendota City Hall on the 11th day of October, 2022 by the following vote:

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

Celeste Cabrera-Garcia, City Clerk

Exhibit "A"
Resolution No. 22-61

OWNER'S STATEMENT

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS PARCEL MAP.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:

- RIGHT OF WAY FOR 2ND STREET AND NAPLES STREET AS SHOWN HEREON.
- THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:
- PUBLIC UTILITY EASEMENTS AS SHOWN HEREON.

POSEIDON LLC, A NEBRASKA LIMITED LIABILITY COMPANY, AS FEE TITLE OWNER
FRESNO FIRST BANK, AS THE BENEFICIARY

BY: _____ DATE _____ BY: _____ DATE _____

NOTARY ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THE DOCUMENT.

STATE OF _____)
COUNTY OF _____)
ON _____ BEFORE ME, _____, A
NOTARY PUBLIC, PERSONALLY APPEARED _____,
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S)
WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED
TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED
CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE
PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED
THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA
THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
WITNESS MY HAND.
SIGNATURE: _____
PRINT NAME: _____
MY COMMISSION EXPIRES: _____
COMMISSION NO.: _____
PRINCIPAL PLACE OF BUSINESS: _____ COUNTY

NOTARY ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THE DOCUMENT.

ON _____ BEFORE ME, _____, A
NOTARY PUBLIC, PERSONALLY APPEARED _____,
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S)
WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED
TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED
CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE
PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED
THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA
THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
WITNESS MY HAND.
SIGNATURE: _____
PRINT NAME: _____
MY COMMISSION EXPIRES: _____
COMMISSION NO.: _____
PRINCIPAL PLACE OF BUSINESS: _____ COUNTY

PARCEL MAP NO. 22-04

IN THE CITY OF MENDOTA, COUNTY OF FRESNO,
STATE OF CALIFORNIA

CONSISTING OF TWO SHEETS
SHEET ONE OF TWO SHEETS

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MENDOTA, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS SOUTH 0° 45'-12" WEST 1330.00 FROM THE NORTH-WEST CORNER OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF; THENCE NORTH 0° 45'-12" EAST 1028.88 FEET; THENCE ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD COMPANY, SOUTH 43° 16' EAST 1070.33 FEET; THENCE SOUTH 44° 44' WEST 170.30 FEET; THENCE SOUTH 43° 16' EAST 189.40 FEET; THENCE NORTH 89° 34'-12" WEST 753.40 FEET TO THE POINT OF BEGINNING.

EXCEPT ALL THAT CERTAIN PORTION LYING WITHIN THE CITY LIMITS OF THE CITY OF MENDOTA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SECOND STREET IN THE CITY OF MENDOTA WITH THE NORTH LINE OF THE TOWN OF MENDOTA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE NORTH 40° 48' EAST ALONG THE PRODUCED SOUTHERLY LINE OF SECOND STREET, 380.5 FEET, A LITTLE MORE OR LESS, TO THE WESTERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILWAY; THENCE NORTHWESTERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID RAILWAY, A DISTANCE OF 60 FEET TO A POINT; THENCE SOUTH 40° 48' WEST 170 FEET, MORE OR LESS, TO THE EASTERLY LINE OF "N" STREET; THENCE NORTHWESTERLY 20 FEET, ALONG THE EASTERLY LINE OF "N" STREET; AND THENCE SOUTH 40° 48' WEST 296.5 FEET, MORE OR LESS, ALONG THE NORTHERLY LINE OF SECOND STREET PRODUCED EASTERLY TO ITS INTERSECTION WITH THE NORTH LINE OF THE TOWN OF MENDOTA; THENCE SOUTH 89° 33' EAST ALONG THE NORTH LINE OF SAID TOWN, TO THE POINT OF COMMENCEMENT.

ALSO EXCEPTING THEREFROM THAT PORTION OF THE WEST HALF OF THE WEST HALF OF SAID SECTION 31, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SECTION WITH THE SOUTHWESTERLY LINE OF THE SOUTHERN PACIFIC COMPANY'S RIGHT OF WAY, 100 FEET WIDE, SAID INTERSECTION BEARS SOUTH 1° 30'00" WEST, 310.34 FEET FROM THE NORTHWEST CORNER OF SAID SECTION, SAID NORTHWEST CORNER BEING AT COORDINATES Y=523763.420 FEET AND X=104135.547 FEET; THENCE (1) ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, SOUTH 42° 27'54" EAST, 43.15 FEET TO THE EAST LINE OF THE WEST 30 FEET OF SAID SECTION; THENCE (2) ALONG SAID EAST LINE, SOUTH 1° 30'00" WEST, 644.06 FEET TO A TANGENT CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 470 FEET; THENCE (3) SOUTHEASTERLY ALONG SAID CURVE, THROUGH AN ANGLE OF 44° 01'20", AN ARC DISTANCE OF 361.16 FEET; THENCE (4) ALONG A NON-TANGENT LINE, SOUTH 42° 26'34" EAST, 35.12 FEET TO THE NORTH LINE OF THE TOWN (NOW CITY) OF MENDOTA, ACCORDING TO THE MAP THEREOF RECORDED FEBRUARY 7, 1894, IN BOOK 1 PAGE 18 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE (5) ALONG SAID NORTH LINE, NORTH 88° 44'54" WEST, 198.48 FEET TO SAID WEST LINE; THENCE (6) ALONG SAID WEST LINE, NORTH 1° 30'00" EAST, 1028.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION OF THE NORTHWEST QUARTER OF SAID SECTION 31, DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT THE NORTHWEST CORNER OF SAID SECTION; THENCE (1) ALONG THE WEST LINE OF SAID SECTION, SOUTH 0° 44'28" WEST, 986.42 FEET; THENCE (2) AT RIGHT ANGLES, SOUTH 89° 15'22" EAST, 30.00 FEET TO A POINT IN THE EASTERLY BOUNDARY OF THE EXISTING STATE HIGHWAY, ROAD 06-FRE-23, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE (3) ALONG SAID EASTERLY BOUNDARY, NORTH 0° 44'38" EAST, 816.47 FEET; THENCE (4) FROM A TANGENT WHICH BEARS SOUTH 0° 28'14" EAST, SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WITH A RADIUS OF 1550 FEET, THROUGH AN ANGLE OF 9° 12'00", AN ARC DISTANCE OF 249.28 FEET; THENCE (5) ALONG THE EAST LINE OF THE WEST 50 FEET OF SAID SECTION, SOUTH 0° 44'38" WEST, 110.79 FEET; THENCE (6), AT RIGHT ANGLES, SOUTH 89° 15'22" EAST, 43.93 FEET; THENCE (7) SOUTHEASTERLY ALONG A TANGENT CURVE, CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 180 FEET, THROUGH AN ANGLE OF 49° 29'07", AN ARC DISTANCE OF 154.15 FEET; THENCE (8) RADIALLY FROM SAID CURVE, SOUTH 47° 12'48" WEST, 80.00 FEET; THENCE ALONG A LINE PARALLEL WITH AND 80 FEET SOUTHWESTERLY AND SOUTHERLY MEASURED RADIALLY FROM THE ABOVE DESCRIBED COURSES (7) AND (8); THENCE (9) ALONG THE FOLLOWING COURSES: (9), FROM A TANGENT WHICH BEARS NORTH 42° 46'12" WEST, NORTHWESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 110 FEET, THROUGH AN ANGLE OF 48° 29'07", AN ARC DISTANCE OF 89.23 FEET AND (10), NORTH 89° 15'22" WEST, 43.93 FEET; THENCE (11) ALONG THE EAST LINE OF THE WEST 50 FEET OF SAID SECTION, SOUTH 0° 44'38" WEST, 177.48 FEET; THENCE (12) AT RIGHT ANGLES, NORTH 89° 15'22" WEST, 20.00 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM AN UNDIVIDED 50% OF ALL INTEREST IN AND TO OIL, GAS AND OTHER HYDROCARBONS LYING IN, ON OR UNDER SAID PROPERTY, AS RESERVED IN THE DEED RECORDED DECEMBER 30, 1988, AS DOCUMENT NO. 88145602, OFFICIAL RECORDS.

THIS PROPERTY IS SUBJECT TO THE FOLLOWING:

- RIGHT OF WAY WITH RIGHT TO CONSTRUCT, PLACE, INSPECT, MAINTAIN AND REPLACE ASSEMBLY OF ANCHORS, GLYS AND FIXTURES ON A PORTION OF SAID PROPERTY AS GRANTED TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, A CORPORATION, BY IAN C. MacGILLIVRAY AND LILLIAN S. MacGILLIVRAY, BY DEED DATED MAY 29, 1945, AND RECORDED JUNE 30, 1945, AS DOCUMENT NO. 25883 OF OFFICIAL RECORDS.

NOTICE OF ABANDONMENT

PURSUANT TO SECTION 664405 OF THE GOVERNMENT CODE, THE FILING OF THIS PARCEL MAP SHALL CONSTITUTE ABANDONMENT OF THE PUBLIC ROAD RIGHT OF WAY DESCRIBED IN VOLUME 215 OF DEEDS, PAGE 125, FRESNO COUNTY RECORDS, WITHIN THE BOUNDARIES OF THIS MAP.

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF POSEIDON & CO., A CALIFORNIA CORPORATION, IN FEBRUARY, 2022. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP IF ANY. THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE ONE YEAR OF THE DATE THIS MAP IS RECORDED OR ANY TIME EXTENSION APPROVED BY THE CITY ENGINEER. THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BY:  10-04-2022
CRIS H. ROBLES, PLS 5503 DATE



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

BY: _____ DATE _____
MICHAEL L. OSBORN, RCE 6922 DATE

CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT, PURSUANT TO THE PROVISIONS OF THE SUBDIVISION MAP ACT.

BY: _____ DATE _____
TIMOTHY M. ODOM, PLS 8468 DATE

CITY CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THIS MAP IS SUBSTANTIALLY IN THE FORM REQUIRED BY CHAPTER 16.28 OF THE MENDOTA MUNICIPAL CODE, THAT THE MAP CONFORMS TO THE CONDITIONS IMPOSED BY THE CITY COUNCIL, IN CONNECTION WITH THE APPROVAL OF THE TENTATIVE PARCEL MAP, AND THAT VIA ADOPTION OF RESOLUTION NO. _____ ADOPTED AT ITS REGULAR MEETING ACCEPTED ON BEHALF OF THE PUBLIC ALL OFFERS OF DEDICATION AND ACKNOWLEDGE THE VACATION OF THE PUBLIC RIGHT OF WAY DESCRIBED IN VOLUME 215 OF DEEDS, PAGE 125, FRESNO COUNTY RECORDS, WITHIN THE BOUNDARIES OF THIS MAP.

BY: _____ DATE _____
CELESTE CABRERA-GARCIA, MPA, CMC DATE

RECORDER'S CERTIFICATE

DOCUMENT NO.: _____
FILED THIS _____ DAY OF _____, 20____, AT _____ M. IN BOOK _____ OF
PARCEL MAPS AT PAGES _____, FRESNO COUNTY RECORDS, AT THE REQUEST OF CHICAGO
TITLE COMPANY: _____
FEE: \$ _____
PAUL DICTOS, CPA
FRESNO COUNTY RECORDER
BY: _____
DEPUTY COUNTY RECORDER

Surveyed & Platted by:

C.H. Robles & Associates, Inc.
Land Surveyors
100 E. Cedar Avenue, Coalinga, CA 93210
Phone (559) 935-6051 Fax (559) 935-8908
E-Mail: chrobles_assoc@att.net

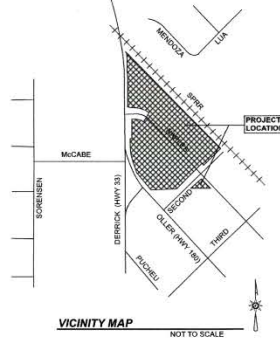
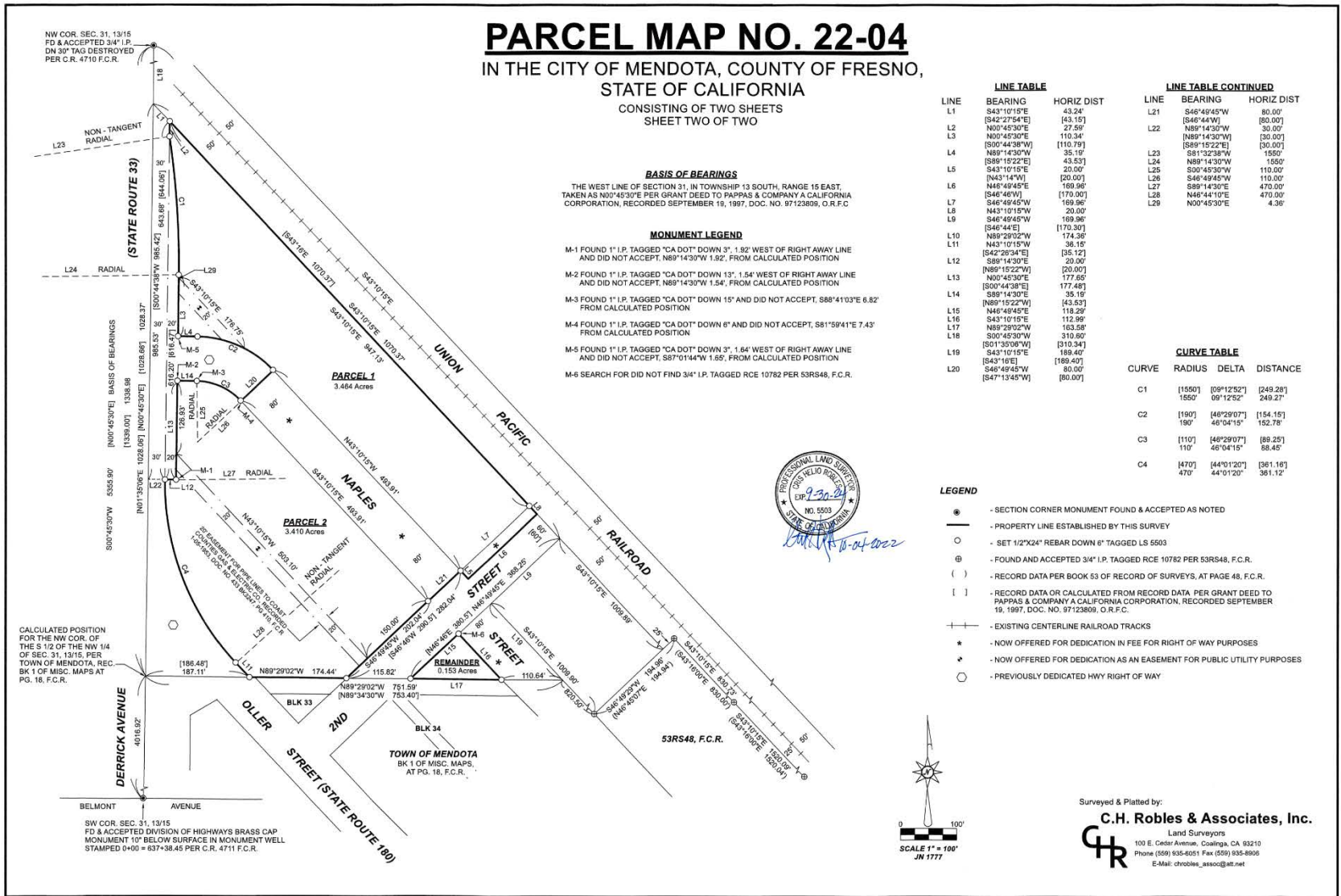


Exhibit "A"
Resolution No. 22-61



AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: NANCY BANDA, FINANCE DIRECTOR
VIA: CRISTIAN GONZALEZ, CITY MANAGER
SUBJECT: GRANTS UPDATE
DATE: OCTOBER 11, 2022

GRANTS UPDATE

- **FEMA-4482-DR-CA California Covid-19 Pandemic** – Staff submitted a reimbursement for Covid-19 expenses.
- **Safe Streets and Roads for All (SS4A) Grant Program** – After reviewing the requirements for the grant, the City would need to adopt specific projects by resolution of the City Council. The U.S. Department of Transportation anticipated that there will be a notice of funding opportunity to open annually for the next five years.
- **Wonderful Community Grant** – Staff submitted an application for the Wonderful Community Grant Program for \$100,000.00 to install an inclusive playground and three freestanding inclusive play equipment at Rojas-Pierce Park. The awarded projects will be announced this month.
- **Measure C New Technology Grant** – The City received the reimbursement of \$10,941.68.
- **Backup Generator Funding Program** – Staff will be preparing an agenda item for the next City Council Meeting authorizing City Manager and/or Chief Plant Operator to execute all documents.
- **Proposition 68** – The grant cohort will be having a tentative Zoom Meeting on Monday, October 10th hosted by the City of Fresno.
- **Automatic Meter Read Project** – The City received the first claim from the Automatic Meter Read Project for \$334,656.00. Staff is preparing the second claim for reimbursement.
- **Fresno County Rural Transit Authority (FCRTA)** – Staff contacted Moses Stites with the FCRTA regarding potential funding opportunities. He stated that FCRTA is working with their service provider (MV Transit) to roll out a program where they hire drivers using our EV cars in rural unincorporated communities. If this program has good traction, they will look to expand this program in other areas of Fresno County which would include Mendota. Another project that the FCRTA is researching is, City-owned vacant properties to determine if they would be suitable for a micro-grid solar resilience hub EV charging location, which would include solar panels carports and level 2 chargers for the general public and City vehicles similar to the solar chargers at City Hall and the Police Department. FCRTA would apply for the associated funding and work with the City to install and operate the hubs.

- **Resiliency Grant Opportunity** – This grant opportunity has a 25% cost share. With the pending projects that the City has scheduled, this opportunity would not be feasible at this time.

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
- **Proposition 64** – Board of State and Community Corrections
- **Urban Flood Protection Grant** – California Natural Resources Agency
- **Automatic Meter Read Project** – State Water Board
- **Tire-Derived Product** – Cal Recycle
- **SB 1383** – Cal Recycle

Audit: Staff is preparing the grant reconciliation for the Fiscal Year 2021-2022 to submit to Price, Paige, and Company for the June 30, 2022 audit.

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
State Water Resources Control Board	12/9/2022	TBD	State	N	N	TBD	(2) Backup Generators	
Wonderful Community Grants	8/31/2022	9/30/2021	Private	N	N	\$ 100,000.00	Installation of an Inclusive Playground with three freestanding inclusive equipment	
T-Mobile	6/30/2022	6/30/2022	Private	N	N	\$ 46,141.92	(32) Christmas Ornaments for Oller Street	
CA WA & WWA Arrearages Payment	4/1/2022	6/6/2022	State	N	N	\$ 29,223.54	Financial assistance for customers' accounts 60 days+ for wastewater only	
County of Fresno Subrecipient Grant	3/9/2022	6/21/2022	County	Y	N	\$ 2,906,593.00	Water Storage Tank and Booster Pump Station	
Senator Anna Caballero Budget Request	2/25/2022	6/30/2022	State	Y	N	\$ 1,500,000.00	Police Department and City Council Chambers	
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	
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	12/13/2021	State	N	N	\$ 8,500,000.00	1) Community Center - Rojas-Pierce Park; 2) Fitness Court	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	9/30/2022	TBD	State	N	Y	TBD	Expenditures incurred for COVID-19	25% match
CDGB -Coronavirus and Other	3/1/2020	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	MCC Administering
Tobacco Grant Program	8/7/2020	12/31/2020	State	N	N	\$ -	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, upfit and equipment. This grant is in conjunction with the New Alternative Fuel Vehicle Purchase Grant.	USDA
New Alternative Fuel Vehicle Purchase	6/22/2020	10/31/2020	Local	N	N	Up to \$20,000 per vehicle	Purchase (1) Police Ford Explorer and (1) Ford F-250 Truck	
CARES Act Airport Grant	6/18/2020	12/31/2020	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	9/7/2021	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/Beimont/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

<i>Key: Applied for Grants</i>
<i>In process</i>
<i>Approved</i>
<i>Denied</i>
<i>Closed</i>

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: October 4, 2022

Engineering Projects:

1. Rojas Pierce Park:
 - Construction of Phase 2 Expansion Project (field lighting) in Fall 2022 with CDBG funding
2. Well 10 and Water Main Relocation
 - Design in progress; coordination with USBR and BB Limited
3. Mendota Meter Reading Project
 - Construction is completed with Waterboard funding
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: Construction contract awarded, work starting in December 2022
6. 2022 Local Street Reconstruction Project
 - SB1 funded: Bids open on 10/14/22; Construction in Fall 2022
7. Backwash Reclaim Project
 - Design is underway; looking for funding opportunities for construction
8. Mendota Stormwater Improvement Project
 - Prop 68 UFPGP funded: Final design in progress; Construction in Spring/Summer 2023
9. Derrick & Oller Roundabout
 - Design & CEQA preparation in progress; Construction in Fall 2023
10. Westside Water Tank & Booster Pump
 - Design is underway; Construction in Winter/Spring 2023

Planning/Development Projects

1. Rojas Pierce Park Annexation
 - Continuing discussions with USBR about whether and how the WWD land retirement program affects the project.
2. Regional Housing Needs Allocation
 - Participating in Fresno COG meetings for 6th Cycle multijurisdictional Housing Element
3. New City Hall & Police Station
 - Continuing work on CEQA document

4. Safe Routes to School Master Plan
 - ATP funded: Workshops and School Sites Audit in progress
5. Parcel Maps
 - Three residential parcel maps on 10/11 Council agenda
6. Reviewing proposed mixed-use development at Bass and 33
7. Reviewing proposal to use property at 865 Naples for events
8. Discussing new residential lot split with applicant

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
2. Discussion of road projects with Caltrans
3. Assistance to Finance Director for grant opportunities

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

- Engineers: 11
- Planners: 3
- Surveyors: 1
- Environmental Specialist: 3
- GIS/CAD Specialists: 3
- Construction Manager: 0
- Project Administrator: 4

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