



# CITY OF MENDOTA

*"Cantaloupe Center Of The World"*

ROBERT SILVA  
Mayor  
ROLANDO CASTRO  
Mayor Pro Tem  
VICTOR MARTINEZ  
JESSE MENDOZA  
OSCAR ROSALES

**AGENDA**  
**MENDOTA CITY COUNCIL**  
Regular City Council Meeting  
**CITY COUNCIL CHAMBERS**  
643 QUINCE STREET  
December 10, 2019  
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, those requiring special assistance to participate at this meeting please contact the City Clerk at (559) 655-3291. Notification of at least forty-eight hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to the meeting.

## **CALL TO ORDER**

## **ROLL CALL**

## **FLAG SALUTE**

## **FINALIZE THE AGENDA**

1. Adjustments to Agenda
2. Adoption of final Agenda

## **CITIZENS ORAL AND WRITTEN PRESENTATIONS**

At this time members of the public may address the City Council on any matter not listed on the agenda involving matters within the jurisdiction of the City Council. Please complete a "request to speak" form and limit your comments to THREE (3) MINUTES. Please give the completed form to City Clerk prior to the start of the meeting. All speakers shall observe proper decorum. The Mendota Municipal Code prohibits the use of boisterous, slanderous, or profane language. All speakers must step to the podium, state their names and addresses for the record. Please watch the time.

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

1. Minutes of the special City Council meeting of November 7, 2019.
2. Minutes of the regular City Council meeting of November 12, 2019.
3. 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. NOVEMBER 12, 2019 THROUGH NOVEMBER 20, 2019  
WARRANT LIST CHECKS NO. 46090 THROUGH 46142  
TOTAL FOR COUNCIL APPROVAL = \$328,274.74
2. NOVEMBER 22, 2019 THROUGH DECEMBER 5, 2019  
WARRANT LIST CHECKS NO. 46143 THROUGH 46204  
TOTAL FOR COUNCIL APPROVAL = \$632,736.65
3. Proposed adoption of **Resolution No. 19-88**, approving an amendment to the City Manager's Employment Contract.
4. Proposed adoption of **Resolution No. 19-89**, approving a memorandum of understanding between the City of Mendota and the Mendota Police Officers' Association.
5. Proposed acceptance of the 2017 Annual Progress Report on the Implementation of the Mendota General Plan Housing Element.
6. Proposed adoption of **Resolution No. 19-90**, authorizing application for, and receipt of, SB 2 Planning Grants Program Funds.
7. Proposed adoption of **Resolution No. 19-91**, authorizing a salary adjustment for the Police Records Manager.
8. Proposed adoption of **Resolution No. 19-92**, authorizing the submittal of an application to the public benefit grants program new alternative fuel vehicle purchase with implementation of new vehicle project and authorizing the city manager or designee to execute all required documents

## BUSINESS

1. Council discussion and consideration of **Resolution No. 19-93** approving an amendment to the Fiscal Year 2019-2020 Budget.
  - a. *Receive report from City Manager Gonzalez*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council provide any input, and consider Resolution No. 19-93 for adoption*
2. Council discussion and consideration of **Resolution No. 19-94**, requesting that the Fresno Local Agency Formation Commission initiate proceedings pursuant to

the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 for the Amador-Smoot Reorganization.

- a. *Receive report from Assistant City Engineer Osborn*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council provide any input, and consider Resolution No. 19-94 for adoption*
  
3. Introduction and first reading of **Ordinance No. 19-11**, amending Title 13, Chapter 13.12, Section 13.12.040 of the Mendota Municipal Code for consistency with Senate Bill No. 998 and to provide for a 15-day grace period for payment of delinquent utility bills.
  - a. *Receive report from Assistant City Attorney Cardella*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council provide any input and waive the first reading of Ordinance No. 19-11, and sets the public hearing for the January 14<sup>th</sup> City Council Meeting.*
  
4. Introduction and first reading of **Ordinance No. 19-12**, amending the Mendota Municipal Code to adopt by reference the 2019 California Building Standard codes.
  - a. *Receive report from City Manager Gonzalez*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council provide any input and waive the first reading of Ordinance No. 19-12, and sets the public hearing for the January 14<sup>th</sup> City Council Meeting.*

## **PUBLIC HEARING**

1. Public hearing and proposed adoption of **Resolution No. 19-95**, in its capacity as the Mendota Groundwater Sustainability Agency, adopting a Groundwater Sustainability Plan for portions of the Delta-Mendota Subbasin.
  - a. *Receive report from City Manager Gonzalez*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens the public hearing, accepting comments from the public*
  - d. *Mayor closes the public hearing*
  - e. *Council provide any input, and consider Resolution No. 19-95 for adoption*

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

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



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

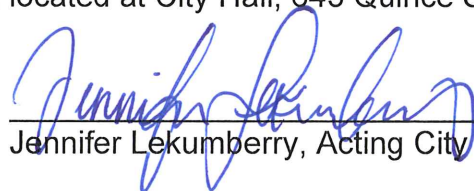
#### **MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)
2. Mayor

#### **ADJOURNMENT**

#### **CERTIFICATION OF POSTING**

I, Jennifer Lekumberry, Acting City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota City Council Regular Meeting of December 10, 2019, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, December 6, 2019 at 1:00 p.m.

  
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Jennifer Lekumberry, Acting City Clerk



## MINUTES OF MENDOTA SPECIAL CITY COUNCIL MEETING

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**Special Meeting**

**November 7, 2019**

**Meeting called to order by Councilor Martinez at 3:00 p.m.**

### **Roll Call**

**Council Members Present:** Councilors Victor Martinez, Jesse Mendoza, and Oscar Rosales

**Council Members Absent:** Mayor Robert Silva and Mayor Pro Tem Rolando Castro

**Flag salute led by Sergio Valdez**

### **FINALIZE THE AGENDA**

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

The agenda was adopted by Council consensus.

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

None offered.

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

1. 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 item 1, seconded by Councilor Mendoza; unanimously approved (3 ayes, absent: Castro and Silva).

## **CONSENT CALENDAR**

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1. Proposed adoption of **Resolution No. 19-81**, approving application(s) for Per Capita Grant Funds.

A motion was made by Councilor Rosales adopt Resolution 19-81, seconded by Councilor Mendoza; unanimously approved (3 ayes, absent: Castro and Silva).

## **BUSINESS**

1. Proposed adoption of **Resolution No. 19-82**, awarding the construction contract for the Rojas Pierce Park Expansion project to Avison Construction, Inc. for the base bid of \$1,084,865.00 with any of the add alternates.

Councilor Martinez introduced the item and City Manager Gonzalez provided the report including the base bid amount; the add alternate options; the synthetic lawn option cost and its life expectancy; and the cost of lighting and of restrooms.

Discussion was held on the compaction and grading of the field; the add alternates; phase two of the project; and restroom options.

A motion was made by Councilor Rosales to adopt Resolution No. 19-82 with add alternate option number 2 for shade structures (\$60,000) and to direct staff to bring back a budget amendment, if needed, to allocate funds for the add alternate cost, seconded by Councilor Mendoza; unanimously approved (3 ayes, absent: Castro and Silva).

## **PUBLIC HEARING**

1. Public hearing regarding Raymond Snowden, Sr.'s appeal of the City Manager's October 3, 2019, Final Order to Abate, 630 Kate Street, Mendota, CA 93640, APN: 013-102-02.

Councilor Martinez introduced the item. Attorney Castro on behalf of City Attorney Kinsey, commented on his role during the appeal process including to ensure the City Council has someone unbiased that can provide advice regarding the procedure for a fair hearing.

Attorney Castro opened the floor to Snowden.

Snowden requested a 30-day extension due to not receiving information he previously requested, including an agenda and audio recording. Snowden stated he received the packet yesterday which is not enough time for him to review.

Councilor Martinez requested information regarding the violation from staff.

Chief Andreotti asked a procedural question as to whether he should provide information regarding violations now or wait for his turn.

Councilor Rosales inquired as to what the 30 days extension was for.

Snowden stated he needs the 30 days to prepare his defense.

Attorney Castro restated the issue brought forth by Snowden including that Snowden was only provided the packet, which Attorney Castro clarified includes all of the records from the prior hearing, and that Snowden did not receive the recording and agenda he previously requested for his defense.

Councilor Mendoza clarified that there is no audio recording for the prior meeting and clarified to Snowden so he understands why he will not receive the audio recording. Councilor Mendoza confirmed with Snowden that he has the packet.

Councilor Martinez directed City Manager Gonzalez to provide Snowden the packet so he can review and prepare himself for defense.

City Manager asked Snowden whether he was also requesting an agenda of the meeting.

Chief Andreotti asked for clarification as to what agenda Snowden was referring to.

Attorney Castro provided an overview of the agenda for the current meeting.

Council held a brief discussion on granting a 30-day extension and reiterated there will not be audio provided for the previous hearing because there is no audio.

Council reached a consensus to give Snowden a 30-day extension per Snowden's request to prepare for his defense for his appeal to the City Council.

### **CLOSED SESSION**

1. CONFERENCE WITH LABOR NEGOTIATORS  
CA Government Code 54957.6  
Agency designated representatives: City Manager Cristian Gonzalez and Director of Administrative Services Jennifer Lekumberry  
Employee organization: Mendota Police Officers Association

At 3:27 p.m. the Council moved into closed session.

At 3:32 p.m. the Council reconvened in open session and Attorney Castro stated that regarding item 1 of the closed session, there was no reportable action.

**ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 3:32 p.m. by Councilor Rosales, seconded by Councilor Mendoza; unanimously approved 3 ayes, absent: Castro and Silva).

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Robert Silva, Mayor

ATTEST:

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Jennifer Lekumberry, Acting City Clerk





## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

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**Regular Meeting**

**November 12, 2019**

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

### **Roll Call**

**Council Members Present:** Mayor Robert Silva, Mayor Pro Tem Rolando Castro, Councilors Jesus Mendoza and Oscar Rosales

**Council Members Absent:** Councilor Martinez

**Flag salute led by the Director of Administrative Services/Acting City Clerk Lekumberry**

### **FINALIZE THE AGENDA**

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

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

At 6:03 p.m. Mayor Silva requested Mayor Pro-Tem Castro to run the meeting. In agreement, Mayor Pro-Tem Castro exchanged seats with Mayor Silva.

### **SWEARING IN**

1. Acting City Clerk Lekumberry to swear in Officer Timothy Brown.

Acting City Clerk Lekumberry swore in Officer Timothy Brown.

Chief of Police Andreotti shared biographical information on the officer; and the Council thanked the officer for joining the Mendota Police Department and admonished him to be safe.

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

**Kevin Romero** - provided an update on the Mendota High School football team.

**Ernesto Reyes** – introduced himself and provided information pertaining to In Home Support Services (IHSS) including work duties; current contract negotiations; the current number of IHSS workers in Mendota; and the request for support in obtaining wage increases.

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

1. Minutes of the regular City Council meeting of October 22, 2019.
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 Mendoza; unanimously approved (4 ayes, absent: Martinez).

### **CONSENT CALENDAR**

1. OCTOBER 23, 2019 THROUGH NOVEMBER 06, 2019  
WARRANT LIST CHECKS NO. 46012 THROUGH 46089  
TOTAL FOR COUNCIL APPROVAL = \$393,946.98
2. Proposed adoption of **Resolution No. 19-83**, adopting the discretionary plan amendment expanded hardship distribution options.
3. Proposed adoption of **Resolution No. 19-84**, supporting and implementing timely use of funding in the matter of project delivery schedules for federal transportation project selection.

A motion was made by Councilor Rosales to adopt items 1 through 3 of the Consent Calendar, seconded by Mayor Silva; unanimously approved (4 ayes, absent: Martinez).

### **BUSINESS**

1. Council discussion and consideration of **Resolution No. 19-85**, approving the adoption of a mitigated negative declaration for the Mendota Community Center Project.

Mayor Pro-Tem Castro introduced the item. City Attorney Kinsey provided the report including that this item relates to specific facilities at Rojas-Pierce Park including the

construction of a new community center using Prop 68 grants funds; and that in order to do so the City needs to consider and adopt a mitigated negative declaration for that project.

A motion was made by Councilor Rosales to adopt Resolution No. 19-85, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

2. Proposed adoption of **Resolution No. 19-86**, adopting and allocating funds for an Outdoor Fitness Court® as part of the 2020 National Fitness Campaign.

Mayor Pro-Tem Castro introduced the item. City Attorney Kinsey provided the report including that this item approves the receipt of allocation of funds from the statewide parks program; and that the City has been awarded a \$30,000 grant to be used towards an Outdoor Fitness court.

A motion was made by Councilor Rosales to adopt Resolution No. 19-86, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

3. Council discussion and consideration of request from California Rural Legal Assistance to consider amendments to the Mendota Municipal Code regarding utility billing.

Mayor Pro-Tem Castro introduced the item. City Attorney Kinsey provided the report including the background of the item; the two requests made by CRLA; the efforts made with the City Attorney's staff and Finance Officer Diaz to resolve the issue; the recommendation made by staff; and the next steps to implement any changes directed by the Council.

Discussion was held on the average number of late payments per month; the request from CRLA; staff's recommendation including the concern of additional staff time to accommodate the grace period being proposed; and the grace period length.

Mariah Thompson, Attorney from California Rural Legal Assistance (CRLA) commented on the importance of the grace period including how it alleviates the burden to low income families and how the low

Ophelia Ochoa commented on the 15-day grace period being considered and its importance to families in the community.

Council discussion was held on the options for a grace period and the value to the families in the community.

A motion was made by Councilor Rosales directing staff (1) to amend § 13.12.040 of the MMC to provide for a grace period of 15 days for all utility ratepayers, and (2) following such amendment, to publish a notice to all ratepayers informing them of the City's billing policies and the options available to those having difficulty making payments on the last

day of the month, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

4. Council discussion and consideration of Military/Veteran Banner Program  
Mayor Silva introduced the item.

Mayor Pro-Tem Castro introduced the item. Finance Officer provided the report including the various options for Council to consider.

Discussion was held on whether the program should honor Military Personnel and Veterans or Veterans only; Council reached consensus to honor both Military Personnel and Veterans.

Discussion was held on the timeframe to display banners; Council reached consensus to display the banners from Memorial Day weekend through Veteran's Day.

Discussion was held on whether there should be a fee to participate in the program; Council reached consensus that there will not be a fee and that there will be an application process in which preference will be given to the eldest of the Military Personnel and/or Veterans should applications exceed the 20 approved for the fiscal year.

Discussion was held on how many banners the City should approve each fiscal year; Council reached consensus that there should a total of 20 banners (front and back) approved each fiscal year.

Discussion was held the three banner samples provided; Council reached consensus on the third banner sample in the agenda packet.

A motion was made by Councilor Mendoza directing staff to implement a Military/Veterans Banner Program contingent on approval from Caltrans, seconded by Councilor Rosales; unanimously approved (4 ayes, absent: Martinez).

5. Council discussion and consideration of Resolution No. 19-87, approving an increased payment under the promissory note between the City of Mendota and the Mendota Redevelopment Agency.

Mayor Pro-Tem Castro introduced the item. City Attorney Kinsey provided the report including the city's status with the Mendota Designated Local Authority Agency; the background of Mendota Designated Local Authority Agency; a proposed solution to the bond debt through increased payment to an existing loan the City has for the expansion of City Hall.

Council Member Mendoza stepped away from the dais at 6:52 p.m. and returned at 6:53 p.m.

Council identified Councilor Rosales to serve as an alternate on the Designated Local Authority board.

A motion was made by Councilor Rosales to adopt Resolution No. 19-87, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

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

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

Chief of Police Andreotti provided his report for the Animal Control Department.

Discussion was held on the cost of dog food.

Chief Andreotti provided his report for the Code Enforcement Department including new investigations and moving forward with the beautification of the city.

Chief Andreotti summarized the report for the Police Department including a personnel update and vehicle/trailer damages.

Ophelia Ochoa commented on the fear being experienced due to the high volume of vehicle theft and vehicle racing; and inquired on check points in the City.

2. City Attorney
  - a) Update

Nothing to report.

3. City Manager
  - a) Update

Nothing to report.

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

1. Council Member(s)

Councilor Rosales thanked the public for their attendance and commented on cleaning pool park.

Councilor Mendoza thanked the public for their attendance and first responders; and commented on the MCC's Christmas contest.

Mayor Pro-Tem Castro thanked law enforcement; thanked Ophelia for her efforts to engage the community; and thanked Mayor Silva.

2. Mayor

*Nothing to report.*

**CLOSED SESSION**

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
CA Government Code § 54957(b)  
Title: City Manager

At 7:18 p.m. the Council moved into closed session.

At 8:32 p.m. the Council reconvened in open session and City Attorney Kinsey stated there was no reportable action.

**ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 8:32 p.m. by Councilor Rosales, seconded by Mayor Silva; unanimously approved (4 ayes, absent: Martinez).

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Robert Silva, Mayor

ATTEST:

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Jennifer Lekumberry, Acting City Clerk



CITY OF MENDOTA  
CASH DISBURSEMENTS  
11/12/2019 - 11/20/2019  
Check# 46090 - 46142

Date	Check #	Amount	Vendor	Department	Description
November 12, 2019	46090	\$90.00	ADMINISTRATIVE SOLUTIONS INC	GENERAL	(6) HRA ADMINISTRATION - NOVEMBER 2019
November 12, 2019	46091	\$545.86	AT&T MOBILITY	GENERAL	POLICE DEPARTMENT CELLPHONE SERVICES
November 12, 2019	46092	\$77,727.50	BB LIMITED	WATER	WATER WELL - LEASE PAYMENT 1ST INSTALLMENT FY 2019/2020
November 12, 2019	46093	\$1,341.17	COMCAST	GENERAL-WATER-SEWER	CITYWIDE XFINITY SERVICES 11/6/2019 - 12/5/2019
November 12, 2019	46094	\$11,666.67	FIREBAUGH POLICE DEPARTMENT	GENERAL	POLICE DISPATCH SERVICES - OCTOBER 2019
November 12, 2019	46095	\$761.93	GUTHRIE PETROLEUM INC	WATER-SEWER-STREETS	(55 Q) 15/40 MOTOR OIL & USED OIL FEE
November 12, 2019	46096	\$19.95	SEBASTIAN	GENERAL	SECURITY SERVICES 10/21/2019 - 11/20/2019 (PD)
November 12, 2019	46097	\$91,010.00	WESTAMERICA BANK	GENERAL	PAYROLL TRANSFER 10/28/19 - 11/10/19
November 15, 2019	46098	\$248.18	ADT SECURITY SERVICES	GENERAL-WATER-SEWER	SECURITY SERVICES 11/13/19 - 12/12/19 CITYHALL, DMV, & EDD
November 15, 2019	46099	\$802.92	AFLAC	GENERAL	AFLAC INSURANCE FOR NOVEMBER 2019
November 15, 2019	46100	\$5,057.84	AMERITAS GROUP	GENERAL	DENTAL & VISION INSURANCE FOR DECEMBER 2019
November 15, 2019	46101	\$470.77	COMCAST BUSINESS	GENERAL	CIRCUIT - FRESNO SHERIFF - MENDOTA PD NOVEMBER 2019
November 15, 2019	46102	\$8,532.00	STATE WATER RESOURCES CONTROL BOARD	WATER-SEWER	ANNUAL PERMIT FEE - 7/1/2019 - 6/30/2020 MENDOTA WWTF BASS & MENDOTA CITY CS
November 15, 2019	46103	\$599.76	TRIANGLE ROCK PRODUCTS LLC	STREETS	(2) ST 3/8 CM SC3000 ASPHALT - STREET PATCHING
November 15, 2019	46104	\$1,034.44	VERIZON WIRELESS	GENERAL-WATER-SEWER	CELLPHONE SERVICES 10/7/2019 - 11/6/2019
November 20, 2019	46105	\$12.96	ACE TROPHY SHOP	GENERAL	(1) NAME PLATE
November 20, 2019	46106	\$6,310.00	ADMINISTRATIVE SOLUTIONS INC	GENERAL	(27) MONTHLY MEDICAL ADMINISTRATION FEES NOVEMBER 2019 & MEDICAL CHECK RUN
November 20, 2019	46107	\$56.78	AG& INDUSTRIAL SUPPLY INC	SEWER-STREETS	GRADER- (3) HYDRAULIC HOSE 1/2 2WIRE (1) GLOBAL FITTING
November 20, 2019	46108	\$33.87	AIRGAS USA LLC	WATER	(1) RENT CYL IND SMALL CARBON DIOXIDE RENT - OCTOBER 2019
November 20, 2019	46109	\$142.78	ALEX AUTO DIAGNOSTICS	GENERAL	UNIT#M85 - SYTHETIC OIL CHANGE & OIL FILTER (PD)
November 20, 2019	46110	\$2,184.00	ALESHIRE & WYNDER LLP	WATER	PROFESSIONAL SERVICES - LEGAL SERVICES RE: WATER METER GRANT & CONSTRUCTIONS INSTALLMENT SALE AGREEMENT
November 20, 2019	46111	\$238.64	AMERPRIDE SERVICES INC	GENERAL-WATER-SEWER	PUBLIC WORKS UNIFORM WEEK 10/31/19, 11/6/19, & 11/14/19
November 20, 2019	46112	\$1,634.23	APPLIED CONCEPTS INC	GENERAL	(1) STALKER II LITHIUM BATTERY DESKTOP CHARGER & 24 MONTH WARRANTY
November 20, 2019	46113	\$20.70	AUTOZONE INC	GENERAL	(3) TURTLE WAX CARWASH SOAP (PD)
November 20, 2019	46114	\$740.00	BC LABORATORIES	WATER	DRINKING WATER EDT - (4) THMS & HALOCETIC ACIDS
November 20, 2019	46115	\$240.00	CENTRAL VALLEY VETERINARY CLINIC	GENERAL	(10) EUTHANASIA LESS THAN 20LBS, 20-60 LBS, & 60-100 LBS

CITY OF MENDOTA  
CASH DISBURSEMENTS  
11/12/2019 - 11/20/2019  
Check# 46090 - 46142

November 20, 2019	46116	\$45.00	PATRICK CLARK	GENERAL	EXPENSE REIMBURSEMENT - GAS FOR CITY VEHICLE TRAVEL TO TRAINING
November 20, 2019	46117	\$200.00	DATA TICKET INC	GENERAL	DAILY CITATION PROCESSING, NOTICING, & MONTHLY MINIMUM FOR OCTOBER 2019
November 20, 2019	46118	\$297.79	DATAMATIC INC	WATER	MONTHLY SOFTWARE LICENSE & SERVICE MAINTENANCE FEE DECEMBER 2019
November 20, 2019	46119	\$32.00	DEPARTMENT OF JUSTICE	GENERAL	(1) FINGERPRINT APPLICATION FOR OCTOBER 2019 (PD)
November 20, 2019	46120	\$91.00	FRESNO CITY COLLEGE	GENERAL	(1) REGISTRATION & TEMPORARY PARKING (CSO)
November 20, 2019	46121	\$54.00	CITY OF FRESNO POLICE DEPARTMENT REGIONAL TRAINING	GENERAL	PC832 CLASS RANGE FEE 10/28/19 - 10/30/19 (CSO)
November 20, 2019	46122	\$140.60	FRESNO COUNTY SHERIFF	GENERAL	RMS JMS ACCESS FEE FOR OCTOBER 2019 (PD)
November 20, 2019	46123	\$10.38	HAVEN'S FOR TOTAL SECURITY INC	GENERAL	(2) DND KEYS, SECTIONAL KEYS FOR SENIOR CENTER
November 20, 2019	46124	\$32.26	ID CARDS	GENERAL	(2) CUSTOM PVC CARD DUAL SIDE (PD)
November 20, 2019	46125	\$180.00	INSYARATH, KHAMPOU	GENERAL	CRIME STATISTICS FOR OCTOBER 2019 (PD)
November 20, 2019	46126	\$10,060.00	JOSE GALLARDO	GENERAL-STREETS	NEW CAMERA EQUIPMENT (DERRICK AVE & BELMONT AVE) AND OLLER STREET LIGHTS
November 20, 2019	46127	VOID			
November 20, 2019	46128	\$5.00	LOS BANOS VETERINARY CLINIC	GENERAL	(1) RECONCILING FEE FROM 1/24/19 INVOICE
November 20, 2019	46129	\$628.63	MENDOTA SMOG& REPAIR	GENERAL	UNIT#86 - FRONT & REAR BUNDLE, UPPER CONTROL ARM (PD)
November 20, 2019	46130	\$55,553.37	MID VALLEY DISPOSAL INC	REFUSE	SANITATION CONTRACT SERVICES - OCTOBER 2019
November 20, 2019	46131	\$6,000.00	MOUNTAIN VALLEY ENVIRONMENTAL SERVICES	WATER-SEWER	DECEMBER 2019 - WATER TREATMENT & WASTEWATER CPO SERVICES
November 20, 2019	46132	\$1,338.38	MUNICIPAL MAINTENANCE EQUIPMENT	STREETS	STREET SWEEPER - (1) SKID SHOE (4) HEAD SPRING (1) HOPPER DOOR LATCH CYLINDER, (1) ROD END 5/8-18 DRILLED & TAP
November 20, 2019	46133	\$1,925.84	MUTUAL OF OMAHA	GENERAL	LIFE AD&D LTD STD INSURANCE FOR DECEMBER 2019
November 20, 2019	46134	\$2,305.46	NORTHSTAR CHEMICAL	WATER	(600 GAL & 520 GAL) SODIUM HYPOCHLORITE 12.5 MILL
November 20, 2019	46135	\$363.60	OFFICE DEPOT	GENERAL-WATER-SEWER	MULTIPLE DEPARTMENT OFFICE SUPPLIES
November 20, 2019	46136	\$19,657.10	PG&E	GENERAL-WATER-SEWER-STREETS	WATER DEPARTMENT UTILITIES 10/16/19 - 11/14/19
November 20, 2019	46137	\$3,500.00	PRICE, PAIGE, & COMPANY	GENERAL-WATER- SEWER-STREETS-REFUSE	AUDITS CITY'S FINANCIAL STATEMENTS YEAR END 6/30/2019
November 20, 2019	46138	\$12,584.30	PROVOST & PRITCHARD	GENERAL-WATER-SEWER	PASS THRU PROFESSIONAL SERVICES FOR LA COLONIA & AMOR SEPTEMBER 2019, WATER & WASTERWATER MASTER PLAN, & ROJAS PARK EXPANSION
November 20, 2019	46139	\$825.38	RED WING BUSINESS ADVANTAGE ACCOUNT	WATER-SEWER	(5) BOOT REPLACEMENT PER MOU
November 20, 2019	46140	\$239.97	ERNEST PACKING SOLUTIONS	GENERAL-WATER-SEWER	JANITORIAL SUPPLIES - (24) AIRFRESH AERO CLAIRE 7OZ & (1) BELFAIR ELITE RT NOTCH 600' W TISSUE

CITY OF MENDOTA  
 CASH DISBURSEMENTS  
 11/12/2019 - 11/20/2019  
 Check# 46090 - 46142

November 20, 2019	46141	\$331.73	UNION PACIFIC RAILROAD COMPANY	STREETS	PUBLIC ROADWAY ENCROACHMENT - DECEMBER 2019
November 20, 2019	46142	\$350.00	RIGHT NOW PHLEBOTOMY	GENERAL	(3) BLOOD DRAW CASE# 19-4926, #19-5114, #19-5251 (PD) CASE# 19-4926 OTS DUI REIMBURSEABLE
		\$328,274.74			

CITY OF MENDOTA  
CASH DISBURSEMENTS  
11/22/2019 - 12/5/2019  
Check# 46143 - 46204

Date	Check #	Amount	Vendor	Department	Description
November 22, 2019	46143	\$24,035.83	AETNA LIFE INSURANCE COMPANY	GENERAL	MEDICAL INSURANCE FOR DECEMBER 2019
November 22, 2019	46144	\$500.00	SID'S TREES	GENERAL	(1) 14' HOLIDAY TREE W/ WATER STAND & FIRE RETARDANT
November 26, 2019	46145	VOID			
November 26, 2019	46146	\$104,290.00	WESTAMERICA BANK	GENERAL	PAYROLL TRANSFER 11/11/19 - 11/24/19
November 27, 2019	46147	\$500.00	TRANSUNION RISK & ALTERNATIVE DATA	GENERAL	TRANSUNION SEARCH SERVICES FOR SEPTEMBER 2019 THRU JUNE 2020 (PD)
November 27, 2019	46148	\$56.99	ADT SECURITY SERVICES	GENERAL	SECURITY SERVICES 12/3/2019 - 1/2/2019 - COMMUNITY CENTER
November 27, 2019	46149	\$30.46	AGRI VALLEY IRRIGATION INC	SEWER	(1) FLANGE VAN STONE PVC RING 6" - WWTP
November 27, 2019	46150	\$1,999.79	ALERT- O- LITE	GENERAL-STREETS	(3) TEXTURE MAT RANDOM STONE (1) TAMPER WOOD 11X11, (1) STIHL CHAIN SAW REPAIR, (1)PISTON & CULINDER (2) SEALS, (1) PRESS WASHER
November 27, 2019	46151	\$1,910.00	BSK ASSOCIATES	WATER-SEWER	PROFESSIONAL SERVICES OCTOBER 2019 - POND 6 COMPRESSION TEST, (3) MONTHLY WASTEWATER WEEKLY TREATMENT, (2) GENERAL EDT
November 27, 2019	46152	\$255.00	CENTRAL VALLEY TOXICOLOGY INC	GENERAL	(3) ALCOHOL ABUSE SCREEN, (1) DRUG CONFIRMATION SCREEN, (1) SINGLE DRUG CONFIRMATION (PD)
November 27, 2019	46153	\$658.43	CORBIN WILLITS SYS INC	GENERAL-WATER-SEWER	SERVICES & ENHANCEMENT MOMS SYSTEM FOR DECEMBER 2019
November 27, 2019	46154	\$480.49	CROWN SHORTLAND CONCRETE	STREETS	(3) YD CONCRETE MIX - RIGHT-OF-WAY OLLER STREET & 4TH STREET
November 27, 2019	46155	\$210.00	DEPARTMENT OF JUSTICE	GENERAL	(6) BLOOD ALCOHOL ANALYSIS (PD)
November 27, 2019	46156	\$6,739.00	STANTEC CONSULTING SERVICES	SEWER	GROUNDWATER SAMPLING & REPORTING 3RD QUARTER MONITORING
November 27, 2019	46157	\$454.64	EWING FRESNO	GENERAL	(25) 50LB PAR RYEGRASS BLEND
November 27, 2019	46158	\$23.00	FRESNO CITY COLLEGE	GENERAL	(1) REGISTRATION - FIREARMS 10/28/19 - 10/30/19 (CSO)
November 27, 2019	46159	\$880.00	KERWEST NEWSPAPER	GENERAL	(8) NOTICE OF AVAILABLE FAQ HANDOUT, (6) PART TIME CENTER COORDINATOR, (6) FULL TIME POLICE OFFICER POSITION (PD)
November 27, 2019	46160	\$393.68	PONDEROSA PAINT	GENERAL	(2) AQUASET WHITE - ROJAS-PIERCE PARK RESTROOM
November 27, 2019	46161	\$1,000.00	PURCHASE POWER	GENERAL-WATER-SEWER	(1) POSTAGE METER REFILL 11/10/2019
November 27, 2019	46162	\$1,125.00	TECH MASTER PEST MANAGEMENT	GENERAL-WATER-SEWER	GENERAL PEST CONTROL SERVICES - (11) DOG POUND, PONDING BASIN, WASTEWATER PLANT, WATER PLANT, PUBLIC WORKS YARD, & POLICE
November 27, 2019	46163	\$397.89	THE SHERWIN WILLIAMS CO	GENERAL	(5) 5 GAL IVORY (5) 5 GAL MORNING SUN PAINT
November 27, 2019	46164	\$249.00	UNITED HEALTH CENTERS	GENERAL	PRE-EMPLOYMENT SCREEN (PD)
December 2, 2019	46165	\$3,000.00	LYONS INTERPRETING & TRANSLATION	GENERAL-WATER-SEWER	TRANSLATION SERVICES FOR MEETINGS - AGREEMENT LUMP SUM
December 2, 2019	46166	\$63,124.64	THE BANK OF NEW YORK MELLON	SEWER	MENDOTA JOINT POWERS FINANCING AUTHORITY WASTEWATER REVENUE BONDS SERIES 2005 INTEREST
December 4, 2019	46167	\$2,664.12	ACME ROTARY BROOM SERVICE	STREETS	(16) ESTH SCHWARZE TORNADO GUTTER BROOMS FOR STREET SWEEPER
December 4, 2019	46168	\$1,433.18	AUTOMATED OFFICE SYSTEMS	GENERAL-WATER-SEWER	MAINTENANCE CONTRACT COPIER FOR CITY HALL & POLICE DEPARTMENT FOR NOVEMBER 2019

CITY OF MENDOTA  
CASH DISBURSEMENTS  
11/22/2019 - 12/5/2019  
Check# 46143 - 46204

December 4, 2019	46169	\$557.82	AT&T	GENERAL-WATER-SEWER	CITYWIDE TELEPHONE SERVICES 10/25/19 - 11/24/19
December 4, 2019	46170	\$619.86	AT&T MOBILITY	GENERAL	POLICE DEPARTMENT CELL PHONE SERVICES
December 4, 2019	46171	\$464.32	COLONIAL LIFE	GENERAL	LIFE INSURANCE FOR NOVEMBER 2019
December 4, 2019	46172	\$175.00	COMMUNITY MEDICAL CENTER	GENERAL	OCTOBER 2019 - LEGAL BLOOD DRAWS (PD)
December 4, 2019	46173	\$154.50	CORELOGIC INFORMATION	GENERAL-WATER-SEWER	REALQUEST SERVICES FOR NOVEMBER 2019
December 4, 2019	46174	\$297.29	DATAMATIC INC	WATER	MONTHLY SOFTWARE LICENSE & SERVICES MAINTENANCE FEE JANUARY 2019
December 4, 2019	46175	\$434.00	FRESNO MOBILE RADIO INC	GENERAL	(31) POLICE DEPARTMENT RADIOS SERVICES FOR DECEMBER 2019
December 4, 2019	46176	\$29.75	FRESNO NETWORKS UNITY IT	GENERAL-WATER-SEWER	(.25 HR) TECHNICIAN ASSISTANCE WITH IT TECH
December 5, 2019	46177	\$4.20	HAVEN'S FOR TOTAL SECURITY	GENERAL	(3) DND SECTIONAL KEY & 6 PIN FOR COMMUNITY CENTER & SENIOR CENTER
December 4, 2019	46178	\$1,510.50	ICAD INC	WATER	WATER PLANT FACILITY REPAIRS 11/5/19 & 11/14/19
December 4, 2019	46179	\$2,100.78	INDUSTRIAL ELECTRICAL CO	WATER	PRISON PUMP #2 MATERIAL & LABOR (REPLACEMENT CHECK)
December 4, 2019	46180	\$10,129.12	JON'S FLAGS & POLES INC	GENERAL	(1) 35' POLE, (2) 30' POLE, (190 FEET) WIRE CORE, (1) 6'X10' FLAG, (2) 5'X8' FLAG, (2) 5'X8' CUSTOM PRINT FLAGS
December 4, 2019	46181	\$300.00	LEXIS NEXIS	GENERAL- WATER-SEWER	SUBSCRIPTION SERVICES FOR NOVEMBER 2019
December 4, 2019	46182	\$201.59	METRO UNIFORM	GENERAL	(2) HANDCUFF, (1) STINGER BATTERY, (1) BELT (PD)
December 4, 2019	46183	\$6,000.00	MOUNTAIN VALLEY ENVIRONMENTAL SERVICES	WATER-SEWER	OCTOBER 2019 - WATER & WASTEWATER TREATMENT SERVICES (REPLACEMENT CHECK)
December 4, 2019	46184	\$352.64	OFFICE DEPOT	GENERAL-WATER-SEWER	MULTIPLE DEPARTMENT OFFICE SUPPLIES
December 4, 2019	46185	\$112,900.43	PROVOST & PRITCHARD	GENERAL-WATER-SEWER-STREETS	PROFESSIONAL SERVICES OCTOBER 2019 - MOWRY BRIDGE, ROJAS-PIERCE PARK, RETAINER, & PASSTHRU SERVICES - LA COLONIA & AMOR
December 4, 2019	46186	\$53.99	INTERSTATE BATTERIES	GENERAL	UNIT#86 - BATTERY REPLACEMENT (PD)
December 4, 2019	46187	\$207.64	ERNEST PACKING SOLUTIONS	GENERAL-WATER-SEWER	JANITORIAL SUPPLIES - (3) BELFAIR ELITE 600'
December 4, 2019	46188	\$19.95	SEBASTIAN	GENERAL	SECURITY SERVICES 11/21/19 - 12/20/19 (PD)
December 4, 2019	46189	\$4,620.19	SIERRA DISPLAY INC	GENERAL	(1) 5'X5.5' POINSETTIA (4) 5.5'X12' POINSETTIA (174 FEET) GARLAND WITH WHITE LAMPS (2) 24" BOWS
December 4, 2019	46190	\$526.38	SIGNMAX	STREETS	(10) STOP SIGNS 30" FOR STREETS
December 4, 2019	46191	\$194.85	TCM INVESTMENTS	GENERAL	MPC3503 LEASE PAYMENT - COPIER FOR (PD)
December 4, 2019	46192	\$2,865.71	THE WATER CONNECTION	WATER	(68) BACKFLOWS TESTED (6) REPAIRS
December 4, 2019	46193	\$611.77	THOMASON TRACTOR COMPANY	WATER-SEWER-STREETS	JD6420 - TRACTOR REPAIR, SENSOR OUT NEW REMOVAL & REPLACEMENT

CITY OF MENDOTA  
 CASH DISBURSEMENTS  
 11/22/2019 - 12/5/2019  
 Check# 46143 - 46204

December 4, 2019	46194	\$56.70	WECO	GENERAL-WATER-SEWER	(6) RENT CYL ACETYLENE #4, OXYGEN D&K FOR NOVEMBER 2019
December 4, 2019	46195	\$625.18	ZEE MEDICAL SERVICE	GENERAL-WATER-SEWER	FIRST AID KIT SUPPLIES FOR PUBLIC WORKS, POLICE DEPARTMENT, CITY HALL, SENIOR CENTER, AND WATER PLANT
December 4, 2019	46196	\$21.04	JOSE C FUENTES	WATER	MQ CUSTOMER REFUND FOR BUR0003
December 4, 2019	46197	\$82.91	ADRIANNA M ESCALANTE	WATER	MQ CUSTOMER REFUND FOR ESC0052
December 4, 2019	46198	\$53.22	RODRIGO LUCAS	WATER	MQ CUSTOMER REFUND FOR LUC0004
December 4, 2019	46199	\$35.03	MARIA D SOLORIO	WATER	MQ CUSTOMER REFUND FOR SOL0006
December 4, 2019	46200	\$52.52	LETICIA VALLEJO	WATER	MQ CUSTOMER REFUND FOR VAL0100
December 5, 2019	46201	\$6,430.00	US COMPUTERS & NETWORK SERVICES	GENERAL-WATER-SEWER	SERVER AND OS BUILD, SYNC DATA, & (10) COMPUTER BUILD 11/3/2019 - 11/26/2019
December 5, 2019	46202	\$777.01	GUTHRIE PETROLEUM	GENERAL-WATER-SEWER	(55) AW 68 HYDRAULIC OIL & (30.75) GALLON OF GASOLINE
December 5, 2019	46203	\$2,061.19	BANKCARD CENTER	GENERAL-WATER-SEWER	CREDIT CARD EXPENSES 10/25/19 - 11/21/19 INTERNATIONAL CODE COUNCIL - BUILDING CODE COLLECTION, (13) HEADSET, (1) MICROPHONE
December 5, 2019	46204	\$260,798.43	WITBRO, INC DBA SEAL RITE PAVING & GRADING.	STREETS	BLACK AVE & 5TH ST RECONSTRUCTION PAYMENT #1
		\$632,736.65			



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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA, APPROVING  
AN AMENDMENT TO THE CITY MANAGER'S  
EMPLOYMENT CONTRACT**

**RESOLUTION NO. 19-88**

**WHEREAS**, the City Council of the City of Mendota completed their evaluation of the City Manager's performance; and

**WHEREAS**, the City Council of the City of Mendota desires to extend the City Manager's contract and modify the terms of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Mendota hereby resolve as follows:

SECTION 1. Resolution No. 19-88 is hereby adopted to incorporate the changes to the terms and conditions of the City Manager's employment contract, as reflected in Exhibit "A" attached hereto.

SECTION 2. The changes to Exhibit "A" shall be effective as of November 12, 2019, unless otherwise specifically indicated within Exhibit "A".

\_\_\_\_\_  
Robert Silva, Mayor

ATTEST:

I, Jennifer Lekumberry, Acting 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 10<sup>th</sup> day of December, 2019, by the following vote:

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

\_\_\_\_\_  
Jennifer Lekumberry, Acting City Clerk

# Exhibit A

**FIRST AMENDMENT TO EMPLOYMENT AGREEMENT**  
**MADE AND ENTERED INTO BY AND BETWEEN**  
**THE CITY OF MENDOTA AND CRISTIAN GONZALEZ**

This First Amendment to the Employment Agreement Made and Entered Into by and Between the City of Mendota and Cristian Gonzalez (“Amendment”) is made by and between the City of Mendota (“CITY”) and Cristian Gonzalez (“EMPLOYEE”) (collectively, “PARTIES”) as of November 12, 2019 (“Effective Date”).

**RECITALS**

A. On or about October 29, 2018, the PARTIES entered into an employment agreement specifying the terms and conditions of EMPLOYEE’s employment with CITY as its City Manager (“Agreement”), attached hereto as Exhibit “A” and incorporated herein by this reference.

B. On November 12, 2019, the City Council, after evaluating EMPLOYEE’s performance, agreed with EMPLOYEE to make various changes to the terms and conditions of the Agreement, which are reflected in this Amendment.

**AGREEMENT**

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the PARTIES hereby agree as follows:

1. Defined Terms. All terms defined in the Agreement when used herein shall have their respective meanings as set forth in the Agreement unless expressly superseded by the terms of this Amendment. All references in this Amendment to an “Article,” “Section,” or “Paragraph” shall refer to the applicable article, section, or paragraph of the Agreement, unless otherwise specifically provided.

2. Amendments.

a. Section 1(A) of the Agreement is hereby amended to read as follows:

CITY hereby agrees to designate EMPLOYEE (Cristian Gonzalez) as City Manager of the City of Mendota to perform the functions and duties specified in applicable City ordinances, applicable law, and current job description as the same presently exist or may hereinafter be amended, and to perform other legally permissible and proper duties and functions consistent with the position of City Manager and which the City Council may from time to time assign at City Council meetings. EMPLOYEE shall continue to perform his duties as the CITY’S Director of Public Works and Planning. In addition, EMPLOYEE shall perform the duties of Economic Development Director and Building Official.

b. Section 2(A) of the Agreement is hereby amended to read as follows:

Compensation. EMPLOYEE’S annual salary shall be in the amount of one hundred sixty thousand dollars (\$160,000) per year from and after the Effective Date. The City Council will

evaluate the EMPLOYEE every six (6) months after the Effective Date to conduct a performance evaluation of EMPLOYEE. The evaluation shall include consideration of the EMPLOYEE's performance of his duties as City Manager, Director of Public Works, Director of Planning, Economic Development Director, and Building Official. If the semi-annual evaluations of EMPLOYEE are deemed satisfactory by the City Council, CITY shall adjust the annual salary in the amount of an additional ten thousand dollars (\$10,000) per year, up to a maximum salary of one hundred eighty thousand dollars (\$180,000) in the third year following the Effective Date. The City Council may evaluate EMPLOYEE more frequently than provided herein if a majority of the City Council wish to do so. Except as otherwise provided herein, EMPLOYEE will retain his existing benefits as set forth in Resolution No. 19-43, attached hereto as Exhibit "A" and incorporated herein by this reference, and any amendments thereto, which remain unchanged.

c. Section 2(B) of the Agreement is hereby amended to read as follows:

Evaluation. If after an evaluation of the EMPLOYEE's performance of his duties, the City Council determines that EMPLOYEE is not satisfactorily performing his duties as specified herein and that it is in the best interests of the CITY, the City Council may vote to remove EMPLOYEE from his role as City Manager. In this event, EMPLOYEE shall remain as the Director of Public Works and Planning with the same salary and benefits he had prior to serving as Interim City Manager. EMPLOYEE's employment with the CITY as the Director of Public Works and Planning shall not be terminated solely for unsatisfactory performance of the additional duties as City Manager.

d. Section 2 (C) of the Agreement is hereby amended to read as follows:

Terms of Employment. EMPLOYEE's additional duties under this Agreement shall begin on the Effective Date, and shall continue "at will" of the City Council, in accordance with Section 2.F herein, for a term of three (3) years. Notwithstanding the foregoing, within twelve (12) months following the Effective Date, and only during this time, EMPLOYEE may elect to return to his position as Director of Public Works and Planning, in which case EMPLOYEE shall have the same salary and benefits he had prior to serving as Interim City Manager.

3. Ratification and Conflict. Except as expressly amended by this Amendment, the terms and conditions of the Agreement shall remain unaltered, are hereby reaffirmed, and shall continue in full force and effect. In the event of any conflict or inconsistency between the terms of the Agreement and the terms of this Amendment, the terms of this Amendment shall govern and control.

4. Incorporation. The Recitals set forth above are hereby incorporated into this Amendment as though fully set forth herein.

IT WITNESS WHEREOF, the Parties have executed this Amendment as of the date set forth below:

*Signatures on following page*

Dated this \_\_\_\_ day of \_\_\_\_\_. 2019.

**CITY OF MENDOTA**

**EMPLOYEE**

---

Robert Silva  
Mayor

---

Cristian Gonzalez

---

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILORS  
**FROM:** JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** MENDOTA POLICE OFFICER'S ASSOCIATION UNION NEGOTIATED CONTRACT  
**DATE:** DECEMBER 10, 2019

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**ISSUE**

Shall the City Council adopt Resolution No. 19-89, approving a memorandum of understanding (MOU) between the City of Mendota and the Mendota Police Officers Association?

**BACKGROUND**

The Memorandum of Understanding (MOU) between the City of Mendota and the Mendota Police Officers' Association (MPOA) expired on June 30, 2019. The City and MPOA then entered into a 90-day extension to give time to CalPERS to provide the City with the valuation reports for the addition of the safety category to the City's contract. To date CalPERS has not provided the valuation reports to the City of Mendota. The City and MPOA expressed an interest in entering into a successor MOU. The parties have met and conferred in good faith and agreed on terms of a new MOU.

**ANALYSIS**

The City and MPOA has reached a Tentative Agreement with changes in the following areas:

***Term- 1-year term***

***Night Shift Differential- \$1 more per hour, starting at 6pm.***

***Vacation Cash Out- Each police officer may cash out up to 40 hours of vacation time per fiscal year as long as they have a minimum of 80 hours accrued vacation at the time of request.***

***Uniform Allowance- An employee required to wear a Union shall be reimbursed (\$200) by the City towards the purchase of initial uniform with proof of purchase. Following the completion of their probation period, the City shall pay each Police Officer, a uniform maintenance allowance of \$75 a month.***

***CalPERS retirement for all police officers- A reopener will be on March 1st along with the reopener of the contract.***

***Court Standby- If a police officer is off each officer will receive (2) hours on Standby from 8am-12pm and (2) hours of Standby from 1pm-5pm.***



*Post Certificate- Increase of \$25.*

*Mutual of Omaha Disability Insurance- The Union would like to keep the Mutual of Omaha Disability Insurance until we meet again in March 2020*

*COLA- 5% as of July 1, 2019.*

By majority vote of its membership, the MPOA has ratified the MOU. A copy of the MOU is attached (Exhibit "A").

**FISCAL IMPACT**

The General Fund, the CFD Fund 61, and the COPS Fund 23 will share an impact of approximately \$33,400.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 19-89 approving a memorandum of understanding (MOU) between the City of Mendota and the Mendota Police Officers Association.

**Attachment(s):**  
Resolution 19-89  
Exhibit "A"

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA, APPROVING  
A MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF MENDOTA AND  
THE MENDOTA POLICE OFFICERS'  
ASSOCIATION**

**RESOLUTION NO. 19-89**

**WHEREAS**, the City Council of the City of Mendota desires to adopt the terms and conditions of the Memorandum of Understanding for the Mendota Police Officers' Association.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Mendota hereby resolve as follows:

SECTION 1. Resolution No. 19-89 is hereby adopted to incorporate the changes to the terms and conditions of the MOU, as reflected in Exhibit "A" attached hereto.

SECTION 2. The changes to Exhibit "A" shall be effective as of July 1, 2019, unless otherwise specifically indicated within Exhibit "A".

\_\_\_\_\_  
Robert Silva, Mayor

ATTEST:

I, Jennifer Lekumberry, Acting 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 10<sup>th</sup> day of December, 2019, by the following vote:

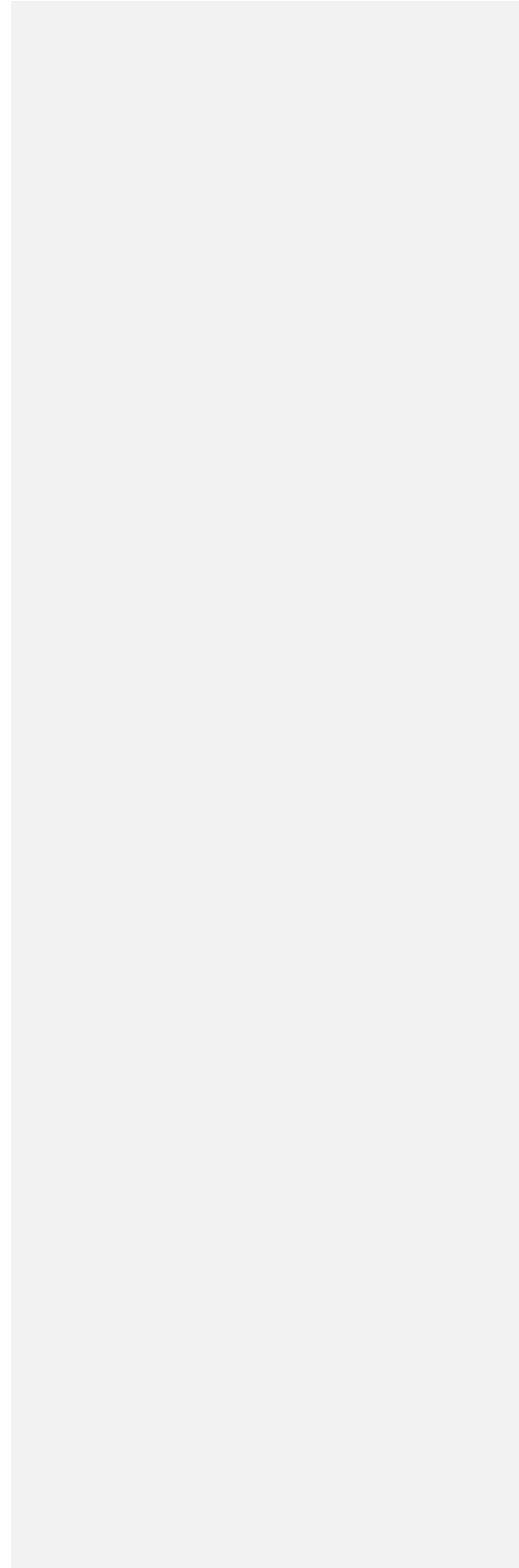
**AYES:  
NOES:  
ABSENT:  
ABSTAIN:**

\_\_\_\_\_  
Jennifer Lekumberry, Acting City Clerk

# Exhibit A

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF MENDOTA AND OPERATING ENGINEERS LOCAL UNION  
NO. 3, ON BEHALF OF THE MENDOTA POLICE OFFICERS ASSOCIATION

July 1, ~~2015~~2019– June 30, ~~2017~~2020



**TABLE OF CONTENTS**

Page(s)

**ARTICLE I (PREAMBLE)**

A.	Preamble.....	1
B.	Purpose.....	1
C.	Past Practices.....	1
D.	No Abrogation of Rights.....	1
E.	Term.....	1

**ARTICLE II (MANAGEMENT RIGHTS)**

A.	Management Rights.....	1
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**ARTICLE III (RECOGNITION)**

A.	Recognition.....	2
B.	Unit Description.....	2
C.	Union Officers and Representatives.....	2
D.	Association/Union Rights.....	3

**ARTICLE IV (STATUS OF EMPLOYEES)**

A.	Status of New Employees.....	4
B.	Status of Employees Who are Promoted.....	4

**ARTICLE V (COMPENSATION)**

A.	Salary.....	4
B.	Work Schedules and Overtime Compensation.....	4
C.	Training Time.....	5
D.	Out of Class Pay.....	5
E.	P.O.S.T. Certificate Pay.....	5
F.	Direct Deposit.....	5

**ARTICLE VI (BENEFITS)**

A.	Uniform Allowance.....	6
B.	Safety Equipment.....	6
C.	Vacation.....	7
D.	Holidays.....	7
E.	Sick Leave.....	7
F.	Health Insurance.....	8
G.	Life Insurance.....	9
H.	Worker's Compensation.....	9
I.	Long Term Disability.....	9
J.	State Disability Insurance.....	9
K.	Retirement.....	9
L.	Bilingual Pay.....	9
M.	Court Standby/On-Call Pay.....	10

N. Court Time.....10  
O. Night Shift Differential.....10

**ARTICLE VII (MISCELLANEOUS)**

A. Layoff..... 10  
B. Lockout and Strike.....10  
C. Savings..... 10  
D. City of Mendota Personnel Rules -Incorporated by Reference.....11  
E. AB 119 Compliance.....11

**ARTICLE VIII (TERMINATION)**..... 11

**ARTICLE IX (EXECUTION)**.....11

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**ARTICLE I  
(PREAMBLE)**

**A. Preamble**

This Memorandum of Understanding (“Agreement”) is entered into by the City of Mendota (hereafter referred to as the “City”) and the Mendota Police Officers Association (hereafter referred to as “MPOA” or the “Association”) and Operating Engineers Local Union No. 3 (hereafter referred to as “OE3” or the “Union”). This Agreement is governed by Sections 3500-3510 of the Government Code of the State of California (otherwise known as the “Meyers-Milias-Brown Act” or “MMBA”), and the City’s Personnel Rules, ordinances, policies, rules, or other regulations. In the event of any conflict between the laws under the MMBA and this Agreement, the City’s Personnel Rules, ordinances, policies, rules or other regulations, the laws under the MMBA shall govern.

**B. Purpose**

The purpose of this Agreement is to promote harmonious relations between the City, the Association, and the Union; to establish an equitable and peaceful procedure for the resolution of differences; and to establish wages, hours of work and other terms and conditions of employment.

**C. Past Practices**

The parties agree that this Agreement supersedes any past practice expressly covered by this Agreement, but does not affect any other written understanding agreed to by the parties that is not expressly addressed in this Agreement.

**D. No Abrogation of Rights**

The parties acknowledge that the City’s and Union’s responsibilities and rights as indicated in the City’s Personnel Rules, Mendota Police Department Policy Manual, ordinances, policies, rules, or other laws and regulations are not abrogated by the adoption of this Agreement.

**E. Term**

The term of this Agreement will be July 1, ~~2015-2019~~ to June 30, ~~2017~~2020. There shall be ~~no additional request made for a wage a~~ reopener ~~for the fiscal year of 2016/17 on March 1, 2020 for consideration of CalPERS.~~

**ARTICLE II  
(MANAGEMENT RIGHTS)**

**A. Management Rights**

It is understood and agreed that the City retains all of its powers and authority to direct, manage, and control its operations to the full extent of the law. These powers and authority include but are not limited to:

1. Directing the work of Employees;
2. Hiring, discharging, promoting, demoting, transferring, laying off, assigning, reassigning, and classifying Employees;
3. Disciplining Employees for cause;
4. Taking all actions as may be necessary to carry out the mission of the City;
5. Determining the methods, means and personnel by which operations are to be conducted; and
6. Determining the budget, organization, merits, necessity, and level of any activity or service provided to the public.

The exercise of the foregoing powers, rights, authority, duties, and responsibilities of the City, the adoption of policies, rules, regulations, and practices in furtherance thereof, and the use of judgment and discretion in connection therewith, will be limited only by the express terms of this Agreement.

### **ARTICLE III (RECOGNITION)**

#### **A. Recognition**

The City acknowledges the Union, representing the MPOA, as the sole and exclusive recognized employee organization representing employees covered under this Agreement. The Union and the City agree to meet and confer in good faith promptly upon request by the other party and to continue for a reasonable amount of time in order to freely exchange information, opinions and proposals and endeavor to reach agreement on matters within the scope of representation under the MMBA as related to employees covered under this Agreement.

#### **B. Unit Description**

The bargaining unit of employees defined for the purpose of this Agreement will mean full-time Sergeants, Corporals and Police Officers (hereinafter referred to as "Employees") employed by the City, excluding temporary, seasonal, confidential, and management employees. Management employees shall be considered to include the rank of Lieutenant up to the Chief of Police.

#### **C. Union Officers and Representatives**

Association Officers and Union representatives agree to work with the City Manager or his/her designee as the agent of the City in all matters related to grievances (in accordance with Article VII of this Memorandum of Understanding), the interpretation of this Agreement, and any and all negotiations for successor agreements.

#### **D. Association/Union Rights**

The Association/Union shall have the following rights and responsibilities:

1. The City shall not interfere with nor discriminate against any employee by reason of his/her membership in the Union and/or Association, or by reason of any activity required by this Agreement.



2. The City shall not intimidate any employee or attempt to restrain any employee or attempt to limit the full and free expression of Employees' rights to participate in Union and/or Association's lawful activities.

3. The City shall deduct Association membership dues and assessments, the amount to be designated by the Association, and any other mutually agreed upon payroll deductions each pay period from the pay of member Employees. The dues or other mutually agreed payroll deductions must first be authorized in writing by the Employee on an authorization card acceptable to the City.

The Employee's earnings must be sufficient after other legal and required deductions are made to cover the amount of the deduction authorized, or no deduction shall be made by the City. When an Employee is on an unpaid status for an entire pay period, no deduction shall be made from future earnings to cover that pay period, nor will the Employee be required to deposit the amount which would have been made in paid status during that period.

The deduction check covering all such deductions shall be transmitted to the Association & Union at least once monthly and made payable to: Operating Engineers Local Union No. 3.

The Union and/or Association agree to hold the City harmless and indemnify the City against any claims, causes of action or lawsuits arising out of the deductions or transmittal of such funds to the Union and/or Association, except the intentional failure of the City to transmit moneys deducted from Employees to the Union and/or Association pursuant to this section of the Agreement.

4. Except in cases of emergency as provided in this subsection, the Union, if affected, shall be given reasonable advance notice of ordinance, resolution, rule or regulation directly and primarily relating to matters within the scope of representation proposed to be adopted by the City and shall be given the opportunity to meet with the appropriate management representatives. In cases of emergency, the City shall make its best effort to notify the Association on the first business day after the emergency.

5. The City shall provide officers of the Association and the officially designated representatives of the Union reasonable access to employee work locations, with prior Department Head and City Manager notification and approval for the purpose of processing grievances or contacting Employees of the Association concerning issues within the scope of representation.

#### **ARTICLE IV (STATUS OF EMPLOYEES)**

##### **A. Status of New Employees**

A new Employee shall be on probation in accordance with Section II.A.20 of the City's Personnel Rules.

##### **B. Status of Employees Who are Promoted**

Any Employee rejected during the probationary period following a promotion, or at the conclusion of the probationary period shall be reinstated to the position from which he/she was promoted, in accordance with Section II.A. of the City's Personnel Rules.

#### **ARTICLE V (COMPENSATION)**



**D. Out of Class Pay**

An employee who is required to perform the duties of a higher classification shall receive an increase in his/her salary at the equivalent step level of the higher classification, commencing on the thirtieth (30th) consecutive working day worked out-of-class.

**E. P.O.S.T. Certificate Pay**

Employees who have a Basic, Intermediate, or Advance P.O.S.T. Certificate shall receive the following payment on July 1st of each year:

Basic P.O.S.T. Certificate - ~~\$350375~~

Intermediate P.O.S.T. Certificate - ~~\$450475~~

Advanced P.O.S.T. Certificate - ~~\$550575~~

This section is intended to apply to the entire duration of the Agreement and ongoing, contingent on an employee being employed by the City at the time of the annual payment and that the respective payment corresponds to the highest respective P.O.S.T. certificate held by the employee at that time.

**F. Direct Deposit**

City will accommodate the MPOA by providing direct deposit to allow employees to deposit their paychecks into their bank or saving account.

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**ARTICLE VI  
(BENEFITS)**

**A. Uniform Allowance**

~~Within sixty (60) days of initial employment by the Police Department, any employee required to wear a uniform shall be reimbursed two hundred dollars (\$200) by the City towards the purchase of initial uniform with proof of purchase.~~

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~~Following the completion of the probationary period, the City shall pay each Police Officer a uniform maintenance allowance of seventy-five dollars (\$75) per month.~~

~~The City will provide Employees with two (2) sets of shirts and pants as uniforms upon hiring, two (2) sets of pants and shirts as uniforms each year thereafter, and one (1) jacket will also be provided upon employment and replaced every three years as needed. In addition, the City will replace uniforms where reasonable as the result of the course and scope of Employee's job duties.~~

~~Employees assigned to special duties, such as detective duty, may elect, upon approval of the Chief of Police, to receive two (2) polo shirts in lieu of one (1) annual set of standard duty uniform.~~

~~Employees assigned to Crime Scene Technician Duty may, upon approval of the Chief of Police, receive one~~

~~(1) set of BDUs or cargo pants and polo shirt.~~

~~Furthermore, Employees shall be issued one (1) formal cap and one (1) baseball cap at hiring. Employees shall be issued one (1) baseball cap each year thereafter.~~

**B. Safety Equipment**

All sworn personnel shall, as soon as possible after the initial date of employment, receive City furnished safety equipment as follows:

1. Aerosol Tear Gas (Mace)
2. Aerosol Tear Gas (Mace) Holster
3. Ammunition
4. Ammunition Holder
5. Baton
6. Baton Ring
7. Flashlight Batteries
8. Flashlight Bulbs
9. Handcuffs
10. Handcuff Case
11. Keeper Straps (4)
12. Sam Brown Gun Belt
13. Service Weapon
14. Service Weapon with Holster
15. Bulletproof Vest

All safety equipment described in the MOU shall remain the property of the City and shall be returned to the City upon request or upon the employee's termination of employment.

All safety equipment described in the MOU shall be replaced on an as needed basis by the City, when necessary with the approval of the Chief of Police.

If any equipment described in this MOU is lost or damaged by the employee, he/she shall pay appropriate repair or replacement costs. This does not include damage that occurs in the normal course and scope of Employee's job duties.

**C. Vacation**

Employees shall accrue vacation credits at the following rates:

Up to five (5) years of service:	3.24 hours per pay period
More than five (5) years of service:	4.85 hours per pay period
More than ten (10) years of service:	6.46 hours per pay period

Vacations must be scheduled at least thirty (30) days in advance, with the prime consideration being that necessary functions of the Police Department are adequately maintained. Whenever two (2) or more Employees request the same vacation period, the matter will be settled on the basis of seniority.

Emergency vacation leave of less than five (5) working days may be granted if the employee gives as much

prior notice as is reasonably possible and it is a true emergency. Requests for emergency leave will not be denied unless the functions of that department would be seriously jeopardized by the absence of the Employee.

Maximum vacation accrual shall not exceed two times the annual accrual rate. An employee shall not accrue vacation hours in excess of the maximum accrual. Hours may begin to be accrued again once the vacation leave balance falls below the maximum accrual cap.

Any employee of this bargaining unit may cash out, up to forty (40) hours of vacation time once per fiscal year. Employee cashing out vacation must have a minimum of eighty (80) hours of accrued vacation at the time of this request to be eligible.

#### **D. Holidays**

Holiday compensation shall be issued twice per year as a separate check from the normal payroll check, on the thirteenth (13) and twenty-six (26) payroll period of each year. The compensation shall be for 120 hours of Holiday Pay annually, equating to 15 full, 8 hour holidays. Said compensation shall accrue at a rate of 4.6154 hours per pay period.

#### **E. Sick Leave**

Sick leave with pay shall accrue at the rate of 5.40 hours per pay period.

At least three (3) hours prior to the start of his/her scheduled shift, an Employee who is going to be absent on sick leave shall contact his/her immediate supervisor to inform him/her of the sick leave absence.

An Employee may use sick leave only for the following reasons:

1. Personal illness or incapacity;
2. Illness of a member of the Employee's household or immediate family which requires the Employee's personal care and attendance, not to exceed six (6) working days in any calendar year; and
3. Death of a member of the Employee's household or immediate family, not to exceed five (5) working days for any one death. Immediate family shall be restricted to father, mother, stepfather, stepmother, brother, sister, spouse, child, mother-in-law, father-in-law, grandparents, grandchildren, foster children and adopted children. The first three (3) working days of the maximum five working days granted under this subsection will be considered bereavement leave paid for by the City.

The City may, in its discretion, require Employees to present a doctor's note, verifying the need for sick leave after 3 consecutive days or when there is reason to suspect the employee of abusing sick leave.

Employees may accumulate up to a maximum of 504 hours of sick leave. If an employee reaches this maximum limit of sick leave, they will not continue to accrue sick leave until their overall accrual falls below 504 hours of sick leave. However, the maximum amount that an employee may receive for unused sick leave, upon separation or retirement after having worked for the City for five years or longer, is \$1,000.00.

#### **F. Health Insurance**

1. The City will obtain health, dental, orthodontic, and vision insurance for full-time permanent employees and

their qualified dependents. The City shall pay health insurance for its employees and dependents, with premium coverage up to the capped levels of monthly premium contribution:

- a) Employee Only: \$400
- b) Employee and Spouse: \$850
- c) Employee and Children: \$600
- d) Family: \$1,000

2. These are the maximum values for the City's contribution towards medical insurance premiums. Any increase above these amounts shall be at the expense of the employee. This is coverage of the premium, not a payable benefit in that if the premium is falls below the cap, the difference is not paid to the employee.

3. Effective July 1, 2015, the City shall provide and make available to all eligible employees participating in the City's health insurance plan a \$600.00 Health Reimbursement Account (HRA), which shall continue to be in effect each fiscal year of this Agreement.

The City's contribution, as established above, shall be the maximum amount required, and the City shall not be responsible for the contribution of any sums in addition to those established by the terms of this Agreement.

4. The City will pay the full premium for dental, orthodontic, and vision insurance for Employees and their qualified dependents.

5. Employees covered by health insurance from a different source, such as through a spouse's employment, may receive a maximum of \$500.00 per month in lieu of accepting health insurance coverage from the City. The City will require such Employees to provide proof that they are receiving health insurance from an alternate source before they may receive this benefit.

6. The parties agree to a reopener regarding this section during the term of this Agreement to review alternative health insurance plans and accompanying premium costs.

**G. Life Insurance**

The City shall provide and pay the full cost of a \$25,000.00 term life insurance policy for each Employee.

**H. Worker's Compensation**

The City will provide covered police officers with workers' compensation benefits pursuant to California Labor Code section 4850, *et. seq.*, or as otherwise required by law.

**I. Long Term Disability**

The City shall provide long term disability benefits pursuant to the City's current policy and plan provider.

**J. State Disability Insurance**

The City shall pay the full cost of Employees' State Disability Insurance ("SDI").

**K. Retirement**

The City shall continue to provide a retirement plan and will contribute five percent (5%) of a participating Employee's base salary, contingent on a participating Employee contributing at least three percent (3%) of his/her base salary within the plan.

**L. Bilingual Pay**

Those Police Sergeants, Corporals, or Officers proficient in Spanish shall be eligible for a bilingual pay incentive of three (3%) in addition to his/her base pay. In order to qualify for this incentive, the employee must have skills sufficient to pass a certified competency language examination as determined by the City. Additionally, re-testing may be required at the discretion of the City.

**M. Court Standby/On-Call Pay**

Employees in such Court Standby/On-Call status shall be paid as follows:

Two (2) hours when on standby/on-call from 8:00 a.m. – 12:00 p.m.

Two (2) hours when on standby/on-call from 1:00 p.m. – 5:00 p.m.

~~one (1) hour of additional base salary rate for every four (4) hours in which there is any Court Standby/On Call time.~~ These hours shall not be added to the base salary of employees for purpose of calculating overtime and are not considered hours worked.

Court Standby/On-Call pay shall be defined as an employee who is required to remain on call, is not working, and is within one (1) hour of court.

**N. Court Time**

Court time compensation shall apply to those appearances in court as witness to testify as to matters discovered in the course of duty when such appearances are outside the employee's working hours.

Compensation for Court Time shall be the greater of:

- a) Minimum of two (2) hours overtime; or
- b) Time spent at the work location

**O. Night Shift Differential Pay**

An employee who is regularly assigned to work night shift is eligible to receive night shift differential pay in addition to the employee's base salary. If the employee's shift is regularly scheduled to start at 6:00 p.m., the employee will receive shift differential pay of one dollar (\$1.00) per hour for all hours actually worked that shift. The night shift differential pay will be paid only to an employee who is regularly assigned to the night shift starting at 6:00 p.m. and who actually works such shift.

**ARTICLE VII  
(MISCELLANEOUS)**

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**A. Layoff**

Layoffs and re-employment following a layoff will be handled in accordance with the City’s Personnel Rules, Section VI (Layoff Procedures).

**B. Lockout and Strike**

No lockout of Employees shall be instituted by the City during the term of the Agreement. Association members warrant that there will be no strike, slowdown, sickout or “blue flu” of any kind or a refusal or failure to fully and faithfully perform job functions and responsibilities by Association officers or members during the term of this Agreement.

**C. Savings**

If any provisions of this Agreement or any application(s) thereof to any Employee(s) are held to be contrary to law by a court of competent jurisdiction (including the appellate process), then such provision or application will not be deemed valid and subsisting except to the maximum permitted by law, but all other provisions or applications shall continue in full force and effect.

**D. City of Mendota Personnel Rules -Incorporation by Reference**

The City of Mendota Personnel Rules are hereby incorporated herein by this reference unless the terms and conditions of this MOU have specifically addressed any rules and modified their application. The City will abide with any and all requirements provided by law pursuant to the Public Safety Officers’ Procedural Bill of Rights, Government Code sections 3300 *et. seq.* (“POBR”).

**E. AB 119 Compliance**

This provision applies to all new employees hired into Association bargaining unit positions and is intended to comply with the provisions of AB 119.

1. The City will provide the Association with not less than ten (10) calendar days' advance written notice of the time, date and location of all new employee orientation meetings, unless an urgent and unforeseeable need for a new employee orientation meeting precludes the City from providing the Association with ten (10) calendar days' advance notice. The advance notice will include the number of Association bargaining unit employees attending the orientation meetings. The City will make reasonable effort to comply with the 10-day advanced notice, however, in the event that a candidate completes the pre-employment process and is then scheduled to begin work sooner than ten (10) days from being cleared to start, notice will be provided as soon as reasonably possible. Notice will be made by way of email to a contact person of the Association's choice.

2. At the end of the new employee orientation meeting or Onboarding process, the Association will be given fifteen (15) minutes as part of the new employee orientation meeting or Onboarding process to present Union membership information to employees in the Association’s bargaining unit. No more than two (2) representatives of the Association may present the information to the employee(s). The Association representatives who will present information at the new employee orientation meetings may do so while on duty and in uniform, provided the Association advises the Chief of Police of the names of the employee(s) who will be presenting information on behalf of the Association at the new employee orientation meetings.

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3. The purpose and content of the meeting will be to discuss the rights and obligations created by the governing MOU, the role of representation, and to answer any questions. Management representatives shall excuse themselves and not be present during the Association's portion of the orientation.

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4. The above provisions shall in no way impact or delay the hire of any employee.

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An employee's attendance at the new employee orientation including the portion of the orientation conducted by the Association is mandatory. An employee who is unable to attend the new employee orientation in person may request to attend and be approved to participate in another new employee orientation offered by the City that is close in time to the original orientation. Attendance includes the Association's portion of the orientation.

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5. Information Provided

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The City will provide the Association with a digital file via email to the email address designated by the Association containing the following information to the extent the City has the information on file:

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- Name
- Job title
- Department
- Work location
- Work, home, and personal cellular telephone numbers
- Personal email addresses on file with the City (new hires only)
- Home address

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Such information will be provided in a manner consistent with Government Code Section 6207 for a participant in the address confidentiality program established pursuant to Chapter 3.1 (commencing with Government Code Section 6205) of Division 7, and in a manner consistent with employee privacy requirements described in County of Los Angeles v. Los Angeles County Employee Relations Com., (2013) 56 Cal.4th 905.

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Subject to the foregoing paragraph, such information will be provided as follows:

- For new hires, within thirty (30) days of the date of hire or by the first pay period of the month following hire.
- Regularly, for all bargaining unit employees on each calendar year quarter.

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**ARTICLE IX  
(TERMINATION)**

This Agreement shall remain in full force and effect through the term of the Agreement, and shall be automatically renewed from year to year thereafter, unless either party serves upon the other written notice of desire to modify this Agreement within ninety (90) days prior to its expiration.

During the life of the Agreement, should either party desire to modify its terms or to meet and confer as to matters within the scope of representation not addressed in the Agreement, such party shall request in writing to meet and confer on the item. Each item shall be specified in writing prior to the meeting. This provision shall not create the right to renegotiate this Agreement.

**ARTICLE X (EXECUTION)**

FOR THE CITY OF MENDOTA

FOR THE UNION/ASSOCIATION

~~Vince DiMaggio~~Cristian Gonzalez, City Manager  
No. 3  
Employees Division

Allen Dunbar, Operating Engineers, Local Union

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

~~Meggin Boranian~~John Kinsey, City Attorney

~~Joel Warkentin~~Carlos Esqueda, President  
Mendota Police Officers Association

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** NANCY DIAZ, FINANCE OFFICER  
JEFFREY O'NEAL, AICP, PLANNING CONSULTANT  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** HOUSING ELEMENT OF THE GENERAL PLAN, 2017 ANNUAL PROGRESS REPORT  
**DATE:** DECEMBER 10, 2019

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**ISSUE**

This is an informational item and no action is requested.

**BACKGROUND**

The Housing Element is an important State-mandated requirement of the General Plan. The Housing Element establishes comprehensive goals, policies, and programs to meet a jurisdiction's share of Regional Housing Needs Allocation (RHNA). The determination of regional housing need begins with the California Department of Housing and Community Development (HCD) and California Department of Finance (DOF), which first calculate statewide housing needs based upon population projections and regional population forecasts used in preparing regional transportation plans. The statewide need is then distributed to regional Councils of Government (COGs) throughout California, who work with cities and counties within their purview to assign each jurisdiction its share of the RHNA. The RHNA itself is divided into five income categories (Extremely Low, Very Low, Low, Moderate, and Above-Moderate) that encompass all levels of housing need. RHNA goals are measured by the number of housing units permitted by a local jurisdiction.

The City of Mendota is a member of the Fresno County Council of Governments (Fresno COG), which is the metropolitan planning organization (MPO) covering the 15 cities and the unincorporated areas of Fresno County. Fresno COG is responsible for distributing the RHNA to the local governments through an allocation methodology that is consistent with development and growth patterns. During the RHNA process, the City Council elected to collaborate with the cities of Clovis, Coalinga, Fowler, Huron, Kerman, Kingsburg, Parlier, Reedley, San Joaquin, Sanger, Selma and the unincorporated areas of Fresno County to prepare a Multi-Jurisdictional Housing Element (Fresno Multi-Jurisdictional 2015-2023 Housing Element (MJHE)). The cities of Firebaugh, Fresno, and Orange Cove prepared their own, standalone housing elements.

The City Council adopted the MJHE on March 22, 2016. HCD certified the MJHE on July 22, 2016. The Housing Element establishes a comprehensive policy framework to implement Mendota's residential strategies and outlines the City's plan for meeting community housing needs.

Mendota's quantified need for the current eight-year projection period from December 2015 through December 2023 is 554 housing units, equivalent to an annual production rate of 69-70

units. Contrary to previous housing element cycles, a large portion of Mendota's current RHNA goal (75%) is focused on the categories of Moderate Income (MI) and Above-Moderate Income (AMI) households, as defined by HCD. These categories serve those households with incomes between 80% and 120% of the area median income and incomes greater than 120% of the area median income, respectively. Housing for these households generally consists of single-family dwellings within conventional subdivisions.

In addition to establishing quantified housing needs for the planning period, the Housing Element also contains a number of programs that the City has agreed to implement in order to facilitate housing development, particularly for lower-income households, as that housing is typically more difficult to construct due to financial constraints.

**ANALYSIS**

Staff has prepared the 2017 Annual Housing Element Progress Report (attached) describing the city's progress towards meeting its Regional Housing Need Allocation (RHNA) and progress towards implementing the programs outlined in the MJHE. In 2015, 2016, and 2017, a total of 165 dwellings were constructed for MI (160) and AMI (5) households. Many of the City's programs are in process or are ongoing. The City intends to apply to the State through the SB2 Housing Planning Grants Program for funding to complete several others. This is the first annual report since adoption of the MJHE; the 2018 report will be presented to the Council at a future meeting and the 2019 report will be presented prior to the April 2020 deadline.

**FISCAL IMPACT**

There is no fiscal impact associated with acceptance of the APR.

**RECOMMENDATION**

No action is requested.

**Attachment(s):**

City of Mendota 2017 Housing Element Annual Progress Report

## ANNUAL ELEMENT PROGRESS REPORT

### Housing Element Implementation

(CCR Title 25 §6202 )

Jurisdiction City of Mendota  
 Reporting Period 1/1/2017 - 12/31/2017

**Table A**  
**Annual Building Activity Report Summary - New Construction**  
**Very Low-, Low-, and Mixed-Income Multifamily Projects**

Housing Development Information							Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions		
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income			See Instructions	See Instructions	
Las Palmas Estates	SF	O			52		52		0		
Hacienda Gardens	SF	O				5	5		0		
518 Stamoules St.	SF	O			1		1		0		
1025 Pucheu St.	SF	O			1		1		0		
843 Lolita St.	SF	O			1		1		0		
(9) Total of Moderate and Above Moderate from Table A3					56	5	61				
(10) Total by income Table A/A3					111	10	121				
(11) Total Extremely Low-Income Units*											

\* Note: These fields are voluntary

## ANNUAL ELEMENT PROGRESS REPORT

### *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction** City of Mendota

**Reporting Period** 1/1/2017 - 12/31/2017

**Table A2**  
**Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

\* Note: This field is voluntary

**Table A3**  
**Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for <b>Moderate</b>	56	0	0	0	0	56	
No. of Units Permitted for <b>Above Moderate</b>	5	0	0	0	0	5	

\* Note: This field is voluntary

## ANNUAL ELEMENT PROGRESS REPORT

### *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**            City of Mendota

**Reporting Period**    1/1/2017 - 12/31/2017

**Table B**  
**Regional Housing Needs Allocation Progress**  
**Permitted Units Issued by Affordability**

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2015	2016	2017	2018	2019						Total Units to Date (all years)	Total Remaining RHNA by Income Level
<b>Income Level</b>		RHNA Allocation by Income Level		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8		
Very Low	Deed Restricted Non-deed restricted	80											80
	Deed Restricted Non-deed restricted	56											56
Moderate	Deed Restricted Non-deed restricted	77											-83
	Deed Restricted Non-deed restricted		29	75	56							160	
Above Moderate		341			5							5	336
Total RHNA by COG. Enter allocation number:		554											
Total Units ▶ ▶ ▶			29	75	61							165	389
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶ ▶													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

## ANNUAL ELEMENT PROGRESS REPORT

### *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**            City of Mendota

**Reporting Period**       1/1/2017 - 12/31/2017

**Table C**  
**Program Implementation Status**

Program Description (By Housing Element Program Names)	<b>Housing Programs Progress Report - Government Code Section 65583.</b> Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program 1: Provision of Adequate Sites	Maintain and annually update the inventory of residential land resources;	Annually	The City will take an inventory of residential land resources and upload to the City's website by the end of 2019.
Program 1: Provision of Adequate Sites	Monitor development and other changes in the inventory to ensure the City has remaining capacity consistent with its share of the regional housing need;	Ongoing	The City has sufficient residential land within its sphere of influence to meets its housing needs, and will conditionally approve development projects pending completion of annexation.
Program 1: Provision of Adequate Sites	Actively participate in the development of the next RHNA Plan to better ensure that the allocations are reflective of the regional and local land use goals and policies.	Upon the next RHNA planning process	The City will participate in the RHNA process with Fresno COG and its member agencies beginning in 2023.
Program 2: Monitoring of Residential Capacity (No Net Loss)	Develop and implement a formal evaluation procedure pursuant to Government Code Section 65863 by 2016.	By 2016	The City will develop the formal evaluation procedure prior to completion of its 2019 APR cycle.
Program 2: Monitoring of Residential Capacity (No Net Loss)	Monitor and report through the HCD annual report process.	Annually	The City will continue to complete its Annual Progress Reports and participate in the RHNA allocation efforts beginning in 2023.
Program 3: Affordable Housing Incentives	Annually contact affordable housing developers to explore affordable housing opportunities.	Annually	The City works closely with the Fresno Housing Authority and private entities to explore opportunities for rehabilitation, renovation, reconstruction, and new construction of affordable housing.
Program 3: Affordable Housing Incentives	Continue to offer fee waivers, reductions, and/or deferrals to facilitate affordable housing development and special needs projects, particularly those located on infill sites.	Ongoing	The City monitors its development fees to ensure that they do not unduly affect the provision of affordable housing.
Program 3: Affordable Housing Incentives	Continue to promote density bonus, flexible development standards, and other incentives to facilitate affordable housing development. Examples of flexible development standards include: reduced parking requirements; reduced requirements for curb, gutter and sidewalk construction; common trenching for utilities; and reduced water and wastewater connection fees.	Ongoing	In addition to complying with the provisions of GC Section 65913, et seq. the City promotes the use of planned developments and development agreements to facilitate flexibility in its development standards and public improvement standards.



## ANNUAL ELEMENT PROGRESS REPORT

### *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**                      City of Mendota

**Reporting Period**                      1/1/2017 - 12/31/2017

Program 3: Affordable Housing Incentives	Continue to streamline the environmental review process for housing developments, using available State categorical exemptions and Federal categorical exclusions, when applicable.	Ongoing	The City examines all development proposals for possible applicability of CEQA exemptions and federal exclusions at the start of the environmental review process.
Program 3: Affordable Housing Incentives	Monitor the State Department of Housing and Community Development's website annually for Notices of Funding Ability (NOFA) and, where appropriate, prepare or support applications for funding for affordable housing for lower income households (including extremely low income households), such as seniors, disabled (including persons with developmental disabilities), the homeless, and those at risk of homelessness.	Ongoing	The City contracts with grant-writing staff to secure funds for various needs.
Program 3: Affordable Housing Incentives	Expand the City's affordable housing inventory by 110 units over the next eight years – 20 extremely low income, 40 very low income, and 50 low income units.	2023	The City will continue to work with entities such as the Fresno Housing Authority and Self-Help Enterprises in seeking grant opportunities.
Program 4: Preserving Assisted Housing	Monitor the status of any HUD receipt/approval of Notices of Intent and Plans of Action filed by property owners to convert to market rate units.	Ongoing	No units have been converted during the planning period.
Program 4: Preserving Assisted Housing	Identify non-profit organizations as potential purchasers/ managers of at-risk housing units.	Ongoing	The City will work with entities such as the Fresno Housing Authority and Self-Help Enterprises as potential buyers or managers of at-risk units.
Program 4: Preserving Assisted Housing	Explore funding sources available to purchase affordability covenants on at-risk projects, transfer ownership of at-risk projects to public or non-profit agencies, purchase existing buildings to replace at-risk units, or construct replacement units.	Ongoing	The City contracts with grant-writing staff to secure funds for various needs.
Program 4: Preserving Assisted Housing	Ensure the tenants are properly noticed and informed of their rights and eligibility to obtain special Section 8 vouchers reserved for tenants of converted HUD properties.	Ongoing	The City has a close working relationship with the Fresno Housing Authority, which operates several housing facilities within the city limits.
Program 5: Zoning Code Amendments	Emergency Shelters for the Homeless: Identify a zone or zones where emergency shelters will be permitted by right and establish development standards as permitted by State law.	2015	Complete
Program 5: Zoning Code Amendments	Transitional/Supportive Housing: Consistent with Government Code, address the provision of transitional and supportive housing in the same manner as similar uses in the same zones.	2016	Complete

## ANNUAL ELEMENT PROGRESS REPORT

### Housing Element Implementation

(CCR Title 25 §6202 )

**Jurisdiction**                      City of Mendota  
**Reporting Period**                      1/1/2017 - 12/31/2017

Program 5: Zoning Code Amendments	Density Bonus: Consistent with Government Code, a density bonus up to 35 percent over the otherwise maximum allowable residential density under the applicable zoning district will be available to developers who provide affordable housing as part of their projects. Developers of affordable housing will also be entitled to receive incentives on a sliding scale to a maximum of three, where the amount of density bonus and number of incentives vary according to the amount of affordable housing units provided.	2016	The City has not amended its Zoning Ordinance to address Density Bonuses; however, historically it has applied the provisions of GC Section 65915, et seq, to facilitate development of affordable housing. In order to implement this program and comply with recent legislation regarding Density Bonuses, the City will be performing a comprehensive update to its zoning ordinance in 2020 that will address all housing legislation taking effect January 1, 2020.
Program 5: Zoning Code Amendments	Farmworker/Employee Housing: Comply the Employee Housing Act which requires farmworker housing up to 12 units or 36 beds be considered an agricultural use and permitted in any zone that permits agricultural uses, and employee housing for six or fewer employees are to be treated as a single family structure and permitted in the same manner as other dwellings of the same type in the same zone.	2016	The City will be performing a comprehensive update to its zoning ordinance in 2020 that will address this program.
Program 5: Zoning Code Amendments	Group Homes: Amend the Zoning Ordinance to allow group homes for six or fewer residents in all zones allowing single family residential uses. Additionally, amend the Zoning Ordinance to include provisions for larger group homes of seven or more residents.	2016	The City will be performing a comprehensive update to its zoning ordinance in 2020 that will address this program.
Program 5: Zoning Code Amendments	Second Units: Amend the Zoning Ordinance to allow second units as permitted by right in all zones allowing single family uses.	2016	The City has not amended its Zoning Ordinance to address ADUs (and related) as a by-right use, but processes applications for ADUs and related uses via the building permit process, applying the provisions of GC Sections 65852.2 and 65852.22, accordingly. The City will be performing a comprehensive update to its zoning ordinance in 2020 that will address all housing legislation taking effect January 1, 2020.
Program 5: Zoning Code Amendments	Manufactured Housing: Amend the Zoning Ordinance to allow manufactured homes in all zones allowing single family residential uses.	2016	The City is working towards amending its Zoning Ordinance to allow manufactured homes in all single-family residential zones. They are currently allowed in the R-1 zone, which is the predominant single-family zone district in the City. Applications for placement of manufactured housing in all residential zones is processed via the ministerial buildings permit process. The City will be performing a comprehensive update to its zoning ordinance in 2020 that will address this program.
Program 5: Zoning Code Amendments	Single Room Occupancy: Amend the Zoning Code to address the provision of SRO housing.	2016	The City will be performing a comprehensive update to its zoning ordinance in 2020 that will address this program.
Program 5: Zoning Code Amendments	Definition of Family: Remove the definition of family in the Zoning Code, or amend the definition to ensure it does not differentiate between related and unrelated individuals, or impose a numerical limit on the number of persons in a family.	2016	The City will be performing a comprehensive update to its zoning ordinance in 2020 that will address this program.

## ANNUAL ELEMENT PROGRESS REPORT

### *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**                      City of Mendota  
**Reporting Period**                      1/1/2017 - 12/31/2017

Program 5: Zoning Code Amendments	Reasonable Accommodation: Establish a reasonable accommodation procedure to provide flexibility in policies, rules, and regulations in order to allow persons with disabilities access to housing.	2016	The City will be performing a comprehensive update to its zoning ordinance in 2020 that will address this program.
Program 5: Zoning Code Amendments	Annually review the effectiveness and appropriateness of the Zoning Ordinance and process any necessary amendments to remove or mitigate potential constraints to the development of housing.	Annually	The City will be performing a comprehensive update to its zoning ordinance in 2020 that will address this program.
Program 6: Fresno County Housing Assistance Rehabilitation Program (HARP)	Promote available housing rehabilitation resources on City website and public counters.	Ongoing	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials.
Program 6: Fresno County Housing Assistance Rehabilitation Program (HARP)	Refer interested households to County program with the goal of assisting four low income households during the planning period.	Ongoing	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials.
Program 7: Fresno County Rental Rehabilitation Program (RRP)	Promote available housing rehabilitation resources on City website and public counters.	Ongoing	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials.
Program 7: Fresno County Rental Rehabilitation Program (RRP)	Refer interested property owners to County program.	Ongoing	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials.
Program 8: Code Enforcement	Continue to use code enforcement and substandard abatement processes to bring substandard housing units and residential properties into compliance with city codes.	Ongoing	The City regularly notifies owners of deficiencies, needed corrections, and the abatement process. The City will develop a list of resources that can be used to assist owners in complying with correction notices.
Program 8: Code Enforcement	Refer income-eligible households to County housing rehabilitation programs for assistance in making the code corrections.	Ongoing	The City regularly notifies owners of deficiencies, needed corrections, and the abatement process. The City will develop a list of resources that can be used to assist owners in complying with correction notices.
Program 9: Fresno County Homebuyer Assistance Program (HAP)	Promote available homebuyer resources on City website and public counters.	Ongoing	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials.
Program 9: Fresno County Homebuyer Assistance Program (HAP)	Refer interested households to County program with the goal of assisting four households.	Ongoing	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials. Information will be added to the City's website, as well.
Program 10: First-Time Homebuyer Resources	Promote available homebuyer resources on City website and public counters in 2016.	2016	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials. Information will be added to the City's website, as well.
Program 10: First-Time Homebuyer Resources	Annually review funding resources available at the state and federal levels and pursue as appropriate to provide	Annually	The City contracts with grant-writing staff to secure funds for various needs.
Program 11: Energy Conservation	Consider incentives to promote green building techniques and features in 2017.	2017	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials. Information will be added to the City's website, as well.
Program 11: Energy Conservation	Continue to promote and support Pacific Gas and Electric Company programs that provide energy efficiency rebates for qualifying energy-efficient upgrades.	Ongoing	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials. Information will be added to the City's website, as well.
Program 11: Energy Conservation	Expedite review and approval of alternative energy devices.	Ongoing	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials. Information will be added to the City's website, as well.

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
 (CCR Title 25 §6202 )

**Jurisdiction**            City of Mendota  
**Reporting Period**        1/1/2017 - 12/31/2017

Program 12: Housing Choice Vouchers	Provide information on the HCV program on City website and public counters in 2016.	2016	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials. Informaton will be added to the City's website, as well.
Program 12: Housing Choice Vouchers	Refer interested households to the Fresno Housing Authority and encourage landlords to register their properties with the Housing Authority for accepting HCVs.	Ongoing	In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials. Informaton will be added to the City's website, as well.
Program 13: Fair Housing	Actively advertise fair housing resources at the public counter, community service agencies, public libraries, and City website.		In 2020, the City intends to renovate its public building counter to better facilitate the public's access to information, applications, and related materials. Informaton will be added to the City's website, as well.

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
(CCR Title 25 §6202 )

**Jurisdiction**      City of Mendota  
**Reporting Period**      1/1/2017 - 12/31/2017

**General Comments:**

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** NANCY M. DIAZ, FINANCE OFFICER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** RESOLUTION NO. 19-90 AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS  
**DATE:** DECEMBER 10, 2019

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**ISSUE**

Should the City Council adopt Resolution No. 19-90 authorizing application for, and receipt of, SB 2 Planning Grants Program Funds?

**BACKGROUND**

The Department of Housing and Community Development (Department) has issued a Notice of Funding Availability for its Planning Grants Program (PGP). The Department is authorized to provide up to \$1.2 million under the SB 2 PGP from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program. The PGP Program is intended for the preparation, adoption, and implementation of plans that streamline housing approvals and accelerate housing production.

**ANALYSIS**

In order to be approved for funding for the PGP, the City Council must approve the attached resolution authorizing application for, and receipt of, SB 2 PGP funds. Upon approval of resolution, the City will apply for grant funding from the Department to update the Zoning Code and to improve the front counter at City Hall to accommodate a permit window.

**FISCAL IMPACT**

General Fund \$160,000.00.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 19-90 authorizing application for, and receipt of, SB 2 Planning Grants Program Funds.

**Attachment(s):**

Resolution No. 19-90

**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 AUTHORIZING APPLICATION FOR, AND  
RECEIPT OF, SB 2 PLANNING GRANTS  
PROGRAM FUNDS**

**RESOLUTION NO. 19-90**

**WHEREAS**, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 29, 2019, for its Planning Grants Program (PGP); and

**WHEREAS**, the City Council of Mendota desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grant Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

**WHEREAS**, the Department is authorized to provide up to \$1.2 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

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

1. The City Council is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application released March 29, 2019 in the amount of \$ 160,000.00.
2. In connection with the PGP grant, if the application is approved by the Department, the City Manager is authorized to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) for the amount of \$160,000.00, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City's obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").
3. The City shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard

Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

4. The City Council Executive or designee is authorized and directed to execute the City of Mendota of SB2 Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the City of Mendota as required by the Department for receipt of the PGP Grant.

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Robert Silva, Mayor

ATTEST:

I, Jennifer Lekumberry, Acting 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 10<sup>th</sup> day of December, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Jennifer Lekumberry, Acting City Clerk



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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** GREGG ANDREOTTI, CHIEF OF POLICE  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** POLICE RECORDS MANAGER SALARY SCHEDULE  
**DATE:** DECEMBER 10, 2019

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**ISSUE**

Shall the City Council adopt Resolution No. 19-91, approving the Salary Schedule adjustment for the Position of Police Records Manager?

**BACKGROUND**

The Police Records Manager is a Management position within the City. The Police Records Clerk is a staff position represented by the American Federation of State, County and Municipal Employees (AFSCME). In July 2018 the Records Clerk was converted to an Administrative Assistant III and assumed the salary schedule for that position. The Records Manager salary schedule has not been adjusted to maintain an appropriate salary separation between the positions.

**ANALYSIS**

With 3% approved Cost of Living Adjustments (COLA) for ASFCME members scheduled for July 2019, July 2020 and July 2021 and no projected COLA for the Police Records Manager during the same periods; by July 2021 (19 months from now) at Step-10 the separation in salary between the two positions will be **.23 cents**, which will be its widest separation.

The current City of Mendota salary schedule reflects a fifteen percent (15%) separation between Step-10 Police Sergeant (Supervisor) and Step-10 Police Officer (Staff). Both are represented by the Mendota Police Officers Association (MPOA) and salaries are negotiated and adjusted together. In order to maintain an appropriate salary separation between the Police Records Manager (Supervisor) and Police Records Clerk (Staff) an increase of the Police Records Manger’s salary to reflect a 15% separation is recommended.

<b>Recommended Police Records Manager Salary Schedule (15% separation from January 1, 2020 AA III)</b>									
	<b>Step-1</b>	<b>Step-2</b>	<b>Step-3</b>	<b>Step-4</b>	<b>Step-5</b>	<b>Step-6</b>	<b>Step-7</b>	<b>Step-8</b>	<b>Step-9</b>
<b>January 1, 2020</b>	<b>\$18.2055</b>	<b>\$19.1158</b>	<b>\$20.0716</b>	<b>\$21.0752</b>	<b>\$22.1286</b>	<b>\$23.2350</b>	<b>\$24.3968</b>	<b>\$25.6158</b>	<b>\$26.8966</b>

**FISCAL IMPACT**

Approximately \$6,000 annually; to include salary adjustment and benefits.

**RECOMMENDATION**

Staff recommends the City Council adopt Resolution No. 19-91 to commence at the beginning of the next pay cycle.

**Attachment(s):**

Resolution 19-91  
Exhibit “A”

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AUTHORIZING  
A SALARY ADJUSTMENT FOR THE POLICE  
RECORDS MANAGER**

**RESOLUTION NO. 19-91**

**WHEREAS**, the Police Records Manager is a Management position within the City and the Police Records Clerk is a staff position represented by the American Federation of State, County and Municipal Employees (AFSCME); and

**WHEREAS**, in July 2018 the Records Clerk was converted to an Administrative Assistant III and assumed the salary schedule for that position and the Records Manager salary schedule has not been adjusted to maintain an appropriate salary separation between the positions; and

**WHEREAS**, the Records Manager salary schedule has not been adjusted to maintain an appropriate salary separation between the positions; and

**WHEREAS**, with 3% approved Cost of Living Adjustments (COLA) for ASFCME members scheduled for July 2019, July 2020 and July 2021 and no projected COLA for the Police Records Manager during the same periods; by July 2021 (19 months from now) at Step-10 the separation in salary between the two positions will be **.23 cents**, which will be its widest separation; and

**WHEREAS**, the current City of Mendota salary schedule reflects a fifteen percent (15%) separation between Step-10 Police Sergeant (Supervisor) and Step-10 Police Officer (Staff). Both are represented by the Mendota Police Officers Association (MPOA) and salaries are negotiated and adjusted together; and

**WHEREAS**, in order to maintain an appropriate salary separation between the Police Records Manager (Supervisor) and Police Records Clerk (Staff) an increase of the Police Records Manger's salary to reflect a 15% separation is recommended.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota, hereby authorizes the adjustment of the Police Records Managers salary schedule as recommended in the Exhibit "A" of this resolution.

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Robert Silva, Mayor

ATTEST:

I, Jennifer Lekumberry, Acting 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 10<sup>th</sup> day of December, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Jennifer Lekumberry, Acting City Clerk

# Exhibit A

Exhibit "A"

## Mendota Police Department Records Manager and Clerk Comparison

On July 9, 2018 the Police Records Clerk classification was changed to Administrative Assistant III. With 3% AFSCME COLAs effective July 2019, 2020 & 2021 and no projected Management COLA during the same years, the compression of salary is described below. Results: Effective July 2021 the salary separation at Step-10 will be .23 cents per hour.

Classification	COLA	Step -1	Step -2	Step -3	Step -4	Step -5	Step -6	Step -7	Step -8	Step -9	Step -10
<b>Admin Assistant III</b>											
<b>Employee Anniversary date of September 14. Currently AA-III Step-6</b>											
July 1, 2019	3% COLA	15.077	15.8309	16.6224	17.4535	18.3262	19.2425	20.2046	21.2149	22.2756	23.3894
January 1, 2020	N/A		15.8309	16.6224	17.4535	18.3262	19.2425	20.2046	21.2149	22.2756	23.3894
July 1, 2020	3% Cola		16.3058	17.1211	17.9771	18.876	19.8198	20.8108	21.8513	22.9439	24.0911
January 1, 2021	N/A			17.1211	17.9771	18.876	19.8198	20.8108	21.8513	22.9439	24.0911
July 1, 2021	3% Cola			17.6347	18.5164	19.4423	20.4144	21.4351	22.5068	23.6322	24.8138
January 1, 2022	N/A					19.4423	20.4144	21.4351	22.5068	23.6322	24.8138

<b>Police Records Manager</b>											
<b>Ophelia Lugo: Anniversary date of July 27. Currently Police Records Manager Step-7</b>											
July 1, 2019	N/A	16.144	16.9512	17.7988	18.6887	19.6232	20.6044	21.6346	22.7163	23.8521	25.0447
January 1, 2020	N/A		16.9512	17.7988	18.6887	19.6232	20.6044	21.6346	22.7163	23.8521	25.0447
July 1, 2020	N/A		16.9512	17.7988	18.6887	19.6232	20.6044	21.6346	22.7163	23.8521	25.0447
January 1, 2021	N/A			17.7988	18.6887	19.6232	20.6044	21.6346	22.7163	23.8521	25.0447
July 1, 2021	N/A			17.7988	18.6887	19.6232	20.6044	21.6346	22.7163	23.8521	25.0447
January 1, 2022	N/A					19.6232	20.6044	21.6346	22.7163	23.8521	25.0447

Projections over next 1.5 years:	Current	July 1, 2020	July 1, 2021
Records Manager; Step-10	\$25.0447	\$25.0447	\$25.0447
Admin Assist III; Step-10	\$23.3894	\$24.0911	\$24.8138
Difference =	\$1.6553	\$0.9536	\$0.2309
Approximate Percentage	7%	4%	1%

<b>Recommended Police Records Manager Salary Schedule (15% separation from January 1, 2020 AA III)</b>											
January 1, 2020		18.2055	19.1158	20.0716	21.0752	22.1286	23.235	24.3968	25.6158	26.8966	

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** NANCY M. DIAZ, FINANCE OFFICER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** RESOLUTION NO. 19-92 AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE PUBLIC BENEFIT GRANTS PROGRAM NEW ALTERNATIVE FUEL VEHICLE PURCHASE WITH IMPLEMENTATION OF NEW VEHICLE PROJECT AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ALL REQUIRED DOCUMENTS  
**DATE:** DECEMBER 10, 2019

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**ISSUE**

Shall the City Council adopt Resolution No. 19-92 authorizing the submittal of an application to the Public Benefit Grants Program New Alternative Fuel Vehicle Purchase with implementation of New Vehicle Project and authorizing the City Manager or designee to execute all required documents?

**BACKGROUND**

The San Joaquin Valley Air Pollution Control District is currently providing funding opportunities under several of its Public Benefit Grants Program to local public agencies. This program was created to provide funds towards a wide variety of clean-air, public-benefit projects which will provide a direct benefit to residents. The City will be applying for the “New Alternative Fuel Vehicle Purchase” component of the Public Benefit Grants Program. This component provides funding for the purchase of new alternative fuel vehicles (Electric, Plug-in Hybrid, CNG, LNG, LPG, etc.) The maximum funding is up to \$20,000 per vehicle with a limit of \$100,000 per agency per year.

**ANALYSIS**

As apart of the application process, the governing body of the applicant must submit a resolution approving the submittal of the application, authorizing an official with authority to make financial decisions and identifying the individual authorized to implement the new vehicle project. The City will be applying for (3) utility carts; (1) for the Wastewater Facility and (2) for the Mendota Police Department.

**FISCAL IMPACT**

No fiscal impact.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 19-92 authorizing the submittal of an application to the Public Benefit Grants Program New Alternative Fuel Vehicle Purchase with

implementation of New Vehicle Project and authorizing the City Manager or designee to execute all required documents.

**Attachment(s):**  
Resolution No. 19-92

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AUTHORIZING  
THE SUBMITTAL OF AN APPLICATION TO  
THE PUBLIC BENEFIT GRANTS PROGRAM  
NEW ALTERNATIVE FUEL VEHICLE PURCHASE  
WITH IMPLEMENTATION OF NEW VEHICLE  
PROJECT AND AUTHORIZING THE CITY MANAGER  
OR DESIGNEE TO EXECUTE ALL REQUIRED  
DOCUMENTS**

**RESOLUTION NO. 19-92**

**WHEREAS**, San Joaquin Valley Air Pollution Control District offers funding, up to \$100,000 per agency per year, up to \$20,000 per vehicle under the New Alternative Fuel Vehicle Purchase; and

**WHEREAS**, The City would like to apply for (1) Utility Cart for the Wastewater Facility and (2) Utility Carts for the Mendota Police Department; and

**WHEREAS**, the New Alternative Fuel Vehicle Purchase application requires, among other things, an applicant's governing body to declare by resolution certain authorizations related to the application and administration of the grant.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota hereby resolves the following:

1. The City of Mendota is authorized to apply for the New Alternative Fuel Vehicle Purchase Application to the San Joaquin Valley Air Pollution Control Board.
2. That the City Manager or his designee is hereby authorized to execute all additional documentation necessary to implement and secure funding under the program.

\_\_\_\_\_  
Robert Silva, Mayor



ATTEST:

I, Jennifer Lekumberry, Acting 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 10<sup>th</sup> day of December, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Jennifer Lekumberry, Acting City Clerk

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** NANCY M. DIAZ, FINANCE OFFICER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** RESOLUTION NO. 19-93 APPROVING AMENDMENTS TO THE FISCAL YEAR 2019-2020 BUDGET  
**DATE:** DECEMBER 10, 2019

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**ISSUE**

Should the City Council approve Resolution No. 19-93 approving amendments to the Fiscal Year (FY) 2019-2020 budget?

**BACKGROUND**

The City Council of the City of Mendota establishes an operating budget each fiscal year to carry out its fiduciary responsibility in the management of taxpayer funds. In collaboration with the City staff, the prepared balanced budget provides for the delivery of core services to the residents of Mendota through the approval of specific departmental expenditures. In the event, there are emergencies or change orders for approved projects, the budget needs to be revised in order to reflect changes that occur throughout the fiscal year. This revision can only be changed by a budget amendment.

**ANALYSIS**

Since the adoption of the City's budget, there has been major changes to projects, services and an unforeseen event to the sewer system.

**Rojas-Pierce Park Expansion**

In November 2019, the City Council approved the base bid of \$1,084,865.00 with the addition of \$60,000.00 for the alternative of shade structures over the baseball dugouts. The total project is \$1,262,605, includes bid, engineering services, construction/testing/administration services and shade structures. The Recreation Facilities Impact Fund budget for FY 2019-2020 was approved for \$1,176,995. Staff is requesting to increase the budget amount by \$139,853. This amount includes the difference from total project of approved budget amount plus a 5% contingency of the base bid. Staff is recommending transferring the Recreation Facilities Impact Fund to the General Fund – Buildings & Grounds budget in order to achieve the organizational objective.

**Mendota Designated Local Authority**

In October 2019, the Mendota Designated Local Authority (Mendota DLA) approached the City Council to consider covering its administrative costs for 2020. The City Council approved a \$30,000 payment to the Mendota DLA's 2020 administrative costs. Staff is recommending increasing the debt payment by \$15,700.

### **La Colonia Storm Drain Project**

In February 2019, the City approved an “Extraction: Off-Site Improvement (Storm Drain System)” for KSA Homes, Inc. La Colonia Project. The Developer was responsible for financing the construction of the Off-Site Improvements and would submit reimbursement to the City of Mendota. The reimbursement requested was received in August 2019 after the start of the FY budget for 2019-2020. However, the improvements were completed prior to the FY 2019-2020. Staff is recommending an amendment to decrease the Storm Drain Impact Fee fund by \$134,335 and the Sewer fund capital outlay line item by \$150,000 for this project. The project was budgeted for the FY 2018-2019.

### **Sludge Removal Project**

In November 2019, the City contracted with Jim Brisco Enterprises, Inc. for the Sludge Removal Project at the WWTP. This project was estimated to be 1000 tons of sludge removal and set a budget for \$60,000. However, when the work was completed, the quantity of tons was 1,828 with a total project cost of \$107,506. Staff is recommending increasing the Sewer fund facility maintenance line item by \$47,506 to provide enough funding for the remainder of this fiscal year.

### **Marie Street 8” Sewer Main Replacement**

In July 2019, the City had an emergency expenditure to immediately replace the sewer line that had collapsed. The total cost of project was \$120,850. This expenditure was unforeseen and as a result has depleted the Sewer fund contract services line item. Staff is recommending increasing the Sewer fund contract services line item by \$120,850 to have capacity for daily operations for the remainder of this FY.

### **Wastewater Treatment Plant Expansion**

In August 2019, the City requested bids to transport dirt from the Wastewater Treatment Plant (WWTP) to an offsite city owned property. This project was intended to prepare the WWTP for future ponding basins and to be completed before the rain season. Staff is recommending an amendment to increase the Sewer fund capital outlay line item by \$80,900 which was the awarded bid amount.

### **FISCAL IMPACT**

General Fund – Increase \$1,332,548; \$1,316,848 – Buildings and Grounds; \$15,700 – Building  
Recreational Facilities Impact Fee Fund – Decrease (\$1,176,995)  
Storm Drain Impact Fee Fund – Decrease (\$134,335)  
Sewer Fund – Increase Capital Outlay \$69,100; Increase Contract Services \$120,849.68  
Sewer Fund – Increase Facility Maintenance \$47,506

### **RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 19-93 approving amendments to the Fiscal Year 2019-2020 budget.

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

Resolution No. 19-93

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA  
APPROVING AMENDMENTS TO THE  
FISCAL YEAR 2019-2020 BUDGET**

**RESOLUTION NO. 19-93**

**WHEREAS**, on June 25, 2019, the City Council approved the City of Mendota budget for Fiscal Year (FY) 2019-2020; and

**WHEREAS**, in said budget the City Council included expenditures for the Rojas-Pierce Park Expansion, the Mendota Designated Local Authority (Mendota DLA) loan payment, Sludge Removal Project and La Colonia Storm Drain Project but did not include funding for an emergency 8" sewer replacement line and the Wastewater Treatment Plant (WWTP) Expansion; and

**WHEREAS**, since the adoption of the City's budget, the Rojas-Pierce Park Expansion went for bid and there was an alternative of shade structures over the baseball dugouts added to project; and

**WHEREAS**, the Mendota DLA approached the City to consider covering its administrative costs for 2020; and

**WHEREAS**, the La Colonia Storm Drain Project was budgeted for FY 2018-2019 and FY 2019-2020 but was paid for in the FY 2018-2019 budget; and

**WHEREAS**, the Sludge Removal Project at the WWTP set budget for approximately 1000 tons however 1800 tons were removed; and

**WHEREAS**, there was an emergency 8" sewer main line that needed to be replaced on Marie Street; and

**WHEREAS**, in efforts of taking preventative actions to clear out dirt located at the WWTP prior to the rain season for future ponding basins.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota approves the amendments to the Fiscal Year 2019-2020 City budget directing staff to:

1. Utilize \$139,853 from Canna-Hub fees for the Rojas-Pierce Park Expansion and transfer Recreation Facilities Impact Fees fund to the General Fund (Buildings & Grounds); and
2. Increase the debt payment by \$15,700 for the Mendota DLA's 2020 administrative costs; and

3. Decrease the Storm Drain Impact Fees fund by \$134,335 and the Sewer fund capital outlay line item by \$150,000 for the La Colonia Storm Drain Project; and
4. Increase the Sewer fund facility maintenance line item by \$47,506 for the Sludge Removal Project; and
5. Increase the Sewer fund contract services line item by \$120,849.68 for the 8" emergency sewer line replacement; and
6. Increase the Sewer fund capital outlay item by \$80,900 for the WWTP Expansion.

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Robert Silva, Mayor

ATTEST:

I, Jennifer Lekumberry, Acting 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 10<sup>th</sup> day of December, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Jennifer Lekumberry, Acting City Clerk

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** JEFFREY O'NEAL, AICP, PLANNING CONSULTANT  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** REQUEST TO THE FRESNO LOCAL AGENCY FORMATION COMMISSION TO INITIATE THE AMADOR-SMOOT REORGANIZATION (ROJAS PIERCE PARK)  
**DATE:** DECEMBER 10, 2019

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**ISSUE**

Shall the City Council request that the Fresno Local Agency Formation Commission (LAFCo) initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) for the Amador-Smoot Reorganization?

**BACKGROUND**

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

At its July 23 meeting, the City Council adopted Resolution No. 19-53, adopting a mitigated negative declaration (MND) pursuant to the California Environmental Quality Act (CEQA) for the Rojas Pierce Park Expansion Project. The MND discussed and analyzed the potential for annexation of the subject property and the abutting acreage.

**ANALYSIS**

The western component of the proposed annexation area is part of a larger parcel of land (APN 012-190-56ST) that extends south to Belmont Avenue. It is currently owned by WWD but was recently approved for sale to a private entity. While the entire parcel of approximately 67.5 acres would be purchased and eventually annexed and developed, only the northwestern 4.61 acres is proposed for annexation at this time. The reasons for this are three-fold:

1. Under the standards of annexation contained in the Memorandum of Understanding between the City and the County, the City must first pre-approve a development proposal covering at least 50% of the area to be annexed. While the future owner intends to develop the entire parcel, approvals for that would be several months down the road.
2. For several years, the City has wanted to create a connection between Amador Avenue and Smoot Street to improve circulation in western Mendota. While it is possible for the City to acquire right-of-way and construct street improvements outside the city limits, the

desire is for the streets to be within the City. In order to facilitate the street connection more quickly, only the area that would contain the streets is currently proposed for annexation.

3. The CEQA document prepared for the park project only addressed annexation of the smaller area.

Although it is preferable to annex parcels in their entirety, there is no prohibition against annexing only a portion of a parcel.

Proposals for annexation must be initiated either by landowner petition (generally private individuals) or by resolution of the initiating agency, in this case the City. If the City Council chooses to initiate annexation, staff would prepare the requisite application materials and submit to LAFCo. In addition to annexing the lands to the City, the process involves detachment of the lands from the Fresno County Fire Protection District (FCFPD) and the Silver Creek Drainage District; FCFPD/CAL FIRE would continue to provide fire prevention and protection services to the site via its contract with the City.

The overall process is referred to as a “reorganization” because it involves more than one change (i.e., annexation and detachment). LAFCo would review the application and if it determines it to be complete, schedule the item for hearing. If approved, the item would be scheduled for a protest hearing within 60 days. If both owners (the City and either WWD or the private purchaser, depending on the timing) have consented to the reorganization in writing, the protest hearing is cancelled. Once all documents are in order, LAFCo staff will record the annexation.

### **FISCAL IMPACT**

The project will require payment of application fees to LAFCo in the amount of \$7,200 and mapping fees to the State Board of Equalization in the amount of \$500.

### **RECOMMENDATION**

Staff recommends that the City Council adopts Resolution No. 19-94, requesting that Fresno LAFCo initiate proceedings for the Amador-Smoot Reorganization.

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

Resolution No. 19-94

Resolution exhibit “A”- Written Description

Resolution exhibit “B”- Map

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA REQUESTING  
THAT THE FRESNO LOCAL AGENCY FOR-  
MATION COMMISSION UNDERTAKE PRO-  
CEEDINGS PURSUANT TO THE CORTESE-  
KNOX-HERTZBERG LOCAL GOVERNMENT  
REORGANIZATION ACT OF 2000 FOR THE  
AMADOR-SMOOT REORGANIZATION**

**RESOLUTION NO. 19-94**

**WHEREAS**, the City of Mendota desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Government Code Section 56000 for the proposed Amador-Smoot Reorganization; and

**WHEREAS**, the specific changes of organization consist of annexation to the City of Mendota and detachment from the Fresno County Fire Protection District and the Silver Creek Drainage District; and

**WHEREAS**, the territory proposed to be changed is uninhabited, and on this day contains no registered voters, established by virtue of lack of habitable structures; and

**WHEREAS**, a written description and map accurately depicting said territory are set forth in Exhibits "A" and "B" hereto; and

**WHEREAS**, this proposal is consistent with the City of Mendota sphere of influence; and

**WHEREAS**, the City of Mendota does not desire to subject the proposal to additional terms or conditions; and

**WHEREAS**, the proposed reorganization is intended to: 1) facilitate development of the western 10 acres of Rojas Pierce Park on property currently owned by the City of Mendota, and 2) allow for the annexation of approximately 4.61 acres of land bounded by the prolongation of the centerline of Amador Avenue and the prolongation of the southerly right-of-way of Smoot Street to allow for construction of those two public streets to enhance circulation.; and

**WHEREAS**, the City Council, via Resolution No. 19-53, has adopted a mitigated negative declaration for the project pursuant to the California Environmental Quality Act.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Mendota hereby requests that the Local Agency Formation Commission of Fresno



County initiate proceedings for the Amador-Smoot Reorganization in the manner prescribed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

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Robert Silva, Mayor

ATTEST:

I, Jennifer Lekumberry, Acting 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 10<sup>th</sup> day of December, 2019 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Jennifer Lekumberry, Acting City Clerk

# Exhibit A

**EXHIBIT "A"**

**City of Mendota  
Amador-Smoot Reorganization**

**GEOGRAPHIC DESCRIPTION**

All that certain property, situated in Section 36, Township 13 South, Range 14 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, being more particularly described as follows:

Beginning at the northeast corner of the west half of the southeast quarter of said Section 36, said point lies North 89° 42' 47" West, a distance of 1329.83 feet from the east quarter corner of said Section 36, said point lying on the existing boundary of the City of Mendota; thence

- 1) South 01° 36' 34" West, along the east line of the west half of the southeast quarter of said Section 36 and the existing boundary of the City of Mendota, a distance of 478.73 feet to a line which is parallel to and 478.60 feet south of the north line of the southeast quarter of said Section 36; thence
- 2) North 89° 42' 47" West, along said parallel line, a distance of 1330.05 feet to the west line of the southeast quarter of said Section 36; thence
- 3) North 01° 38' 09" East, along the west line of said Section 36, a distance of 478.73 feet to the center quarter corner of said Section 36 and the existing boundary of the City of Mendota; thence
- 4) South 89° 42' 47" East, along the north line of the southeast quarter of said Section 36 and the existing boundary of the City of Mendota, a distance of 1329.83 feet to the POINT OF BEGINNING.

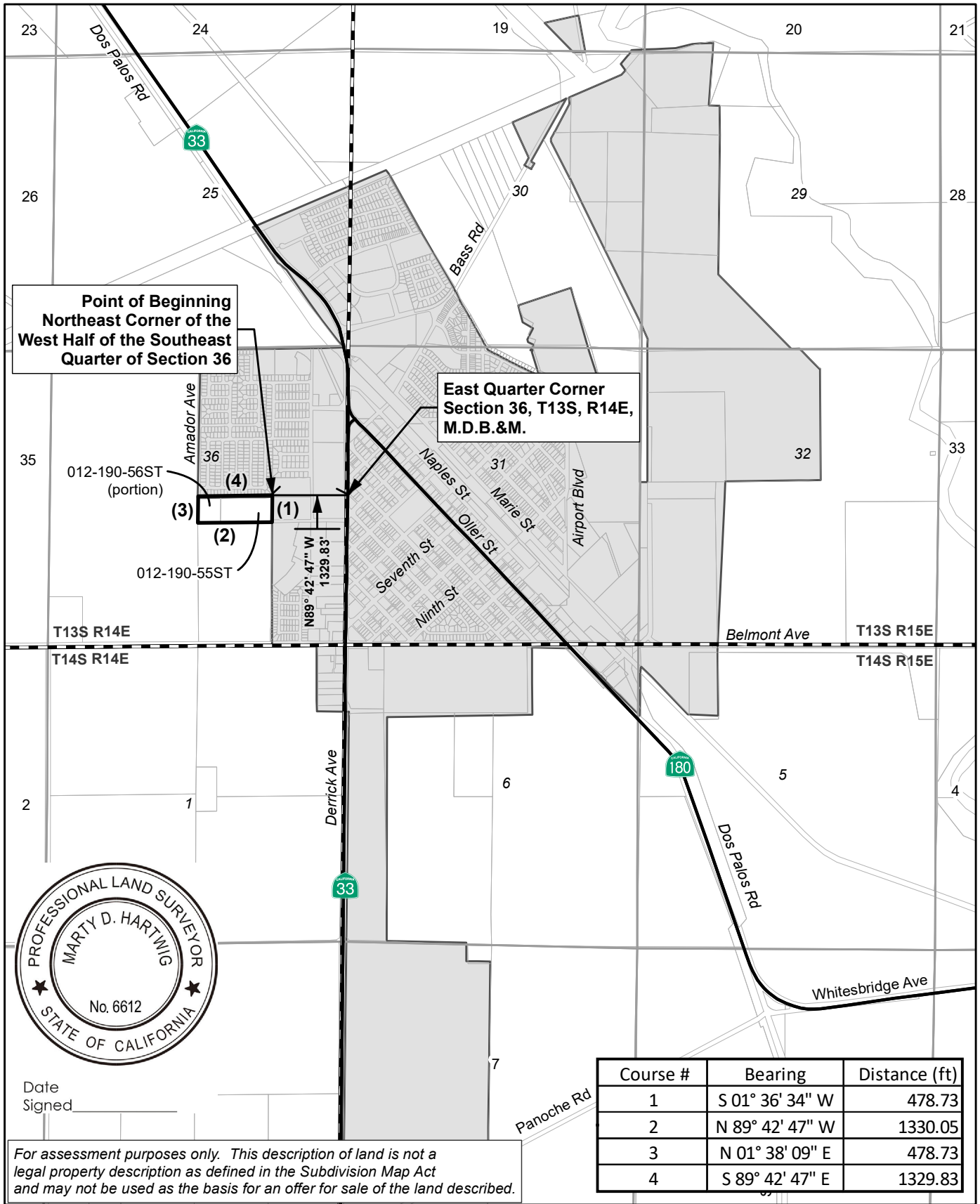
Containing 14.61 acres, more or less

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*



Date \_\_\_\_\_  
Signed \_\_\_\_\_

## Exhibit B



Date Signed \_\_\_\_\_

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

EST. 1968  
**PROVOST & PRITCHARD**  
 CONSULTING GROUP  
 An Employee Owned Company

- (X) Course Number
- Annexation Boundary (14.61 acres, more or less)
- Assessors Parcel
- Township/Range
- Section
- City of Mendota

**Amador-Smoot  
 Reorganization**  
 City of Mendota  
 Exhibit B

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** NICOLAS R. CARDELLA, ASSISTANT CITY ATTORNEY  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** ORDINANCE NO. 19-11: AMENDING PROVISIONS OF THE MENDOTA MUNICIPAL CODE FOR CONSISTENCY WITH SENATE BILL NO. 998 AND TO PROVIDE FOR A 15-DAY GRACE PERIOD FOR PAYMENT OF DELINQUENT UTILITY BILLS  
**DATE:** DECEMBER 10, 2019

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**ISSUE**

Shall the City Council move to introduce Ordinance No. 19-11 and give first reading, by title only, with second reading waived?

**BACKGROUND**

On September 28, 2018, California’s Governor approved Senate Bill No. 998, modifying the existing California Safe Drinking Water Act in light of the State’s policy that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Senate Bill No. 998 codifies the California Legislature’s findings and declaration that “[w]hen there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payments schedules, and demonstrate medical need and severe economic hardship.” Further, the “loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations.” These overarching goals are addressed within the new California Health and Safety Code sections 116900 *et seq.* and become effective on February 1, 2020.

In 1985, the City adopted Ordinance No. 85-3, amending Chapter 15 on Waters and Sewers in the Mendota Municipal Code, by adding Chapter 13.12. Chapter 13.12 provides the procedures for the termination of residential utility services for delinquent bills.

Although Chapter 13.12 substantially complies with state law requirements for the termination of residential utility services, some of its provisions omit required language contained in the new California Health and Safety Code sections discussed above.

**ANALYSIS**

This Ordinance makes several changes to Chapter 13.12. First, it adds a section detailing the languages notices of termination of service must be provided to customers in. This section ensures compliance with California Health and Safety Code section 116922.

Second, in response to the November 12, 2019, request of California Rural Legal Assistance, the ordinance adds an additional fifteen-day (15-day) grace period prior to the imposition of additional charges on delinquent utility bills

Third, the ordinance amends MMC 13.12.050 to ensure compliance with California Health and Safety Code sections 116908 and 116912's notice requirements.

Fourth, the ordinance adds MMC 13.12.055 to ensure compliance with California Health and Safety Code section 116910's limitations on discontinuation of service in certain circumstances indicating health needs or financial hardships.

Fifth, the ordinance amends MMC 13.12.060 to ensure compliance with California Health and Safety Code section 116914's additional limitations on discontinuation of service where the customer demonstrates a household income below 200 percent of the federal poverty line.

Sixth, the ordinance amends MMC 13.12.070 to ensure compliance with California Health and Safety Code section 116916's limitations on discontinuation of service where a landlord-tenant relationship exists between residential occupants and the owner, manager, or operator of the dwelling.

Seventh, the ordinance adds MMC 13.12.080 to ensure compliance with California Health and Safety Code section 116918's reporting requirements.

Eighth, the ordinance adds MMC 13.12.090 to allow the city council to set the charges assessed for returned checks.

Finally, the ordinance adds MMC 13.12.100 to ensure compliance with California Health and Safety Code section 116926's excepting of terminations for unauthorized actions of customers from coverage.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Staff recommends that that City Council move to introduce Ordinance No. 19-11 and give first reading, by title only, with second reading waived.

**Attachment(s):**

Ordinance No. 19-11

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

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AMENDING  
TITLE 13, CHAPTER 13.12 OF THE MENDOTA  
MUNICIPAL CODE FOR CONSISTENCY WITH  
SENATE BILL NO. 998 AND TO PROVIDE FOR  
A 15-DAY GRACE PERIOD FOR PAYMENT  
OF DELINQUENT UTILITY BILLS**

**ORDINANCE NO. 19-11**

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

**WHEREAS**, California Senate Bill 998 contains the California Legislature’s findings and declaration that “[a]ll Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the Water Code”; and

**WHEREAS**, California Senate Bill 998 contains the California Legislature’s findings and declaration that the Legislature intends to “minimize the number of Californians who lose access to water service due to inability to pay”; and

**WHEREAS**, California Senate Bill 998 contains the California Legislature’s findings and declaration that “[w]ater service discontinuations threaten human health and well-being, and have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions”; and

**WHEREAS**, California Senate Bill 998 contains the California Legislature’s findings and declaration that “[w]hen there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payments schedules, and demonstrate medical need and severe economic hardship”; and

**WHEREAS**, California Senate Bill 998 contains the California Legislature’s findings and declaration that the “loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations”; and

**WHEREAS**, California Senate Bill 998 contains the California Legislature’s findings and declaration that the Legislature intends “this act provide additional procedural protections and expand upon the procedural safeguards contained in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections”; and



**WHEREAS**, Title 13 of the Mendota Municipal Code provides procedures concerning the discontinuation of water and sewer service; and

**WHEREAS**, the City has determined the Mendota Municipal Code requires revisions to align with the new provisions of the California Health and Safety Code section 116900 *et seq.*, passed as part of California Senate Bill 998; and

**WHEREAS**, on November 12, 2019, the City Council, in response to a request from the California Rural Legal Assistance, directed staff to amend Section 13.12.040 of the Mendota Municipal Code to allow ratepayers a 15-day grace period before imposing a penalty on delinquent accounts.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Mendota hereby amends the Mendota Municipal Code as follows:

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

**SECTION 2.** Section 13.12.005 is hereby added to Title 13 of the Mendota Municipal Code to read as follows:

13.12.005 - Notice requirements.

All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the urban and community water system's service area.

**SECTION 3.** Section 13.12.040 of the Mendota Municipal Code is hereby amended as follows:

13.12.040 - Delinquent bills—Additional charges.

On the first day of the calendar month following the date of payment specified in the bill, the charge shall become delinquent if the bill or that portion thereof which is not in bona fide dispute remains unpaid. A basic penalty of ten (10) percent of the amount of the charge for the month shall be added to the bill after allowing for a fifteen (15) day grace period. In addition to the basic penalty, an additional penalty of one-half of one percent per month shall be added in each subsequent month that the charges and basic penalty are not paid. Charges for water, sewer and garbage shall be collected together and not separately and all charges shall be billed upon the same bill and collected as one item. The penalty provision shall apply to all charges together. If all or part of the bill is not paid, all service may be discontinued in the manner set forth in this chapter.

**SECTION 4.** Section 13.12.050 of Title 13 of the Mendota Municipal Code is hereby amended to read as follows:

13.12.050 - Discontinuance of Service for Nonpayment.

A. When any bill for water, sewer or garbage or all of them remains delinquent for sixty (60) days, a seven (7) day written notice shall be mailed to the customer named on the account or a telephone call made, ~~and may be posted upon the door if no occupant can be found~~, for the purpose of notifying the occupant that the water service will be discontinued if the bill, together with penalties, is not paid.

1. A telephone call to the customer named on the account pursuant to this section shall offer to provide the customer the urban and community water system's policy on discontinuation of residential service for nonpayment, in writing. The urban and community water system shall offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to:

- i. Alternative payment schedules;
- ii. Deferred payments;
- iii. Minimum payments;
- iv. Procedures for requesting amortization of the unpaid balance; and
- v. Petition for bill review and appeal.

2. A written notice sent pursuant to this section shall contain the following information:

- i. The customer's name and address;
- ii. The amount of the delinquency;
- iii. The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service;
- iv. A description of the process to apply for an extension of time to pay the delinquent charges;
- v. A description of the procedure to petition for bill review and appeal; and
- vi. A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with the written policies provided

pursuant to subdivision (a) of Section 116906 of the California Health and Safety Code.

- B. If the urban and community water system is unable to make contact with the customer or an adult occupying the residence by telephone, and the written notice is returned through the mail as undeliverable, the urban and community water system shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and the urban and community water system's policy for discontinuation of residential service for nonpayment.
- C. Upon the expiration of the seven (7) days, if the bill, together with penalties, has not been paid, the particular service shall be terminated or shut off and a fee for the actual reasonable cost of discontinuing service shall be added to the bill. When the service is subsequently recommenced or reconnected, a fee for the reasonable cost of any necessary reconnections or related services shall also be added to the bill.
- D. If an adult at the residence appeals the water bill to the urban and community water system or any other administrative or legal body to which such an appeal may be lawfully taken, the urban and community water system shall not discontinue residential service while the appeal is pending.
- E. If service is disconnected pursuant to subdivision (C), the urban and community water system shall provide the customer with information on how to restore residential service.

**SECTION 5.** Section 13.12.055 is hereby added to Title 13 of the Mendota Municipal Code to read as follows:

13.12.055 - Limitations on Discontinuation of Service.

- A. Residential service shall not be discontinued for nonpayment if all of the following conditions are met:
  - 1. The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.
  - 2. The customer demonstrates that he or she is financially unable to pay for residential service within the urban and community water system's normal

billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

3. The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with the written policies provided pursuant to subdivision (a) of Section 1169-6, with respect to all delinquent charges.

B. If the conditions listed in subdivision (A) are met, the urban and community water system shall offer the customer one or more of the following options:

1. Amortization of the unpaid balance.
2. Participation in an alternative payment schedule.
3. A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.
4. Temporary deferral of payment.

C. The urban and community water system may choose which of the payment options described in subdivision (B) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. The urban and community water system may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

D. Residential service may be discontinued no sooner than 5 business days after the urban and community water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:

1. The customer fails to comply with an amortization agreement, an alternate payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.
2. While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges,

the customer does not pay his or her current residential service charges for 60 days or more.

**SECTION 6.** Section 13.12.060 of Title 13 of the Mendota Municipal Code is hereby amended to read as follows:

13.12.060 - Additional Limitations on Discontinuation of Service.

- A. For a residential customer who demonstrates to the urban and community water system a household income below 200 percent of the federal poverty line, the urban and community water system shall do both of the following
1. Set a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.
  2. Waive interest charges on delinquent bills once every 12 months.
- B. An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

**SECTION 7.** Section 13.12.070 of Title 13 of the Mendota Municipal Code is hereby amended to read as follows:

13.12.070 - Landlord-Tenant relationship between occupant and owner, manager, or operator of the dwelling.

- A. This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.
- B. If an urban and community water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Health and Safety Code section 17008, and the owner,

manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

- C. The urban and community water system is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the urban and community water system's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the urban and community water system, or if there is a physical means legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.
  
- D. If prior service for a period of time is a condition for establishing credit with the urban and community water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the urban and community water system for that period of time is a satisfactory equivalent.
  
- E. Any residential occupant who becomes a customer of the urban and community water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the urban and community water system for those services during the preceding payment period.
  
- F. In the case of a detached single-family dwelling, the urban and community water system may do any of the following:
  - 1. Give notice of termination at least seven days prior to the proposed termination.
  
  - 2. In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

**SECTION 8.** Section 13.12.080 is hereby added to Title 13 of the Mendota Municipal Code to read as follows:

13.12.080 - Reporting requirements.

An urban and community water system shall report the number of annual discontinuations of residential service for inability to pay on the urban and community water system's Internet Web site, if an Internet Web site exists, and to the State Water Resources Control Board. The State Water Resources Control Board shall post on its Internet Web site the information reported.

**SECTION 9.** Section 13.12.090 is hereby added to Title 13 of the Mendota Municipal Code to read as follows:

13.12.090 - Returned check charge.

The charge for a returned check shall be as set by resolution of the city council.

**SECTION 10.** Section 13.12.100 is hereby added to Title 13 of the Mendota Municipal Code to read as follows:

13.12.100 - Inapplicability of chapter to unauthorized customer actions.

This chapter does not apply to the termination of a service connection by an urban and community water system due to an unauthorized action of a customer.

**SECTION 11.** Severability. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance, as if such invalid portion thereof had been deleted.

**SECTION 12.** This ordinance shall take effect thirty (30) days after its passage.

**SECTION 13.** The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

**SECTION 14.** This Ordinance is exempt from the California Environmental Quality Act (CEQA) because it is not a "project" within the meaning of CEQA, (see 14 C.C.R. § 15378), and because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (See 14 C.C.R. § 15061(b)(3).)

\* \* \* \* \*

The foregoing ordinance was introduced the 10<sup>th</sup> day of December, 2019 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 14<sup>th</sup> day of January, 2020 by the following vote:

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

\_\_\_\_\_  
Robert Silva, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Lekumberry, Acting City Clerk

APPROVED AS TO FORM:

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



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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** INTRODUCTION AND WAIVING OF THE FIRST READING OF ORDINANCE NO. 19-12, AMENDING TITLE 15 OF THE MENDOTA MUNICIPAL CODE RELATED TO ADOPTION BY REFERENCE OF THE 2019 CALIFORNIA BUILDING CODE AND ASSOCIATED TRADE CODES  
**DATE:** DECEMBER 10, 2019

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**ISSUE**

Should the City Council introduce and waive the first reading of Ordinance No. 19-12 and set a public hearing for January 14, 2020?

**BACKGROUND**

Title 15 of the Mendota Municipal Code, Buildings and Construction, incorporates by reference the California Building Standards Code, including the California Building Code and associated trade codes in order to address compliance with industry-standard health and safety practices related to construction. The various state building and related trade codes are generally updated by the California Building Standards Commission (CBSC) on a triennial basis. In 2017 the City incorporated by reference the then-current 2016 set of California standard codes and now the newly adopted 2019 set of California standard codes must be enforced by the building department starting in 2020.

As the standard codes adopted by the CBSC take effect, typically on January 1 of the calendar year following their adoption, all agencies are required to implement the provisions of those codes, unless local circumstances dictate that amendments are appropriate. Due to a city's ability to amend the California codes thusly, it must adopt by reference the new standard codes as they become available rather than proactively consenting to enforce any future updates.

**ANALYSIS**

The City has followed all procedures necessary to proceed and as discussed.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Staff recommends that the City Council introduce and waive the first reading of Ordinance No. 19-12, and set a public hearing for January 14, 2020.

**Attachment(s):**

Ordinance No. 19-12

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF MENDOTA**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA AMENDING  
TITLE 15 OF THE MENDOTA MUNICIPAL  
CODE RELATED TO ADOPTION BY  
REFERENCE OF THE 2019 CALIFORNIA  
BUILDING CODE AND ASSOCIATED  
TRADE CODES**

**ORDINANCE NO. 19-12**

**The City Council of the City of Mendota does hereby ordain as follows:**

Section 1. Section 15.08.010 of Chapter 15.08 of Title 15 of the Mendota Municipal Code is hereby amended to read as follows:

15.08.010 California Building Code adopted by reference.

The California Building Code, including the Appendices as referenced in the ~~2016~~-2019 California Building Code Standards and the International Building Code Standards is adopted by reference.

Section 2. Section 15.12.010 of Chapter 15.12 of Title 15 of the Mendota Municipal Code is hereby amended to read as follows:

15.12.010 California Mechanical Code adopted by reference.

The ~~2016~~-2019 Edition of the California Mechanical Code, including Appendices A, B, , and D, is adopted by reference in its entirety.

Section 3. Section 15.16.010 of Chapter 15.16 of Title 15 of the Mendota Municipal Code is hereby amended to read as follows:

15.16.010 California Electrical Code adopted by reference.

The ~~2016~~-2019 Edition of the California Electrical Code, including Annex A through Annex H, is adopted by reference.

Section 4. Section 15.20.010 of Chapter 15.20 of Title 15 of the Mendota Municipal Code is hereby amended to read as follows:

15.20.010 California Plumbing Code adopted by reference.

The ~~2016~~-2019 Edition of the California Plumbing Code and Appendices and the International Association of Plumbing and Mechanical Officials (IAPMO) Installation Standards are adopted by reference.

Section 5. Section 15.24.010 of Chapter 15.24 of Title 15 of the Mendota Municipal Code is hereby amended to read as follows:

15.24.010 California Fire Code adopted by reference.

The ~~2016~~**2019** Edition of the California Fire Code is adopted by reference in its entirety.

Section 6. Section 15.32.010 of Chapter 15.32 of Title 15 of the Mendota Municipal Code is hereby amended to read as follows:

15.32.010 California Administrative Code adopted by reference.

The ~~2016~~**2019** Edition of the California Building Standards Administrative Code is adopted by reference in its entirety.

Section 7. Section 15.40.010 of Chapter 15.40 of Title 15 of the Mendota Municipal Code is hereby amended to read as follows:

15.40.010 California Referenced Standards Code adopted by reference.

The ~~2016~~**2019** Edition of the California Referenced Standards Code, with appendices, is adopted by reference in its entirety.

Section 8. Section 15.44.010 of Chapter 15.44 of Title 15 of the Mendota Municipal Code are hereby amended to read as follows:

15.44.010 California Energy Code adopted by reference

The ~~2016~~**2019** Edition of the California Energy Code is adopted by reference in its entirety.

Section 9. Section 15.48.010 of Chapter 15.48 of Title 15 of the Mendota Municipal Code is hereby added to read as follows:

15.48.010 California Residential Code adopted by reference.

The ~~2016~~**2019** Edition of the California Residential Code, including Appendices A through R, is adopted by reference in its entirety.

Section 10. Section 15.52.010 of Chapter 15.52 of Title 15 of the Mendota Municipal Code is hereby added to read as follows:

15.52.010 California Green Building Standards Code adopted by reference.

The ~~2016~~**2019** Edition of the California Green Building Standards Code, including Appendices A4 and A5, is adopted by reference in its entirety.

Section 11. This ordinance shall become effective and in full force at 12:00 midnight on the 31<sup>st</sup> day following its adoption.

\* \* \* \* \*

The foregoing ordinance was introduced the 10<sup>th</sup> day of December, 2019 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 14<sup>th</sup> day of January, 2020 by the following vote:

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

\_\_\_\_\_  
Robert Silva, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Lekumberry, Acting City Clerk

APPROVED AS TO FORM:

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

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** ADOPTION OF THE GROUNDWATER SUSTAINABILITY PLAN  
**DATE:** DECEMBER 10, 2019

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**ISSUE**

Shall the City Council adopt Resolution No. 19-95, in its capacity as the Mendota Groundwater Sustainability Agency, adopting a Groundwater Sustainability Plan for portions of the Delta-Mendota Subbasin?

**BACKGROUND**

On September 2014, California passed the Sustainable Groundwater Management Act (SGMA) enacting Water Code sections 10720-10737.8. SGMA requires that each California groundwater basin or subbasin be managed by a Groundwater Sustainability Agency (GSA) or multiple GSAs.

On January 10, 2017, the City Council adopted Resolution No. 17-01, electing to serve as the Groundwater Sustainability Agency for the portions of the Delta-Mendota Subbasin (DWR Bulletin 118 Basin No. 5-22.07) located within its jurisdictional boundaries.

The City of Mendota executed a Memorandum of Understanding with the San Joaquin River Exchange Contractors Water Authority Groundwater Sustainability (SJRECGSA), which, among other things, memorialized an agreement pursuant to which the City of Mendota agreed to work with the SJRECGSA in the development of a Groundwater Sustainability Plan would include a Management Area Chapter applicable to the City of Mendota's GSA territory.

**ANALYSIS**

The California Department of Water Resources designated the Delta-Mendota Subbasin a High Priority basin. Pursuant to SGMA, the basin is subject to State Intervention if, after January 31, 2020, none of the following have occurred: (A) A groundwater sustainability agency has adopted a groundwater sustainability plan for the entire basin; or (B) a collection of local agencies has adopted groundwater sustainability plans that collectively serve as a groundwater sustainability plan for the entire basin; or (C) the Department of Water Resources has approved an alternative pursuant to Water Code section 10733.6.

Staff has reviewed the SJREC GSP and the Management Area Chapter specifically applicable to the City of Mendota and determined it meets SGMA requirements, including those set forth at Water Code section 10727.2. As a result, the City has satisfied the obligation to coordinate with other GSAs intending to develop and implement separate GSPs within the Delta-Mendota

Subbasin through its participation in the Delta-Mendota Coordination Agreement. The City of Mendota is a party to the coordination agreement and is bound by its terms.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 19-95, in its capacity as the Mendota Groundwater Sustainability Agency, adopting a Groundwater Sustainability Plan for portions of the Delta-Mendota Subbasin.

**Attachment(s):**

Resolution No. 19-95

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA, IN ITS CAPACITY  
AS THE MENDOTA GROUNDWATER  
SUSTAINABILITY AGENCY, ADOPTING A  
GROUNDWATER SUSTAINABILITY PLAN  
FOR PORTIONS OF THE DELTA-MENDOTA  
SUBBASIN**

**RESOLUTION NO. 19-95**

**WHEREAS**, in September 2014, California passed the Sustainable Groundwater Management Act (SGMA) enacting Water Code sections 10720-10737.8; and

**WHEREAS**, SGMA requires that each California groundwater basin or subbasin be managed by a Groundwater Sustainability Agency (GSA) or multiple GSAs; and

**WHEREAS**, on January 10, 2017, the City Council adopted Resolution No. 17-01, electing to serve as the Groundwater Sustainability Agency for the portions of the Delta-Mendota Subbasin (DWR Bulletin 118 Basin No. 5-22.07) located within its jurisdictional boundaries; and

**WHEREAS**, the California Department of Water Resources designated the Delta-Mendota Subbasin a High Priority basin; and

**WHEREAS**, pursuant to SGMA the basin is subject to State Intervention if, after January 31, 2020, none of the following have occurred: (A) A groundwater sustainability agency has adopted a groundwater sustainability plan for the entire basin; or (B) a collection of local agencies has adopted groundwater sustainability plans that collectively serve as a groundwater sustainability plan for the entire basin; or (C) the Department of Water Resources has approved an alternative pursuant to Water Code section 10733.6; and

**WHEREAS**, the City of Mendota executed a Memorandum of Understanding with the San Joaquin River Exchange Contractors Water Authority Groundwater Sustainability (SJRECGSA), which, among other things, memorialized an agreement pursuant to which the City of Mendota agreed to work with the SJRECGSA in the development of a Groundwater Sustainability Plan would include a Management Area Chapter applicable to the City of Mendota's GSA territory; and

**WHEREAS**, the City of Mendota has reviewed the SJREC GSP and the Management Area Chapter specifically applicable to the City of Mendota and determined it meets SGMA requirements, including those set forth at Water Code section 10727.2; and

**WHEREAS**, the City of Mendota has satisfied the obligation to coordinate with other GSAs intending to develop and implement separate GSPs within the Delta-Mendota Subbasin through its participation in the Delta-Mendota Coordination Agreement. The City of Mendota is a party to the coordination agreement and is bound by its terms; and

**WHEREAS**, in accordance with the requirements of Water Code section 10728.4, the City of Mendota provided notice of its intent to adopt the GSP at least 90 days before the date of adoption and engaged in all necessary consultation with the cities or counties that requested such consultation; and

**WHEREAS**, in accordance with the requirements of Water Code section 10725.2, the City of Mendota issued notice of its intent to adopt the GSP on its internet website and provided electronic notice to all parties desiring to receive such notice; and

**WHEREAS**, pursuant to Water Code section 10728.6, adoption of a Groundwater Sustainability Plan is not subject to the requirements of the California Environmental Quality Act; and

**WHEREAS**, the City of Mendota convened a public hearing prior to the consideration of this resolution which adopts the Groundwater Sustainability Plan and accepted public comment on the same.

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

1. Adopts the Groundwater Sustainability Plan, which is on file with the City Clerk and is incorporated herein by this reference, including its Management Area Chapter expressly applicable to the territory located within the City of Mendota's GSA; and
2. That the City of Mendota shall exercise or cause to be exercised its authorities, including without limitation, the 'Powers and Authorities' described in California Water Code section 10725 et.seq., necessary to implement the GSP and the Management Area Chapter applicable to its territory.

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Robert Silva, Mayor



ATTEST:

I, Jennifer Lekumberry, Acting 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 10<sup>th</sup> day of December, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Jennifer Lekumberry, Acting City Clerk



**Code Enforcement Monthly Report  
November 2019**

<b>Address</b>	<b>Type of Case</b>	<b>1st Notice</b>	<b>Deadline</b>	<b>Status</b>	<b>Fine Amount</b>
SEGOVIA ST / CANTU	VEHICLE CHECK	11/2/2019	N/A	CITED/TOWED	\$100.00
8TH/ STAMOULES ST	VEHICLE CHECK	11/2/2019	N/A	CITED	\$50.00
INEZ/ 7TH ST	VEHICLE CHECK	11/2/2019	N/A	COMPLETE	\$0.00
LST / I ST	MUNICIPAL CODE VIOLATION	11/2/2019	N/A	COMPLETE	\$0.00
N JUANITA	VEHICLE CHECK	11/2/2019	11/4/2019	RED TAGGED	\$0.00
N JUANITA	VEHICLE CHECK	11/2/2019	11/4/2019	RED TAGGED	\$0.00
1725 8TH ST	VEHICLE CHECK	11/2/2019	N/A	WARNING	\$0.00
MENDOTA PD	MISC. INVESTIGATION	11/4/2019	11/18/2019	COMPLETE	\$0.00
MENDOTA PD	MISC. INVESTIGATION	11/6/2019	N/A	COMPLETE	\$0.00
MENDOTA CITY HALL	COMMUNITY CONTACT	11/6/2019	N/A	COMPLETE	\$0.00
630 N KATE	FOLLOW UP TO MUNI CODE VIOLATION	11/6/2019	N/A	COMPLETE	\$0.00
MENDOTA PD	LOBBY TRAFFIC	11/6/2019	N/A	COMPLETE	\$0.00
524 KATE ST	MUNICIPAL CODE VIOLATION	11/6/2019	N/A	COMPLETE	\$0.00
185 ASH	VEHICLE CHECK	11/6/2019	N/A	COMPLETE	\$0.00
MENDOTA PD	LOBBY TRAFFIC	11/6/2019	N/A	COMPLETE	\$0.00
SECOND/ OLLER	VEHICLE CHECK	11/9/2019	N/A	COMPLETE	\$0.00
SEGOVIA/ GONZALEZ	VEHICLE CHECK	11/9/2019	N/A	COMPLETE	\$0.00
RIO FRIO / 4TH ST	VEHICLE CHECK	11/9/2019	N/A	COMPLETE	\$0.00
THIRD/ NAPLES	VEHICLE CHECK	11/9/2019	N/A	COMPLETE	\$0.00
SORESON/ SMOOT	VEHICLE CHECK	11/9/2019	N/A	COMPLETE	\$0.00
K ST/ FOURTH	VEHICLE CHECK	11/9/2019	N/A	COMPLETE	\$0.00
FOURTH/ L ST	VEHICLE CHECK	11/9/2019	N/A	CITED	\$50.00
SORESON/ ASH	VEHICLE CHECK	11/10/2019	N/A	COMPLETE	\$0.00
VALENZUELA/ BLACK ST	VEHICLE CHECK	11/10/2019	N/A	COMPLETE	\$0.00
SORENSEN/ ASH	COMMUNITY CONTACT	11/10/2019	N/A	COMPLETE	\$0.00
GURROLA/ HOLMES	VEHICLE CHECK	11/10/2019	N/A	COMPLETE	\$0.00
600 PEREZ	VEHICLE CHECK	11/10/2019	N/A	CITED/TOWED	\$50.00
SMOOT AV& SORESON AV	VEHICLE CHECK	11/11/2019	N/A	COMPLETE	\$0.00
4TH/ K ST	VEHICLE CHECK	11/11/2019	N/A	COMPLETE	\$0.00
4TH/ I ST	VEHICLE CHECK	11/11/2019	N/A	COMPLETE	\$0.00
4TH / I ST	VEHICLE CHECK	11/11/2019	N/A	CITED	\$50.00
2ND / H ST	VEHICLE CHECK	11/11/2019	N/A	COMPLETE	\$0.00
746 LOLITA	FOLLOW UP TO MUNI CODE VIOLATION	11/11/2019	N/A	COMPLETE	\$0.00
11TH ST/ OLLER ST	VEHICLE CHECK	11/11/2019	N/A	CITED	\$50.00
SORESON/ 9TH	VEHICLE CHECK	11/11/2019	N/A	COMPLETE	\$0.00
QUINCE ST/ 9TH	VEHICLE CHECK	11/11/2019	N/A	COMPLETE	\$0.00
DIVISADERO ST/ I ST	VEHICLE CHECK	11/12/2019	N/A	CITED	\$50.00
1725 8TH ST	MISC. INVESTIGATION	11/12/2019	N/A	COMPLETE	\$0.00
230 FLEMMINGS	FOLLOW UP TO MUNI CODE VIOLATION	11/12/2019	N/A	COMPLETE	\$0.00

**Code Enforcement Monthly Report  
November 2019**

<b>Address</b>	<b>Type of Case</b>	<b>1st Notice</b>	<b>Deadline</b>	<b>Status</b>	<b>Fine Amount</b>
MENDOTA PD	LOBBY TRAFFIC	11/12/2019	N/A	COMPLETE	\$0.00
MENDOTA PD	LOBBY TRAFFIC	11/12/2019	N/A	COMPLETE	\$0.00
CITY HALL	COMMUNITY CONTACT	11/12/2019	N/A	COMPLETE	\$0.00
543 STAMOULES	FOLLOW UP TO MUNI CODE VIOLATION	11/12/2019	N/A	COMPLETE	\$0.00
1167 PUCHEU	FOLLOW UP TO MUNI CODE VIOLATION	11/12/2019	N/A	COMPLETE	\$0.00
519 LOLITA ST	FOLLOW UP TO MUNI CODE VIOLATION	11/12/2019	N/A	COMPLETE	\$0.00
636 LOLITA ST	FOLLOW UP TO MUNI CODE VIOLATION	11/12/2019	N/A	COMPLETE	\$0.00
617 GARCIA ST	FOLLOW UP TO MUNI CODE VIOLATION	11/12/2019	N/A	COMPLETE	\$0.00
OXNARD/ MALDONADO	VEHICLE CHECK	11/12/2019	N/A	COMPLETE	\$0.00
719 QUINCE ST	MUNICIPAL CODE VIOLATION	11/13/2019	N/A	COMPLETE	\$0.00
71 CASTRO	MISC. INVESTIGATION	11/14/2019	N/A	COMPLETE	\$0.00
GONZALEZ/ AMADOR	VEHICLE CHECK	11/14/2019	N/A	CITED/TOWED	\$50.00
CITY HALL	COMMUNITY CONTACT	11/14/2019	N/A	COMPLETE	\$0.00
DIAZ/CANTU	VEHICLE CHECK	11/14/2019	N/A	COMPLETE	\$0.00
CITY HALL	COMMUNITY CONTACT	11/15/2019	N/A	COMPLETE	\$0.00
630 KATE ST	FOLLOW UP TO MUNI CODE VIOLATION	11/15/2019	N/A	COMPLETE	\$0.00
436 LOLITA ST	VEHICLE CHECK	11/15/2019	N/A	COMPLETE	\$0.00
DIVISADERO/ LOLITA	VEHICLE CHECK	11/16/2019	N/A	CITED/TOWED	\$50.00
611 GARCIA	FOLLOW UP TO MUNI CODE VIOLATION	11/17/2019	N/A	COMPLETE	\$0.00
6TH/LOLITA	MUNICIPAL CODE VIOLATION	11/17/2019	N/A	WARNING	\$0.00
KATE/ 6TH	VEHICLE CHECK	11/17/2019	N/A	COMPLETE	\$0.00
KATE/ 6TH	COMMUNITY CONTACT	11/17/2019	N/A	COMPLETE	\$0.00
MENDOTA PD	LOBBY TRAFFIC	11/17/2019	N/A	COMPLETE	\$0.00
DERRICK / 6TH	COMMUNITY CONTACT	11/17/2019	N/A	COMPLETE	\$0.00
FOOD CENTER	COMMUNITY CONTACT	11/17/2019	N/A	COMPLETE	\$0.00
LOLITA/ DIVISADERO	VEHICLE CHECK	11/17/2019	N/A	COMPLETE	\$0.00
FOURTH/ L ST	VEHICLE CHECK	11/18/2019	N/A	COMPLETE	\$0.00
289 SANTA CRUZ	VEHICLE CHECK	11/18/2019	N/A	COMPLETE	\$0.00
316 GOMEZ	VEHICLE CHECK	11/18/2019	N/A	COMPLETE	\$0.00
7TH /MARIE	VEHICLE CHECK	11/18/2019	N/A	COMPLETE	\$0.00
KATE ST/ 7TH ST	VEHICLE CHECK	11/19/2019	N/A	COMPLETE	\$0.00
1164 PUCHEU	FOLLOW UP TO MUNI CODE VIOLATION	11/19/2019	N/A	COMPLETE	\$0.00
CITY HALL	COMMUNITY CONTACT	11/20/2019	N/A	COMPLETE	\$0.00
KERMAN PD	MISC. INVESTIGATION	11/21/2019	N/A	COMPLETE	\$0.00
430 ARNAUDO	MISC. INVESTIGATION	11/21/2019	N/A	COMPLETE	\$0.00
GURROLA/ HOLMES	VEHICLE CHECK	11/24/2019	N/A	COMPLETE	\$0.00
BLACK/ SANTA CRUZ	VEHICLE CHECK	11/24/2019	N/A	COMPLETE	\$0.00
524 KATE ST	FOLLOW UP TO MUNI CODE VIOLATION	11/24/2019	N/A	COMPLETE	\$0.00
DIVISADERO/ DIVISADERO CIR	COMMUNITY CONTACT	11/25/2019	N/A	COMPLETE	\$0.00

**Code Enforcement Monthly Report  
November 2019**

<b>Address</b>	<b>Type of Case</b>	<b>1st Notice</b>	<b>Deadline</b>	<b>Status</b>	<b>Fine Amount</b>
680 DIVISADERO	FOLLOW UP TO MUNI CODE VIOLATION	11/25/2019	N/A	COMPLETE	\$0.00
AMADOR/ ESPINOZA	FOLLOW UP TO MUNI CODE VIOLATION	11/25/2019	N/A	COMPLETE	\$0.00
263 SAN PEDRO	MUNICIPAL CODE VIOLATION	11/25/2019	N/A	WARNING	\$0.00
CASTANEDA CT/ CERVANTEZ	VEHICLE CHECK	11/25/2019	N/A	COMPLETE	\$0.00
1725 8TH ST	FOLLOW UP TO MUNI CODE VIOLATION	11/25/2019	N/A	COMPLETE	\$0.00
693 LOZANO	MUNICIPAL CODE VIOLATION	11/26/2019	N/A	WARNING	\$0.00
BLANCO/ GAXIOLA	VEHICLE CHECK	11/26/2019	N/A	COMPLETE	\$0.00
MARIE/ K ST	VEHICLE CHECK	11/30/2019	N/A	COMPLETE	\$0.00
667 MARIE ST	MUNICIPAL CODE VIOLATION	11/30/2019	N/A	WARNING	\$0.00
LOZANO ST/ RIOS	FOLLOW UP TO MUNI CODE VIOLATION	11/30/2019	N/A	WARNING	\$0.00
310 GOMEZ ST	MUNICIPAL CODE VIOLATION	11/30/2019	N/A	WARNING	\$0.00
SIXTH/ LOLITA	MUNICIPAL CODE VIOLATION	11/30/2019	N/A	WARNING	\$0.00
CERVANTEZ/ BARAJAS CT	VEHICLE CHECK	11/30/2019	N/A	COMPLETE	\$0.00
				<b>Total:</b>	\$500.00



# **POLICE**

**M E N D O T A**

## **MEMORANDUM**

**Date:** December 2, 2019  
**To:** Cristian Gonzalez, City Manager  
Mendota City Council Members  
**From:** Gregg L. Andreotti, Chief of Police  
**Subject:** Monthly Report for November 2019

An unknown suspect damaged two vehicle parked during nighttime on K Street.

An unknown suspect stole a backpack from a vehicle parked in front of the High School.

A victim had his wallet stolen from his vehicle while parked on Garcia Street.

Two unknown juveniles entered a store on Marie Street and fled with beer.

Subject check of five on 4<sup>th</sup> Street discovered two were wanted on outstanding warrants and a third was in possession of Methamphetamine for sales. All were FI'ed for information. The three were arrested.

Vehicle stop at 4<sup>th</sup>/J Street discovered the driver was intoxicated. She was arrested for DUI, cited and released to a sober adult.

Vehicle stop at Lolita/9<sup>th</sup> discovered the driver was intoxicated and driving on a suspended CDL for prior DUIs. He was arrested for DUI, cited and released to a sober adult.

Vehicle stop discovered the driver was in possession of methamphetamine and an illegal weapon. The passenger was found to be wanted on active warrants. The driver was arrested and transported to Jail. The passenger was arrested, cited and released.

An unknown suspect entered the victim's vehicle and stole it while parked on Cantu Street. Surveillance cameras captured the event.

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

Subject check at Derrick/7<sup>th</sup> discovered the person was intoxicated and had an outstanding warrant. He was arrested, cited and released to a sober adult.

Subject check by 4<sup>th</sup>/K Street resulted in an FI for information.

An unknown suspect stole the victim's cell phone from a locker at the local high school.

Officers recovered a stolen vehicle that was located parked on 4<sup>th</sup> Street.

An unknown suspect entered the victim's residence on Bandoni, stole her car keys and then stole her car.

An unknown suspect stole the victim's car while it was parked on Quince Street.

Officers recovered a stolen vehicle from Firebaugh.

An unknown suspect vandalized the victim's vehicle on Rios Street.

An unwanted subject refused to leave a location on 7<sup>th</sup> Street. He was arrested for trespassing, cited and released.

A known suspect was witnessed vandalizing vehicles on 6<sup>th</sup> Street and then fled into a residence. Officers located him in the residence where he was trespassing and arrested him. He was cited and turned over to EMS for transport to CRMC for evaluation.

Report of a vehicle parked in the roadway on Marie discovered the driver was passed out with the engine running, vehicle in drive and his foot on the break. Officers discovered he was under the influence and then stopped breathing. EMS responded and revived him. He was transported to CRMC and charges will be filed for DUI.

Subject check at Lolita/5<sup>th</sup> Street resulted in an FI for information.

A student at a local school received a threatening text message from an unknown source asking for money.

A known unwanted subject came to the victim's residence on Stamoules and threatened her prior to fleeing.

An unknown suspect stole the rear license plate to the victim's vehicle while it was parked on Garcia Street.

Vehicle stop on Oller/Belmont discovered the driver was under the influence of drugs. He was arrested for DUI. Afterwards, he was found in possession of methamphetamine packaged for sales. He then became uncooperative and was transported to Jail.

Officers were advised of a stabbing victim at CRMC. Offices discovered the incident took place 12 hours earlier by Quince/5<sup>th</sup> Streets. The victim said he was attacked by a known suspect. Video surveillance from an area camera captured the incident. The suspect and witness were identified and contacted for interviews. The suspect was arrested.

An unknown subject was interrupted while attempting to break into the victim's vehicle on 7<sup>th</sup> Street. He then fled east from the scene. Officers contacted subjects in an alley by the location and obtained FIs for information. Suspect was not identified.

A known suspect was witnessed throwing a rock at a moving vehicle. He was contacted by officers and taken into custody, cited and released.

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

One student hit another student at the local high school. The suspect was arrested and transported to JJC.

An unknown suspect entered the victim's residence on Stamoules and stole money and personal papers. There was no sign of forced entry.

Vehicle stop at Oller/7<sup>th</sup> discovered the driver was in possession of methamphetamine for sales and drug paraphernalia for sales. He was arrested and transported to Jail.

Officers recovered a stolen vehicle from Firebaugh at Puchue/11<sup>th</sup> Street.

Vehicle stop at Fleming/Rowe discovered the driver was intoxicated. He was arrested for DUI, cited and released to a sober adult.

An unknown suspect damaged two vehicles parked on K Street.

Officers responded to Jack's Resort and recovered a Mendota stolen vehicle.

Officers initiated a pursuit on a stolen vehicle out of Firebaugh. The vehicle failed to yield and continued out of the city on Hwy 180 towards Kerman. As the vehicle entered Kerman it ran over a spike strip and then drove into a residential neighborhood. The driver eventually collided with a parked car and fled on foot. Mendota officers apprehended the suspect and identified him as a known auto thief from Mendota who is on Parole for auto theft. He was transported to Jail. CHP, Firebaugh PD and Kerman PD assisted.

Non-injury hit and run on Lozano. An unknown suspect hit the victim's vehicle and then fled.

Subject check by Tule/7<sup>th</sup> resulted in a FI for information.



Unknown suspect(s) damaged a window and door to a residence under construction by Bass/Barboza.

The victim stated her mailbox on I Street was broken into and unknown mail was stolen.

An unknown suspect stole the victim's bicycle while parked on I Street.

Suspicious person on Rio Frio was contacted by officers and found to be under the influence of a drug and wanted on an active warrant. He was arrested and transported to Jail.

Offices recovered a Mendota stolen vehicle on Quince Street.

A known suspect hit the victim by a business at Oller/8<sup>th</sup> Street. Officers located the suspect and arrested him. He was cited and released.

Vehicle check at a local park discovered five subjects inside. All were Fied for information.

A known suspect forced entry into a residence and was captured by officers inside. Theft tools, methamphetamine and drug paraphernalia were located in his possession. He was arrested and transported to Jail.

Unwanted subject at a residence attempting to force entry. Officers contacted the suspect as she was leaving the scene. She was also found to be wanted for probation violation. She was arrested and transported to Jail.

A victim contacted officers and reported she was earlier hit be a known suspect who fled after the incident.

An unknown suspect stole the wheels and tires off of the victim's vehicle while it was parked on I Street.

Vehicle vs. pedestrian at Puchue/9<sup>th</sup> Street. The pedestrian received minor injuries and was treated by EMS on scene.

Vehicle vs. PGE Transformer on Garcia Street. PGE requested officers at the scene of a damaged transformer.

Vehicle stop at Marie/9<sup>th</sup> discovered the driver was intoxicated. He was arrested for DUI, cited and released to a sober adult.

Vehicle drove into a canal by Hwy 33/Bass. Officer's located the vehicle with the driver sleeping in the driver's seat, engine running with the vehicle in drive. The driver would not wake up and EMS responded. The driver vomited alcohol and was transported to CRMC. A DUI investigation is ongoing.

Vehicle stop at Oller/9<sup>th</sup> Street discovered the driver was wanted on an active DUI warrant. He was arrested, cited and released.

Vehicle stop at Quince/7<sup>th</sup> Street discovered the driver was wanted on an outstanding DUI warrant under an alias name. He was arrested, cited and released.

Unwanted subject trespassing at a local restaurant on Oller. He was contacted and arrested for trespassing. He was transported to Jail.

Non-injury traffic collision at 3<sup>rd</sup>/Naples discovered the subject causing was intoxicated. He was arrested for DUI, cited and released to a sober adult.

Bicycle stop at Marie/5<sup>th</sup> discovered the rider was lying about his identity to avoid being arrested on an outstanding warrant. His identity was discovered and he was arrested, cited and released.

An unknown suspect damaged the washer and dryer in a service room at an apartment complex on I Street.

Vehicle stop at Naples/7<sup>th</sup> discovered the driver was intoxicated. He was arrested for DUI, cited and released to a sober adult.

Vehicle stop at 7<sup>th</sup>/Rio Frio discovered the driver was wanted on an active warrant. He was arrested and transported to Jail.

Non-injury hit and run in a parking lot of a local store on Derrick. An unknown suspect hit the victim's vehicle and fled the scene.

Subject check at Sorensen/Holmes resulted in an FI for information.

Subject check at 7<sup>th</sup>/Stamoules discovered an active warrant for his arrest. He was arrested and transported to Jail.

Disturbance at a residence on Lozano discovered the suspect hit the victim. He was arrested and transported to Jail.

During a follow up investigation at a residence on 8<sup>th</sup> Street a subject was arrested for obstructing the investigation and probation violation. He was transported to Jail.

An unknown suspect entered the victim's residence on Rios Street, ransacked the bedrooms and stole money.

An unknown suspect damaged the front door to the victim's residence on 4<sup>th</sup> Street while she was away from home.

Vehicle stop on Kate Street discovered both the driver and passenger were intoxicated. The driver was arrested for DUI and on an outstanding warrant; the passenger for public intoxication. Both were transported to Jail.

A victim who received a minor injury by a known suspect came to the Police Department to report the incident. The known suspect was not available for contact.

Vehicle stop at Oller/Derrick discovered the driver was intoxicated. He was arrested for DUI, cited and released to a sober adult.

Disturbance at a residence on Lozano discovered the suspect hit the victim. The suspect was arrested, cited and released. The victim left to travel home to northern California.

An unknown suspect stole the victim's vehicle from Naples Street. The vehicle was later recovered at 3<sup>rd</sup>/Naples and returned to the owner.

A stolen water tanker from Merced was located on a lot by Marie/2<sup>nd</sup> Street. All company markings had been removed.

An intoxicated subject went to sleep under a parked vehicle at Rio Frio/7<sup>th</sup>. When the vehicle left he was dragged a short distance. He was turned over to EMS for care.

An unknown suspect stole the victim's vehicle from Lolita Street. The vehicle was later located by Bass Avenue and returned to the owner.

A known suspect and victim were in a physical disturbance in the parking lot of a service station on Oller. During the disturbance the suspect cut the victim in the leg and then fled. The victim was treated by EMS.

Officers received information of a probationer violating his probation conditions. His probation officer was notified.

An unknown suspect entered a commercial building on Oller and stole furniture.

An unknown suspect swapped the victim's vehicle license plate with a stolen one from Firebaugh. The recovered stolen plate with returned to Firebaugh.

On 6<sup>th</sup> Street Officers recovered a stolen vehicle from Firebaugh.

An unknown suspect damaged windows to two vehicles parked on I Street.

An unknown suspect entered the victim's unlocked vehicle while it was parked and stole stereo equipment.

Non-injury hit and run. A suspect was witnessed hitting a parked car and then flee. Officers located the vehicle and contacted the owner who cooperated with the owner of the damaged car.

Unwanted subject at a residence on Marie Street. Officers contacted the subject who was attempting to enter a residence. He was found to be wanted on an outstanding warrant. He was arrested and transported to Jail.

Officers conducted a stolen vehicle investigation on Tule street and entered the vehicle information into the computer database. A short time later Firebaugh Police located the vehicle travelling through their City. The vehicle was stopped, and driver arrested for stealing and possessing the stolen vehicle. The suspect is a Mendota resident.

Disturbance at a residence on Janita Street. The victim said the suspect tried to stab him but fled the scene prior to officers arriving. No injuries reported.

Traffic enforcement detail resulted in thirteen citations.

During a traffic enforcement detail a speeding vehicle failed to yield and fled east on Hwy 180 from the city. Officers pursued the vehicle to identify the suspect driver and stop the vehicle. The pursuit was cancelled as sight of the suspect vehicle was lost.

Subject check in the parking lot of a local mini mart on Oller. He was Fled for information.

Subject check of two on J Street discovered outstanding warrants for one. He was arrested and transported to JJC.

A possible known suspect damaged the windows to the victim's vehicle on 2<sup>nd</sup> Street.

Vehicle stop at Lozano/Hwy33 discovered the driver was not licensed to drive and was wanted on an outstanding warrant. He was arrested, cited and released.

Subject check at Naples.4<sup>th</sup> Street located active warrants for his arrest. He was arrested and transported to Jail.

**Strategic Planning:**

- Scheduled officer for impaired driver identification training

**Personnel Information:**

- Police Officer candidate entered hiring process
- Interviewed second Police Officer candidate for last vacancy
- The following Police Department positions remain vacant and frozen:
  - One Police Officer
  - One Administrative Assistant

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** NANCY M. DIAZ, FINANCE OFFICER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** GRANTS UPDATE  
**DATE:** DECEMBER 10, 2019

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**GRANT UPDATE**

- **Prop. 68 – Mendota Community Center Project:** The City had a site visit on Thursday, November 21<sup>st</sup> with Nicky Lambert, Project Officer from Department of Parks and Recreation. This site visit does not drive the grant selection process but rather clarify questions about the application documents. Grants are selected based on an extensive multi-level review of all applications. We expect to receive approval/denial letter by early 2020.
- **National Fitness Campaign 2020 (NFC)** – Council approved Resolution No. 19-81 accepting funds for an outdoor fitness court. Staff will have a conference call with NFC on Friday, December 6<sup>th</sup>.
- **2019-20 Public Safety Power Shutoff Resiliency Allocation to Cities Application** – The City has applied for funding to purchase: (4) generators for the Police Department, Public Works Yard, Water Treatment Plant and Wastewater Treatment Plant; (5) battery-powered radios; and educational materials to distribute to public for preparation of a power shutoff. Total funding requested is \$297,902.00
- **SB 2 Planning Grant Program (PGP)** – A resolution will be considered on the November 26, 2019 City Council Meeting by the City Council to approve application(s), receipt of funds and designate an authorized signer for the PGP. If approved, the City will apply for funding to: update our Zoning Code; redesign our front counter at City Hall to accommodate a “Permit” window; purchase a scanner/printer; and tablet for the public’s assistance with the permit process.
- **2019-20 Congestion Mitigation and Air Quality Improvement Program (CMAQ)** – Michael Osborn with Provost & Pritchard has applied for funding to pave unpaved alleys in the northeast side of Mendota. This project will reduce pollution and overall dust levels affecting the residents of the City. There is a local match required for grant funding. Total funding for project is \$1,573,820 with \$1,183,432 being federal funding and \$390,388 matching local funds.
- **2019-20 Surface Transportation Block Grant Program (STBG)** – Michael Osborn with Provost & Pritchard will apply for funding to reconstruct the remainder of 5<sup>th</sup> Street by December 6<sup>th</sup> through the STBG program.

- **Public Benefits Grants Program – New Alternative Fuel Vehicle Purchase** – San Joaquin Valley Air Control District has funding available for up to \$20,000 per vehicle, with a limit of \$100,000 per agency per year. The City will be applying for funding for utility carts for the Wastewater Treatment Facility and the Police Department. A resolution will be brought before City Council at the December 10<sup>th</sup> City Council Meeting to approve submittal of application(s), approve an authorized official with authority to make financial decisions and to identify an individual to implement the new vehicle project. This is a required document in order to be approved for funding.

**Attachment(s):**  
Grant Spreadsheet

Grant Information

Grant Name	Application Due Date	Award Date	Agency: Federal/State/County/ Private	Pass-thru	Matching	Award Amount	Purpose of Grant	Notes	Comments by Council or Staff
Per Capita Grant Program	6/3/2019	Jan-20	State	N	N	TBD	Local park rehabilitation, creation and improvement grants	One-time basis	
Tobacco Grant Program	7/12/2019	9/30/2019	State	NA	N	\$ 89,909.00	Tobacco Ordinance, Retailers Compliance Checks and Community Outreach	Reimbursement Grant	Reapply 20/21 cycle
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		
National Fitness Campaign 2020	8/1/2019	10/1/2020	Private	N	Y	\$ 30,000.00	Fitness Court	Applying for grant in conjunction with Prop.68	
Proposition 68 - Parks	8/5/2019	12/31/2019	State	NA	N	\$ 7,839,960.00	New Construction of Community Center and Park Recreation Features	Reimbursement Grant	
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		
2019-20 Public Safety Power Shutoff	11/12/2019	TBD	State	N	N	\$ 297,902.00	Purchase (4) Generators; Educational materials for the public.		
2019-20 Congestion Mitigation and Air Quality Improvement Program (CMAQ)	11/15/2019	TBD	Federal	N	Y	\$ 1,183,432.00	Project will pave unpaved (dirt) alleys in the City of Mendota to reduce pollution and overall dust levels affecting the residents. Twelve alleys will be paved located in the northeast side of Mendota.	Michael Osborn with Provost & Pritchard applied for funding; Matching local funds \$390,388. Total Project Cost \$1,573,820.	
SB 2 Planning Grant Program	11/30/2019	TBD	State	N	N	up to \$160,000	Update planning documents and processes of housing approvals/production		
2019-20 Surface Transportation Block Grant Program (STBG)	12/6/2019	TBD	Federal	N	Y	TBD	Reconstruct the remainder of 5th Street.	Michael Osborn with Provost & Pritchard will be applying for funding.	
Public Benefits Grants Program - New Alternative Fuel Vehicle Purchase	12/13/2019	TBD	District	N	N	\$20,000	Purchase Utility Carts for Wastewater Facility and the Police Department	Funding provided by San Joaquin Valley Air Pollution Control District	
Beverage Container Recycling City/County Payment Program	12/17/2019	2/28/2020	State	N	N	\$ 5,000.00	Litter prevention and cleanup; Public education promoting beverage container recycling	If you don't expend the full \$5,000.00, you must repay CalRecycle.	
<b>Key: Applied for Grants</b>									
<b>In process</b>									
<b>Approved</b>									

Potential Grant Opportunities

Grants	Priority by Council	Application Due Date	Agency	Matching	Award Amount	Purpose of Grant	Comments by Council or Staff
Tire-Derived Product Grant Program		TBD	State	TBD	up to \$150,000	Landscape Projects or Playground Projects with tire-derived products	
Rubberized Pavement Grant Program		10/3/2020	State	TBD	up to \$350,000	City-wide street projects for FY 20/21	
Clean, Safe and Reliable Drinking Water		Open	State	TBD	TBD	Planning grant for water storage, pressure booster and water quality	
Walmart Community Grant		12/31/2019	Private	N	up to \$5,000	Quality of life; Community and economic development; Public Safety; Environmental	
Proposition 68 - Parks		TBD	State	N	up to \$8,000,000	Improvements to Mendota Pool Park	
Community Development Grants		TBD - Eligible in 2020	County	TBD	TBD	Construct or improve public facilities such as senior centers, parks, playgrounds, community center	Eligible for funding in FY 20/21
Clean Green Yard Machines: Commercial		TBD	District	TBD	TBD	Replacement of landscaped maintenance equipment	
New Alternative Fuel Vehicle Purchase		TBD	District	TBD	up to \$20,000	Purchase a new alternative fueled vehicles (Electric, Plug-in Hybrid, CNG,LNG)	
Airport Improvement Plan Grant		TBD	State	TBD	TBD	Improvements to Airport	Need to complete a NEPA for the pre-application process; Cost Estimate is \$30,000. This item would need to be budgeted for FY 20/21 and the next funding round will be FY 22/23.
Caltrans Sustainable Transportation Grant		TBD	State			Local and regional multimodal transportations and land use planning projects to further the region's RTP SCS.	City will apply for this type of grant when population reaches 25,000 or above.
Consolidated Rail Infrastructure and Safety Improvements Grant Program		TBD	Federal	Yes	TBD	Projects that address congestion challenges, highway-rail grade crossings, upgrade short-line railroad infrastructure, relocate rail lines, improve intercity passenger rail capital assets.	City would need to have a letter of support or MOU from the property owner, Union Pacific Railroad
Recreational Trails and Greenways Grant Program		TBD	State	TBD	up to \$4,000,000	Projects must provide non-motorized infrastructure development and enhancements that promote new or alternate access to parks, waterways, outdoor recreational pursuits, and forested or natural environments.	