



# CITY OF MENDOTA

*"Cantaloupe Center Of The World"*

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

## AGENDA MENDOTA CITY COUNCIL Regular City Council Meeting CITY COUNCIL CHAMBERS 643 QUINCE STREET December 12, 2017 6:00 PM

VINCE DiMAGGIO  
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.

### CALL TO ORDER

### ROLL CALL

### FLAG SALUTE

### INVOCATION

### FINALIZE THE AGENDA

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

### SWEARING IN

1. Deputy City Clerk Cabrera to swear in Officer Nicholas Alvarado.
2. Chief of Police Andreotti to present the Mendota Police Department's Employee of the Year award to Officer Sindy Ayala.

### CITIZENS ORAL AND WRITTEN PRESENTATIONS

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

## APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of November 14, 2017.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

## CONSENT CALENDAR

Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

1. NOVEMBER 14, 2017 THROUGH NOVEMBER 22, 2017  
WARRANT LIST CHECKS NO. 043253 THRU 043305  
TOTAL FOR COUNCIL APPROVAL = \$487,013.67
2. NOVEMBER 29, 2017 THROUGH DECEMBER 7, 2017  
WARRANT LIST CHECKS NO. 043306 THRU 043367  
TOTAL FOR COUNCIL APPROVAL = \$275,486.76
3. Proposed adoption of **Resolution No. 17-68**, supporting and implementing timely use of Congestion Mitigation & Air Quality Improvement (CMAQ) Program project funding.
4. Proposed adoption of **Resolution No. 17-69**, approving the Final Map of Tract No. 6149, and entering into a subdivision agreement therefor.
5. Proposed adoption of **Resolution No. 17-70**, authorizing payment of retainage to the contractor of the 8<sup>th</sup> Street Reconstruction project.

## DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Administrative Services  
a) Monthly Report
2. Public Works  
a) Monthly Report
3. Code Enforcement & Police Department  
a) Monthly Report
4. Economic Development  
a) Monthly Report
5. City Attorney  
a) Update

6. City Manager

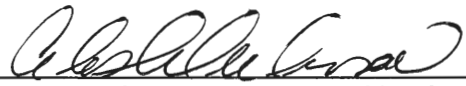
**MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)
2. Mayor

**ADJOURNMENT**

**CERTIFICATION OF POSTING**

I, Celeste Cabrera, Deputy City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota City Council Regular Meeting of December 12, 2017, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, December 8, 2017 at 4:15 p.m.

  
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Celeste Cabrera, Deputy City Clerk



## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

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**Regular Meeting**

**November 14, 2017**

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

**A moment of silence was held in honor of Eugene W. “Whitie” Barnette, Carl Castro, and Joe Rios.**

### **Roll Call**

**Council Members Present:** Mayor Rolando Castro, Mayor Pro Tem Victor Martinez, Councilors Jesse Mendoza, Oscar Rosales, and Robert Silva.

**Council Members Absent:** None.

**Flag salute led by Mayor Castro.**

### **FINALIZE THE AGENDA**

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

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

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

**Kevin Romero (160 Tuft Street)** – provided an update on Aztec football.

**Joseph Amador (1890 7<sup>th</sup> Street)** - stated that he asked Antonio Villaraigoza who is candidate for governor to visit Mendota; stated that he will be visiting Mendota on November 17<sup>th</sup> at 4 p.m.; thanked staff for their assistance; and invited the Council and members of the public to attend.

**Richard Rey (221 Holmes Avenue)** – stated that he would like to submit a petition to install speed bumps on Holmes Avenue, and reported that vehicles continuously speed on the street.

Discussion was held on the amount of residents of Holmes Avenue that signed the petition, and Mr. Rey meeting with staff to discuss the issue.

**Kevin Romero (160 Tuft Street)** – provided an update on Cobra Football.

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

1. Minutes of the special City Council meeting of October 19, 2017, the regular City Council meeting of October 24, 2017, and the special City Council meeting of November 1, 2017.
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 Silva to approve items 1 and 2, seconded by Councilor Mendoza; unanimously approved (5 ayes).

### **CONSENT CALENDAR**

1. OCTOBER 23, 2017 THROUGH NOVEMBER 08, 2017  
WARRANT LIST CHECKS NO. 043174 THRU 043252  
TOTAL FOR COUNCIL APPROVAL = \$633,693.90
2. Proposed adoption of **Resolution No. 17-63**, authorizing the placement of special assessments/direct charges on the tax roll for the Community Facilities District No. 2006-1 for fiscal year 2017/2018.
3. Proposed adoption of **Resolution No. 17-64**, directing staff to implement the provisions of SB 54 in advance of the effective date of the legislation.
4. Proposed adoption of **Resolution No. 17-65**, reviewing the bid for the Lozano Lift Station Modification project, and awarding the contract.
5. Proposed adoption of **Resolution No. 17-66**, supporting and implementing timely use of funding for federal transportation project selection.

Discussion was held on warrant #43222 including the amount of days that the city is paying a street sweeping company to sweep; where the street sweeper is taken to be repaired; and the types of repairs that are being done to the sweeper.

Discussion was held on warrant #43199 including the details of the City's dog adoption program; the costs associated with residents redeeming their dogs; and Council

requested that staff present information on the dog adoption program.

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

## **BUSINESS**

1. Council discussion and consideration of the impacts of waiving service fees for non-profit and other special organizations.

Mayor Castro introduced the item and Economic Development Manager Flood summarized the report including that a non-profit organization requested that the fees associated with contract police services be waived; the organization paying for the services in the past; provided the background of the council's annual facility-use application approval process; the conditions that are imposed on the applications related to security; council previously requesting that staff investigate whether the organization needed to pay for the services; staff determined that the organization does have to pay for the services; the organization contesting the decision; and that the City Manager thought it was best to bring the item to the Council.

Discussion was held on the service that the non-profit organizations provide; the amount of staff time that it spent on certain events; the various fees relating to facility-use that the council often waives; what the letter that was sent to Mendota Youth Recreation (MYR) regarding the approval of their facility-use applications stated; whether organizations need to sign a contract following the approval of their facility-use application; what the motion of the Council was when the facility-use application for the Harvest Fiesta was approved; the possibility of requiring organizations to sign a contract when their applications are approved; the invoice amount for contract police services for the Harvest Fiesta; the years that MYR has paid for contract police services; and the possibility of allowing organizations decide whether they want to contract police officers or security guards.

**Mark Banuelos (Mendota Youth Recreation)** – stated that the Annual Harvest Fiesta was collaboration between the city and MYR; explained that in the past a City employee would act as a liaison to the non-profit organizations; and stated that there has been years in the past where MYR has paid for contract police services.

**Sergio Valdez (Mendota Youth Recreation)** – stated that he has been volunteering with MYR for a long time; stated that MYR has not paid for contract police services for the Harvest Fiesta in the past, with the exception of when the organization lost its 501(c)3 status; reported that the City reimbursed MYR for the fees they paid for police services when they regained their 501(c)3 status; explained that MYR should not have to pay for the services since the City is a sponsor of the event; explained that he would prefer to hire additional security officers in lieu of contracting police services; and reported on the amount of security officers that he contracted for the event this year.

Discussion was held on the reasons that MYR has an entrance fee for the carnival; whether all individuals have to pay the entrance fee; the amount of officers that are contracted; that the amount of time that the officers are at the carnival; and the years that MYR has paid for police services.

**Sergio Valdez (Mendota Youth Recreation)** – stated that MYR would be paying for contract police services for the Red Ribbon Carnival.

Discussion was held on the amount of officers that MYR has had at both carnivals; amending the fee waiver policy; the possibility of allowing non-profit organizations decide if they want to contract police officers or security guards; the reasons as to why police officers should be contracted in addition to the security guards; the Chief reviewing the security plan for each event; MYR requesting that the Mendota Community Corporation (MCC) donate to the organization to pay for the contract police services for the Harvest Fiesta; the fees associated with renting Rojas-Pierce Park; the different events that MYR holds throughout the year; the current fee waiver policy for profit and non-profit organizations; the revenue that organizations generate from their events; staff analyzing the fee schedule, and bringing options to council; the date of the next MCC meeting; and the upcoming Annual Senior Citizen Thanksgiving Luncheon.

2. Proposed adoption of **Resolution No.17-67**, adopting the list of street projects proposed for SB 1 (Road Maintenance and Rehabilitation Account) funding.

Mayor Castro introduced the item and Assistant City Engineer Osborn summarized the report including that SB 1 has taken affect; the funding being deposited into the Road Maintenance and Rehabilitation Account, some of which will be apportioned to the City; the City being required to provide a list of projects that can receive RMRA funding; AB 135 allowing the City to adopt a list at a public meeting instead of amending the City's budget; submitting the list to the state; and summarized the projects that were included on the list which was composed by the City Manager, Planning & Public Works Director and himself.

Discussion was held on the amount of funding for road projects that the City will receive from various funding sources; what would occur if the bill was repealed; and the list being shown to the public so that they will see what the funding is going to.

A motion was made by Councilor Silva to adopt Resolution No. 17-67, seconded by Councilor Rosales; unanimously approved (5 ayes).

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Code Enforcement & Police Department
  - a) Monthly Report

Police Lieutenant Smith reported that the Code Enforcement officers are working on educating the community on ways to beautify the community such as moving

abandoned vehicles out of the street; stated that there have been no major crimes in the City; and stated that Fresno County Sheriff deputies have been present in the community.

Discussion was held on the Code Enforcement cases for the month of October including as to whether Food Center has a business license; the amount of resources that were spent on an officer that resigned; the amount of citations that were give to the employees of Palm Wonderful for parking illegally; strictly enforcing illegal dumping by giving citations; how illegal building additions are addressed; and the Code Enforcement department improving public relations.

2. Economic Development  
a) Monthly Report

Economic Development Manager Flood summarized the report including that an addendum was issued for the Request for Proposals for the Lease and Development of Property for Cannabis Cultivation; that the City Clerk's office is working on implementing a tool on the City's website where individuals would be able to search for commercial properties that are for sale; and stated that he is continuously working on forging good working relationships with various companies that could potentially come to the City.

Discussion was held on the various businesses that the City is in need of, and businesses that are looking for buildings that suit their needs and are "move-in" ready.

3. City Attorney  
a) Update

City Attorney Kinsey stated that he is working with staff on various projects, and that Nic Cardella is working with the Code Enforcement department on various matters.

Discussion was held on the status of the settlement agreement with Gonzalez Towing.

3. City Manager

Nothing to report.

**MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS**

1. Council Member(s)

Councilor Mendoza requested that the nets for the basketball courts at Veterans Park be replaced.

Discussion was held on the basketball court nets that were donated to the City.

Councilor Rosales inquired on the status of fixing the street lights along Oller Street,



and on the dedication ceremony for the new pocket park on 7<sup>th</sup> Street and Derrick Avenue.

Councilor Silva summarized the items that were discussed at the November 6<sup>th</sup> Public Safety Sub-Committee meeting; inquired on when the joint meeting with the Mendota Unified School District Board of Trustees would be held; and reported on an upcoming Kids in Need of Defense Resource Fair that will be held at Westside Youth Inc.

Councilor Rosales commented on the fall community clean-up event.

2. Mayor

Mayor Castro reported on the upcoming Senior Thanksgiving luncheon.

Sergio Valdez with Mendota Youth Recreation (MYR) stated that MYR would be hosting the Annual Backpack Giveaway event on behalf of the Gutierrez family.

**ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 7:48 p.m. by Councilor Silva, seconded by Councilor Rosales; unanimously approved (5 ayes).

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Rolando Castro, Mayor

ATTEST:

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Matt Flood, City Clerk

CITY OF MENDOTA  
CASH DISBURSEMENTS  
11/14/2017 - 11/22/2017  
Check # 043253 - 043305

Date	Check #	Amount	Vendor	Department	Description
November 14, 2017	43253	\$95,717.00	WESTAMERICA BANK	GENERAL	PAYROLL TRANSFER 10/30/2017 - 11/13/2017
November 22, 2017	43254	\$600.00	LORIE ANN ADAMS	CDBG	PORTFOLIO MANAGEMENT - OCTOBER 2017 HOME/ CDBG LOAN PROGRAM
November 22, 2017	43255	\$600.00	ADMINISTRATIVE SOLUTIONS, INC.	GENERAL	(20) MONTHLY MEDICAL ADMINISTRATION FEE NOVEMBER 2017
November 22, 2017	43256	\$51.27	ADT SECURITY SERVICES	GENERAL	SECURITY SERVICES 12/03/17 - 01/02/18 SENIOR CENTER
November 22, 2017	43257	\$879.15	AFLAC	GENERAL	AFLAC INSURANCE FOR NOVEMBER 2017
November 22, 2017	43258	\$264.92	AMERIPRIDE SERVICES INC.	GENERAL-WATER-SEWER	UNIFORM RENTALS 10/5/17, 10/12/17, 10/19/17, AND 10/26/17
November 22, 2017	43259	\$21.00	GREGG ANDREOTTI	GENERAL	(1) REIMBURSEMENT FOR DEATH CERTIFICATE PURCHASE - CODE ENFORCEMENT
November 22, 2017	43260	\$26,000.00	ARTHUR & ORUM WELL DRILLING INC.	WATER IMPACT	BB LIMITED - (1) EAST & (1) WEST WELL- 12" GRAVEL PACKED WELL 20' SANITATION SEAL
November 22, 2017	43261	\$1,111.85	AT&T	GENERAL-WATER-SEWER	CITY WIDE TELEPHONE SERVICES - 9/25/17 - 10/24/17
November 22, 2017	43262	\$375.00	BAR PSYCHOLOGICAL GROUP	GENERAL	POST PRE-EMPLOYMENT SCREEN (N. ALVARADO - PD)
November 22, 2017	43263	\$70.00	TEOFILO BAUTISTA	WATER-SEWER	REIMBURSEMENT FOR DMV DOT PHYSICAL
November 22, 2017	43264	\$935.88	BEST UNIFORM	GENERAL	2- PANTS, 1-NAME TAPE, 1- NAME PLATE N. ALVARADO (PD), 1-BODY ARMOR - C. TSARIS (PD)
November 22, 2017	43265	\$25,297.63	BLUE SHIELD OF CALIFORNIA	GENERAL	MEDICAL INSURANCE FOR DECEMBER 2017
November 22, 2017	43266	\$16,852.98	BSK ASSOCIATES	WATER-SEWER-STREETS	PROFESSIONAL SERVICES - 7TH & DERRICK INTERSECTION, 8TH STREET RECONSTRUCTION, GENERAL EDT WEEKLY TREATMENT, MONTHLY WASTE
November 22, 2017	43267	\$1,325.91	COMCAST	GENERAL-WATER-SEWER	CITY WIDE XFINITY SERVICES - 11/06/17 - 12/05/17
November 22, 2017	43268	\$175.00	COMMUNITY MEDICAL CENTER	GENERAL	OCTOBER 2017- (1) LEGAL BLOOD DRAW - PD
November 22, 2017	43269	\$645.32	CORBIN WILLITS SYSTEM INC.	GENERAL-WATER-SEWER	ENHANCEMENT & SERVICES FEES - MOMS SOFTWARE - DECEMBER 2017
November 22, 2017	43270	\$106.65	CAPITOL ONE COMMERCIAL	GENERAL	DOG FOOD- ANIMAL CONTROL
November 22, 2017	43271	\$428.66	CROWN SHORTLAND CONCRETE	STREETS	8TH ST, 2ND ST, & NAPLES ST. (3) YD CONCRETE - 6 SACK MIX
November 22, 2017	43272	\$462.00	DEPARTMENT OF JUSTICE	GENERAL	OCTOBER 2017 - (4) FINGERPRINT (1) PEACE OFFICER- PD
November 22, 2017	43273	\$7,248.20	STANTEC CONSULTING SERVICES	SEWER	GROUND WATER SAMPLING AND REPORTING - 3RD QUARTER 2017
November 22, 2017	43274	\$10,833.33	FIREBAUGH POLICE	GENERAL	POLICE DISPATCH SERVICES FOR OCTOBER 2017 - PD
November 22, 2017	43275	\$20,590.00	FRESNO COUNTY ELECTIONS	GENERAL-WATER-SEWER	ALL MAIL BALLOT ELECTION 8/29/2017
November 22, 2017	43276	\$137.99	FRESNO COUNTY SHERIFF	GENERAL	RMS JMS ACCESS FEE FOR OCTOBER 2017 - PD
November 22, 2017	43277	\$170.00	GOVERNMENT FINANCE	GENERAL	MEMBERSHIP RENEWAL FOR 2/1/18 - 1/31/19

**CITY OF MENDOTA**  
**CASH DISBURSEMENTS**  
**11/14/2017 - 11/22/2017**  
**Check # 043253 - 043305**

November 22, 2017	43278	\$20.93	ID CARDS, INC.	GENERAL	(1) CUSTOM PVC CARD DUAL SIDE PHOTO - PD
November 22, 2017	43279	\$49.32	JORGENSEN & COMPANY	GENERAL	(1) SERVICE RECHARGE EXTINGUISHER, PIN SAFETY, RING - PD
November 22, 2017	43280	\$119.84	JENNIFER LEKUMBERRY	GENERAL-WATER-SEWER	MILEAGE REIMBURSEMENT 11/8/17 - EMPLOYMENT RELATIONS CONSORTIUM (LCW WORKSHOP)
November 22, 2017	43281	\$347.15	METRO UNIFORM	GENERAL	(2) OEM STINGER BATTERY - PD, (2) LS SHIRTS XL, (2) PANT, EMBROIDERY, (4) CHEVRON PATCH- PD
November 22, 2017	43282	\$109,392.18	MID VALLEY DISPOSAL, INC.	STREETS-REFUSE	SANITATION CONTRACT SERVICES FOR SEPTEMBER 2017 & OCTOBER 2017, ROLL OFF BIN 40Y EXCHANGE (QTY 4.46), ROLL OFF BIN 10Y EXCHANGE
November 22, 2017	43283	\$1,490.71	MUTUAL OF OMAHA	GENERAL	LIFE, AD&D, LTD, & STD INSURANCE FOR DECEMBER 2017
November 22, 2017	43284	\$979.36	NORTHSTAR CHEMICAL	WATER	(500) GALLON 12.5% SODIUM HYPOCHLORITE - WTP
November 22, 2017	43285	\$337.89	OFFICE DEPOT	GENERAL-WATER-SEWER	MULTIPLE DEPARTMENT - OFFICE SUPPLIES
November 22, 2017	43286	\$450.88	PETTY CASH	GENERAL-WATER-SEWER	PETTY CASH EXPENSES - TAG # 413- 427
November 22, 2017	43287	\$42,770.55	PG&E	GENERAL-WATER-SEWER-STREETS	CITY WIDE UTILITIES 10/17/17 - 11/14/17, WATER DEPARTMENT UTILITIES 10/16/17 - 11/13/17
November 22, 2017	43288	\$5,000.00	PRICE, PAIGE, & COMPANY	GENERAL-WATER-SEWER-STREETS	PROFESSIONAL SERVICES AUDIT YEAR END 6/30/2017
November 22, 2017	43289	\$12,497.70	PROVOST & PRITCHARD	GENERAL-WATER-SEWER	PASSTHRU - TACOBELL SITE PLAN REVIEW, CITY ENGINEERING SERV-RETAINER OCTOBER 2017, PASSTHRU - HANSEN FINAL MAP, PASSTHRU-
November 22, 2017	43290	\$991.99	PURCHASE POWER	GENERAL-WATER-SEWER	POSTAGE METER REFILL 11/10/2017
November 22, 2017	43291	\$248.43	R&B COMPANY	WATER	(6) JCM NUT (6) JCM BOLT FOR CLAMP - WTP , & DELIVERY
November 22, 2017	43292	\$165.00	RED WING SHOE STORE	WATER-SEWER	(1) BOOT REPLACEMENT PER MOU (R. VARELA)
November 22, 2017	43293	\$1,034.06	ERNEST PACKING SOLUTIONS	GENERAL-WATER-SEWER	JANITORIAL SUPPLIES DELIVERY - 11/06/2017
November 22, 2017	43294	\$19.95	SEBASTIAN	GENERAL	SECURITY SERVICES 10/21/17 - 11/20/17 (PD)
November 22, 2017	43295	\$7,652.92	S.E.T. SERVICES	WATER	WTP MAINTENANCE - MOBILIZE, EXCAVATE, EXPOSE 18"DUCT M
November 22, 2017	43296	\$317.59	UNION PACIFIC RAILROAD COMPANY	STREETS	PUBLIC ENCROACHMENT DECEMBER 2017 - 10TH/MARIE, MARIE ST/ 9TH,
November 22, 2017	43297	\$170.00	STATE WATER RESOURCES CONTROL BOARD	SEWER	O.I.T. CERTIFICATION - T. ALARCON
November 22, 2017	43298	\$69,086.25	THE BANK OF NEW YORK MELLON	SEWER	MENDOTA JPFA WASTEWATER 2005 REVENUE BONDS
November 22, 2017	43299	\$576.73	THE SHERWIN-WILLIAMS CO.	STREETS	(2) LINE LAZER RAC 5 TIP STREET STRIPE PAINT MACHINE, (1) LINE LAZER (1) GUARD RAC 5 STREET STRIPE PAINT, (1) GUARD RAC, (3) LINE LAZER
November 22, 2017	43300	\$355.82	TRIANGLE ROCK PRODUCTS, LLC	STREETS	(4.98) TON ST 3/8 CM SC3000 ASPHALT (4TH/ LOLITA ST)
November 22, 2017	43301	\$3,239.25	TOM TUCKER	GENERAL	(1) MENDOTA CITYWIDE VIDEO SYSTEM UPGRADE - PELCO SS - REIMBURSEABLE
November 22, 2017	43302	\$1,094.06	USA BLUEBOOK	WATER	(7) SB ELBOW 1" X1" (6) SB COUPLING, (4) JCM 101 DUCTILE IRON LUG STYLE CLAMP, (3) SB ELBOW 1"X1" COUPLING, (14) SB COUPLING

CITY OF MENDOTA  
 CASH DISBURSEMENTS  
 11/14/2017 - 11/22/2017  
 Check # 043253 - 043305

November 22, 2017	43303	\$1,373.96	VERIZON WIRELESS	GENERAL-WATER-SEWER	CITY WIDE CELL PHONE SERVICES 10/07/17 - 11/ 06/17
November 22, 2017	43304	\$329.32	VULCAN MATERIALS COMPANY	STREETS	(5 TONS) ST 1/2 IN ASPHALT (LOLITA ST)
November 22, 2017	43305	\$16,002.09	WANGER JONES HELSLEY PC ATTORNEYS	GENERAL-WATER-SEWER	LEGAL SERVICES RUI-SANCHEZ V. RIVAS THRU 10/15/17, GENERAL LEGAL SERVICES THRU 10/15/17, LEGAL SERVICES TERTIARY TREATMENT
		<b>\$487,013.67</b>			

CITY OF MENDOTA  
CASH DISBURSEMENTS  
11/29/2017 - 12/7/2017  
Check # 043306 - 043366

Date	Check #	Amount	Vendor	Department	Description
November 29, 2017	43306	\$91,544.52	WESTAMERICA BANK	GENERAL	PAYROLL TRANSFER 11/13/17 - 11/26/17
November 30, 2017	43307	\$32.39	ACE TROPHY SHOP	GENERAL	(3) NAME PLATES FOR COUNCIL CHAMBERS
November 30, 2017	43308	\$529.57	FUTURE FORD OF CLOVIS	GENERAL	UNIT#85 (PD) - REPAIR (1) CONVERTER, EXHAUST, & GASKET
November 30, 2017	43309	\$58.17	OFFICE DEPOT	GENERAL-WATER-SEWER	OFFICE SUPPLIES
November 30, 2017	43310	\$30.00	RAMON'S TIRE & AUTO SERVICE	GENERAL	(2) POLICE DEPARTMENT UNITS - TIRE REPAIR
November 30, 2017	43311	\$500.00	TECH-MASTER PEST MANAGEMENT	GENERAL-WATER-SEWER	CITYWIDE PEST CONTROL FOR NOVEMBER 2017
November 30, 2017	43312	\$303.37	HOME DEPOT	GENERAL-SEWER	MULTIPLE DEPARTMENT SUPPLIES FOR DMV, EDD, & WASTEWATER PLANT
November 30, 2017	43313	\$1,124.07	TRIANGLE ROCK PRODUCTS, LLC	STREETS	STREET REPAIR - 4TH & RIOFRIO- HOT MIX ST 1/2 HMA TYPE ASPHALT
November 30, 2017	43314	\$380.00	VERIZON WIRELESS - GPS	GENERAL-WATER-SEWER	MONTHLY FLEET - LPS SERVICE JULY & AUGUST 2017
November 30, 2017	43315	\$791.46	VULCAN MATERIALS COMPANY	STREETS	LOLITA ST REPAIR (QTY 10.01) HOT MIX 1/2 HMA TYPE A, MARIE ST REPAIR - (QTY 2.04) HOT MIX ST 1/2 HMA TYPE A
December 7, 2017	43316	\$75.00	ADMINISTRATIVE SOLUTIONS, INC	GENERAL	(5) HRA ADMINISTRATIVE - DECEMBER 2017 - PD
December 7, 2017	43317	\$271.84	ADT SECURITY SERVICES	GENERAL-WATER-SEWER	SECURITY SERVICES - CITY HALL, EDD, & DMV 12/11/17 - 1/12/18
December 7, 2017	43318	\$110.57	AG & INDUSTRIAL SUPPLY INC.	WATER-STREETS	BACKHOE PARTS- (8.5) HYDRAULIC HOSE 3/4 2WIRE, (1) GLOBAL PC FLAT
December 7, 2017	43319	\$262.17	ANTHONY'S SHOP	STREETS	(1) NEW REPLACEMENT OEM MARINE PMGR STARTER - STREET SWEEPER
December 7, 2017	43320	\$870.16	AUTOMATED OFFICE SYSTEMS	GENERAL-WATER-SEWER	MAINTENANCE CONTRACT-COPY MACHINE NOVEMBER 2017 - CITY HALL, MAINTENANCE CONTRACT-COPY MACHINE NOVEMBER 2017 - PD
December 7, 2017	43321	\$1,122.27	AT&T	GENERAL-WATER-SEWER	CITYWIDE TELEPHONE SERVICES 10/25/17 - 11/24/17, POLICE DEPARTMENT DISPATCH 10/27/17 - 11/26/17
December 7, 2017	43322	\$459.50	AT&T MOBILITY	GENERAL	AIRCARDS FOR PD 10/20/17 - 11/19/17
December 7, 2017	43323	\$359.00	BSK ASSOCIATES	WATER-SEWER	GENERAL EDT WEEKLY TREATMENT & DISTRIBUTION, SOURCE WATER MONITORING PROFILE-EDT, MONTHLY WASTEWATER (WEEK 2-5)
December 7, 2017	43324	\$16,925.00	CENTRAL VALLEY SWEEPING, LLC	STREETS	STREET SWEEPING SERVICE - 11/3/17 FRIDAY, 11/6/17 MONDAY, 11/8/17 FRIDAY, 11/13/17 MONDAY, 11/15/17 WEDNESDAY, 11/17/17 FRIDAY
December 7, 2017	43325	\$423.00	CENTRAL VALLEY TOXICOLOGY	GENERAL	POLICE DEPARTMENT LAB ANALYSIS- (1) ETHYL ALCOHOL, (1) ABUSE SCREEN, (1) CORONER'S COMPLETE DRUG SCREEN (1) DRUG CONFIRMATION LEVEL
December 7, 2017	43326	\$370.26	COLONIAL LIFE	GENERAL	LIFE INSURANCE NOVEMBER 2017
December 7, 2017	43327	\$190.26	CAPITOL ONE COMMERCIAL	GENERAL-WATER-SEWER	(7) WATER 40PK, (4) COFFEE, (3) CREAMER, (3)SPLENDA
December 7, 2017	43328	\$88.80	CROWN SERVICES CO.	GENERAL-SEWER	TOILET 1XWK - PD, TOILET W/ SINK 1XWK - WWTP
December 7, 2017	43329	\$800.00	D&D DISPOSAL INC.	GENERAL	ANIMAL DISPOSAL - NOVEMBER 2017
December 7, 2017	43330	\$150.00	DISCOUNT SHRED	GENERAL	DOCUMENT DESTRUCTION - 96 GAL BIN - PD

CITY OF MENDOTA  
CASH DISBURSEMENTS  
11/29/2017 - 12/7/2017  
Check # 043306 - 043366

December 7, 2017	43331	\$4,508.65	STANTEC CONSULTING SERVICES	SEWER	GROUNDWATER SAMPLING AND REPORTING 2ND QUARTER 2017
December 7, 2017	43332	\$292.13	EPPLER TOWING & RECOVERY	STREETS	STREET SWEEPER - REPAIR, LABOR, & PARTS
December 7, 2017	43333	\$1,130.15	FERGUSON ENTERPRISE, INC.	SEWER	(2) 8X12 REP CLAMP (2) SS REP CLAMP - REPAIR CLAMPS
December 7, 2017	43334	\$10,833.33	FIREBAUGH POLICE	GENERAL	DISPATCH SERVICES 11/1/17 - 11/30/17 - PD
December 7, 2017	43335	\$137.99	FRESNO COUNTY SHERIFF	GENERAL	PMS JMS ACCESS FEE FOR NOVEMBER 2017 - PD
December 7, 2017	43336	\$434.00	FRESNO MOBILE RADIO, INC	GENERAL	(31) POLICE DEPARTMENT RADIOS FOR NOVEMBER 2017
December 7, 2017	43337	\$42.13	FUTURE FORD OF CLOVIS	GENERAL	VEH #91- REPLACE AFTERMARKET BATTERY TERMINAL- PD
December 7, 2017	43338	\$14,011.60	GIERSCH & ASSOCIATES INC.	SEWER	PROFESSIONAL SERVICES - LOZANO LIFT JULY - OCTOBER 2017
December 7, 2017	43339	\$274.00	LEXIS NEXIS	GENERAL-WATER-SEWER	SUBSCRIPTION FOR NOVEMBER 2017
December 7, 2017	43340	\$4,199.75	MALLORY SAFETY & SUPPLY LLC	GENERAL	REIMBURSABLE- HOMELAND SECURITY GRANT (12) HELMET BALLISTIC (12) BAG ZIPER (12) PAULS
December 7, 2017	43341	\$10,142.99	MENDOTA DESIGNATED LOCAL AUTHORITY	GENERAL	REPAYMENT TO RDA \$304,290.00 LOAN
December 7, 2017	43342	\$793.20	NORTHSTAR CHEMICAL	WATER	SODIUM HYPOCHLORITE - 12.5% MILL A (QTY 400 GAL)
December 7, 2017	43343	\$15,883.30	PROVOST & PRITCHARD	GENERAL- STREETS	CITY STAFF - PLANNING SERVICES, PROFESSIONAL SERVICES FOR OCTOBER 2017 FOR DERRICK & 7TH AND 8TH STREET RECONSTRUCTION
December 7, 2017	43344	\$528.00	SAN JOAQUIN VALLEY AIR	WATER	18/19 -1 CUMMINS DIESEL FIRED EMERGENCY ENGINE GENERATOR
December 7, 2017	43345	\$39.90	SEBASTIAN	GENERAL	SECURITY SERVICES - PD 11/21/17 - 12/20/17
December 7, 2017	43346	\$296.93	SIERRA DISPLAY, INC.	GENERAL	(500) 10-WATT, 130 VOLT, STEADY BURN LAMP (RED, GREEN, AMBER, CLEAR)
December 7, 2017	43347	\$811.24	SMITH & LOVELESS, INC.	SEWER	(3) PUMP VAC REPAIR KIT - SEWER MAINTENANCE & REPAIR
December 7, 2017	43348	\$833.35	SORENSEN MACHINE WORKS	GENERAL-WATER-SEWER	MULTIPLE DEPARTMENT SUPPLIES FOR NOVEMBER 2017
December 7, 2017	43349	\$3,016.92	BANKCARD CENTER	GENERAL-WATER-SEWER	CREDIT CARD EXPENSES 10/24/17 - 11/17/17
December 7, 2017	43350	\$307.23	SUNNYSIDE TROPHY	GENERAL	(2) ROSEWOOD PLAQUES (1) PERPETUAL - PD
December 7, 2017	43351	\$194.85	TCM INVESTMENTS	GENERAL	MPC3503 LEASE PAYMENT COPIER - PD
December 7, 2017	43352	\$117.60	THOMASON TRACTOR COMPANY	GENERAL	(1) 16" BAR & CHAIN LOOP - PARKS CHAIN SAW, (1) SOCKET SET- TRACTOR
December 7, 2017	43353	\$3,500.00	TOWNSEND PUBLIC AFFAIRS, INC.	GENERAL-WATER-SEWER	GRANT CONSULTING SERVICES FOR NOVEMBER 2017
December 7, 2017	43354	\$50.00	TRANSUNION RICK & ALTERNATIVE DATA	GENERAL	TRANSUNION RISK AND ALTERNATIVE SEARCHES FOR OCTOBER AND NOVEMBER 2017 - PD
December 7, 2017	43355	\$94.56	UNIFIRST CORPORATION	GENERAL-WATER-SEWER	DECEMBER 2017 JANITORIAL SERVICES

CITY OF MENDOTA  
 CASH DISBURSEMENTS  
 11/29/2017 - 12/7/2017  
 Check # 043306 - 043366

December 7, 2017	43356	\$77.75	USA BLUEBOOK	WATER	(1) PUMP HEAD- FOR CHLORINE PUMP #1
December 7, 2017	43357	\$216.54	WALMART COMMUNITY/RFSCSLLC	GENERAL	POLICE DEPARTMENT SUPPLIES
December 7, 2017	43358	\$12,188.39	WANGER JONES HELSLEY PC ATTORNEYS	GENERAL-WATER-SEWER	LEGAL SERVICES- SPECIAL LEGAL SERVICES THRU 11/15/17, GENERAL LEGAL SERVICES OCTOBER 2017
December 7, 2017	43359	\$86.89	MARTA GOMEZ	WATER	MQ CUSTOMER REFUND FOR GOM0091
December 7, 2017	43360	\$23.60	CARLOS QUINTANAR	WATER	MQ CUSTOMER REFUND FOR HEL0043
December 7, 2017	43361	\$55.64	CARLOS IRAHETA	WATER	MQ CUSTOMER REFUND FOR IRA0009
December 7, 2017	43362	\$75.39	JAMKE	WATER	MQ CUSTOMER REFUND FOR JAM0001
December 7, 2017	43363	\$38.36	FILEMON AVALOS NUNEZ	WATER	MQ CUSTOMER REFUND FOR NUN0028
December 7, 2017	43364	\$150.00	HOMES OSBORNE	WATER	MQ CUSTOMER REFUND FOR OSB0001
December 7, 2017	43365	\$41.24	MARIO QUIJADA	WATER	MQ CUSTOMER REFUND FOR QUI0050
December 7, 2017	43366	\$64.78	JUAN MANUEL RODRIGUEZ	WATER	MQ CUSTOMER REFUND FOR ROD0079
		<b>\$203,263.76</b>			

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**AGENDA ITEM**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** MICHAEL OSBORN, P.E., ASSISTANT CITY ENGINEER

**VIA:** VINCE DIMAGGIO, CITY MANAGER

**SUBJECT:** 2017 CONGESTION MITIGATION & AIR QUALITY IMPROVEMENT  
(CMAQ) PROGRAM APPLICATION – AB 1012

**DATE:** DECEMBER 12, 2017

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**ISSUE**

Would the City Council adopt the attached resolution approving that upcoming Congestion Mitigation & Air Quality Improvement (CMAQ) Program project will meet project delivery schedules and that staff will be directed to ensure that the project is delivered timely?

**BACKGROUND**

The Fresno Council of Governments has issued the regional call for projects for the 2017 Congestion Mitigation & Air Quality Improvement (CMAQ) Program. On November 30, 2017, Provost & Pritchard, on behalf of the City of Mendota, submitted an application for CMAQ Program funding for the purchase of a new CNG Vactor Truck into the regional competitive bid process.

Approval of AB 1012 now requires that both State and Federal funds be used in a “timely” manner. In order to avoid losing any Federal or State funds to our Region, the “use it or lose it” requirements of AB 1012 place local governmental agencies in a position that they must be able to deliver their projects on time. That is, they must be able to meet their project delivery schedules as proposed and as programmed within the Federal Transportation Improvement Program (FTIP). Because the issue of project delivery is so important, the CMAQ Program Scoring Committee may take into consideration as a part of a project’s “subjective” evaluation score (18/100 points), the local agency’s ability to deliver projects in a timely manner (i.e. past performance/current ability to deliver projects rapidly).

The approval of the attached resolution completes the application and fulfills the intent of AB 1012.



## **ANALYSIS**

The project involves the purchase of a vehicle. Once the grant funding is allocated and authorized, the City can act quickly to meet project delivery milestones. Based on the program's tentative schedule, the funding won't be available until January 2019. The purchase can then occur in the latter half of FY 2018/19. City staff has received a quote from a vehicle manufacturer, providing the basis for the grant funding requested.

## **FISCAL IMPACT**

There would not be any fiscal impact to the approval of the resolution. With approval, the grant funding application can be deemed complete and be scored to its highest potential. If the Fresno COG Policy Board chooses to fund the project, the City's costs would be those outlined in the application. While CMAQ does require a local match (typically 11.47%), it is anticipated that the City will use part of their CMAQ "Lifeline" fund allocation for their match. Lifeline project submittals are due April 10, 2018.

## **RECOMMENDATION**

Staff recommends that the City Council adopt the attached resolution approving that upcoming Congestion Mitigation & Air Quality Improvement (CMAQ) Program project will meet project delivery schedules and that staff will be directed to ensure that the project is delivered timely.

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA SUPPORTING  
AND IMPLEMENTING TIMELY USE OF  
FUNDING FOR FEDERAL TRANSPORTATION  
PROJECT SELECTION**

**RESOLUTION NO. 17-68**

**WHEREAS**, AB 1012 has been enacted into State Law in part to provide for the “timely use” of State and Federal funding; and

**WHEREAS**, the City is able to apply for and receive Federal and State funding under the Federal Transportation Act; and

**WHEREAS**, the City desires to ensure that its project, the purchase of a CNG Vactor Truck, is delivered in a timely manner to preclude the Fresno Region from losing those funds for non-delivery; and

**WHEREAS**, it is understood by the City that failure for not meeting project delivery dates for any phase of a project may jeopardize federal or state funding to the Region; and

**WHEREAS**, the City must demonstrate dedicated and available local matching funds; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota hereby agrees to ensure that all project delivery deadlines for all project phases will be met or exceeded.

**BE IT FURTHER RESOLVED**, that failure to meet project delivery deadlines may be deemed as sufficient cause for the Fresno Council of Governments Policy Board to terminate an agency’s project and reprogram Federal/State funds as deemed necessary.

**BE IT FURTHER RESOLVED**, that the City Council does direct its management and engineering staffs to ensure all projects are carried out in a timely manner as per the requirements of AB 1012 and the directive of the City Council.

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Rolando Castro, Mayor

ATTEST:

I, Matt Flood, 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 12<sup>th</sup> day of December, 2017, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Matt Flood, City Clerk

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**AGENDA ITEM**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** DAVID McGLASSON, CITY ENGINEER

**VIA:** VINCE DIMAGGIO, CITY MANAGER

**SUBJECT:** CITY COUNCIL APPROVAL OF THE FINAL MAP OF TRACT 6149,  
PHASE IX OF LAS PALMAS ESTATES

**DATE:** NOVEMBER 28, 2017

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**ISSUE**

Should the Council approve the final map of Tract 6149?

**BACKGROUND**

Vesting Tentative Map No. 5483 was approved on March 22, 2005, and was initially valid through March 22, 2007. The Subdivision Map Act (Govt. Code Section 66410, *et seq.*) establishes the criteria for all divisions of land in California, and is implemented via the City of Mendota Subdivision Ordinance (Mendota Municipal Code Title 16). The Map Act provides various mechanisms by which approved maps can be extended without action being taken by the City. Through mechanisms provided by Govt. Code Sections 66452.6(a)(1) and 66452.24, the approved Vesting Tentative Map has received a number of automatic extensions and finally expired March 22, 2017. Since this Final Map was filed with the City before that expiration date, it remains a valid application.

Multiple final maps may be filed, approved, and recorded consistent with the provisions of the approved tentative map. In addition to creating some number of individual lots for imminent development, each phased final map may result in the creation of an unsubdivided remainder parcel, which itself may be further subdivided via a new final map, and so forth.

A note regarding the tract numbering system: in Fresno County, prior to submitting a tentative map for processing, a subdivider must contact the Recorder's Office to be assigned a unique tract number for that tentative map; in this case 5483. Filing of multiple phased final maps based on an approved tentative map requires that each subsequent final map after the first be assigned its own unique tract number. As a result, Vesting Tentative Map No. 5483 has resulted in final maps numbered 5483, 5678, 5826, 5835, 5847, 5925, 6111, 6146, 6148 and now 6149<sup>1</sup>. This is the last final map for this Tentative Map and completes the subdivision.

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<sup>1</sup> Tract 6149 is commonly referred to as Phase IX of Las Palmas Estates. However, since Phase II of the project was split into two sub-phases (IIA and IIB), Phase IX is actually the tenth phased final map recorded for the project.

## **ANALYSIS**

The owner, KSA Investments, LLC, has submitted a final map covering the remainder parcel resulting from the recordation of Tract No. 6148. The map, Tract No. 6149, is located north of Holmes Avenue and is immediately east of recently-recorded Tract No. 6148. It includes 46 single-family lots along with local streets, curb, gutter, sidewalk, streetlights, and underground utilities. It is the last development area within the overall Las Palmas project.

As is typical with final maps, the required improvements for service of the mapped area will not be installed prior to final map approval. To that end, the City has prepared a subdivision agreement meeting the requirements of the City Engineer as to content and the City Attorney as to form. The Subdivision Agreement dictates timelines for installation of the required infrastructure, provides for payment of development impact fees, and establishes the required bonds to ensure timely completion of the project. The 46 single-family lots created via recordation of the map will be subject to a total of \$452,811.41 of development impact fees.

### **Environmental Assessment**

Approval of a final map is ministerial in nature, meaning that it does not involve exercise of discretion or judgment during consideration. The Council is required to approve the final map if it substantially conforms to the approved tentative map, and is required to deny the final map if it does not substantially conform (Govt. Code Section 66474.1). Ministerial projects, expressly including approval of final maps, are exempt from environmental review under the California Environmental Quality Act (CEQA Guidelines Section 15268(b)(3)).

### **Public Notice**

No public notice is required for approval of a final map.

### **Findings**

The City Engineer has reviewed the final map and improvement plans, and makes the following determinations:

1. He has reviewed the map.
2. The subdivision as shown is substantially the same as it appeared on the tentative map.
3. The subdivider has complied with all provisions of Chapter 2 of the Subdivision Map Act (commencing with Govt. Code Section 66425) and all local ordinances in effect at the time of tentative map approval.
4. He is satisfied that the map is technically correct.

## **FISCAL IMPACT**

Any costs associated with review, processing, and recordation of the final map are pass-through costs that are paid by the project proponent. Development impact fees, discussed above and less any amount credited for offsite construction, would be collected to fund City capital improvements. There would be no impact to City funds.

**RECOMMENDATION**

Staff recommends that the City Council adopts Resolution No. 17-69, approving the final map of Tract 6149, accepting all rights-of-way and other public dedications indicated thereon, and approving the subdivision agreement, development impact fees, and bond amounts.

**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 APPROVAL OF THE FINAL MAP OF  
TRACT NO. 6149, AND ENTERING INTO A  
SUBDIVISION AGREEMENT THEREFOR**

**RESOLUTION NO. 17-69**

**WHEREAS**, KSA Investments, LLC, a Delaware Limited Liability Company, (“Owner”) has applied for approval of a final map designated as Tract No. 6149, Phase IX of Las Palmas Estates (“Map”); and

**WHEREAS**, the Map comprises a 46-lot phased final map prepared pursuant to approved Vesting Tentative Map No. 5483, said Vesting Tentative Map valid as of the time of filing of the final map; and

**WHEREAS**, the property to be subdivided lies entirely within the corporate boundary of the City of Mendota; and

**WHEREAS**, all of the certificates that appear on the Map, excepting the approval certificate of the City Clerk and the recording certificate of the Fresno County Recorder, have been signed and acknowledged; and

**WHEREAS**, the Map conforms to all of the requirements of the Subdivision Map Act of the State of California (Govt. Code Section 66410, *et seq.*), and all City of Mendota ordinances, resolutions, and standards in effect at the time of tentative map approval, excepting that Govt. Code Sections 66492 and 66493 may not be fully complied with at the time of passage of this resolution, the owner previously having filed with the Clerk of the Board of Supervisors of Fresno County a Tax Compliance Certificate Request along with copies of the final map considered herein by the City Council; and

**WHEREAS**, the Owner, whose signature appears on the Map, has offered for dedication certain streets, public utility easements, access rights, and other public properties and uses as shown and delineated on said map; and

**WHEREAS**, the Owner has caused to be prepared Plans, Specifications, and Detail Documents (“Plans”) illustrating consistent with the City of Mendota Standard Specifications and Standard Drawings and other specifications and standards as required the type, location, and extent of public improvements to be installed within and without the boundary of the Map; and

**WHEREAS**, the City Engineer has reviewed said Plans and deemed that they accurately depict the requirements of said Standard Specifications, Standard Drawings, and other specifications and standards; and

**WHEREAS**, at the time of approval of the Map, said public improvements have not been completed or accepted pursuant to the requirements of Title 16 of the Mendota Municipal Code and as a result the Owner shall be required to enter into a subdivision agreement detailing the timing of improvements, payment of fees, and bonds to be acquired to ensure timely and proper installation of said improvements; and

**WHEREAS**, approval of a final map is considered to be ministerial in nature, and is therefore exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15268(b)(3); and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mendota that the final map of Tract No. 6149 as incorporated herein as Attachment A hereto substantially conforms to approved Vesting Tentative Map No. 5483, and is hereby approved.

**BE IT FURTHER RESOLVED** by the City Council of the City of Mendota that the Mayor of the City is hereby authorized to sign the subdivision agreement on behalf of the City of Mendota, said subdivision agreement incorporated herein by reference.

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Rolando Castro, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at Mendota City Hall on the 12<sup>th</sup> day of December, 2017 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Matt Flood, City Clerk



**SUBDIVISION AGREEMENT**  
**TRACT No. 6149**  
**PHASE IX OF VESTING TENTATIVE MAP No. 5483**

**Las Palmas Estates**

**CITY OF MENDOTA**  
**FRESNO COUNTY, CALIFORNIA**

**THIS AGREEMENT** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between the City of Mendota, a Municipal Corporation (herein "City"), and KSA Investments, L.L.C., a Delaware Limited Liability Company (herein "Owner"), the owner of record, without regard for number or gender.

**RECITALS**

A. Owner has filed with the City a Final Map proposing the subdivision of land owned by Owner, and referred to as Tract No. 6149, Phase IX of Las Palmas Estates, situated in the City of Mendota, along with certain Plans, Specifications and Detail Documents. Upon requesting approval by the City, Owner shall deliver all required documents and pay all fees required under the Mendota Municipal Code, and this Agreement.

B. City requires as a condition precedent to the acceptance and approval of the Final Map the dedication of such streets, highways and public places and easements as are delineated and shown on the Final Map, and deems the same as necessary for the public use, and also requires any and all streets delineated and shown on the Final Map shall be improved by the construction and the installation of the improvements hereinafter specified.

C. Section 16.32.390 of the Mendota Municipal Code requires the Owner to enter into this Agreement with City whereby Owner agrees to do, perform and complete the work and matters required as Conditions of Approval for Vesting Tentative Map No. 5483 as set forth in Exhibit "C" attached hereto, hereinafter referred to as "Conditions of Approval", within the time hereinafter specified.

D. Owner desires to construct the improvements and develop the Subject Property.

E. Owner hereby warrants that any and all parties having record title interest in the Final Map which could ripen into a fee have subordinated to this instrument and all such instruments of subordination, if any, are attached hereto and made a part hereof.

**AGREEMENT**

In consideration of approval by the City of the Final Map of Tract No. 6149 (Phase IX of Vesting Tentative Map No. 5483) for filing and recording as provided and required by law, it is mutually agreed and understood by and between Owner and City as follows:

1. Owner shall perform the onsite and offsite work and improvements hereinafter specified to the satisfaction of the City Engineer. Owner understands and

agrees that the following schedule of work is intended to provide a guideline as to diligent prosecution of the work under this agreement.

In any event, the Owner agrees to furnish and install the following and agrees to complete all improvements hereinafter specified to the satisfaction of the City Building Official and the City Engineer within a period not to exceed twenty-four (24) months.

The Owner agrees to construct all improvements per the drawings and specifications on file with the City and the time allotted per the following schedule:

	<b><u>Date of Completion</u></b>
Onsite and Offsite Grading	10-1-2019
Water Facilities	10-1-2019
Sewer Facilities	10-1-2019
Storm Drainage Facilities	10-1-2019
Gas, Electrical, and Telephone Facilities	10-1-2019
Street Improvements including Sidewalks	10-1-2019
Street Lights and Signage	10-1-2019

If the construction of the improvements shall be delayed without the fault of Owner, the time for completion thereof may be extended by the City Council for such period as the City Council may deem reasonable.

Building permits for homes within the Division may be issued once the water system has been installed, tested and accepted by City, and fire protection is available to the lots within the Division. However, all construction covered by this agreement shall be completed prior to issuance of any Certificates of Occupancy for dwellings within the Division. No model home certificates of occupancy will be allowed. Certificates of Occupancy may be issued by the Building Official at his discretion upon completion of all improvements and all building construction in accordance with applicable codes, standards and this Agreement.

2. Wherever used in this agreement, the following words and phrases shall have the meaning herein given, unless the context requires a different meaning:
  - a. "Engineer" shall mean the City Engineer of the City of Mendota, or duly authorized representative.
  - b. "Inspector" shall mean the City Engineer, and/or the City Building Official, Building Inspector, Public Works Director, and/or Public Utilities Director of the City of Mendota.
  - c. "Standard Specifications" shall mean the Standard Specifications of the City of Mendota dated September 2007, as amended; and State Standard Specifications, current revision, as applicable, including attached details and amendments thereto.

- d. "Division" shall mean and include the real property shown and described on the final map of Tract No. 6149, Phase IX of approved Vesting Tentative Map No. 5483, Las Palmas Estates, including street areas of adjacent existing public streets to the centerlines thereof.
3. On or before March 1, 2018, Owner shall grant to the City that certain real property situated in the County of Fresno, state of California described in Exhibit "E" attached hereto and by this reference made a part hereof. If Owner has not conveyed said property by that time, Owner shall be deemed to be in default under this Agreement. Owner acknowledges that the property described in Exhibit "E" is unique in that such property is required to support and essential to the development Phase IX of Vesting Tentative Map No. 5483 and that damages would not adequately compensate the City for Owner's failure to transfer the property to the City. Therefore, if Owner breaches its obligation to transfer the property to the City, Owner acknowledges that specific performance is an appropriate remedy and that the consideration Owner has received hereunder is fair and adequate; provided, however, that nothing herein shall act to limit the City's right and ability to pursue all remedies available at law or in equity upon default by Owner under this Agreement.
4. All of the work and improvements and materials shall be performed, installed, and provided in strict accordance with the Standard Specifications, and all applicable Building Codes incorporated herein as though set forth in full. All said work and improvements shall also comply with the requirements of the City of Mendota Municipal Code. All of said work and improvements and materials shall be done, performed, and installed under the supervision of the Engineer and the Building Official of the City of Mendota, under whose directions the work shall be inspected as it progresses.

Notwithstanding the fact the Owner's plans and specifications, completion of the work, and other acts are subject to approval of the City, it is understood and agreed that any approval of the City hereof shall in no way relieve Owner of satisfactorily performing said work or Owner's obligations hereunder.

5. Owner agrees to perform and construct all work and improvements shown on the approved Plans on file with the Building Official of the City of Mendota,
6. Owner and City hereby agree that Owner is obligated to pay those fees and charges as set forth on Exhibit "A", attached hereto and incorporated herein by reference. Said fees and charges are due and payable upon approval of the Agreement by the City, unless agreed otherwise. City fees shall be collected per City regulations, or upon issuance of individual building permits for residences within the tract as agreed between Owner and City in accordance with applicable City ordinances and regulations.
7. Neither City nor any of its officers or agents shall be liable to Owner or its contractors for any error or omission arising out of or in connection with any work to be performed under this contract.
8. City shall not be liable to Owner or to other person, firm, or corporation whatsoever, for any injury or damage that may result to any person or property by or from any cause whatsoever in, on, or about the subdivision of said land covered by this agreement, or any part thereof.

9. Owner hereby releases and agrees to indemnify and hold City and its officers, agents, and employees harmless from and against any and all injuries to and deaths of persons and injuries to property, and all claims, demands, costs, loss, damage and liability, howsoever, the same may be caused and whensoever the same may appear, resulting directly or indirectly from the performance or non-performance of any or all work to be done in and upon the public street rights-of-way and upon the premises adjacent thereto pursuant to this agreement, and also from any and all injuries to and deaths of persons and injuries to property or other interests, and all claims, demands, costs, loss, damage, and liability, howsoever same may be caused and whensoever the same may appear, either directly or indirectly made or suffered by the Owner, the Owner's agents, employees, and subcontractors, while engaged in the performance of said work.

Prior to the commencement of any work pursuant to this contract, Owner's contractors shall furnish to City satisfactory evidence of insurance policies written upon forms and by companies which meet with the approval of the City, insuring City and its respective officers, agents, and employees against loss or liability which may arise during the work of which may result from any of the work herein required to be done, including all costs of defending any claim arising as a result thereof. The minimum limits of such policy shall be in the amount of:

- a. Comprehensive Liability (including operations, products and completed operations.) \$2,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
- b. Auto Liability: \$1,000,000 per accident for bodily injury and property damage.
- c. Workers Compensation and Employers Liability: Worker's Compensation limits as required by the Labor Code of the State of California and Employers Liability limits of \$1,000,000 per accident.

Said policy or policies shall include coverage for underground explosion and collapse. Said policy shall be in favor of Owner or Owner's contractors and of the City, Provost & Pritchard Consulting Group (City Engineer), and their respective officers, agents, and employees and shall be maintained in full force and effect during the life of this agreement. Said policy shall state by its terms and by an endorsement that said policy shall not be cancelled until City shall have had at least 30 days notice in writing of such cancellation. The Owner shall furnish the City with a copy of any and all insurance policies, along with a declarations page for each, adding the above-named entities as additional insured.

10. Upon completion of the improvements agreed to herein, Owner shall file a Notice of Completion of the improvements herein specified pursuant to Government Code Section 66499(b). This instrument shall be recorded and indexed in the Grantor Index to the names of all record owners of the property and in the Grantee Index to the City.

11. At the time Plans, Specifications, and Detail Documents for offsite and onsite improvements are approved, Owner shall submit the final documents and shall furnish to the City in a form acceptable to the City Attorney the following:
  - a. Improvement security in the amount of one-hundred percent (100%) of the total estimated cost for the faithful performance of all work and improvements required by this agreement;
  - b. Improvement security in the amount of fifty percent (50%) of the estimated cost of all required work to secure payment to the Contractor, his or her subcontractors, and to persons renting equipment or furnishing labor or materials for such improvements;
  - c. Improvement security to secure the maintenance of the offsite improvements for a period of one (1) year after the completion and acceptance thereof against any defective work or labor done, or defective materials furnished, in the performance of the agreement with the City or the performance of the act. Said security shall not exceed an amount equal to ten percent (10%) of the estimated cost of furnishing and installing said Offsite facilities. This security shall be in addition to any warranty required of the manufacturer;
  - d. Security in the amount equal to the estimated cost of placing all monuments and lot corners not set at the time the Final Map is recorded, as specified by the Subdivision Ordinance.
  - e. As a part of the obligation guaranteed by the security and in addition to the face amount of the security, there shall be included costs and reasonable expenses and fees, including reasonable attorney's and administration fees, incurred by the local agency in successfully enforcing the obligation secured.
  - f. Security in the estimated amount of taxes and special assessments collected as taxes which are a lien but which are not as yet payable as referred to in Government Code Section 66493, or satisfactory evidence in the form of a written receipt of prepayment of said taxes and special assessments as described herein at the time of recordation of the Final Map.
12. Owner and Owner's contractors and subcontractors shall pay for any materials, provisions and other supplies or terms used in, upon, for, or about the performance of the work contracted to be done, and for any work or labor thereon of any kind and for amounts due under the Unemployment Insurance Act of the State of California, with respect to such work or labor, and shall file with City pursuant to Section 3800 of the Labor Code a Certificate of Worker's Compensation and shall maintain a valid policy of Worker's Compensation Insurance for the duration for the period of construction.
13. Compaction soil tests and retests shall be paid for by Owner. Street and onsite utility trench tests shall be taken in varying locations and depths as required and directed by the Engineer.

14. Owner shall comply with Street, Plumbing, Electrical, and Zoning Codes and any other Codes of the City, and Owner shall secure an Encroachment Permit before working within any City of Mendota public right-of-way.
15. Owner shall coordinate all work done by Owner's contractors and subcontractors, such as scheduling the sequence of operations and the determination of liability if one operation delays another. In no case shall representatives of City be placed in the position of making decisions that are the responsibility of Owner. It shall further be the responsibility of Owner to give the City Engineer written notice not less than two (2) working days in advance of the actual date on which work is to be started. Failure on the part of Owner to timely notify the City Engineer may cause delay for which Owner shall be solely responsible.

Whenever Owner varies the period during which work is carried on each day, Owner shall give due notice to the Engineer so that proper inspection may be provided. Any work done in the absence of the Engineer will be subject to exposure, inspection, and potential rejection.

Inspection of the work shall not relieve Owner of any of Owner's obligations to fulfill the Agreement as prescribed. Defective work shall be made good by Owner and unsuitable materials will be rejected when discovered, notwithstanding the fact that such defective work and unsuitable materials may have been previously overlooked by the City Engineer, Inspector and/or Building Official and accepted.

16. Any damage to the Public Water, Sewer, or Stormwater Systems, concrete work, or street paving that occurs after installation and prior to final acceptance shall be made good to the satisfaction of the City Engineer by Owner before release of bonds and final acceptance of completed work.
17. Adequate dust and mud control shall be maintained by Owner on all onsite and offsite work required to be done under this agreement from the time work is first commenced in the development until the paving is completed. "Adequate dust control" as used herein shall mean the sprinkling with water and/or the laying of a coat of dust palliative thereon with sufficient frequency to prevent the scattering of dust by wind or the activity of vehicles and equipment.

Whenever in the opinion of the City Engineer adequate dust control is not being maintained as required by this paragraph and the requirements of the SJVAPCD, the City Engineer shall give notice to Owner to comply with the provisions of the paragraph forthwith. Such notice may be personally served upon Owner or, if Owner is not an individual, upon any person who has signed this agreement on behalf of Owner, or a superintendent or foreman of Owner or Owner's subcontractor at the subdivision or, at the election of the City Engineer, such notice may be mailed to Owner or Owner's address on file with the City Engineer.

If within twenty-four (24) hours after such personal service of such notice or within forty-eight (48) hours after the mailing thereof as herein provided Owner shall not have commenced to maintain adequate dust control or shall at any time hereafter fail to maintain adequate dust control, the City Engineer may, without

further notice of any kind, cause any such work to be completed by City forces or by others, as he may deem advisable to eliminate the scattering of dust. Owner agrees to pay to City forthwith, upon receipt of billing therefore, the entire cost to City of such work. When the surfacing on any existing street area is disturbed, this surfacing shall be replaced with temporary or permanent surfacing within fourteen (14) calendar days, and the roadway shall be maintained in a safe and passable condition at all times between the commencement and final completion, and adequate dust control shall be maintained during these operations.

18. Owner shall perform all work within the public rights-of-way and install all street improvements in accordance with Title 16, Chapter 16.32 of the Municipal Code of the City of Mendota, the City of Mendota Standard Specifications, and the State of California Department of Transportation Standard Specifications, current edition, and the approved construction plans.
19. Concrete curbs and gutters, the sanitary sewer system, water system, storm drainage pipeline and structures, together with water mains, gas mains, and their respective service connections, shall be completed and accepted by the City Engineer before finish pavement improvements are started.
20. Time is of the essence of this agreement, and the same shall bind and inure to the benefit of the parties hereto, their successors and assigns.
21. No assignment of this agreement nor of any duty or obligation of performance hereunder shall be made in whole or in part by Owner without the prior written consent of City.
22. This agreement includes the following Exhibits that are included herewith and made a part of this agreement:
  - a. Exhibit A – Fees and Bond Requirements
  - b. Exhibit B – Security
  - c. Exhibit C – Resolution and Conditions of Approval, Vesting Tentative Map No. 5483
  - d. Exhibit D – Final Map, Tract No. 6149, Las Palmas Estates Phase IX
  - e. Exhibit E – Legal Description and Exhibit Map for 37,220 SF Parcel to be granted back to the City.
23. In the event it becomes necessary for either party to bring an action with respect to enforcement of the provisions of this agreement, or the security herewith, the prevailing party in such action shall be awarded reasonable attorney's fees and court costs as may be determined by the court.
24. Owner agrees to defend, indemnify and hold harmless the City, and its respective agents, officers, and employees from any claim, action, or proceeding against any of them to attack, set aside, void, or annul, any approval of the City or Fresno County concerning action brought within the time period provided for in Government Code Section 66499.37. The City agrees to properly notify the Owner of any claim, action or proceeding, and the City agrees to cooperate fully in the defense.

25. In the event an extension is granted to the time within which all work is to be completed, the Owner agrees that it will comply with all the applicable improvement standards in effect at the time the extension is granted.
26. It is agreed that all conditions of approval shall apply to and be included in this Agreement.
27. The City Engineer is assumed to be a just arbitrator between City, Owner, and the Contractor, and the entire work is under his jurisdiction to such end. It is his function to interpret the drawings and specifications; and pass judgment upon merits of materials and workmanship.
28. The Owner agrees to obtain a City of Mendota Business License for the General Contractor and for each of the Sub-Contractors performing construction work on the improvements.
29. Pursuant to Government Code Section 66462 and Mendota Municipal Code Section 16.32.390, the undersigned hereby certify and acknowledge that the construction of improvements identified herein shall be completed on or before March 1, 2019 or any approved extension thereof.
30. The Owner acknowledges that the City has formed a community facilities district (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") to finance all or a portion of the cost of providing police, fire and paramedic services, as well any other services determined by the City which are allowed to be financed pursuant to the Act, that are in addition to those provided in the territory within the CFD prior to the formation of the CFD and do not supplant services already available within the territory proposed to be included in the CFD and to levy a special tax to pay for such services. The Owner agrees to include Tract No. 6149 in the CFD or annex Tract No. 6149 into the CFD, and the Owner shall cooperate with the City and take any necessary actions in order to assist the City in annexing Tract No. 6149 into the CFD. In furtherance of the foregoing, the Owner agrees to approve the levy of a special tax on any residential dwelling unit in the amount that is no less than \$838.66 per year but not greater than \$838.66 per year, which shall be subject to an annual escalation factor of no less than 2% but no greater than the rate of increase in the Consumer Price Index published by the U.S. Department of Labor for the County of Fresno.

In the event the Owner does not cooperate with the City and Tract No. 6149 is not included in the CFD or annexed into the CFD, the Owner agrees to pay the City an amount equal to the present value of all future special tax that would have been levied within Tract No. 6149 using a discount rate determined by the City in its sole discretion and assuming sixty (60) years of levy, which shall be used to mitigate the impact on the City's general fund in providing funds to finance the services described above.

(Signatures on Following Page)



The parties have executed this agreement on the day and year first above written.

**OWNER: KSA Investments, LLC, a Delaware Limited Liability Company:  
Hair Family Trust, Managing Member**

\_\_\_\_\_  
Stephen W. Hair, Trustee

**CITY: CITY OF MENDOTA, a Municipal Corporation**

\_\_\_\_\_  
Rolando Jose Castro, Mayor

ATTEST:

\_\_\_\_\_  
Matt Flood, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
John P. Kinsey, City Attorney

**EXHIBIT "A"**  
**DEVELOPMENT FEES AND BOND REQUIREMENTS**  
**(Fees based upon 2007 City of Mendota Development Impact Fee Schedule**  
**Low Density Development)**

Fees 1 through 10 are due and payable per unit at the time the Building Permit is issued.

1	City Management				
	\$ 218.81 per unit	X	46 units	\$	10,065.26
2	Law Enforcement				
	\$ 591.49 per unit	X	46 units	\$	27,208.54
3	Fire Protection				
	\$ 714.10 per unit	X	46 units	\$	32,848.60
4	Storm Drainage				
	\$ 5,169.45 per acre	X	9.48 acres	\$	49,006.39
	( \$ 1,065.36 per unit for Tract 6149 only)				
5	Water Supply and Treatment				
	\$ 2,350.30 per unit	X	46 units	\$	108,113.80
6	Wastewater & Treatment				
	\$ 1,947.46 per unit	X	46 units	\$	89,583.16
7	Traffic				
	\$ 690.05 per unit	X	46 units	\$	31,742.30
8	Recreational Facilities				
	\$ 1,364.51 per unit	X	46 units	\$	62,767.46
9	Water Service Connection Charges				
	\$ 420.77 per unit	X	46 units	\$	19,355.42
10	Sewer Service Connection Charges				
	\$ 480.88 per unit	X	46 units	\$	22,120.48
	Total DIF Fees:			\$	452,811.41
	Total DIF Fees Per Unit:			\$	9,843.73
11	Other (Due upon approval of agreement and before construction)				
a	Deposit for estimated inspection fees			\$	20,114.08
	(Owner to pay any cost that exceeds the deposited amount shown)				
b	Performance Bond (100% of estimated cost)			\$	970,692.36
c	Labor & Materials Bond (50% of estimated cost)			\$	485,346.18
d	Warranty Bond (10% of estimated cost)			\$	97,069.24
e	Surety Bond (to guarantee placement of monuments)			\$	2,500.00
	(All bonds to be approved by the City Attorney as to Form)				
f	Cash security in the amount of taxes which are a lien by are not yet payable, or evidence of taxes paid (for maps filed for recordation in November or December). Amount to be determined by the Fresno County Auditor's office.			\$	-
	Number of Units:		46		
	Overall Acreage:		9.48		
	Estimated Construction cost:	\$	970,692.36		

**EXHIBIT "B"**  
**SECURITY**

Owner shall provide City with a Bond or Bonds, reflecting the amounts set forth in items 12(b) through and including 12(e) of Exhibit "A".

All other fees and expenses identified in Exhibit A shall be due and payable in accordance with the terms set out therein.

**EXHIBIT "B"**

Subdivision Bond  
Faithful Performance

Bond No. PB02762300149  
Premium \$ 14,560.00

**SUBDIVISION BOND**

KNOW ALL MEN BY THESE PRESENTS: That KSA Investments, LLC as Principal, and Philadelphia Indemnity Insurance Company, a corporation organized and existing under the laws of the State of Pennsylvania and authorized to transact surety business in the State of California, as Surety are held and firmly bound unto City of Mendota in the sum of nine hundred seventy thousand, six hundred ninety-two & 36/100 Dollars (\$970,692.36), for the payment whereof, well and truly to be made, said Principal and Surety bind themselves, their heirs, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

WHEREAS the above Named Principal has entered into an agreement, dated \_\_\_\_\_, \_\_\_\_\_, with the \_\_\_\_\_ to do and perform the following work, to wit:

Tract No. 6149, Phase IX of Las Palmas Estates

NOW, THEREFORE, if the above-bounden Principal shall well and truly perform the work referred to in such agreement, then this obligation shall be void; otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney in Fact at Irvine, California this 11th day of September 2017 .

KSA Investments, LLC  
(Principal) (Seal)

By: [Signature]

Philadelphia Indemnity Insurance Company  
(Surety) (Seal)

By: [Signature]  
Charles M. Griswold, Attorney-In-Fact

# EXHIBIT "B"

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Santa Clara )

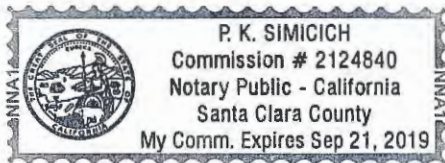
On September 11, 2017 before me, P. K. Simicich, Notary Public,  
*Date Here Insert Name and Title of the Officer*

personally appeared Charles M. Griswold  
*Name(s) of Signer(s)*

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]  
*Signature of Notary Public*

Place Notary Seal Above

### OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

#### Description of Attached Document

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

#### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



# California All-Purpose Acknowledgement

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Kern

On 9/12/2017 before me, Grace T. Kerber, Notary Public  
Name of Notary Public, Title

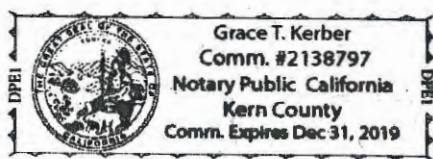
personally appeared Stephen W. Hall

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to be within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under **PENALTY OF PERJURY** under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Grace T. Kerber  
Signature of Notary Public



Seal

### OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgement on unauthorized document and may prove useful to persons relying on the document.

#### Description of Attached Document

The preceding Certificate of Acknowledgement is attached to a

\_\_\_\_\_ Title or description of Document  
containing, \_\_\_\_\_ pages, and dated \_\_\_\_\_.

**EXHIBIT "B"**

Subdivision Bond  
Labor & Material

Bond No. PB02762300149  
Premium included in Performance Bond

SUBDIVISION BOND

KNOW ALL MEN BY THESE PRESENTS: That KSA Investments, LLC as Principal, and Philadelphia Indemnity Insurance Company, a corporation organized and existing under the laws of the State of Pennsylvania and authorized to transact surety business in the State of California, as Surety are held and firmly bound unto City of Mendota in the sum of four hundred eighty-five thousand, three hundred Dollars (\$485,346.18), for the payment whereof, well and truly to be made, said Principal and Surety bind themselves, their heirs, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of the foregoing obligation is such that, whereas the above-bounden Principal has entered into a contract, dated \_\_\_\_\_, \_\_\_\_\_, with the \_\_\_\_\_ to do and perform the following work, to wit:

Tract No. 6149, Phase IX of Las Palmas Estates

NOW, THEREFORE, if the above-bounden Principal shall pay all contractors, subcontractors, laborers, materialmen and other persons employed in the performance of the aforesaid contract, then this obligation shall be void; otherwise to remain in full force and effect.

SIGNED, SEALED, DATED: September 11, 2017.

KSA Investments, LLC  
(Principal) (Seal)

By: [Signature]

Philadelphia Indemnity Insurance Company  
(Surety) (Seal)

By: [Signature]  
Charles M. Griswold, Attorney-In-Fact

# EXHIBIT "B"

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Santa Clara )

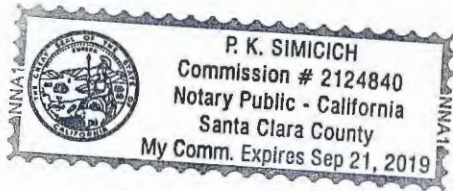
On September 11, 2017 before me, P. K. Simicich, Notary Public  
*Date Here Insert Name and Title of the Officer*

personally appeared Charles M. Griswold  
*Name(s) of Signer(s)*

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]  
*Signature of Notary Public*

Place Notary Seal Above

### OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

#### Description of Attached Document

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

#### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_  
 Corporate Officer – Title(s): \_\_\_\_\_  
 Partner –  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer – Title(s): \_\_\_\_\_  
 Partner –  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_



EXHIBIT "B"

California All-Purpose Acknowledgement

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Kern

On 9/12/2017 before me, Grace T. Kerber Notary Public
Name of Notary Public, Title

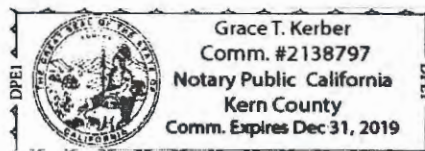
personally appeared Stephen W. Hair

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to be within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Grace T Kerber
Signature of Notary Public



Seal

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgement on unauthorized document and may prove useful to persons relying on the document

Description of Attached Document

The preceding Certificate of Acknowledgement is attached to a

Title or description of Document
containing, \_\_\_\_\_ pages, and dated \_\_\_\_\_.

# EXHIBIT "B"



A Member of the Title Marine Group

**PHILADELPHIA INDEMNITY INSURANCE COMPANY**  
231 St. Asaph's Rd., Suite 100  
Bala Cynwyd, PA 19004-0950  
**Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint: **DAVID J. BACHAN, F.R. HUDSON III, DEBORAH L. TABLAK, YESENIA RIVERA, VINCENT M. SCOLARI, CHARLES M. GRISWOLD AND PATRICIA SIMICICH OF MCSHERRY & HUDSON**

Its true and lawful Attorney (s) in fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$5,000,000.00.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY at a meeting duly called the 11<sup>th</sup> day of July, 2011.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company to: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

**FURTHER RESOLVED:** That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with the respect to any bond or undertaking to which it is attached.

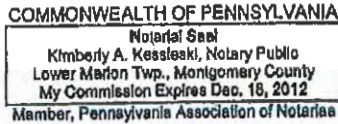
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 18<sup>TH</sup> DAY OF JULY, 2011.



President

Christopher J. Maguire  
President Philadelphia Indemnity Insurance Company, a Pennsylvania Corporation.

On this 18<sup>TH</sup> day of July 2011, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



I, Craig P. Keller, Executive Vice President, Chief Financial Officer and Secretary of **PHILADELPHIA INDEMNITY INSURANCE COMPANY**, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto on this 18<sup>TH</sup> day of July 2011 are true and correct and are still in full force and effect. I do further certify that Christopher J. Maguire, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of **PHILADELPHIA INDEMNITY INSURANCE COMPANY**,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 11th day of September 2017.

  
\_\_\_\_\_  
Craig P. Keller  
Executive Vice President, Chief Financial Officer & Secretary

**EXHIBIT "B"**



**PHILADELPHIA  
INSURANCE COMPANIES**

A Member of the Tokio Marine Group

**Bond No. PB02762300150**  
**Premium: \$100.00**

**MONUMENT BOND**

Subdivision Map Act Bond Format

WHEREAS, **KSA Investments, LLC**, hereinafter designated as "Principal", desires to record a final map for the development identified as: **Tract No. 6149 Phase IX of Las Palmas Estates**

WHEREAS, pursuant to Article 9, Chapter 1, Division 2, SUBDIVISION, of the Government Code of the State of California, the interior monuments shown on said final map need not be set at the time the map is recorded and said "Principal" wishes to have the interior monuments set after the time the map is recorded. Said "Principal" agrees to furnish a security guaranteeing the cost of setting such monuments.

NOW, THEREFORE, We, the "Principal" and **Philadelphia Indemnity Insurance Company**, as Surety, are held and firmly bound unto the **City of Mendota** in the penal sum of **two thousand, five hundred & no/100 Dollars (\$2,500.00)**, lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The conditions of this obligation is such that if the monuments are set, and the engineer or surveyor setting the final monuments shall have been paid, then this obligation shall become null and void. Otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the amount of deposit specified above, it is agreed that we shall pay the costs and reasonable expenses and fees, including reasonable attorney's fees, if any, incurred by the City in successfully enforcing such obligation against us, all to be taxed as costs and included in any judgment rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder of the specifications accompanying the same shall in anyway affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the principal and surety above named, on 11th, September, 2017.

**Principal**

**Surety**

**KSA Investments, LLC**

**Philadelphia Indemnity Insurance Company**

By:       *[Signature]*      

By:       *[Signature]*        
Charles M. Griswold, Attorney-in-fact



EXHIBIT "B"

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )
County of Santa Clara )

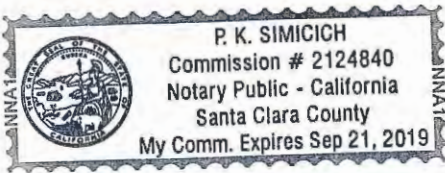
On September 11, 2017 before me, P. K. Simicich, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Charles M. Griswold
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Document Date:

Number of Pages: Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

- Corporate Officer - Title(s):
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:

Signer Is Representing:

Signer's Name:

- Corporate Officer - Title(s):
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:

Signer Is Representing:

**EXHIBIT "B"**

**California All-Purpose Acknowledgement**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Kern

On 9/12/2017 before me, Grace T. Kerber, Notary Public  
Name of Notary Public, Title

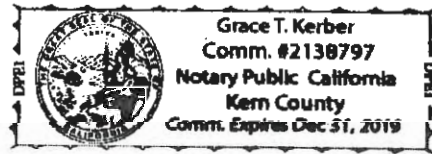
personally appeared Stephen W. Hair

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to be within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under **PENALTY OF PERJURY** under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Grace T. Kerber  
Signature of Notary Public



Seal

**OPTIONAL INFORMATION**

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgement on unauthorized document and may prove useful to persons relying on the document.

**Description of Attached Document**

The preceding Certificate of Acknowledgement is attached to a

Title or description of Document  
containing, \_\_\_\_\_ pages, and dated \_\_\_\_\_.

# EXHIBIT "B"

**PHILADELPHIA INDEMNITY INSURANCE COMPANY**  
231 St. Asaph's Rd., Suite 100  
Bala Cynwyd, PA 19004-0950  
Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint: **DAVID J. BACHAN, F.R., HUDSON III, DEBORAH L. TABLAK, YESENIA RIVERA, VINCENT M. SCOLARI, CHARLES M. GRISWOLD AND PATRICIA SIMICICH OF MCSHERRY & HUDSON**

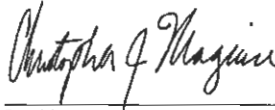
Its true and lawful Attorney (s) in fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$5,000,000.00.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY at a meeting duly called the 11<sup>th</sup> day of July, 2011.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company to: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

**FURTHER RESOLVED:** That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with the respect to any bond or undertaking to which it is attached.

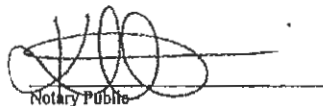
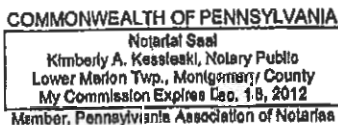
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 18<sup>TH</sup> DAY OF JULY, 2011.



President

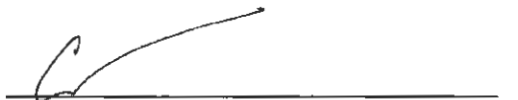
Christopher J. Maguire  
President Philadelphia Indemnity Insurance Company, a Pennsylvania Corporation.

On this 18<sup>th</sup> day of July 2011, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

  
Notary Public

I, Craig P. Keller, Executive Vice President, Chief Financial Officer and Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto on this 18<sup>th</sup> day of July 2011 are true and correct and are still in full force and effect. I do further certify that Christopher J. Maguire, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 11th day of September 2011.

  
Craig P. Keller  
Executive Vice President, Chief Financial Officer & Secretary

**EXHIBIT "C"**  
**CONDITIONS OF APPROVAL**  
**BEFORE THE CITY COUNCIL**  
**OF THE**  
**CITY OF MENDOTA, COUNTY OF FRESNO**

**RESOLUTION NO. 05-15**

**A RESOLUTION OF THE CITY OF MENDOTA CITY COUNCIL  
GENERAL PLAN AMENDMENT, PRE-ZONING, ANNEXATION, TENTATIVE  
PARCEL MAP AND APPROVAL WITH CONDITIONS FOR VESTING  
TENTATIVE SUBDIVISION MAP #04-01  
(Tract # 5483) FOR H/S DEVELOPMENT**

WHEREAS, the City of Mendota Community Development Department has received an application for a General Plan Amendment, Pre-Zoning, Annexation, Tentative Parcel Map and Tentative Subdivision Map for the construction of a 422 single family lots at Fresno County Assessor's Parcel Number 12-190-040 and 12-190-41, and;

WHEREAS, a Public Hearing has been advertised and conducted pursuant to Public Resources Code Section 21092 and 21092.3, and public comment has been solicited, and;

WHEREAS, a Notice of Public Hearing was placed in the December 2, 2004 and again in January 6, 2005 editions of the Firebaugh/Mendota Journal, all surrounding property owners within 300' of the project site were notified via U.S. Postal Service and a Notice of Public Hearing was posted on the City Hall bulletin window, and;

WHEREAS, the Planning Commission held the noticed Public Hearing on January 24, 2005 to take testimony with regard to the General Plan Amendment, Pre-Zoning, Annexation, Tentative Parcel Map, and Subdivision, and;

WHEREAS, the Planning Commission continued the noticed and scheduled public hearing to a special meeting of February 23, 2005, and;

WHEREAS, the Planning Commission completed its review of the General Plan Amendment, Pre-Zoning, Annexation, Tentative Parcel Map and Tentative Subdivision Map and information contained in the Staff Report and has considered the testimony received during the public hearing process, and;

WHEREAS, the Planning Commission adopted Resolution PC05-01 on February 23, 2005 recommending approval with of the project with conditions to the City Council at their regularly scheduled meeting of March 22, 2005;

WHEREAS, a notice of public hearing was published in the March 3, 2005 edition of the Firebaugh/Mendota Journal and subsequently posted on the City Hall information window and also a copy of the notice was mailed to all residents and property owners within 300 feet of the project area, and;



WHEREAS, the City Council has made the following findings based on the Tentative Subdivision Map proposal:

1. The proposed project meets or exceeds minimum Municipal Code and Zoning Ordinance requirements.
2. The proposed project construction would not cause a substantial increase of traffic above that which is planned for in the area. In addition, the current LOS (Level of Service) for the existing roadway(s) would not be exceeded as a result of building the proposed project. Improvements to Highway 33 and Highway 180 are being planned by Caltrans
3. Based on normal residential usage, the proposed single-family development(s) will not impact the availability of water or sewer capacity in the area.
4. All utility connections are located near the property and are readily available for extension.
5. The orientation of the ingress/egress pattern to the project site will not create a safety or hazard concern for vehicular or pedestrian traffic.
6. The proposed development is in conformance with the findings and recommendation of the adopted Housing Element for the City of Mendota to provide new affordable housing and such housing would assist to reduce the current overcrowding identified by the State of California for the City.

NOW THEREFORE BE IT RESOLVED, that the City Council adopts the following conditions of approval for the project:

Standard Conditions

1. This tentative tract map is granted for the land described in the application on file with the City of Mendota. The locations of all buildings and other features shall be located and/or designed substantially as shown in the aforementioned applications, unless otherwise specified herein.
2. This tentative subdivision map shall expire within the time frames prescribed under the State Subdivision Map Act.
3. Any minor changes may be approved by the Director. Any substantial changes will require the filing of an application for an amendment to be considered either by the Director, the Planning Commission or City Council as deemed appropriate.
4. All requirements of any law, ordinance or regulation of the State of California, City of Mendota, and any other governmental entity shall be complied with in the exercise of this approval.



5. Within thirty (30) days after the effective date of tentative subdivision map approval, the subdivider shall file with the Director written acceptance of the conditions of approval stated herein.
6. Compliance with an execution of all conditions listed herein shall be necessary, unless otherwise specified, prior to obtaining a certificate of occupancy. Deviation from this requirement shall be permitted only by written consent from the Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement null and void.
7. All heating and air conditioning units shall be ground/surfaced mounted and approved for location by the Building Official.

#### Subdivision Design

8. This subdivision shall meet all applicable requirements of the City of Mendota Municipal Code.
9. A dead-end street may be approved without a turn around subject to the City Engineer approval and installation of dead-end street barriers. In all other cases dead-end rights-of-ways and easements shall terminate with a minimum 50-foot radius to allow for turn around movement.
10. The project proponent shall establish easements for road and utility purposes and offers of dedication to the City of Mendota for rights-of-way for all interior streets as shown on the Tentative Map.
  - a. Road construction of right-of-way/easements shall comply with the requirements as specified by the City Engineer.
11. The project proponent shall be required to pay development impact fees as specified by the City of Mendota Municipal Code at the time building permit applications are filed.
12. The project proponent shall construct drainage, sewage, water, and stormwater facilities in accordance with the plans and calculations, which must be submitted to the City Engineer for review and approval prior to construction.
13. The project proponent shall offer in dedication all necessary easements for drainage, sewer, water and other public utilities as determined by the improvement plans and as approved by the City Engineer.
14. Hydraulic calculations, required and approved by the City Engineer shall be required for all drainage and sewer facilities.
15. Any construction work within the City of Mendota right-of-way shall be accomplished under an encroachment permit issued by the City Engineer.

16. No construction of improvements shall commence until all plans and/or calculations required by these conditions have been approved by the City Engineer and all fees have been paid.
  - a. The applicant/developer may proceed with improvements with the approval of the City Engineer and City Manager.
17. The subdivider and its contractors shall comply with the State Water Resources Control Board (SWRCB), National Pollutant Discharge Elimination System (NPDES), General Permit for Storm Water Discharges Associated with Construction Activity (General Permit).
18. Owner/Contractor must comply with the Federal Clean Water Act, Section 402(p) and the Phase II Rule regulations under the National Pollutant Discharge Elimination System (NPDES). Since the site grading is one (1) acre, or more, the Owner/Contractor must file a Notice of Intent (NOI) with the State Water Control Board, and submit a Storm Drain Pollution Prevention Plan (SWPPP) to the City of Mendota, prior to obtaining a Grading Permit
19. All improvements required by the herein, stated conditions shall be:
  - a. Completed prior to final approval and recordation of the subdivision by the City or;
  - b. Guaranteed for completion within one year by furnishing security in a form as provided by Section 66499 through 66499.10 of the Government Code. The security shall be in the form and in amounts as set forth in the Mendota Municipal Code;
  - c. Any required improvements which have been guaranteed shall be completed and approved prior to approval of any further divisions of the parcels, and;
  - d. If improvements are deferred and surety posted for completion, the applicant shall enter into an agreement with the City as provided for in the Municipal Code.
20. The project proponent shall be required to pay all taxes, past and current, including those amounts levied as of March 1, but not yet billed, on the property prior to the recording of the Final Map.
21. A Preliminary Title Report shall accompany three Final Map Check Prints at time of filing with the City Engineer for review.
22. Any on-premise building construction sign(s) used to advertise the subdivision shall be limited to a maximum of 32 square feet. If an off-premise sign or signs are used to advertise the proposed subdivision, such sign or sign(s) shall only be permitted upon approval of a conditional use permit.

23. Proposed lighting contained within the subdivision shall be so arranged as to deflect light away from adjoining properties.
24. Streetlights shall be required for all interior streets. Streetlights along interior streets shall be spaced at 300 foot maximum spacing between street intersections. The standard luminaries shall be 70 watts except 200 watts at intersections.
25. The applicant shall provide two (2) 24-inch box trees for each interior lot. Additional number of street trees shall be required for corner lots as determined by the City Engineer.
26. Project proponent shall be encouraged to provide varying front yard setbacks of between 20 and 25 feet as approved by the Chief Building Inspector.
27. Fire hydrants shall be required for this development. The City Engineer shall verify and approve all fire hydrant locations and spacing.
28. The developer shall comply with all requirements of the Storm Drainage Plan approved by the City Engineer for the project.

Incidental Conditions

29. Construction hours shall be limited to normal working hours. All construction equipment shall be properly maintained and muffled to avoid nuisances to the surrounding or neighboring property owners.  

Weekdays from 7:00 a.m. to 6:00 p.m.;  
Saturday from 8:00 a.m. to 5:00 p.m.;  
Sunday and Holidays – no construction allowed unless authorization is granted by the City Manager.
30. The project applicant and/or land developer shall adhere to the San Joaquin Valley Unified Air Pollution Control District Regulation VIII through the implementation of the following measures to reduce air pollutant emissions generated during the construction phase of the project:
  - a. On-site vehicle speed on unpaved roads shall be limited to 15 miles per hour;
  - b. Loaded haul trucks, operating at speeds over 15 miles per hour, shall be equipped with tarpaulins or other effective covers, or shall maintain at least two feet of freeboard;
  - c. Water trucks shall be used regularly to reduce dust and particulates generated during construction and along non-paved surfaces;
  - d. Construction shall be restricted or banned on days of high winds (exceeding 30 miles per hour).

31. Air Quality Design

- a. Trees should be carefully selected and located to shade the structures during the hot summer months. This measure should be implemented on the southern and western exposures. Deciduous trees should be considered since they provide shade in the summer and allow sun to reach residences during cold and winter months.
- b. Housing units should be oriented to maximize passive solar cooling and heating when practicable.
- c. Buildings to use central water heating systems.
- d. As many energy saving features as possible.
- e. Provide electric outlets for exterior yard maintenance equipment.
- f. Any gas fired appliances should be low nitrogen oxide (NOx) emitting appliances complying with California NOx Emissions Rule #1121.
- g. Limit the amount or type of wood-burning devices installed to EPA certified wood-stoves instead of open hearth.
- h. Pedestrian enhancing infrastructure that includes sidewalks and pedestrian paths; direct pedestrian connections; street tree to shade sidewalks; pedestrian safety designs/infrastructure.
- i. Provide transit-enhancing infrastructure that includes: transit shelters, benches, etc.; street lighting, route signs and displays; and/or bus turnouts.

32. Cultural Resource Management

- a. If the project construction results in the disturbance of subsurface paleontological, archaeological or historical resources as a result of excavation activities, the following provisions shall be followed:
- b. If subsurface cultural material is uncovered during construction, work within 30 feet is required to cease until a qualified archaeologist can complete a significance evaluation of the find(s). If human remains are found the County Coroner must be notified and the provisions specified in Section 15064.5 of the CEQA Guidelines shall be adhered to;
- c. If cultural material is uncovered the contractor shall contact the City Community Development Department, and report the incident immediately;
- d. The project applicant and/or land developer is responsible for informing any contractor participating on the project of these provisions in writing.

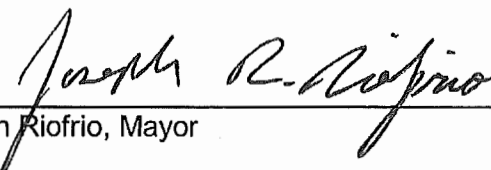
Mitigation Measures:

33. The intersection of McCabe and Derrick Avenue should be monitored upon completion of the project to determine if warrants for all-way stop control or signalization are satisfied. If warrants are not satisfied upon completion of the project, Caltrans should monitor the intersection through the year 2025 to determine if warrants for all way stop control or signalization are satisfied. The project will be required to contribute an equitable share of future improvements at the intersection.
34. The intersection of Oller Street and Derrick Avenue should be monitored by Caltrans through the Year 2025 to determine if warrants for all-way stop control or signalization are satisfied. The project will be required to contribute an equitable share of future improvements at the intersection.
35. The intersection of State Route 33 and Bass Avenue should be monitored by Caltrans through the Year 2025 to determine if warrants for all-way stop control or signalization are satisfied. The project will be required to contribute an equitable share of future improvements at the intersection.
36. If Lozano Street is opened at State Route 33, additional studies should be performed to determine if left-turns at the intersection should be permitted. It is assumed at this time that left-turns from Lozano to State Route 33 would experience excessive delays and left-turns from State Route 33 to Lozano may be feasible.
37. Based on the traffic analysis prepared for a proposed development Caltrans has determined that developments impacting the Highway 33 and Bass Avenue intersection should mitigate impacts at 129,200 and \$35,600 for the intersection of Highway 33 and Highway 180.
38. Prior to the issuance of a building permit for the project that all Caltrans impact fees estimated at \$164,800 be paid and a receipt of said payment be filed with the City Community Development Department prior to the authorization for the initiation of construction related activities on the site (including grading).
39. As a condition of approval, a Right-To-Farm Notice shall be required on the deed of each lot of the subdivision.
40. Construction permits for the project shall be subject to assurance of sewer capacity of the City of Mendota Wastewater Treatment Facility
41. All existing on-site water wells shall be abandoned in conformance with local and state requirements.
42. Construction permits for the project shall be subject to assurance of capacity of the City of Mendota community water system to serve the project.


43. A grading and storm drainage plan shall be submitted for review and approval by the City Engineer. Residential building pads and streets on the project site shall be graded a minimum of one foot above the 100-year flood plain.

PASSED AND ADOPTED, by the City of Mendota City Council regularly scheduled meeting held on the 22<sup>nd</sup> day of March 2005.

AYES: 3 John Flores, Yvette Quiroga and Rene Covarrubia  
NOES: 1 Joseph Riofrio  
ABSTAIN: 1 Robert Silva  
ABSENT: 0

  
\_\_\_\_\_  
Joseph Riofrio, Mayor

ATTEST:

  
\_\_\_\_\_  
Brenda L. Carter, City Clerk

OWNERS STATEMENT

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE IN THE ABOVE DESCRIBED PROPERTY, HEREBY AGREE TO CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER EASEMENTS SPECIFIED ON THIS MAP AS INTENDED FOR PUBLIC USE FOR THE PURPOSES STATED THEREIN.

OWNER: KSA INVESTMENTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY  
HAIR FAMILY TRUST, MANAGING MEMBER

BY: STEPHEN W. HAIR, TRUSTEE DATE: \_\_\_\_\_

NOTARY ACKNOWLEDGMENT

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

STATE OF CALIFORNIA I SS  
COUNTY OF \_\_\_\_\_ I  
ON \_\_\_\_\_ BEFORE ME,

A NOTARY PUBLIC, PERSONALLY APPEARED STEPHEN W. HAIR, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/their AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/their SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.  
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.  
WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY'S SIGNATURE \_\_\_\_\_  
PRINT NOTARY'S NAME \_\_\_\_\_  
PRINCIPAL COUNTY OF BUSINESS \_\_\_\_\_  
REGISTRATION # \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

SUBDIVISION AGREEMENT

THE SUBDIVISION OF THIS PROPERTY IS AFFECTED BY AN AGREEMENT WITH THE CITY OF MENDOTA, RECORDED AS DOCUMENT NUMBER \_\_\_\_\_ OFFICIAL RECORDS OF FRESNO COUNTY.

NOTES

THIS PROPERTY IS AFFECTED BY:  
INSTRUMENT #2003-0098349, FRESNO COUNTY RECORDS, RECORDED MAY 1, 2003.  
DOCUMENT #104180, BOOK 872, PAGE 872, FRESNO COUNTY RECORDS, RECORDED SEPTEMBER 18, 1978.  
INSTRUMENT #2005-0180536 OF OFFICIAL RECORDS, FRESNO COUNTY.  
INSTRUMENT #2007-0122749 OF OFFICIAL RECORDS, FRESNO COUNTY.

SOILS CERTIFICATE

A GEOTECHNICAL INVESTIGATION REPORT FOR THE ABOVE DESCRIBED PROPERTY WAS OBTAINED FROM G&G CONSULTING, INC., REPORT JOB NO. 46914.GEO, DATED OCTOBER 14, 2004, AND SIGNED BY DAVID L. PEARSON, P.E., GE NO. 674.

SURVEYORS STATEMENT

THIS MAP WAS MADE BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY CONDUCTED BY ME OR UNDER MY DIRECTION AND LOCAL ORDINANCE AT THE REQUEST OF KSA REALTY INVESTMENTS LLC ON MARCH 4, 2016. I HEREBY STATE THAT ALL THE MONUMENTS ARE OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

KEVIN J. GENVASCI \_\_\_\_\_ DATE \_\_\_\_\_  
L.S. 8660

CITY ENGINEER'S STATEMENT

I, DAVID W. MCCLESSION, CITY ENGINEER OF THE CITY OF MENDOTA, HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, THAT THE MAP COMPLIES WITH THE PROVISIONS OF THE SUBDIVISION MAP ACT, AND THAT THE CITY OF MENDOTA HAS APPROVED THE TENTATIVE MAP AND APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT I AM SATISFIED THE MAP IS TECHNICALLY CORRECT.

DAVID W. MCCLESSION \_\_\_\_\_ DATE \_\_\_\_\_  
MENDOTA CITY ENGINEER  
P.L.S. 6968

CITY CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MENDOTA, COUNTY OF FRESNO, STATE OF CALIFORNIA, BY RESOLUTION NO. \_\_\_\_\_ ADOPTED AT THE REGULAR MEETING OF SAID COUNCIL DULY CONVENED AND HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, DID APPROVE THE WITHIN MAP (AND ACCEPTED ON BEHALF OF THE PUBLIC, SUBJECT TO CONSTRUCTION, ALL PARCELS OF LAND AND EASEMENTS OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION), IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL OF SAID CITY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

KATY FLODD \_\_\_\_\_  
CITY CLERK OF THE CITY OF MENDOTA

RECORDERS CERTIFICATE

DOCUMENT NO. \_\_\_\_\_ FEE PAID \$ \_\_\_\_\_  
FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017,  
AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF PLATS, AT PAGES \_\_\_\_\_  
STEPHEN W. HAIR, \_\_\_\_\_  
PAUL DICTOS, C.P.A., ASSESSOR-RECORDER  
COUNTY OF FRESNO RECORDS  
BY: \_\_\_\_\_  
DEPUTY COUNTY RECORDER

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

BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 14 EAST, MOUNT DIABLO BASE AND MERIDIAN, CITY OF MENDOTA, COUNTY OF FRESNO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING THE "UNSUBDIVIDED REMAINDER" AS SHOWN ON THE MAP OF TRACT #6148, LAS PALMAS ESTATES PHASE VII, FILED FOR RECORD IN BOOK 86 OF PLATS, PAGES 72 THROUGH 74, FRESNO COUNTY RECORDS, EXCEPTING THEREFROM THAT PORTION OF SAID UNSUBDIVIDED REMAINDER DESCRIBED IN THE DEED TO THE CITY OF MENDOTA, RECORDED AUGUST 21, 2009, AS DOCUMENT NO. 2009-01616175, OF OFFICIAL RECORDS, SAID PORTION DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE "UNSUBDIVIDED REMAINDER" SHOWN ON THE MAP OF TRACT #5835, LAS PALMAS ESTATES PHASE VIIA, FILED FOR RECORD IN BOOK 79 OF PLATS, PAGE 72, FRESNO COUNTY RECORDS, SITUATE IN THE CITY OF MENDOTA, COUNTY OF FRESNO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 397 OF ABOVE SAID TRACT #5835, WHICH POINT ALSO LIES ON THE SOUTH LINE OF ABOVE SAID UNSUBDIVIDED REMAINDER; THENCE NORTH 1°35'45" EAST, A DISTANCE OF 75.63 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE CONCAVE TO THE SOUTHWEST, A RADIUS OF 103.18 FEET, AN ARC ANGLE OF 107°13'31"; THENCE NORTH 28°00'48" EAST, A DISTANCE OF 103.18 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 508.00 FEET, TO WHICH POINT A RADIAL LINE BEARS NORTH 20°44'42" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°13'32", A DISTANCE OF 312.32 FEET TO A POINT ON THE EAST LINE OF SAID UNSUBDIVIDED REMAINDER; THENCE SOUTH 1°35'45" WEST ALONG SAID EASTERLY LINE, A DISTANCE OF 227.34 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 280.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 107°13'31" TO A POINT ON SAID UNSUBDIVIDED REMAINDER; SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 107°13'31" TO A DISTANCE OF 50.62 FEET TO THE NORTHEAST CORNER OF LOT 399 OF SAID TRACT #5835, SAID POINT ALSO LYING ON THE SOUTH LINE OF SAID UNSUBDIVIDED REMAINDER, A DISTANCE OF 231.47 FEET, TO THE POINT OF BEGINNING.

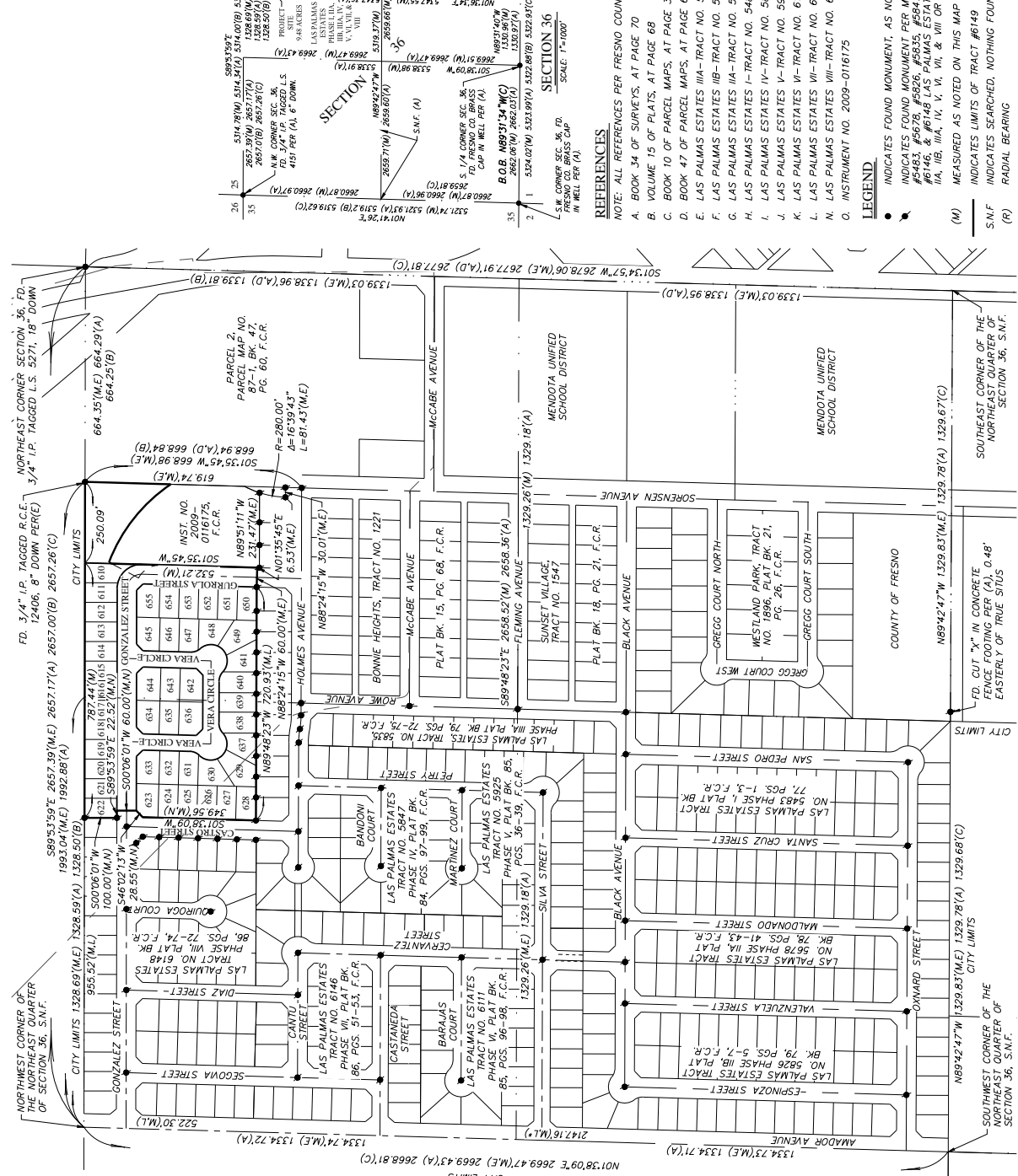
ALSO EXCEPTING ALL RIGHTS TO OIL GAS, OTHER HYDROCARBON SUBSTANCES OR MINERALS ON OR UNDER THE PROPERTY AS CONVEYED TO HARRIS FARMS, INC., BY DEED RECORDED MAY 6, 1986, AS DOCUMENT NO. 86049433, OF OFFICIAL RECORDS.

# EXHIBIT "D"

## MAP OF TRACT # 6149 LAS PALMAS ESTATES PHASE IX CONSISTING OF 3 SHEETS

A PORTION OF THE NORTH EAST QUARTER OF SECTION 36,  
TOWNSHIP 13 SOUTH RANGE 14 EAST, MOUNT Diablo BASE AND  
MERIDIAN, CITY OF MENLO PARK, COUNTY OF FRESNO, CALIFORNIA.

SURVEYED AND PLATTED IN JULY, 2017 BY  
**HAWKINS & ASSOCIATES ENGINEERING**  
436 MITCHELL RD. MODESTO, CALIFORNIA 95354



**SECTION 36**  
SCALE: 1"=1000'

**SECTION 36**  
SCALE: 1"=200'

**LEGEND**  
INDICATES FOUND MONUMENT, AS NOTED  
INDICATES FOUND MONUMENT PER MAP OF TRACT #6149  
INDICATES SEARCHED, NOTHING FOUND  
RADIAL BEARING  
CALCULATED PER RECORD

**REFERENCES**  
NOTE: ALL REFERENCES PER FRESNO COUNTY RECORDS  
A. BOOK 34 OF SURVEYS, AT PAGE 70  
B. VOLUME 15 OF PLATS, AT PAGE 68  
C. BOOK 10 OF PARCEL MAPS, AT PAGE 38  
D. BOOK 47 OF PARCEL MAPS, AT PAGE 60  
E. LAS PALMAS ESTATES IIIA-TRACT NO. 5835-PLAT BK. 79, PGS. 72-75  
F. LAS PALMAS ESTATES IIB-TRACT NO. 5826-PLAT BK. 79, PGS. 5-7  
G. LAS PALMAS ESTATES IIA-TRACT NO. 5678-PLAT BK. 78, PGS. 41-43  
H. LAS PALMAS ESTATES I-TRACT NO. 5483-PLAT BK. 77, PGS. 1-3  
I. LAS PALMAS ESTATES IIV-TRACT NO. 5847-PLAT BK. 84, PGS. 97-99  
J. LAS PALMAS ESTATES V-TRACT NO. 5925-PLAT BK. 85, PGS. 36-39  
K. LAS PALMAS ESTATES VI-TRACT NO. 6111-PLAT BK. 85, PGS. 96-98  
L. LAS PALMAS ESTATES VII-TRACT NO. 6146-PLAT BK. 86, PGS. 51-53  
M. LAS PALMAS ESTATES VIII-TRACT NO. 6148-PLAT BK. 86, PGS. 72-74  
O. INSTRUMENT NO. 2009-0116175

**BASIS OF BEARINGS**  
THE COURSE OF NORTH 89°11'34" WEST  
ALONG THE SOUTH LINE OF SECTION 36,  
T.135S. R.14E., AS SHOWN ON PARCEL  
MAP RECORDED NOVEMBER 15, 1973 IN  
BOOK 10 OF PARCEL MAPS, AT PAGE 38,  
FRESNO COUNTY RECORDS, IS THE BASIS  
FOR ALL BEARINGS ON THIS MAP.

**LEGEND**  
INDICATES FOUND MONUMENT, AS NOTED  
INDICATES FOUND MONUMENT PER MAP OF TRACT #6149  
INDICATES SEARCHED, NOTHING FOUND  
RADIAL BEARING  
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ALONG THE SOUTH LINE OF SECTION 36,  
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MAP RECORDED NOVEMBER 15, 1973 IN  
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INDICATES SEARCHED, NOTHING FOUND  
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M. LAS PALMAS ESTATES VIII-TRACT NO. 6148-PLAT BK. 86, PGS. 72-74  
O. INSTRUMENT NO. 2009-0116175



# EXHIBIT "D"

## MAP OF TRACT # 6149 LAS PALMAS ESTATES

### PHASE IX

#### CONSISTING OF 3 SECTIONS

LYING IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 14 EAST, MOUNTAIN VIEW AND MERIDIAN, CITY OF MENDOTA, COUNTY OF FRESNO, CALIFORNIA.

SURVEYED AND PLATTED IN JULY 2017 BY

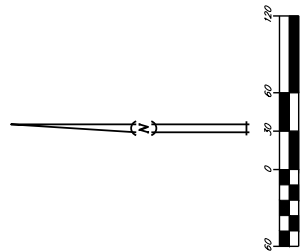
**HAWKINS & ASSOCIATES ENGINEERING**  
4336 MITCHELL RD. MODESTO, CALIFORNIA 95354

#### LEGEND

- INDICATES FOUND MONUMENT PER MAP OF TRACT #5483, #5678, #5826, #5835, #5847, #5925, #6111, #6148, & #6148 LAS PALMAS ESTATES PHASES I, II, III, IIIA, IV, V, VI, VII, & VIII OR AS NOTED
- INDICATES SET 2.5' LONG, 3/4" IRON PIPE TAGGED L.S. 8660 6" BELOW GRADE
- INDICATES SET 2.5' LONG, 3/4" IRON PIPE TAGGED L.S. 8660 6" BELOW GRADE AND 5.00 FEET FROM TRUE POSITION ALONG LOT LINE
- INDICATES SET BRASS CAP IN CONCRETE, STAMPED L.S. 8660, FLUSH WITH PAVEMENT, PER CITY OF MENDOTA STANDARD DMC M-9
- INDICATES SET 2.5' LONG, 3/4" IRON PIPE TAGGED L.S. 8660 AT LOT CORNERS, 6" BELOW GRADE, PER CITY OF MENDOTA STANDARD DMC M-9
- INDICATES PUBLIC UTILITY EASEMENT
- MEASURED AS NOTED ON THIS MAP AND OFFERED FOR DEDICATION FOR PUBLIC STREET AND UTILITY PURPOSES
- INDICATES LIMITS OF TRACT #6149
- INDICATES RADIAL BEARING

#### NOTES

- SEE SHEET 2 FOR BASIS OF BEARING AND REFERENCES.
- ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- SUBDIVISION CONTAINS 46 LOTS ON 9.48 GROSS ACRES, MORE OR LESS.



CURVE	LENGTH	DELTA	RADIUS	TANGENT	CHORD	CURVE	LENGTH	DELTA	RADIUS	TANGENT	CHORD
C1	29.65'	37°44'47"	45.00'	15.38'	29.11'	C11	40.00'	45°50'10"	50.00'	21.14'	38.94'
C2	3.76'	447°26'	45.00'	1.89'	3.76'	C12	56.96'	64°48'38"	50.00'	31.74'	53.59'
C3	33.41'	42°32'13"	45.00'	17.52'	32.65'	C13	151.52'	17°53'54"	50.00'	89.87'	99.85'
C4	59.08'	67°41'42"	50.00'	33.53'	55.70'	C14	8.77'	117°01'48"	45.00'	4.40'	8.76'
C5	50.00'	45°50'12"	50.00'	24.63'	37.17'±	C15	24.63'	37.17'±	45.00'	12.63'	24.33'
C6	44.90'	62°39'58"	50.00'	24.63'	37.17'±	C16	31.86'	62°39'58"	45.00'	17.52'	32.65'
C7	33.41'	42°32'13"	45.00'	17.52'	32.65'	C17	18.34'	148°00'33"	75.00'	60.21'	18.29'
C8	33.41'	42°32'13"	45.00'	17.52'	32.65'	C18	101.43'	17°29'21"	75.00'	60.18'	93.87'
C9	54.96'	62°59'03"	50.00'	30.63'	52.24'	C19	119.77'	91°29'44"	75.00'	76.98'	107.44'
C10	54.96'	62°59'03"	50.00'	30.63'	52.24'	C20	119.77'	91°29'44"	75.00'	76.98'	107.44'



# EXHIBIT "E"

## LEGAL DESCRIPTION PORTION OF "UNSUBDIVIDED REMAINDER" BOOK 79 OF PLATS, PAGES 72-75, F.C.R.

The land referred to herein below is situated in the City of Mendota, County of Fresno, State of California, and is described as follows:

### PARCEL 1:

**BEING** a portion of the "Unsubdivided Remainder" as shown on the Map of Tract #5835, Las Palmas Estates Phase IIIA, filed for record in Book 79 of Plats, Pages 72 through 75, Fresno County Records, and lying in the Northeast Quarter of Section 36, Township 13 South, Range 14 East, Mount Diablo Base and Meridian, County of Fresno, more particularly described as follows:

**BEGINNING** at the northeast corner of above said "Unsubdivided Remainder"; thence along the east line thereof South  $1^{\circ}35'45''$  West, a distance of 265.07 feet to the northeast corner of that certain document recorded as Instrument No. 2009-0116175, Fresno County Records, said point lying on a curve concave to the southwest and having a radius of 508.00 feet, to which a radial line bears North  $55^{\circ}58'14''$  East; thence along said curve through a central angle of  $35^{\circ}13'32''$ , a distance of 312.32 feet; thence South  $28^{\circ}00'48''$  West, a distance of 8.35 feet to the point of intersection with the west line of above said Instrument No. 2009-0116175; thence North  $1^{\circ}35'45''$  East, a distance of 82.03 feet to the point of intersection with the north line of above said Section 36; thence along the north line of said Section 36 South  $89^{\circ}53'59''$  East, a distance of 250.09 feet to the **POINT OF BEGINNING**.

Excepting all rights to oil, gas, other hydrocarbon substances of minerals on or under the property as conveyed to Harris Farms, Inc., by Deed recorded May 6, 1986, as Document No. 86049433, Official Records.

**CONTAINING** 37,220 square feet, more or less.

**SUBJECT TO** all rights-of-way and easements of record.

### PARCEL 2:

**BEING** a portion of the "Unsubdivided Remainder" as shown on the Map of Tract #5835, Las Palmas Estates Phase IIIA, filed for record in Book 879 of Plats, Pages 72 through 75, Fresno County Records, and lying in the Northeast Quarter of Section 36, Township 13 South, Range 14 East, Mount Diablo Base and Meridian, County of Fresno, more particularly described as follows:

**BEGINNING** at the northeast corner of Lot 399 as shown the Map of Tract #5835, Las Palmas Estates Phase IIIA, filed for record in Book 79 of Plats, at Pages 72 through 75, Fresno County Records, said point lying on a curve concave to the southeast and having a radius of 280.00 feet,

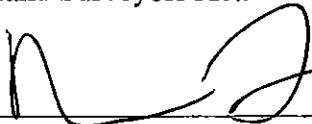
to which a radial line bears North 71°59'25" West; thence northeasterly along said curve through a central angle of 10°21'31", an arc distance of 50.62 feet to the point of intersection with the east line of that certain document recorded as Instrument No. 2009-0116175, Fresno County Records; thence along last said east line South 1°35'45" West, a distance of 80.33 feet; thence North 88°24'15" West, a distance of 30.01 feet to the southeast corner of above said Lot 399, said point lying on a curve concave to the southeast and having a radius of 280.00 feet, to which a radial line bears North 88°39'09" West; thence northeasterly along said curve through a central angle of 16°39'43", an arc distance of 81.43 feet to the **POINT OF BEGINNING**.

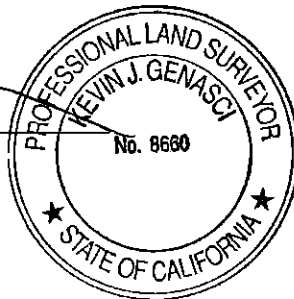
Excepting all rights to oil, gas, other hydrocarbon substances of minerals on or under the property as conveyed to Harris Farms, Inc., by Deed recorded May 6, 1986, as Document No. 86049433, Official Records.

**CONTAINING** 2,589 square feet, more or less.

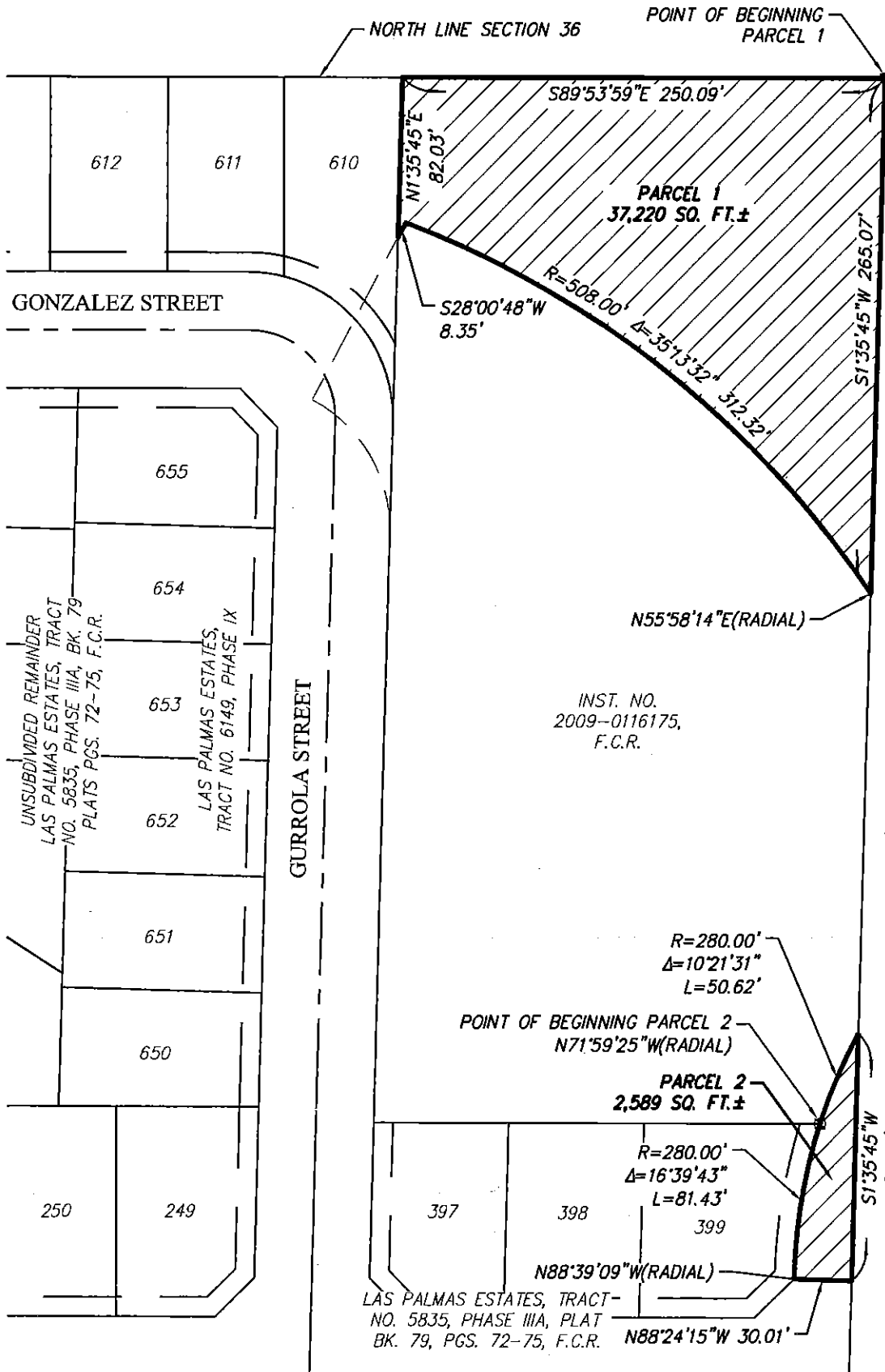
**SUBJECT TO** all rights-of-way and easements of record.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

  
Kevin J. Genasci, P.L.S. 8660  
November 15, 2017



# EXHIBIT "E"



11.15.17

PARCEL 2  
PARCEL MAP NO. 87-1  
BK. 47, PG. 60, F.C.R.

INST. NO.  
2009-0116175,  
F.C.R.



# EXHIBIT "B"



**HAWKINS & ASSOCIATES ENGINEERING, INC.**  
 436 MITCHELL ROAD  
 MODESTO, CA. 95354  
 PH: (209) 575 - 4295  
 FX: (209) 578 - 4295

**PORTION OF UNSUBDIVIDED REMAINDER, 79 PLATS 72-75**

**KSA INVESTMENTS, LLC**  
**MENDOTA, CALIFORNIA**

BY: RCS  
 CHK: KJG  
 DATE: 11/2017  
 SCALE: 1"=80'  
 JOB #: 2466.09  
 FILE: SUR/PLAT

1  
OF  
1

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**AGENDA ITEM**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MICHAEL OSBORN, ASSISTANT CITY ENGINEER  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** 8<sup>th</sup> STREET RECONSTRUCTION PROJECT (OLLER ST. TO RIO FRIO ST.)  
**DATE:** DECEMBER 12, 2017

---

**ISSUE**

Should the City Council authorize the City Manager to release final payment of the retention to Doug Ross, Inc. dba Central Valley Asphalt, the contractor for the 8<sup>th</sup> Street Reconstruction Project (Oller Street to Rio Frio Street)?

**BACKGROUND**

Resolution 17-52 authorized the award of the project to Doug Ross, Inc., dba Central Valley Asphalt (contractor.) This project reconstructed a portion of 8<sup>th</sup> Street from Oller Street to Rio Frio Street. On November 8, 2017 the project was found to be substantially complete and on November 28, 2017 a Notice of Completion was filed and with the Fresno County Recorder (Doc 2017-0152836.)

Following recordation of the Notice of Completion, a 35-day waiting period commenced during which any stop notices or liens may be filed against the contractor.

**ANALYSIS**

The project has been substantially complete for over a month. To the best of staff's knowledge, no liens or stop notices have been filed prior to nor during the 35-day waiting period, to date; therefore, payment of the retention may be made in full, assuming no liens or stop notices are filed prior to the close of the 35-day waiting period (January 2, 2018.)

## **FISCAL IMPACT**

Final retainage payment of \$19,385.12 was included in the over fee of the awarded contract as well as the approved budget for Fiscal Year 2017-2018.

Of note, the project was completed in accordance with plans and specs, on time, and well under budget. The contractor was very competent; so much so that Provost & Pritchard did not have to provide all of the construction staking (surveying) anticipated and, therefore, will reduce their fees for this service by half.

## **RECOMMENDATION**

Staff recommends that the City Council authorize the City Manager to release final payment of the retention to Central Valley Asphalt, the contractor for the 8<sup>th</sup> Street Reconstruction Project (Oller Street to Rio Frio Street) at the close of the 35-day waiting period, provided that no stop notices or liens are filed with the City during the remainder of this waiting period.

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA TO AUTHORIZE  
PAYMENT OF RETAINAGE TO CONTRACTOR  
FOR 8th STREET RECONSTRUCTION  
PROJECT (OLLER STREET TO RIOFRIO  
STREET)**

**RESOLUTION NO. 17-70**

**WHEREAS**, Resolution 17-52 authorized award of the 8<sup>th</sup> Street Reconstruction Project (Oller St. to Rio Frio St.) to Doug Ross, Inc. dba Central Valley Asphalt; and

**WHEREAS**, this project was found to be substantially complete on November 8, 2017, and

**WHEREAS**, the Notice of Completion was filed with the Fresno County Recorder on November 28, 2017 (Doc 2017-0152836), and

**WHEREAS**, during the required 35 day waiting period no stop notices or liens have been filed to date with the City against Doug Ross, Inc. dba Central Valley Asphalt in relation to this project, and

**WHEREAS**, payment of the full contract amount including retention was included in the approved budget for Fiscal Year 2017-2018.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota that the City Manager is hereby authorized to release payment of the retention in the amount of \$19,385.12 to Central Valley Asphalt, as final payment for this project, at the close of the 35-day waiting period as long as no stop notices or liens are filed with the City against the contractor in relation to this project during the remainder of this period.

\_\_\_\_\_  
Rolando Castro, Mayor

**ATTEST:**

I, Matt Flood, 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 12<sup>th</sup> day of December, 2017, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Matt Flood, City Clerk



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## ADMINISTRATIVE SERVICES DEPARTMENT REPORT

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES  
**VIA:** CITY MANAGER  
**SUBJECT:** MONTHLY REPORT  
**DATE:** DECEMBER 12, 2017

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### SPECIAL PROJECT MANAGEMENT

- I continued to conduct labor compliance employee interviews for the 7<sup>th</sup> and Derrick Project.

### HUMAN RESOURCES

- Open enrollment for health insurance closed on November 27, 2017.

### RISK MANAGEMENT

- Monthly Safety Training  
The Public Works Department's monthly safety training for November was held on 11/15/2017. The topics covered were:
  1. Working Safely in Cold Weather
  2. Stairways, Ladders and Safety

### AVIATION

- Caltrans Division of Aeronautics-Annual State Inspection report was received and I have sent a response letter.

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## **PUBLIC WORKS REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CRISTIAN GONZALEZ, PUBLIC WORKS DIRECTOR  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** PUBLIC WORKS MONTHLY REPORT  
**DATE:** DECEMBER 12, 2017

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### **STREETS AND ROADS**

- Street sweeping continues as usual. The city's street sweeper was down for a couple of weeks due to a hard to find short circuit but sweeping continued with contract services. The city's sweeper is back online.
- Construction continues on the 7th and Derrick Realignment project. Paving and striping is complete. Pending items are tree grates, stone veneer and a split rail fence for the park.
- Construction on 8th Street is near complete.
- City crews continue to conduct road maintenance throughout the city. Potholes tend to resurface after significant rains, which we have yet to experience.

### **PARKS AND PUBLIC BUILDINGS**

- Public Works continues to maintain the parks for the community.
- Community Center's AC system was down on the eastern part of the building. Repairs are underway.

### **DRINKING WATER**

- Meter reads are complete.

### **WASTE WATER**

- Monthly samples have been submitted.
- A pre-submittal site visit for the waste water treatment plant project was held. There was a good turnout of attendees. Proposals for environmental review are expected to be submitted by December the 15th.

## **ANIMAL CONTROL**

- Animals impounded: 30
- Animals euthanized: 22
- Animals redeemed by owner: 1
- Graffiti abated: 2
- Citations issued: 0

## **ADULT OFFENDER WORK PROGRAM**

- AOWP continue working on public right of ways and alley weed abatement.

## **BUILDING PERMITS ISSUED**

- A list of new permits is attached to the report.

## **PLANNING**

- Staff received an application from 612 Derrick requesting approval to remodel store front.

## **STAFFING FOR PUBLIC WORKS**

- 13 full time employees
- 3 part time employees
- 3 Proteus employees (program will end this month)

## **FUEL STOCK**

- Unleaded: 4,037 gallons
- Diesel: 4,840 gallons

## Permits Issued

Report Date Range : 10/20/2017 to 12/06/2017

Permit #	Type of Permit	Date Issued	Job Address
20170219	101 NEW CONSTRUCTION SFR 1420 SQFT & 400 SQFT GARAGE	10/20/2017	34 QUIROGA CT
20170220	101 NEW CONSTRUCTION SFR 1275 SQFT & 400 SQFT GARAGE	10/20/2017	50 QUIROGA CT
20170221	101 NEW CONSTRUCTION SFR 1420 SQFT & 400 SQFT GARAGE	10/20/2017	39 QUIROGA CT
20170222	101 NEW CONSTRUCTION SFR 1435 SQFT & 400 SQFT GARAGE	10/20/2017	42 QUIROGA CT
20170223	438 INSTALLING GARAGE DOORS AND REPAIRS 441 SQFT PER APPROVED PLAN	10/20/2017	191 Sorensen Ave
20170224	101 NEW SINGLE FAMILY RESIDENTIAL 1556 SQFT & 403 SQFT GARAGE	10/20/2017	1025 PUCHEU ST
20170225	329(b) INSTALLING 12 SOLAR PANELS	10/20/2017	430 Black Ave
20170226	437(a) NEW COMMERCIAL BUILDING - TACO BELL 2053 SQFT PER APPROVED PLAN & CONDITION ON EXHIBIT "A"	10/25/2017	680 DERRICK AVE
20170227	101 NEW SFR 1320 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	10/25/2017	843 Lolita St
20170228	329(b) INSTALL 21PV PANELS; ROOF MOUNT COMP:6.3 KW NEW 200A/MAIN SERVICE ELECTRICAL PANEL NEW 200A/2P MAIN CIRCUIT BREAKER	10/25/2017	1143 Pucheu St
20170229	329(b) SOLAR PANEL - 16X320 CANADIAN SOLAR 56X-320W PER APPROVED PLAN	10/25/2017	1106 9th St
20170230	434(a) RE-ROOF TEAR-OFF 1700SQ FT EXISTING ROOF TYPE SHINGLES- 1 EXISTING LAYER, PROPOSING COMP SHINGLES & COOL ROOF 6/12PITCH	10/25/2017	555 J St
20170231	434(a) REPLACE 40 GALLON WATER HEATER	10/26/2017	536 J St
20170232	328 NEW SMOG STATION - 4750 SQFT PER APPROVED PLAN	10/26/2017	836 Oller St
20170233	434(b) HVAC FULL CUT IN 2.5 TON UNIT 16 SEER PER APPROVED PLAN	10/30/2017	736 TULE ST

## Permits Issued

Report Date Range : 10/20/2017 to 12/06/2017

Permit #	Type of Permit	Date Issued	Job Address
20170234	434(a) RE-ROOF TEAR-OFF 2100SQ FT EXISTING ROOF TYPE SHINGLES- 1 EXISTING LAYER, PROPOSING SHINGLES 4/12PITCH	10/30/2017	736 TULE ST
20170235	434(a) RE-ROOF TEAR-OFF EXISTING COMP SHINGLES PROPOSING COMP SHINGLES 2500 SQFT 4/12 PITCH ROOF PER APPROVED PLAN	11/1/2017	1132 6th St
20170237	101 NEW CONSTRUCTION SFR 1420 SQFT & 400 SQFT GARAGE	11/3/2017	31 QUIROGA CT
20170238	101 NEW CONSTRUCTION SFR 1420 SQFT & 400 SQFT GARAGE	11/3/2017	47 QUIROGA CT
20170239	101 NEW CONSTRUCTION SFR 1275 SQFT & 400 SQFT GARAGE	11/3/2017	64 QUIROGA CT
20170240	101 NEW CONSTRUCTION SFR 1435 SQFT & 400 SQFT GARAGE	11/3/2017	67 SEGOVIA ST
20170241	101 NEW CONSTRUCTION SFR 1435 SQFT & 400 SQFT GARAGE	11/3/2017	72 DIAZ ST
20170242	101 NEW CONSTRUCTION SFR 1715 SQFT & 400 SQFT GARAGE	11/3/2017	69 DIAZ ST
20170243	434(a) RE-ROOF EXISTING SHINGLES 1 LAYER PROPOSING SHINGLES 2200 SQFT PER APPROVED PLAN	11/6/2017	587 4th St
20170244	101 NEW CONSTRUCTION SFR 1435 SQFT & 400 SQFT GARAGE	11/7/2017	62 SEGOVIA ST
20170245	434(a) RE-ROOF TEAR-OFF EXISTING PROPOSING COMP SHINGLES 2800 SQFT 4/12 PITCH ROOF PER APPROVED PLAN	11/16/2017	564 J St
20170246	MISC NEW CHAIN LINK PRIVACY LINK FENCE - ALL AROUND PROJECT FACILITY	11/16/2017	295 Naples St
20170247	434(a) NEW PATIO/ PORCH 532 SQFT PER APPROVED PLAN	11/16/2017	241 San Pedro St

## Permits Issued

Report Date Range : 10/20/2017 to 12/06/2017

Permit #	Type of Permit	Date Issued	Job Address
20170248	434(a) RE-ROOF TEAR-OFF EXISTING PROPOSING COMP SHINGLES 30YR 2000 SQFT 4/12 PITCH ROOF PER APPROVED PLAN	11/16/2017	918 2nd St
20170249	MISC STUCCO WALL NEEDS REPAIRS - 18 FEET LONG 10 FEET TALL PER APPROVED PLAN	11/16/2017	619 Rio Frio St R
20170250	434(a) NEW PATIO 560 SQ FT.PER APPROVED PLAN	11/16/2017	401 HOLMES ST
20170251	434(a) RE-ROOF TEAR-OFF EXISTING PROPOSING COMP SHINGLES 2300 SQFT 4/12 PITCH ROOF PER APPROVED PLAN	11/17/2017	261 Fleming Ave
20170252	MISC New Rear Yard Block Fence 79 ft Per Approved Plan	11/17/2017	241 San Pedro St
20170253	437(a) New Taco Bell Temp Power Per Approved Plan	11/17/2017	680 DERRICK AVE
20170254	434(a) NEW PORCH/ PATIO FOR 195 SQFT PER APPROVED	11/22/2017	310 HOLMES AVE
20170255	434(a) NEW PORCH/ PATIO FOR 180SQFT PER APPROVED	11/22/2017	271 Espinoza St
20170256	329(b) 7.35 KW SOLAR PV ROOF MOUNT 21 MODULES 200A MAIN SERVICE PANEL UPGRADE	11/22/2017	436 Rio Frio St
20170257	434(a) RE-ROOF TEAR-OFF EXISTING SHINGLES PROPOSING SHINGLES 2200 SQFT 4/12 PITCH ROOF PER APPROVED PLAN	11/22/2017	922 2nd St
20170258	434(a) RE-ROOF TEAR-OFF EXISTING SHINGLES PROPOSING SHINGLES 2200 SQFT 4/12 PITCH ROOF PER APPROVED PLAN	11/22/2017	926 2nd St
20170259	329(b) INSTALL (23) PANELS; ROOF MOUNT 6.9KW	11/30/2017	605 N Juanita St

## Permits Issued

Report Date Range : 10/20/2017 to 12/06/2017

Permit #	Type of Permit	Date Issued	Job Address
20170260	101 NEW CONSTRUCTION SFR 1420SQFT & 400 SQFT GARAGE PER APPROVED PLAN	11/30/2017	568 GONZALEZ ST
20170261	101 NEW CONSTRUCTION SFR 1435 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	11/30/2017	38 SEGOVIA ST
20170262	MISC FENCE INSTALLATION: NEW IRON FENCE AROUND APARTMENT COMPLEX	12/4/2017	1000 2nd St
20170263	329(b) INSTALL (16) PANELS, 5.2 KW	12/4/2017	1558 10th St
20170264	101 NEW CONSTRUCTION SFR 1420 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	12/4/2017	40 DIAZ ST
20170265	101 NEW CONSTRUCTION SFR 1275 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	12/4/2017	64 DIAZ ST
20170266	101 NEW CONSTRUCTION SFR 1420 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	12/4/2017	29 DIAZ ST
20170267	101 NEW CONSTRUCTION SFR 1420 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	12/4/2017	410 GONZALEZ ST
20170268	437(a) COCA-COLA PROMO-COMBO ( 3 DESIGNS)	12/4/2017	200 Derrick Ave
20170269	437(a) DENTAL REMODEL	12/4/2017	121 Barboza St
20170270	434(a) NEW PORCH/ PATIO FOR 336 SQFT PER APPROVED	12/4/2017	346 MARTINEZ CT
20170271	434(b) INSTALL A/C UNIT WITH DUCTS	12/5/2017	271 Black Ave
20170272	434(a) BEDROOM ADDITION 588 SQFT PER APPROVED PLAN	12/5/2017	632 De La Cruz St

**Total Number of Permits List**                      53



# POLICE

M E N D O T A

## MEMORANDUM

**Date:** December 1, 2017  
**To:** Vince DiMaggio, City Manager  
Mendota City Council Members  
**From:** Gregg L. Andreotti, Chief of Police  
**Subject:** Monthly Report for November 2017

### Significant Cases:

Theft of license plate tabs from a vehicle on I Street. An unknown suspect stole the tabs during the night time hours.

An unknown suspect damaged the victim's vehicle window and left a note for him not to call police.

Identity theft from the owner of an EBT card. An unknown suspect obtained the victim's card information.

Officers assisted the Public Administrator and Fresno Sheriff's Office with evicting tenants at a residence on Rio Frio. The property was turned over to the Administrator and secured.

An abandon vehicle was towed to a tow yard from I5. Upon checking, tow yard employees discovered it was a stolen vehicle from out of town. An Officer recovered the vehicle.

During a patrol check at a secured property on Rio Frio officers located a trespasser. She was arrested, cited and released.

Non-injury hit and run on 4<sup>th</sup> Street. Witnesses were able to point out the suspect. Officers contacted him and discovered he was intoxicated. He was arrested for DUI and transported to Jail.

Subject check at 2<sup>nd</sup>/Marie discovered he threw a baggie of Methamphetamine as he attempted to flee. He was captured, arrested, cited and released.

Subject check at a local mini-mart on Oller discovered the subject resides in a known gang and drug area. He was FI'ed for information.

An unknown suspect damaged the victim's vehicle window while it was parked by his residence.



Non-injury hit and run in a business parking lot on 7<sup>th</sup> Street. An unknown suspect hit the victim's vehicle while it was parked.

Bicycle stop on Lolita discovered the rider had an active warrant. He was arrested cited and released.

A suspicious person on 7<sup>th</sup> Street was throwing rocks at people. No charges requested. Officers contacted the female and discovered she was wanted on outstanding warrants. She was eventually arrested and transported to Jail.

Disturbance on Maldonado Street. A witness observed a subject beating another person. Contact was eventually made with both parties and the suspect was arrested and transported to Jail.

Vehicle vs pedestrian traffic collision on Oller discovered a vehicle hit a subject who was walking in the roadway. The subject who was hit received minor injuries and refused EMS.

Trespasser at a local business on 7<sup>th</sup> Street. Officers contacted him and discovered he was intoxicated and refused to leave when the property owner ordered him to. He was arrested and transported to Jail.

Officers discovered a suspicious person by Pucheu/8<sup>th</sup> was intoxicated. He was arrested and transported to Jail.

Bicycle stop by 7<sup>th</sup>/Oller discovered methamphetamine in the rider's possession. He was arrested, cited and released.

Vehicle stop at 9<sup>th</sup>/Marie discovered the driver was wanted on outstanding warrants. He was arrested and transported to Jail.

Subject check on 8<sup>th</sup> Street discovered he was in possession of an open container of alcohol. He was cited and released.

Bicycle stop in an alley along Oller Street discovered she may be associated with a local gang. She was FI'ed for information.

Subject check at 6<sup>th</sup>/Lolita discovered an active warrant for his arrest. He was arrested, cited and released.

A victim reported the theft of her social security number. The suspect was tracked to the McDonald's Restaurant Corporation.

Vehicle stop by 6<sup>th</sup>/Quince found the driver to be intoxicated and wanted on outstanding warrants. He was arrested for DI and on the warrants, cited and released

Vehicle stop at 4<sup>th</sup>/L Street discovered the driver was wanted on outstanding warrants. Methamphetamine and drug paraphernalia was located in her possession. The passenger was found to be in possession of a large amount of Methamphetamine with sales paraphernalia. Both were arrested for drug possession and possession for sales and then transported to Jail.

Bicycle stop at 7<sup>th</sup>/Rio Frio discovered meth pipes in his possession. He was arrested, cited and released.

Subject check of an unwanted person in the front yard of a residence on Holmes Street. He was found in possession of a meth pipe, arrested, cited and released.

Subject check at 6<sup>th</sup>/Rio Frio discovered an active warrant for his arrest. He was arrested, cited and released.

Vehicle stop at 10<sup>th</sup>/Oller found a warrant for her arrest. She was arrested and transported to Jail.

Subject check of a person lying on the ground on Lolita. He was found to be intoxicated. He was arrested, cited and released to a sober adult.

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

Vandalism to a vehicle on Pucheu. An unknown suspect damaged the front windshield and body of the victim's car.

An unknown suspect telephoned residents claiming to be a representative of PG&E demanding payment for an outstanding bill and threatening to shut off power. Three residents fell victim to the scam and paid with pre-paid cards. Press Release was submitted.

Subject check in the alley by 6<sup>th</sup>/Stamoules found him to be intoxicated. He was arrested, cited and released to a sober adult.

Theft of tools from a truck on Lolita Street. An unknown suspect removed the tools during the evening hours.

Subject check at Rio Frio/6<sup>th</sup> discovered he was in possession of a meth pipe. He was arrested, cited and released.

Three trucks with trailers were cited for parking violations at 2<sup>nd</sup>/Bass.

Vehicle stop at 11<sup>th</sup>/Oller discovered the driver was intoxicated. He was arrested for DUI, cited and released to a sober adult.

Disturbance at a residence on 7<sup>th</sup> Street discovered the suspect hit the victim. The suspect was arrested and transported to Jail.

Subject check by Marie/5<sup>th</sup> discovered the subject just moved to Mendota from Salinas. He was FI'ed for information.

Trespassing at City Hall. Subject with no business intimidated staff and refused to leave when instructed. He was arrested, his probation revoked and he was transported to Jail.

Restraining order violation at a residence on L Street. The restrained party was contacted by officers on the protected property. He was arrested, his parole violated and transported to Jail.

Pan handling in the parking lot of a business at Pucheu/7<sup>th</sup>. The violator was witnessed by an officer asking people for money. He had been warned earlier to stop the activity. He was arrested, cited and released.

Vehicle burglary where a known suspect broke into the victim's vehicle and removed property. The suspect is outstanding.

Subject check at Sorenson/Tuft of a known wanted person. He was arrested and admitted association with a local gang. He was FI'ed for information and transported to JJC.

Subject check at Oller/4<sup>th</sup> of an involved party in a prior disturbance. He was found to have an outstanding warrant for his arrest. He was arrested and transported to Jail.

Subject check at 6<sup>th</sup>/Lolita discovered an illegal knife in his possession. He was arrested, cited and released.

Bicycle stop by Lolita/9<sup>th</sup> discovered he was in possession of a meth pipe. He gave a false name in an attempt to dissuade officers from knowing he was a wanted parolee. He was arrested and transported to Jail.

Subject check at Quince/7<sup>th</sup> of a person sleeping on the sidewalk. He was awakened and found to be intoxicated. He was arrested, cited and released to a sober adult.

Vehicle stop resulted in a citation being issued and four FI's for information.

Vehicle stop by 9<sup>th</sup>/Pucheu discovered the driver was intoxicated. He was arrested for DUI, cited and released.

An unwanted subject was at a local restaurant on Oller. Subject refused to leave when instructed to by employees. She was arrested for trespassing, cited and released.

Theft from a vehicle's storage compartment while it was parked at Marie/6th. A known suspect was filmed committing the theft. He was identified by officers, located and arrested. He was transported to Jail.

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

Non-injury hit and run on Rios Street. During the night hours an unknown suspect hit the victim's vehicle and fled.

Non-injury traffic collision by Hwy 33/Bass. Both parties remained on scene.

An unknown suspect broken into the victim's van and stole documents.

Three retired city vehicles parked at the City Water Yard were found to have broken side windows. Fragments of cement and rocks were discovered in the interior mixed among the broken glass. Suspects are unknown.

Subject check of a person living out of his van at Naples/4<sup>th</sup>. He was FI'ed for information.

Non injury traffic collision on Lozano. Subject causing backed into a vehicle and remained on scene.

Found pellet gun on Lolita Street. No evidence it was involved in any crime.

Disturbance involving subjects chasing a person while yelling a gang name. Subjects involved are known to associate with a local gang.

Disturbance at a local restaurant on Oller involved a known probationer. He was contacted and his probation was violated. He was transported to Jail.

Vehicle stop at 4<sup>th</sup>/K Street discovered the driver was wanted on an outstanding warrant. He was arrested, cited and released.

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

An unwanted subject outside a residence on Holmes was located and found to be in possession of a meth pipe. He was arrested, cited and released.

Subject check of two on Tule Street. Both were from out of town and said they were visiting. They were FI'ed for information.

Non-injury traffic collision discovered one of the drivers was intoxicated. He was arrested for DUI, cited and released.

Vehicle Check in the parking lot of a local park. During the contact information was obtained to determine he was not licensed to drive and he associated with a local gang. He was cited for information. After leaving the area officers witnessed the subject driving, knowing he was not licensed. He was cited and released.

Disturbance on Blanco Street. The victim reported she was punched in the face after she drove by a residence and displayed a rude hand gesture to a resident. The suspect was gone when officers arrived.

A bicycle was stolen from in front of a local store on 7<sup>th</sup> Street. Video surveillance captured the incident and the suspect was recognized by officers. He was located in possession of the stolen property and arrested. He was later cited and released.

Disturbance on Kate Court discovered one of the subjects causing was wanted on an outstanding warrant. After contact with officers he attempted to bribe one to let him go. He was arrested and transported to Jail.

Vehicle stop by 4<sup>th</sup>/Oller discovered the driver was intoxicated. He was arrested for DUI and transported to Jail.

While on scene at a vehicle stop an intoxicated subject approached officers and used profane language. The subject was found to be intoxicated and arrested. He was transported to Jail.

An unknown suspect vandalized the victim's vehicle while parked on Quince by scratching vulgar language into its paint and pouring sugar into the gas tank.

Vehicle check at Marie/9<sup>th</sup> discovered a subject in possession of two meth pipes. He was arrested, cited and released.

Non-injury traffic collision. While on a vehicle stop at Hwy 180/Belmont an intoxicated driver rear ended the marked patrol vehicle. CHP responded and handled the investigation. The driver causing was arrested by CHP for DUI and transported to Jail.

Vehicle stop at 3<sup>rd</sup>/Oller discovered the driver was intoxicated. He was arrested for DUI, cited and released to a sober adult relative.

Vehicle stop at Oller/6<sup>th</sup> discovered the driver's CDL was revoked and he was wanted on an outstanding warrant. He was arrested, cited and released.

Disturbance at a residence on Santa Cruz determined the suspect hit the victim in the face. The suspect was arrested and transported to Jail.

An unknown suspect cut holes in a fence surrounding a business on Naples and then entered the business and stole tools.

An unknown suspect entered the Water Yard at 2<sup>nd</sup>/Marie and stole keys from three unlocked non-city vehicles.

An unknown suspect stole a customer's wallet as he shopped at a store on Oller. The victim dropped the wallet and before he could return to claim it, the suspect picked it up and fled the store.

A person in an alley along Rio Frio was checked by Officers. He was found to be intoxicated, arrested and transported to Jail.

An identity theft victim reported an unknown suspect attempted to open two credit card accounts in her name without her permission.

An unknown suspect stole a small amount of employee money from a local business.

Two subjects were contacted for trespassing on posted property on Oller Street. Both were arrested by the victim, taken into custody by Officers, cited and released.

Subject check in the roadway by 7<sup>th</sup>/Quince discovered he was intoxicated. He was arrested and transported to Jail.

Vehicle stop by Oller/9<sup>th</sup> discovered the driver and passenger were in possession of methamphetamine and meth pipes. Both were arrested, cited and released.

**Strategic Planning:**

- Authorized personnel recertified with the Taser

**Personnel Information:**

- Officer Nicholas Alvarado completed the FTO Orientation Program and was released as a solo Patrol Officer