



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
May 22, 2018
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.

In compliance with the Americans with Disabilities Act, those requiring special assistance to participate at this meeting please contact the City Clerk at (559) 655-3291. Notification of at least forty-eight hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to the meeting.

CALL TO ORDER

ROLL CALL

FLAG SALUTE

INVOCATION

FINALIZE THE AGENDA

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

CITIZENS ORAL AND WRITTEN PRESENTATIONS

At this time members of the public may address the City Council on any matter not listed on the agenda involving matters within the jurisdiction of the City Council. Please complete a "request to speak" form and limit your comments to THREE (3) MINUTES. Please give the completed form to 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 May 8, 2018.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

CONSENT CALENDAR

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

1. MAY 04, 2018 THROUGH MAY 16, 2018
WARRANT LIST CHECKS NO. 043885 THRU 043947
TOTAL FOR COUNCIL APPROVAL = \$216,788.84
2. Proposed adoption of **Resolution No. 18-31**, providing workers compensation coverage to non-safety volunteers.
3. Proposed adoption of **Resolution No. 18-33**, establishing the schedule for two special City Council meetings to consider the budget for fiscal year 2018-2019.
4. Proposed adoption of **Resolution No. 18-34**, authorizing acceptance of the conveyance of a 37,300-square foot parcel from KSA Homes, Inc. to the City of Mendota.
5. Proposed adoption of **Resolution No. 18-35**, authorizing the conveyance of a 2,599-square foot parcel from the City of Mendota to KSA Homes, Inc.
6. Approval of the City's goals for 2018.

BUSINESS

1. Council discussion and consideration of **Resolution No. 18-32**, initiating an amendment to Section 17.81 of the Mendota Municipal Code for the establishment of Enhanced Economic Incentive Areas.
 - a. *Receive report from City Manager DiMaggio*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens floor to receive any comment from the public*
 - d. *Council adopt Resolution No. 18-32*
2. Council discussion and consideration on establishing a policy prohibiting the charging of admission to Rojas-Pierce Park during carnival events.
 - a. *Receive report from City Manager DiMaggio*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens floor to receive any comment from the public*
 - d. *Council take action as appropriate*

3. Council consideration of two exclusive use applications for the use of Rojas-Pierce Park for backpack giveaway events.
 - a. *Receive report from Administrative Services Director Lekumberry*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens floor to receive any comment from the public*
 - d. *Council take action as appropriate*

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Administrative Services
 - a) Monthly Report
2. Public Works
 - a) Monthly Report
3. City Attorney
 - a) Update
4. City Manager

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
2. Mayor


CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS
CA Government Code 54957.6
Agency designated representatives: City Manager Vince DiMaggio
Employee organization: Mendota Police Officers Association

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 May 22, 2018, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, May 18, 2018 at 4:40 p.m.



Celeste Cabrera, Deputy City Clerk



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

May 8, 2018

Meeting called to order by Mayor Castro at 5:59 p.m.

Flag salute led by Councilor Silva.

Roll Call

Council Members Present: Mayor Rolando Castro, Councilors Jesse Mendoza, Oscar Rosales, and Robert Silva.

Council Members Absent: Mayor Pro Tem Victor Martinez.

FINALIZE THE AGENDA

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

A motion was made by Councilor Silva to adopt the agenda, seconded by Councilor Rosales; unanimously approved (3 ayes, absent: Martinez and Mendoza).

PRESENTATION

1. Students of Mendota High School to receive Certificates of Recognition for their participation on the Mendota Student Council.

Mayor Castro announced that the Council would move on to the next item of the agenda to wait for more students to arrive.

2. Ivette Rodriguez from Mid Valley Disposal to present the 3rd and 4th quarter update.

Ivette Rodriguez with Mid Valley Disposal introduced Kacey Auston who introduced her role with Mid Valley Disposal, and her work as a Board Member of the Board of Directors for the United Way of Fresno and Madera Counties.

At 6:02 p.m. Councilor Mendoza entered the Council Chambers.

Ivette Rodriguez provided the 3rd and 4th quarter recycling updates for Mendota, including their diversion efforts; educational outreach to the community regarding recycling; their work with City staff to ensure diversion requirements are being met; an overview of the commercial, multi-residential, and residential recycling audits; items that are and are not acceptable for recycling; assessing the loads of each truck as it comes from the community to determine how much contamination is present; their participation in community events; and the material collected at the fall clean-up event.

Discussion was held on recycling organic (food) waste; reaching out to the community to encourage recycling of all recyclable products; the effectiveness of the semi-annual clean-up events; and a mattress recycling program that may be available.

1. Students of Mendota High School to receive Certificates of Recognition for their participation on the Mendota Student Council.

The City Council presented certificates of recognition to the students who participated in the Mendota Student Council.

The Council commented on the student's hard work and participation; the knowledge demonstrated by the students; and the difficult issues the Student Council addressed.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

Mike Rodriguez - commented on the state of trailers owned by his mother-in-law, for which she received a letter threatening to tow them; the cost of the variance required in order to continue to store the trailers there; and the various other issues the community faces that are more important to him.

Discussion was held on the fee schedule, and the need to place items on the agenda before the Council takes action on it.

Dino Perez (Westside Youth, Inc.) - thanked the Council for attending the organization's 40th anniversary celebration, and for the proclamation made for the organization; and invited the Council to their Mother's Day Celebration.

APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of April 24, 2018 and the special City Council meeting of May 1, 2018.

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 Rosales; unanimously approved (4 ayes, absent: Martinez).

CONSENT CALENDAR

1. APRIL 20, 2018 THROUGH MAY 02, 2018
WARRANT LIST CHECKS NO. 043832 THRU 043884
TOTAL FOR COUNCIL APPROVAL = \$320,486.90
2. Proposed adoption of **Resolution No. 18-28**, contracting with Provost & Pritchard Consulting Group for the preparation of an application processing fee study and a development impact fee study.
3. Proposed adoption of **Resolution No. 18-29**, declaring surplus equipment and authorizing the sale or disposal of such property.
4. Proposed adoption of **Resolution No. 18-30**, requesting that the Fresno County Clerk provide election services.
5. Proposed approval of a request from Mendota Youth Recreation to modify a facility-use application.

Councilor Silva requested to pull the item 3 of the Consent Calendar, and discussion was held on property that has been deemed surplus and the location of the sale.

A motion was made by Councilor Rosales to adopt items 1 through 5 of the Consent Calendar, seconded by Mayor Castro; unanimously approved (4 ayes, absent: Martinez).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

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

Chief of Police Andreotti provided his report for the Code Enforcement department including the hiring of a new code enforcement officer, and the violations listed in the report that was provided.

Discussion was held on the Public Safety Sub-Committee Meeting that was held recently; the state of alleys behind commercial establishments and ensuring that those businesses keep the area adjacent to their stores clean.

Chief Andreotti summarized the report for the Police Department including personnel changes, including future recruitment; acquiring a new vehicle; a recent meeting with the Superintendent of the Mendota Unified School District to discuss the expansion of the School Resource Officer program; the recent decrease in crime and the increase in crime being reported citizens; and an upcoming conference and competition that the Explorers will be participating in.

Discussion was held on the importance of hiring local individuals, and the fundraising activities of the Explorer Program.

2. Economic Development
a) Monthly Report

Economic Development Manager Flood provided an update on the creation of a community profile brochure; reported on the proposed Enhanced Economic Incentive Area that the Council will consider in the future; the grand opening of Taco Bell; and creating a database on the City's website of available commercial property.

3. City Attorney
a) Update

Nothing to report.

4. City Manager

Councilor Mendoza requested an update on the installation of a speed hump on Fleming Street; the reparation of the bathroom at Veteran's Park; and the condition of the playground area at Pool Park.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)

Councilor Silva reported on the San Joaquin Valley Water Infrastructure Authority's efforts to procure funding to develop a dam at Temperance Flat, particularly mentioned the lack of support at the State level for the project; and recent meetings of the Recreation Commission and Public Safety Sub-Committee.

Councilor Mendoza thanked the public for attending and encouraged the public to express appreciation for their loved ones during Mother's Day.

Councilor Rosales commented on the effectiveness of the Public Safety Sub-Committee meeting; the donations for the Mendota Fireworks Show that are being solicited; and thanked the public for attending the meeting.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 7:04 p.m. by Councilor Rosales, seconded by Councilor Silva; unanimously approved (4 ayes, absent: Martinez).

Rolando Castro, Mayor

ATTEST:

Matt Flood, City Clerk

CITY OF MENDOTA
CASH DISBURSEMENTS
5/4/2018 - 5/16/2018
Check # 043885 - 043947

Date	Check #	Amount	Vendor	Department	Description
May 4, 2018	43885	\$1,389.83	BANKCARD CENTER	GENERAL-WATER-SEWER	CREDIT CARD EXPENSES 3/27/18 - 4/23/18
May 7, 2018	43886	\$60.00	ADMINISTRATIVE SOLUTIONS, INC	GENERAL	(4) HRA ADMINISTRATION MAY 2018 - PD
May 7, 2018	43887	\$4,529.36	AMERITAS GROUP	GENERAL	VISION & DENTAL INSURANCE FOR JUNE 2018
May 7, 2018	43888	\$2,000.00	CUMULUS MEDIA INC & SUBSIDIARIES	REFUSE	CUMULUS RADIO & DIGITAL ADVERTISING CAMPAIGN ON BEHALF OF MID VALLEY DISPOSAL
May 10, 2018	43889	\$1,650.00	LORIE ANN ADAMS	HOME LOAN	(2) PORTFOLIO MANAGEMENT - MARCH & APRIL 2018(CDBG), (5) PROCESS & MAIL ANNUAL PORTFOLIO REVIEW LETTERS, PROCESS PAYOFFS
May 10, 2018	43890	\$106.33	AG & INDUSTRIAL SUPPLY INC.	STREETS-GENERAL-WATER-SEWER	(14.5 FT) HYDRAULIC HOSE 3/8 2WIRE (2) GLOBAL FITTINGS, (1) GLOBAL ONE PC HOSE REPAIR FOR STEAM CLEANER
May 10, 2018	43891	\$29.95	AIRGAS USA, LLC	WATER	(1) RENT CYL INF SMALL CARBON DIOXIDE APRIL 2018
May 10, 2018	43892	\$373.45	ALERT-O-LITE	STREETS	(2) DIAMOND BALDE UB10-14 BLUE FOR ASPHALT
May 10, 2018	43893	\$108.39	ALL-PHASE MEDALLION SUPPLY	GENERAL-WATER-SEWER	(6) SHORTING CAP, (6) TWIST LOCK PC, STREETLIGHT PHOTO CELLS
May 10, 2018	43894	\$276.43	AMERIPRIDE SERVICES INC	GENERAL-WATER-SEWER	PUBLIC WORKS UNIFORM WEEK 4/5/18, 4/12/18, 4/19/18, & 4/26/18
May 10, 2018	43895	\$266.77	ANTHONY'S SHOP	SEWER-STREETS	JD FARM TRACTOR - REPLACE (1) 100 AMP ALTERNATOR
May 10, 2018	43896	\$128.20	AUTOZONE, INC	STREETS	VEH#88 - (1) DURALAST BATTERY (1) BATTERY INSTALL KIT, (1) DURALAST BATTERY CORE EXCHANGE
May 10, 2018	43897	\$1,725.44	BEST UNIFORM	GENERAL	(2) BODY ARMOR - PD
May 10, 2018	43898	\$23.70	ROLANDO CASTRO	GENERAL	EXPENSE REIMBURSEMENT - MEETING IN SACRAMENTO
May 10, 2018	43899	\$1,912.50	COLLINS & SCHOETTLER PLANNING	GENERAL	PASSTHRU PLANNING CONSULTING APRIL 2018 - LA COLONIA
May 10, 2018	43900	\$50.00	COOK'S COMMUNICATION CORP	GENERAL	UNIT#M81 - FIX LIGHT BAR, SPOT LIGHT, DOCKING STATION - PD
May 10, 2018	43901	\$404.32	CORELOGIC INFORMATION SOLUTIONS, INC	GENERAL-WATER-SEWER	REALQUEST SERVICES - 4/1/18 - 4/30/18, REALQUEST SERVICES - (88) PROPERTY DETAIL REPORTS
May 10, 2018	43902	\$800.00	D&D DISPOSAL INC	GENERAL	ANIMAL DISPOSAL FEE FOR APRIL 2018
May 10, 2018	43903	\$245.69	DATAMATIC, INC	WATER	MONTHLY SOFTWARE LICENSE & SERVICE MAINTENANCE FEE JUNE 2018
May 10, 2018	43904	\$179.00	DEPARTMENT OF JUSTICE	GENERAL	(4) FINGERPRINT APPS, (1) FINGERPRINT - FBI, (1)CHILD ABUSE INDEX CHECK, (1) PEACE OFFICER - BILLED - PD
May 10, 2018	43905	\$92.55	EWING, FRESNO	GENERAL	HUNTER SPRINKLERS FOR BALL DIAMOND
May 10, 2018	43906	\$10,833.33	FIREBAUGH POLICE DEPARTMENT	GENERAL	POLICE DISPATCH SERVICES 4/1/18 -4/30/18
May 10, 2018	43907	\$137.99	FRESNO COUNTY SHERIFF	GENERAL	RMS JMS ACCESS FEE FOR APRIL 2018 - PD
May 10, 2018	43908	\$434.00	FRESNO MOBILE RADIO, INC	GENERAL	(31) POLICE DEPARTMENT RADIOS FOR APRIL 2018
May 10, 2018	43909	\$2,000.00	GRANTED SOLUTIONS	GENERAL-WATER-SEWER	APRIL GRANT WRITING SERVICES (PRORATED)

CITY OF MENDOTA
CASH DISBURSEMENTS
5/4/2018 - 5/16/2018
Check # 043885 - 043947

May 10, 2018	43910	\$33.38	ID CARDS, INC	GENERAL	(3) CUSTOM PVC CARD, SINGLE SIDE W/ PHOTO - PD
May 10, 2018	43911	\$165.00	INDEPENDENCE ENVIRONEMENTAL, LLC	WATER-SEWER	NON-RCRA HAD WASTE - USED OIL 120 GAL, ANTI-FREEZE 65 GAL
May 10, 2018	43912	\$548.00	LEXIS NEXIS	GENERAL-WATER-SEWER	SERVICES SUBSCRIPTION FOR MARCH & APRIL 2018
May 10, 2018	43913	\$78.00	LOU'S GLOVES, INC	WATER	(10) NITRILE EXAM GRADE BLACK GLOVES LARGE
May 10, 2018	43914	\$1,034.44	NORTHSTAR CHEMICAL	WATER	(500 GAL) SODIUM HYPOCHLORITE - 12.5 MILL A
May 10, 2018	43915	\$167.59	OFFICE DEPOT	GENERAL-WATER-SEWER	MULTIPLE DEPARTMENT OFFICE SUPPLIES
May 10, 2018	43916	\$236.18	AT&T	GENERAL-WATER-SEWER	MONTHLY SERVICE 559-266-6456 4/26/18 - 5/25/18
May 10, 2018	43917	\$6,869.50	PROVOST & PRITCHARD	GENERAL-WATER-SEWER	ENGINEERING SERVICES RETAINER - APRIL 2018, PASS-THRU PROFESSIONAL SERVICES PLAN CHECK OUR LADY OF GUADALUPE CHURCH, LA COLONIA
May 10, 2018	43918	\$413.98	PROFORCE LAW ENFORCEMENT	GENERAL	(12) TASER CARTRIDGE M26/X26 25 FT - PD
May 10, 2018	43919	\$61.38	R.G. EQUIPMENT COMPANY	GENERAL	(3) BLADE - RECYCLER 60" DECK
May 10, 2018	43920	\$15.00	RAMON'S TIRE & AUTO SERVICE	GENERAL	VEH# M82 - TIRE REPAIR (INSIDE PATCH) RIGHT REAR - PD
May 10, 2018	43921	\$19.95	SEBASTIAN	GENERAL	SECURITY SERVICES - 4/21/18 - 5/20/18 - PD
May 10, 2018	43922	\$2,452.85	SORENSEN MACHINE WORKS	GENERAL-WATER-SEWER-STREETS	MULTIPLE DEPARTMENT SUPPLIES FOR APRIL 2018
May 10, 2018	43923	\$194.85	TCM INVESTMENTS	GENERAL	MPC3503 LEASE PAYMENT POLICE DEPARTMENT COPY MACHINE
May 10, 2018	43924	\$942.56	USA BLUEBOOK	WATER	(1) ZENNER FHZ25 HYDRANT METER
May 10, 2018	43925	\$45.00	VILLAMAR MOTORS & TRANSMISSIONS	GENERAL	VEH#87 - OIL CHANGE SYTHETIC OIL - PD
May 10, 2018	43926	\$1,339.10	VULCAN MATERIALS COMPANY	STREETS	ST 1/2IN HMA TYPE A ENVIRONMENTAL FEE ASPHALT (QTY 8.54) 9TH ST., ST 1/2IN HMA TYPE A ASPHALT (QTY 7.85, 4.03) RIOS ST, 4TH ST CIR
May 10, 2018	43927	\$8,988.97	WANGER JONES HELSLEY	GENERAL-WATER-SEWER	PASSTHRU - LEGAL SERVICES: CANNA-HUB DEVELOPMENT, LEGAL SERVICES REGARDING LEGAL SERVICES 4/15/18, TERTIARY TREATMENT FACILITY
May 10, 2018	43928	\$350.00	WESTSIDE YOUTH	GENERAL	REIMBURSEMENT DEPOSIT - KEY & CLEANING FOR SPRING CARNIVAL
May 16, 2018	43929	\$93,570.00	WESTAMERICA BANK	GENERAL	PAYROLL TRANSFER 4/30/18 - 5/13/18
May 16, 2018	43930	\$1,204.38	AFLAC	GENERAL	AFLAC INSURANCE FOR MAY 2018
May 16, 2018	43931	\$45.00	ALEX AUTO DIAGNOSTICS	GENERAL	VEH#82 - SYNTHETIC ENGINE OIL
May 16, 2018	43932	\$375.00	BAR PSYCHOLOGICAL GROUP	GENERAL	(1)POST PRE-EMPLOYMENT PSYCHOLOGICAL SCREEN CLARK
May 16, 2018	43933	\$645.00	BSK ASSOCIATES	WATER-SEWER	MONTHLY WASTEWATER WEEK 2-5, GENERAL EDT WEEKLY TREATMENT & DISTRIBUTION, MONTHLY WASTEWATER ANALYSES
May 16, 2018	43934	\$1,329.29	COMCAST	GENERAL-WATER-SEWER	CITYWIDE XFINITY SERVICES 5/6/18 - 6/5/18

CITY OF MENDOTA
 CASH DISBURSEMENTS
 5/4/2018 - 5/16/2018
 Check # 043885 - 043947

May 16, 2018	43935	\$52.73	HAVEN'S FOR TOTAL SECURTY INC	GENERAL	(3)BEST, ACE, AND BARREL KEYS (1) AMERICAN PADLOCK FOR BASEBALL DIAMOND
May 16, 2018	43936	\$1,179.63	JR SIMPLOT COMPANY	GENERAL-SEWER-STREETS	(47.5 GAL) ROUNDUP POWER MAX
May 16, 2018	43937	\$600.00	LAW & ASSOCIATES	GENERAL	LAW ENFORCEMENT BACKGROUND INVESTIGATION NEW EMPLOYEE - PD
May 16, 2018	43938	\$2,500.00	LG ELECTRIC	GENERAL-WATER- STREETS	AG WELL #2 & #3- REPLACE 3 POWER FEED, FUSE HOLDER, AND COIL, ROJAS PARK LIGHTS (4) LIGHT BULBS, FIX WIRING, AND BALLAST
May 16, 2018	43939	\$208.00	LOS BANOS VETERINARY CLINIC	GENERAL	(4) ANIMAL CONTROL EUTHANASIA
May 16, 2018	43940	\$155.16	METRO UNIFORM	GENERAL	(1) SHORT SLEEVE SHIRT (1) BLACK PANT (2) MENDOTA PATCH, AND (1) EMBROIDERY FOR PD
May 16, 2018	43941	\$53,691.71	MID VALLEY DISPOSAL INC	REFUSE	SANITATION CONTRACT SERVICES MAY 2018
May 16, 2018	43942	\$220.21	MUNICIPAL MAINTENANCE EQUIPMENT	STREETS	(1) TURNBUCKLE 7/8 FOR STREET SWEEPER
May 16, 2018	43943	\$202.46	ERNEST PACKING SOLUTIONS	GENERAL	JANITORIAL SUPPLIES FOR PD
May 16, 2018	43944	\$556.17	SMITH & LOVELESS, INC	SEWER	(2) PUMP VAC REPAIR KIT FOR WWTF
May 16, 2018	43945	\$750.00	VALLEY PETROLEUM & LIFT INC	GENERAL-WATER-SEWER-STREETS	ANNUAL GAS PUMPS APCD TEST
May 16, 2018	43946	\$1,343.64	VERIZON WIRELESS	GENERAL-WATER-SEWER	CITYWIDE CELLPHONE SERVICES 4/7/18 - 5/6/18
May 16, 2018	43947	\$4,447.50	WANGER JONES HELSLEY	GENERAL	LEGAL SERVICES PITCHESS MOTION (2), LEGAL SERVICE REGARDING SPECIAL LEGAL SERVICES CITY ATTORNEY
		\$216,788.84			

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES
VIA: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: WORKERS COMPENSATION COVERAGE TO NON-SAFETY VOLUNTEERS
DATE: MAY 22, 2018

ISSUE

Should the City Council approve resolution 18-31 to provide workers compensation coverage to non-safety volunteers?

BACKGROUND

Labor Code Sections 3361 and 3362 provide workers' compensation coverage for safety volunteers. Labor Code Section 3363.5 states the following pertaining to non-safety volunteers:

- a) a person who performs voluntary service without pay for a public agency, as designated and authorized by the governing body of the agency or its designee, shall, upon adoption of a resolution by the governing body of the agency so declaring, be deemed to be an employee of the agency for purposes of this division while performing such service.
- b) For purposes of this section, "voluntary service without pay" shall include services performed by any person, who receives no remuneration other than meals, transportation, lodging, or reimbursement for incidental expenses.

ANALYSIS

Non-safety volunteers are covered by the CSJVRMA with no additional premium, through an adopted resolution electing to provide workers' compensation coverage for non-safety volunteers. By adopting the resolution to classify non-safety volunteers as "employees", the volunteer's sole remedy if they are injured while performing work for the City is through the workers' compensation system. Absent the classification as an employee, a volunteer could file a civil claim which can be costly to defend and is not limited to a specific settlement amount.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that the City Council approve the attached resolution to provide workers compensation coverage to non-safety volunteers.

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA TO PROVIDE
WORKERS COMPENSATION COVERAGE
TO NON-SAFETY VOLUNTEERS**

RESOLUTION NO. 18-31

WHEREAS, the City Council of the City of Mendota (City) desires to provide workers' compensation coverage for non-safety City volunteers pursuant to the provisions of Section 3363.5 of the Labor Code; and

WHEREAS, the City Council finds its best interests will be served by utilizing volunteers in the provision of certain City services; and

WHEREAS, said volunteers should be eligible for workers' compensation coverage while on duty;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mendota hereby finds and determines:

1. That the public interest is best served by providing workers' compensation coverage to non-safety volunteers.
2. That the City's non-safety volunteers shall be deemed to be employees for the purposes of Division 4 of the California Labor Code while the person actually performs volunteer services, provided that the rights of such volunteers shall be limited to those benefits set forth in the Labor Code.

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 22 day of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA TO HOLD
TWO SPECIAL CITY COUNCIL MEETINGS
TO CONSIDER THE BUDGET FOR FISCAL
YEAR 2018-2019**

RESOLUTION NO. 18-33

WHEREAS, each year the City Council, by law, establishes the budget for the City of Mendota; and

WHEREAS, the City Council holds public hearings and receives public input on the proposed budget prior to its final adoption.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota that the City Council hereby establishes the following schedule for Special City Council meetings to consider the budget for fiscal year 2018-2019:

June 5, 2017, 3:00pm to 5:00pm in the Council Chambers of City Hall
June 19, 2017, 3:00pm to 5:00pm in the Council Chamber of City Hall

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 22nd day of May, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Matt Flood, City Clerk

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA AUTHORIZING
ACCEPTANCE OF THE CONVEYANCE OF
A 37,300-SQUARE FOOT PARCEL FROM
KSA HOMES, INC. TO THE CITY OF MENDOTA**

RESOLUTION NO. 18-34

WHEREAS, KSA Homes, Inc. a California corporation, formerly KSA Investments, LLC, a Delaware limited liability company (“Owner”) is the owner of that certain land which underlies the Las Palmas tract, in northwest Mendota (the “Las Palmas Tract”); and

WHEREAS, Owner has sought and received several approvals from the City of Mendota (the “City”) to further subdivide the Las Palmas Tract in accordance with a Tentative Map first approved by the City in 2004; and

WHEREAS, Phase 9 of the Tentative Map is the final phase and will complete the subdivision process, leading to full build-out of the Las Palmas Tract; and

WHEREAS, as part of earlier subdivision improvements, Owner has excavated and constructed a storm drainage detention basin on land to the east of the development, on the west side of the Sorensen Street alignment; and

WHEREAS, while most of the storm drain basin land is owned by the City, an approximately 37,300 square foot portion of the proposed basin is owned by Owner (the “Owner Parcel”); and

WHEREAS, while nearly all of the land within the subdivision boundary is owned by Owner, an approximately 2,599 square foot area is owned by the City (the “City Parcel”); and

WHEREAS, Owner must have clean, clear title to all of the lands within the subdivision prior to recordation of the Phase 9 map; and

WHEREAS, to allow Owner to complete the Las Palmas Tract, and to provide the City ownership of the entire storm drain basin land, it is in the best interest of the City, and for the common benefit, for the City to transfer title to the City Parcel to the Owner, and for the Owner to transfer title to the Owner Parcel to the City

WHEREAS, the City shall not issue any building permits on lots created by the Phase 9 map until such time as the City has received title, free and clear of any monetary encumbrances, to the Owner Parcel, and

WHEREAS, a deed for and legal description of the subject 2,599 SF parcel has been prepared and duly reviewed by the City Engineer for technical correctness, a true and correct copy of which is attached hereto as Exhibit "A"; and

WHEREAS, such grant deed contains language conditioning the conveyance on the Owner's transfer of the Owner Parcel to the City on or before July 31, 2018; and

WHEREAS, the proposed conveyance of the City Parcel to the Owner, and the conveyance of the Owner Parcel to the City, are consistent with the City's General Plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mendota, that the facts contained in the above recitals are true and correct, that the acceptance of the Owner Parcel from Owner is in the public benefit, and that the City Council hereby authorizes the acceptance of the Owner Parcel granted by Owner, and the execution by the City Manager of any and all documents necessary to complete said acceptance; and

BE IT FURTHER RESOLVED that the City shall not issue any further building permits for the Las Palmas Tract until such time as the as the City has received title, free and clear of any monetary encumbrances, to the Owner Parcel.

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 22nd day of May 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

EXHIBIT "A"

**Recording Requested By &
When Recorded Return To:**
Fidelity National Title Company

Mail Tax Statements To:
KSA Homes, Inc.
5301 Office Park Drive #115
Bakersfield, CA 93309

Title No.:	FFOM-TO17000541	Space Above Line for Recorder's Use
Escrow Order No.:	FFOM-3011700680	
Property Address:	Portion of City of Mendota Basin Mendota, CA 93640	

GRANT DEED

The undersigned grantor(s) declare that:

Documentary Transfer Tax is \$ 0.00;

- computed on full value of property conveyed; or
 computed on full value less value of liens or encumbrances remaining at time of sale
 unincorporated area; or City of Mendota

GRANTOR(S): City of Mendota, a California General Law City

HEREBY GRANT(S) TO:

GRANTEE(S): KSA Homes, Inc. a California corporation, formerly KSA Investments, LLC,
a Delaware limited liability company

the following described real property situated in the County of Fresno, State of California, described as follows:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"
AND INCORPORATED HEREIN BY REFERENCE

THIS CONVEYANCE IS EXPRESSLY CONDITIONED ON GRANTEE CONVEYING TO GRANTOR, ON OR BEFORE JULY 31, 2018, THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA DESCRIBED IN EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF. IF GRANTEE HAS NOT CONVEYED SAID PROPERTY BY THAT TIME, THIS GRANT DEED SHALL BE DEEMED VOID AND OF NO FURTHER FORCE OR LEGAL EFFECT.

Dated: May____, 2018

City of Mendota

By: _____

By: _____

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)

) SS.

COUNTY OF _____)

On _____ before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/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_____

EXHIBIT "A"

EXHIBIT "A"
LEGAL DESCRIPTION
PORTION OF CITY OF MENDOTA BASIN
INSTRUMENT #2009-0116175, 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:


BEING that portion of the City of Mendota Basin property as described in that certain document recorded as Instrument No. 2009-0116175, Fresno County Records, lying westerly of the following described line:

COMMENCING at the northwest corner of Lot 397 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 also being the southwest corner of above said City of Mendota Basin property; thence along the west line of last said property North 1°35'45" East, a distance of 304.33 feet to the **POINT OF BEGINNING**; thence continuing North 1°35'45" East, a distance of 152.37 feet to the **POINT OF TERMINATION**.

CONTAINING 2,599 square feet, more or less.

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

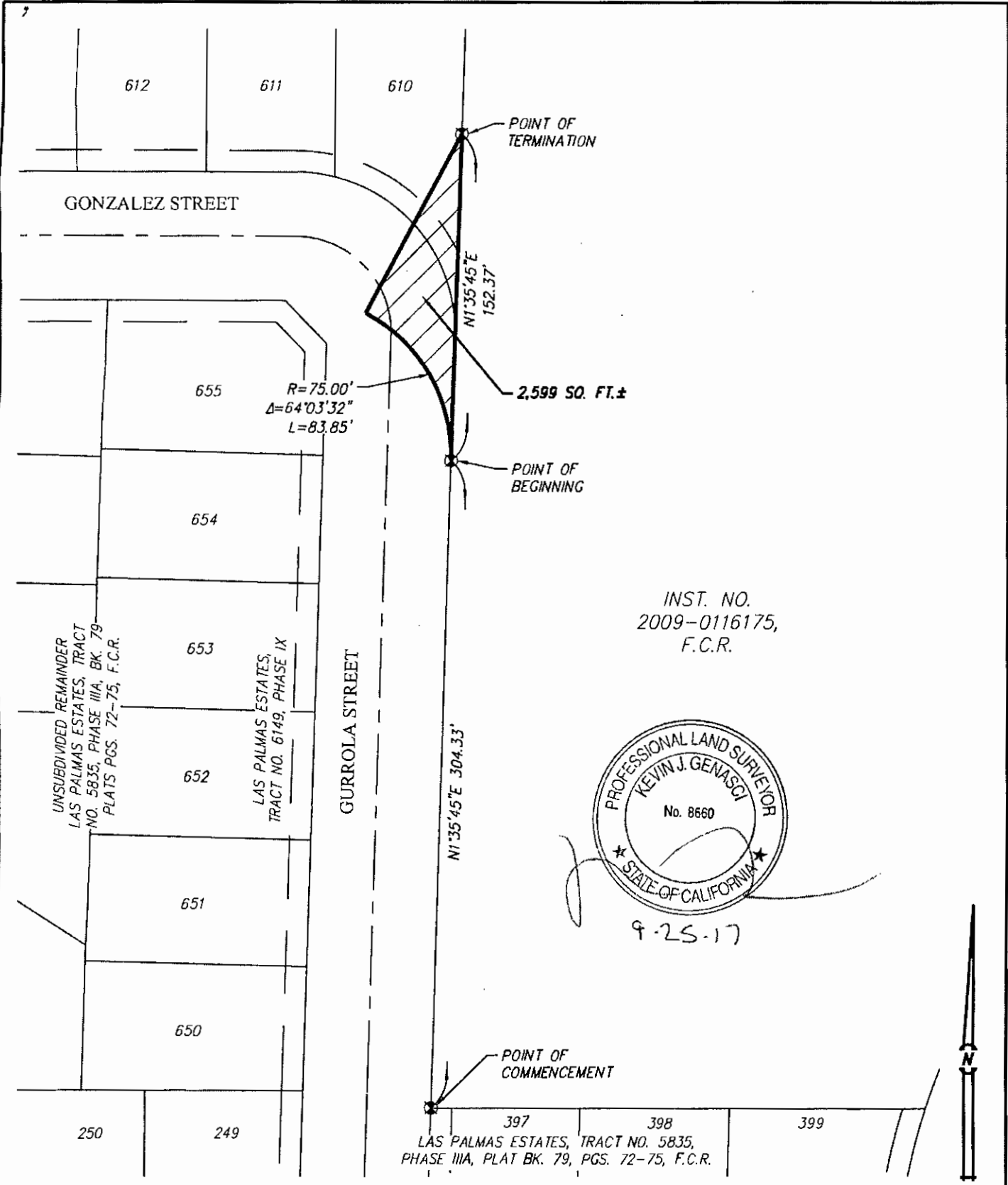
This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.



Kevin J. Genasci, P.L.S. 8660
September 25, 2017



EXHIBIT "B"



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



9-25-17

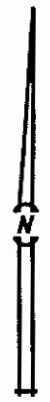


EXHIBIT "B"

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

**PORTION OF INSTRUMENT
NO. 2009-0116175, F.C.R.**

**KSA INVESTMENTS, LLC
MENDOTA, CALIFORNIA**

BY: RCS
CHK: KJG
DATE: 7/2017
SCALE: 1"=60'
JOB #: 2466.09
FILE: SUB/PLAT

1
OF
1

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA AUTHORIZING
THE CONVEYANCE OF A 2,599-SQUARE
FOOT PARCEL FROM THE CITY OF MENDOTA
TO KSA HOMES, INC.**

RESOLUTION NO. 18-35

WHEREAS, KSA Homes, Inc. a California corporation, formerly KSA Investments, LLC, a Delaware limited liability company (“Owner”) is the owner of that certain land which underlies the Las Palmas tract, in northwest Mendota (the “Las Palmas Tract”); and

WHEREAS, Owner has sought and received several approvals from the City of Mendota (the “City”) to further subdivide the Las Palmas Tract in accordance with a Tentative Map first approved by the City in 2004; and

WHEREAS, Phase 9 of the Tentative Map is the final phase and will complete the subdivision process, leading to full build-out of the Las Palmas Tract; and

WHEREAS, as part of earlier subdivision improvements, Owner has excavated and constructed a storm drainage detention basin on land to the east of the development, on the west side of the Sorensen Street alignment; and

WHEREAS, while most of the storm drain basin land is owned by the City, an approximately 37,300 square foot portion of the proposed basin is owned by Owner (the “Owner Parcel”); and

WHEREAS, while nearly all of the land within the subdivision boundary is owned by Owner, an approximately 2,599 square foot area is owned by the City (the “City Parcel”); and

WHEREAS, Owner must have clean, clear title to all of the lands within the subdivision prior to recordation of the Phase 9 map; and

WHEREAS, to allow Owner to complete the Las Palmas Tract, and to provide the City ownership of the entire storm drain basin land, it is in the best interest of the City, and for the common benefit, for the City to transfer title to the City Parcel to the Owner, and for the Owner to transfer title to the Owner Parcel to the City

WHEREAS, the City shall not issue any building permits on lots created by the Phase 9 map until such time as the City has received title, free and clear of any monetary encumbrances, to the Owner Parcel, and

WHEREAS, a deed for and legal description of the subject 2,599 SF parcel has been prepared and duly reviewed by the City Engineer for technical correctness, a true and correct copy of which is attached hereto as Exhibit “A”; and

WHEREAS, such grant deed contains language conditioning the conveyance on the Owner's transfer of the Owner Parcel to the City on or before July 31, 2018; and

WHEREAS, the proposed conveyance of the City Parcel to the Owner, and the conveyance of the Owner Parcel to the City, are consistent with the City's General Plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mendota, that the facts contained in the above recitals are true and correct, that the conveyance of the City Parcel to the Owner is for the common benefit, and that the City Council hereby authorizes the disposition of the City Parcel, in the form of the grant deed attached as Exhibit "A," to the Owner in exchange for the Owner's transfer of the Owner Parcel to the City, free and clear of any monetary encumbrances, and the execution by the City Manager of any and all documents necessary to complete said conveyance; and

BE IT FURTHER RESOLVED that the City shall not issue any further building permits for the Las Palmas Tract until such time as the as the City has received title, free and clear of any monetary encumbrances, to the Owner Parcel.

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 22nd day of May 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

EXHIBIT "A"

**Recording Requested By &
When Recorded Return To:**
Fidelity National Title Company

Mail Tax Statements To:
KSA Homes, Inc.
5301 Office Park Drive #115
Bakersfield, CA 93309

Title No.:	FFOM-TO17000541	Space Above Line for Recorder's Use
Escrow Order No.:	FFOM-3011700680	
Property Address:	Portion of City of Mendota Basin Mendota, CA 93640	

GRANT DEED

The undersigned grantor(s) declare that:

Documentary Transfer Tax is \$ 0.00;

- computed on full value of property conveyed; or
 computed on full value less value of liens or encumbrances remaining at time of sale
 unincorporated area; or City of Mendota

GRANTOR(S): City of Mendota, a California General Law City

HEREBY GRANT(S) TO:

GRANTEE(S): KSA Homes, Inc. a California corporation, formerly KSA Investments, LLC,
a Delaware limited liability company

the following described real property situated in the County of Fresno, State of California, described as follows:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"
AND INCORPORATED HEREIN BY REFERENCE

THIS CONVEYANCE IS EXPRESSLY CONDITIONED ON GRANTEE CONVEYING TO GRANTOR, ON OR BEFORE JULY 31, 2018, THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA DESCRIBED IN EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF. IF GRANTEE HAS NOT CONVEYED SAID PROPERTY BY THAT TIME, THIS GRANT DEED SHALL BE DEEMED VOID AND OF NO FURTHER FORCE OR LEGAL EFFECT.

Dated: May____, 2018

City of Mendota

By: _____

By: _____

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)

) SS.

COUNTY OF _____)

On _____ before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/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_____

EXHIBIT "A"

EXHIBIT "A"
LEGAL DESCRIPTION
PORTION OF CITY OF MENDOTA BASIN
INSTRUMENT #2009-0116175, 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:

BEING that portion of the City of Mendota Basin property as described in that certain document recorded as Instrument No. 2009-0116175, Fresno County Records, lying westerly of the following described line:

COMMENCING at the northwest corner of Lot 397 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 also being the southwest corner of above said City of Mendota Basin property; thence along the west line of last said property North 1°35'45" East, a distance of 304.33 feet to the **POINT OF BEGINNING**; thence continuing North 1°35'45" East, a distance of 152.37 feet to the **POINT OF TERMINATION**.

CONTAINING 2,599 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.


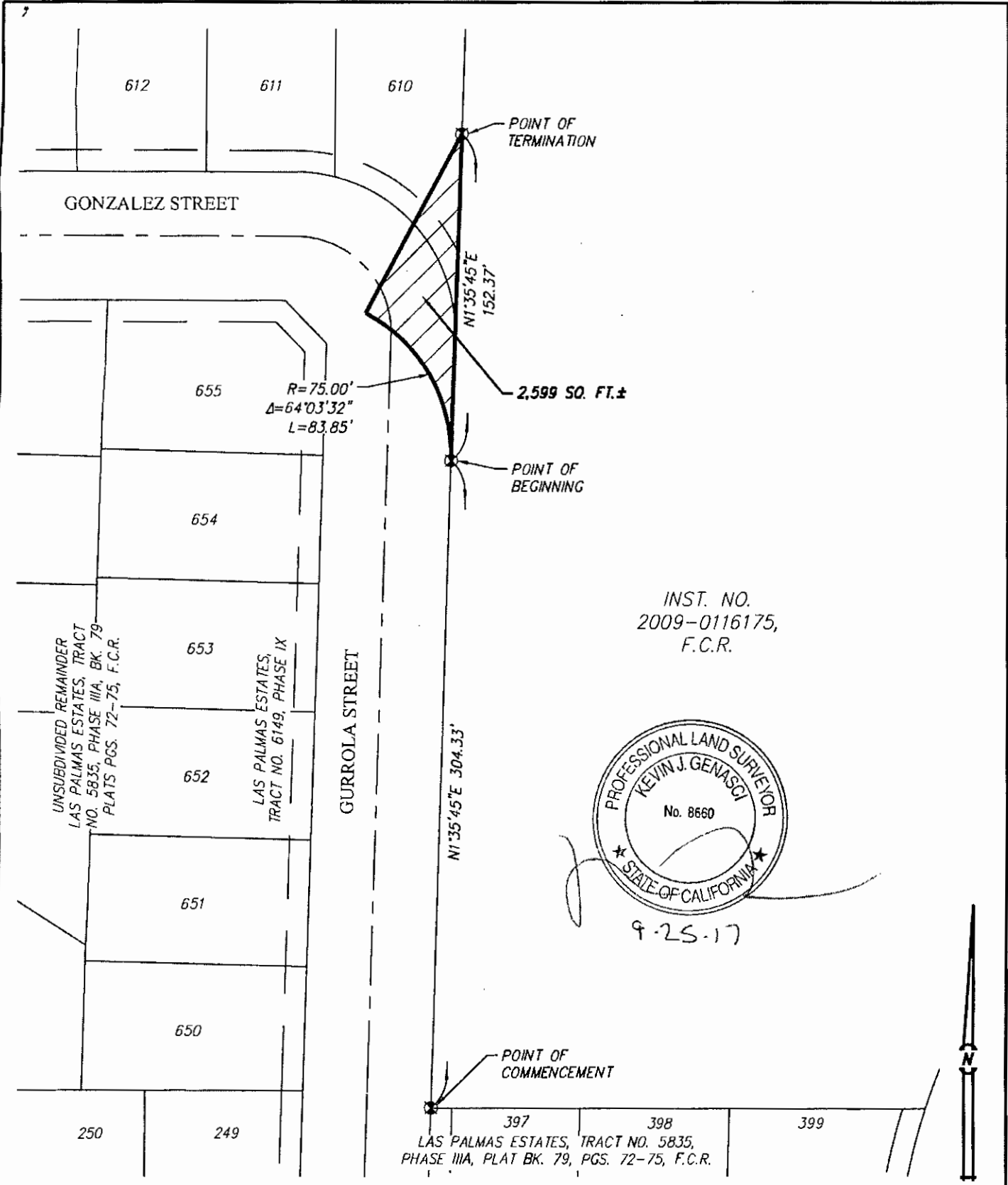

Kevin J. Genasci, P.L.S. 8660
September 25, 2017



EXHIBIT "B"



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



9-25-17



EXHIBIT "B"

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

**PORTION OF INSTRUMENT
NO. 2009-0116175, F.C.R.**

**KSA INVESTMENTS, LLC
MENDOTA, CALIFORNIA**

BY: RCS
CHK: KJG
DATE: 7/2017
SCALE: 1"=60'
JOB #: 2466.09
FILE: SUB/PLAT

1
OF
1

MEMORANDUM

DATE: May 22, 2018
TO: Mayor and City Council
FROM: Vince DiMaggio, City Manager

SUBJECT: COUNCIL GOALS FOR 2018

Please see below the goals established by the City Council for the major initiatives that Council would like staff to achieve in calendar year 2018.

	Goal	Team	Comment
1	Work to identify land suitable for an industrial park	Economic Development Director	Direction was to focus on the City owned 100 acre parcel near the WWTP
2	Research the idea of including debt service for road projects as part of the proposed sales tax initiative scheduled for the November 2018 election to enhance General Fund revenues.	City Attorney/City Manager	
3	Focus on adding, enhancing, and maintaining the amenities at all city parks. This goal includes examining funding for infrastructure improvements at Pool Park; adding amenities and maintaining existing amenities at Rojas-Pierce; maintenance of amenities and opening bathrooms at Eastside City Park (Veteran's Park).	Public Works Director/Grant writer	
4	Enhance public safety throughout the community by adding surveillance cameras, crossing beacons at locations with high pedestrian traffic, lighting where needed, etc...	Public Works Director/City Engineer/Grant writer/Police Department	Continue to work with Caltrans on areas where they are needed to grant approval.
5	Meet with CalTrans and demand development of a 4-way signalized intersection at Derrick/Oller.	City Manager/City Engineer/Elected Officials	Elected officials will pursue discussions with gubernatorial candidates and other officials.
6	Develop a plan for the redevelopment of the trailer park on Oller/10 th .	City Manager/City Attorney	City Attorney needs to clarify jurisdictional boundaries, after which, the City develop a redevelopment plan.

7	Continue to focus on the next phase of economic development efforts throughout the City by adopting enhanced economic development incentives.	Economic Development Director/City Manager	
8	Amend the City's development permit fee schedule to eliminate deposit requirement.	City Engineer(P&P)	
9	Conduct a City-wide salary study to determine where City employee salaries are in relation to other comparable cities in the region.	City Manager/Director of Administrative Services.	
10	Explore reestablishing the City's Self-Help and/or HOME program to provide more homebuying alternatives for residents.	City Manager	

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: CONSIDER INITIATING AN AMENDMENT TO SECTION 17.81 OF THE MUNICIPAL CODE CREATING ENHANCED ECONOMIC INCENTIVES AREAS
DATE: MAY 22, 2018

ISSUE

Should the City Council begin the process of amending the Municipal Code to create Enhanced Economic Incentive Areas?

BACKGROUND

In 2015, the City Council approved the Economic Incentive Zone, which has proven to be an unqualified success in spurring development in the targeted areas. Despite the success of the EIZ ordinance, the City still needs several critical businesses, a pharmacy for example, and desires several other business types.

The concept presented here is the sequel to its successful predecessor; it is a kind of EIZ on steroids. The ordinance seeks to create “Enhanced Economic Incentive Areas” (EEIA) throughout the City – not just in the Economic Incentive Zone areas – meant to target certain, specific types of businesses that the City designates as priority needs in the community. In order to create a true “incentive” to the development community, the ordinance proposed here sunsets in 2021 (unless extended by the City Council).

ANALYSIS

The proposal to create Enhanced Economic Incentive Areas (EEIA) involves adding Sections 17.81.024 through 17.81.028 to the Economic Incentive Zone chapter of the Municipal Code. The EEIA designates *all* C-2 and C-3 zoned parcels in the City, larger than 15,000 square feet in lot area, as eligible for enhanced incentives, *if* the primary land use proposed on the site in question is a pharmacy, grocery store, financial institution (bank), new car dealership, or shopping center.

If the proposed development meets the zoning, lot size, and proposed use criteria, then the project qualifies to receive an 80% reduction in development impact fees, a 50% reduction in building permit fees, and an exemption from Site Plan Review fees.

One of the largest costs for a developer is application and development impact fees. If a developer senses that a certain type of development or business is too risky based on certain demographic realities, they will be unwilling to proceed because of the costs inherent in the development process – such as development impact fees. The incentives are meant to reduce the cost for the developer, thereby incentivizing the developer to take a risk on a particular development type; a risk that may not be taken without financial concessions offered by the local government.

In this proposal, the City essentially “invests” in the business by reducing certain fees that would otherwise discourage development of higher risk ventures. Despite a shorter term loss of potential revenue, the development of a successful business will pay larger dividends with increased sales and property tax revenue over the long term.

While City staff has repeatedly held conversations with owners, operators, and developers of pharmacies, new car lots, and banks, over the last several years, none of these conversations have borne fruit. Despite a strong local housing market, significantly lower unemployment, and new business growth over the last four years, certain key business-types (for whatever reasons) remain elusive. This ordinance takes an affirmative and aggressive approach at reducing development risk to the greatest extent feasible in hopes of seeing development of key business the public needs.

However, it is important that an aggressive incentive program such as this, which targets certain specific business-types, be a true incentive program – meaning that the incentives are not indefinite; they exist only for a specific period of time before they expire. The “sunset clause” included as part of this ordinance communicates to the development community that the first one in, is likely the only one in, under the incentives offered. If successful, it is recommended that the ordinance be allowed to expire after the initial three-year period.

CEQA

The amendment to the Municipal Code is a minor amendment to land use limitations and thus is a Class 5 Categorical Exemption under the California Environmental Quality Act. This action is also exempt under § 15061 (b)(3) of the California Environmental Quality Act. Projects that qualify for EEIA incentives are still required individually to comply with CEQA.

FISCAL IMPACT

By granting various incentives to project applications and approvals occurring with EEIA projects, revenues into the various development impact fee accounts will decrease as will revenues to the General Fund derived from building permit and development application fees. However, any short term decrease in revenue is expected to be offset in the long term by increased sales tax and property tax revenue.

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution approving the initiation of an amendment to the Municipal Code creating Enhanced Economic Incentive Areas.

17.81.024 Enhanced Economic Incentive Areas

- A. Any parcel in the City that is zoned C-2 (Community Shopping Center District) or C-3 (Central Business and Shopping District), has a minimum lot area of 15,000 square feet, and where a proposal for new development includes as the primary land use, a pharmacy, a grocery store, a financial institution, an automobile sales business, or a shopping center shall receive enhanced economic incentives as provided in Section 18.81.027.
- B. Proposed development which does meet the zoning, lot area, or land use requirements listed in Section 17.81.024 (A), shall not be eligible for enhanced economic incentives as provided in Section 18.81.027.

17.81.025 Definitions.

- A. The following definitions shall be used to determine uses eligible to receive enhanced economic incentives. Where a conflict occurs between this section and any other section of the Zoning Code, the definition herein shall prevail.
 - 1. Automobile Sales. A retail use that provides for new automobile sales conducted within a building or an open lot or both.
 - 2. Financial Services. A use that provides depository banking services to the public, such as banks, credit unions, or savings and loans. The establishment must be staffed by employees physically present on site. This definition does not include pay day loan establishments or other establishments whose principal business is not directly related to depository banking services.
 - 3. Grocery Store. A retail store selling food and associated small household items having a minimum gross floor area of 15,000 square feet.
 - 4. Pharmacy. A retail store that dispenses prescription drugs and which sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items, and having a minimum gross floor area of 10,000 square feet.
 - 5. Shopping Center. A group of commercial establishments containing at least three individual business establishments, planned, developed, owned, and managed as a unit, providing common on-site parking areas, loading areas, driveways, and other shared facilities.

17.81.026 Development Standards for Enhanced Economic Incentive Areas

- A. The development standards for all development within Enhanced Economic Incentive Areas shall be those standards of the underlying base zoning district.
- B. Site Plan Review. Uses proposed that meet all of the requirements of Section 18.81.024 (A) shall be permitted with a Site Plan Review.
- C. The City shall process all Site Plan Review applications for uses within Enhanced Economic Incentive Areas in accordance with Section 18.81.022 of this Chapter.

17.81.027 Enhanced Economic Incentive Area Incentives

- A. Development Impact Fees – All new construction within Enhanced Economic Incentive Areas shall receive an 80% waiver of development impact fees.
- B. Application fees. All projects proposed within Enhanced Economic Incentive Areas shall be exempt from Site Plan Review application fees.
- C. Building Permits. All new construction within Enhanced Economic Incentive Areas shall receive a 50% reduction in building permit fees.
- D. Development Agreements. The City Council may alter any of the provisions of this Section and grant less, greater, or other incentives through approval of a development agreement and upon finding that the approval of the development agreement will implement the purposes of the Enhanced Economic Incentive Areas.

17.81.028 Sunset Provision

- A. Sections 17.81.024 – 17.81.027 shall no longer be effective or apply and shall be repealed in their entirety on July 1, 2021 unless such date of repeal is extended by resolution of the City Council.

17.81.029 Reserved

17.81.030 Reserved

17.81.031 Reserved

17.81.032 Reserved

17.81.033 Reserved

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

**RESOLUTION OF INTENTION OF THE
CITY COUNCIL OF THE CITY OF MENDOTA
TO INITATE AN AMENDMENT TO TITLE 17
OF THE MENDOTA MUNICIPAL CODE FOR
THE ESTABLISHMENT OF AN ECONOMIC
INCENTIVE OVERLAY DISTRICT**

RESOLUTION NO. 18-32

WHEREAS, the City of Mendota (City) is in need of an area within the City that is considered to be a high priority commercial development corridor so that proposed new development can contribute to the economic vitality of the City; and

WHEREAS, City Staff has determined that the above objective may be accomplished by the establishment of an overlay district in certain zoning districts where new development is needed to create incentives for proposed new development in those locations; and

WHEREAS, the Mendota Municipal Code (MMC), Section 17.08.040 sets forth a procedure for amendments to Title 17 of the MMC (Zoning Code) that change any property from one district to another, impose any regulation not heretofore imposed, or remove or modify any such regulations heretofore imposed;

WHEREAS, pursuant to MMC, Section 17.08.040, subd. (B), the council may propose an amendment to the Zoning Code by a resolution of intention; and

WHEREAS, pursuant to MMC, Section 17.08.040, subd. (F), the Secretary shall set a public hearing on any proposed amendments no less than ten (10) days nor more than forty (40) days after the adoption of a resolution of intention by the council.

NOW, THEREFORE, BE IT RESOLVED that the City Council for the City of Mendota hereby authorizes Staff to proceed with amendments to the Title 17 of the Mendota Municipal Code to establish an overlay district in zoning districts where new development is needed to create incentives for proposed new development in those locations.

BE IT FURTHER RESOLVED that the Secretary shall schedule a public hearing before the Planning Commission on the proposed amendments to the Mendota Municipal Code no less than ten (10) days nor more than forty (40) days after the adoption of this resolution.

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 22nd day of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: CONSIDER ADOPTING COUNCIL POLICY PROHIBITING THE CHARGE OF
ADMISSION FEES TO ROJAS-PIERCE PARK DURING CARNIVAL EVENTS
DATE: MAY 22, 2018

ISSUE

Should the City Council establish a policy prohibiting the charging of admission to Rojas-Pierce Park during carnival events?

BACKGROUND

A majority of the City Council directed that this item be included on a City Council agenda for discussion. Specifically, concern has been raised by Councilmembers about charging admission to access Rojas-Pierce Park during carnivals. This is a separate and distinct discussion from charging admission to the carnival itself – carnivals that have been held on a portion of the Rojas-Pierce Park have routinely charged patrons in order to ride the attractions or participate in the midway games. This discussion involves the charging of admission to the park itself.

RECOMMENDATION

This is a policy determination on the part of the City Council and therefore no recommendation is forwarded.

Note: If the Council does adopt a specific policy on this issue, the policy will be brought back for approval as a resolution on the Consent Calendar at the June 12 City Council meeting.

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
VIA: VINCE DIMAGGIO, CITY MANAGER
FROM: JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES
SUBJECT: EXCLUSIVE-USE APPLICATIONS FOR THE 2018 BACKPACK GIVE AWAY
DATE: MAY 22, 2018

ISSUE

Should the Council approve the Exclusive Use Permits with the attached conditions?

BACKGROUND

On March 13, 2018, the Council was presented with (2) Exclusive-use applications that were turned in for the Backpack Give Away event:

- Mendota Youth Recreation- Scheduled for 08/05/2018
(Application was submitted on 02/16/2018)
- Westside Youth Inc.- Scheduled for 07/29/2018
(Application was submitted on 01/05/2018)

ANALYSIS

The Council tabled the item and directed the agencies to meet with each other to work out a solution that is best for the community. The agencies have not met with each other or staff, and it has become necessary for the Council to make a final decision on the matter.

FISCAL IMPACT

General Fund will gain \$355, if all applicable fees are paid.

RECOMMENDATION

This is a policy decision for the City Council therefore staff has no recommendation.



**CITY OF MENDOTA
FACILITY USE APPLICATION**



PLEASE COMPLETE ALL QUESTIONS OR ITEMS FOR WHICH INFORMATION IS REQUESTED. PRINT ALL ANSWERS EXCEPT THE SIGNATURE.

FOR USE OF ALL OR SUBSTANTIALLY ALL OF THE ROJAS-PIERCE PARK PICNIC AREA AND BANDSTAND, OR MENDOTA POOL PARK BANDSTAND, VETERANS PARK, APPLICANTS MUST APPEAR BEFORE THE CITY COUNCIL FOR APPROVAL OF THE PERMIT.

NOTE: SECTION 12.20.050 APPLICATIONS FOR EXCLUSIVE USE SHALL BE FILED WITH THE CITY CLERK DURING THE MONTH OF FEBRUARY ANNUALLY AND SHALL BE SET FOR CONSIDERATION BY THE CITY COUNCIL AT ITS FIRST MEETING IN MARCH ANNUALLY. APPLICATIONS FOR EXCLUSIVE USE SHALL BE FILED NOT LESS THAN TWENTY ONE (21) NOR MORE THAN ONE HUNDRED FIFTY (150) DAYS PRIOR TO THE USE OF THE FACILITY. PROMOTERS SHALL REQUEST AN AGREEMENT WITH THE CITY BESIDES THE APPLICATION.

NOTE: SECTION 12.20.110: APPLICANT MUST PROVIDE THE CITY WITH CERTIFICATES OF INSURANCE SPECIFYING THE CITY OF MENDOTA AS NAMED INSURED EVIDENCING LIABILITY AND PROPERTY DAMAGE LIMITS WITH A COMBINED SINGLE LIMIT OF NOT LESS THAN ONE MILLION DOLLARS (\$1,000,000).

- COMPLETED APPLICATION.
- PROOF OF INSURANCE POLICY SHOWING CITY OF MENDOTA AS ADDITIONAL INSURED.
- PROOF OF LIABILITY INSURANCE FOR FACILITY USE
- DEPOSIT, USE FEE, AND KEY DEPOSIT SUBMITTED TO FINANCE DEPARTMENT.
- OBTAINED SECURITY AS REQUIRED BY MENDOTA POLICE DEPARTMENT
- ORIGINAL SIGNATURE OF PERMITTEE WITH ACKNOWLEDGMENT.
- AMPLIFIED MUSIC PERMIT IF APPLICABLE

1. This application is for the use of the following facility:

Back-Pack Give away July 29 2018 - Sunday

2. The organization, individual, business or entity applying for the use permit:

Westside Youth Inc

3. The contact person on behalf of the applicant, regarding the event or activity for which use permit is requested together with all of the following information:

NAME: Dino Perez

ADDRESS (STREET AND CITY): 1709 7th Street - Mendota

TELEPHONE NO.: (559) 655-4808

4. DATE: July 29 2018 TIME: 12:00pm - 7:00 pm

5. Please describe the exact park area or areas requested for Exclusive Use. (List below and circle the area on the attached map).

Rags-Piece Park, Restrooms, Pavilion, stage

6. Purpose or function for which the permit is requested. Give statement of reasons for exclusive use. Note: Section 12.20.090(b)(c) Fees and Deposits as required.

Event purpose to give free backpacks & school supplies to children of Mendota

7. Number of persons expected to attend the function or event. Approx. 400-500

8. Will alcoholic beverages be sold? Yes ___ No note: if yes, you must apply for and receive a separate permit from the state department of alcohol beverage control, if so, liquor liability insurance is required to be purchased thirty (30) days in advance by the applicant. The Fresno County Sheriff's department must be contacted regarding this application. The City of Mendota parks are tobacco free and alcohol free.

9. Has a promoter been contracted to present, produce, or otherwise be involved in the event, activity or entertainment during the event? Yes ___ No . Note: section 12.20.110, if yes, the promoter is required to provide certificate of insurance evidencing liability and property damage limits with a combined single limit of not less than \$1,000,000 with a deductible of not more than \$500, and shall specify the City of Mendota and applicant as named insured.

10. If a promoter will present, produce, or otherwise be involved in the event, activity or entertainment, state the name, address and telephone number of the promoter and describe his/her/its participation in the event. Note: Section 5.08.030 Amusement Park Rides and Attractions; Section 5.08.300 Musical and Theatrical Shows. The Promoter is required to obtain a business license.

NAME: N/A

ADDRESS: _____

PARTICIPATION/INVOLVEMENT: _____

11. Detailed description of all entertainment and activities, including equipment and vehicles to be used, the nature and times of use of such equipment, and the nature and time of use of any amplified sound equipment. Please keep in mind that anything not mentioned below will not be allowed.

DJ, dances, music, Food, water, bounce house, dunk tank
train rides, Information booths, prizes,

12. Will concession stand(s) be used? _____ Yes No. Note: for baseball diamond concession, \$150.00 fee, per league, no exemptions.

13. Will there be an admissions charge to the event? If so, state the exact amount of each ticket \$ 0. State the reason for imposing this admission charge.

14. Will there be a live band at this function? _____ Yes No
(See attached municipal code regarding noise ordinance)

15. State the names and addresses of all persons or groups which will receive any of the proceeds from this event, including concessions, and how those proceeds will be divided among such persons or groups.

Westside Youth may collect donations to be used to give to local
School children

16. If this permit application is for all or substantially all of the park area, or all or substantially all of the picnic and bandstand area, state the overriding public interest or special circumstances which justify excluding residents of the City of Mendota from using their public park facilities.

17. I, Dino Perez have read the Mendota Municipal Code Chapter 12.20 re: park permits (attached). I understand all of the requirements for conducting an event or activity in the use of the Rojas-Pierce Park or any City facility. I agree on behalf of myself and Westside Youth Inc. (name of applicant), the organization on whose behalf this application is made, to indemnify, defend and hold the City of Mendota harmless, from and against any and all claims, actions, suits, and proceedings for money damages or other relief for personal injury, property damage or other losses resulting from or caused by the activity or event for which this permit is

issued. The keys to any facility or electrical panel will not be issued until this document is signed by the permittee requesting a facility and/or consent/hold harmless agreements are submitted to city staff and proof of insurance is provided and all fees and deposits are paid.

Signature of Permittee: *Dino Perez* DATE: 01/05/2018

I, Dino Perez, declare I have read and understand the foregoing application and all attachments thereto. I further declare that I will abide by all City, State, County and Federal laws at said event.

Dated: 01/05/2018

Dino Perez
Signature of Permittee

CITY MANAGER APPROVAL

THIS APPLICATION IS APPROVED / REJECTED FOR USE OF THE _____ ON _____ . THE FOLLOWING CONDITIONS OF APPROVAL SHALL APPLY, MAY INCLUDE POLICE DEPARTMENT REQUIREMENTS.

CITY MANAGER: _____ DATE: _____

SECURITY REQUIREMENT OR CONDITIONS AS PER CITY OF MENDOTA POLICE DEPARTMENT:

POLICE DEPT: _____ DATE: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/27/2016

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

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

PRODUCER Stratton Agency, Inc. 963-I Industrial Road San Carlos CA 94070	CONTACT NAME: Luis Zambrana	FAX (A/C, No): 650-508-0121	
	PHONE (A/C, No, Ext): 888-888-4501	E-MAIL ADDRESS: servicing@strattonagency.com	
INSURED Westside Youth Inc 1709 7th St Mendota CA 93640	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Markel Insurance Company*		38970
	INSURER B:		
	INSURER C:		
	INSURER D:		
INSURER E:			
INSURER F:			


COVERAGES CERTIFICATE NUMBER: 2060569215 REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y		8502CY304860-9	10/23/2016	10/23/2017	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			1002CY433701-1	10/23/2016	10/23/2017	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Sexual Abuse & Sexual Molestation			8502CY304860-9	10/23/2016	10/23/2017	Per Person \$1,000,000 Per Policy Period \$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The certificate holder is included as additional insured where required by a written contract or permit subject to the terms and conditions of the General Liability policy but only to the extent bodily injury or property damage is caused in whole or in part by the negligence of the insured. ✓

CERTIFICATE HOLDER City of Mendota 643 Quince Street Mendota CA 93640	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
2 CUPANIA CIRCLE
MONTEREY PARK, CA 91755-7406

DEPARTMENT OF THE TREASURY

Date: JAN 30 1995

WEST SIDE YOUTH INC
PO BOX 809
MENDOTA, CA 93640

Employer Identification Number:
77-0080297
Case Number:
955005009
Contact Person:
TYRONE THOMAS
Contact Telephone Number:
(213) 894-2389
Our Letter Dated:
February 26, 1991
Addendum Applies:
No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

You are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. For guidance in determining whether your gross receipts are "normally" more than \$25,000, see the instructions for Form 990. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$10 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,



Richard R. Orosco
District Director



**CITY OF MENDOTA
FACILITY USE APPLICATION**



PLEASE COMPLETE ALL QUESTIONS OR ITEMS FOR WHICH INFORMATION IS REQUESTED. PRINT ALL ANSWERS EXCEPT THE SIGNATURE.

FOR USE OF ALL OR SUBSTANTIALLY ALL OF THE ROJAS-PIERCE PARK PICNIC AREA AND BANDSTAND, OR MENDOTA POOL PARK BANDSTAND, VETERANS PARK, APPLICANTS MUST APPEAR BEFORE THE CITY COUNCIL FOR APPROVAL OF THE PERMIT.

NOTE: SECTION 12.20.050 APPLICATIONS FOR EXCLUSIVE USE SHALL BE FILED WITH THE CITY CLERK DURING THE MONTH OF FEBRUARY ANNUALLY AND SHALL BE SET FOR CONSIDERATION BY THE CITY COUNCIL AT ITS FIRST MEETING IN MARCH ANNUALLY. APPLICATIONS FOR EXCLUSIVE USE SHALL BE FILED NOT LESS THAN TWENTY ONE (21) NOR MORE THAN ONE HUNDRED FIFTY (150) DAYS PRIOR TO THE USE OF THE FACILITY. PROMOTERS SHALL REQUEST AN AGREEMENT WITH THE CITY BESIDES THE APPLICATION.

NOTE: SECTION 12.20.110: APPLICANT MUST PROVIDE THE CITY WITH CERTIFICATES OF INSURANCE SPECIFYING THE CITY OF MENDOTA AS NAMED INSURED EVIDENCING LIABILITY AND PROPERTY DAMAGE LIMITS WITH A COMBINED SINGLE LIMIT OF NOT LESS THAN ONE MILLION DOLLARS (\$1,000,000).

- COMPLETED APPLICATION.
- PROOF OF INSURANCE POLICY SHOWING CITY OF MENDOTA AS ADDITIONAL INSURED.
- PROOF OF LIABILITY INSURANCE FOR FACILITY USE
- DEPOSIT, USE FEE, AND KEY DEPOSIT SUBMITTED TO FINANCE DEPARTMENT.
- OBTAINED SECURITY AS REQUIRED BY MENDOTA POLICE DEPARTMENT
- ORIGINAL SIGNATURE OF PERMITTEE WITH ACKNOWLEDGMENT.
- AMPLIFIED MUSIC PERMIT IF APPLICABLE

1. This application is for the use of the following facility:

Rojas Park

2. The organization, individual, business or entity applying for the use permit:

Mendota Youth Recreation

3. The contact person on behalf of the applicant, regarding the event or activity for which use permit is requested together with all of the following information:

NAME: Sergio Valdez

ADDRESS (STREET AND CITY): 325 Archer st Mendota

TELEPHONE NO.: 551-647-4043

4. DATE: 2/11/18-5-18 TIME: 206 9:00am till 2:00pm

5. Please describe the exact park area or areas requested for Exclusive Use. (List below and circle the area on the attached map).

Pavillion

6. Purpose or function for which the permit is requested. Give statement of reasons for exclusive use. Note: Section 12.20.090(b)(c) Fees and Deposits as required.

Back Pak give away

7. Number of persons expected to attend the function or event. 900

8. Will alcoholic beverages be sold? Yes ___ No. X note: if yes, you must apply for and receive a separate permit from the state department of alcohol beverage control, if so, liquor liability insurance is required to be purchased thirty (30) days in advance by the applicant. The Fresno County Sheriff's department must be contacted regarding this application. The City of Mendota parks are tobacco free and alcohol free.

9. Has a promoter been contracted to present, produce, or otherwise be involved in the event, activity or entertainment during the event? Yes ___ No. X. Note: section 12.20.110, if yes, the promoter is required to provide certificate of insurance evidencing liability and property damage limits with a combined single limit of not less than \$1,000,000 with a deductible of nor more than \$500, and shall specify the City of Mendota and applicant as named insured.

10. If a promoter will present, produce, or otherwise be involved in the event, activity or entertainment, state the name, address and telephone number of the promoter and describe his/her/its participation in the event. Note: Section 5.08.030 Amusement Park Rides and Attractions; Section 5.08.300 Musical and Theatrical Shows. The Promoter is required to obtain a business license.

NAME: _____

ADDRESS: _____

PARTICIPATION/INVOLVEMENT: _____

11. Detailed description of all entertainment and activities, including equipment and vehicles to be used, the nature and times of use of such equipment, and the nature and time of use of any amplified sound equipment. Please keep in mind that anything not mentioned below will not be allowed.

Mendota Youth has taken the annual give away to continue the Gutterize family legacy and dreams for the children to have school materials and a back pack

12. Will concession stand(s) be used? _____ Yes No. Note: for baseball diamond concession, \$150.00 fee, per league, no exemptions.

13. Will there be an admissions charge to the event? If so, state the exact amount of each ticket \$ 0. State the reason for imposing this admission charge.

14. Will there be a live band at this function? Yes _____ No
(See attached municipal code regarding noise ordinance)

15. State the names and addresses of all persons or groups which will receive any of the proceeds from this event, including concessions, and how those proceeds will be divided among such persons or groups.

all free

16. If this permit application is for all or substantially all of the park area, or all or substantially all of the picnic and bandstand area, state the overriding public interest or special circumstances which justify excluding residents of the City of Mendota from using their public park facilities.

17. I, Sergio Valdez have read the Mendota Municipal Code Chapter 12.20 re: park permits (attached). I understand all of the requirements for conducting an event or activity in the use of the Rojas-Pierce Park or any City facility. I agree on behalf of myself and Mendota Youth Recreation (name of applicant), the organization on whose behalf this application is made, to indemnify, defend and hold the City of Mendota harmless, from and against any and all claims, actions, suits, and proceedings for money damages or other relief for personal injury, property damage or other losses resulting from or caused by the activity or event for which this permit is

issued. The keys to any facility or electrical panel will not be issued until this document is signed by the permittee requesting a facility and/or consent/hold harmless agreements are submitted to city staff and proof of insurance is provided and all fees and deposits are paid.

Signature of Permittee: S. Valdez DATE: _____

I, S. Valdez, declare I have read and understand the foregoing application and all attachments thereto. I further declare that I will abide by all City, State, County and Federal laws at said event.

Dated: 2-16-18
[Signature]
Signature of Permittee

CITY MANAGER APPROVAL

THIS APPLICATION IS APPROVED / REJECTED FOR USE OF THE _____ ON _____, THE FOLLOWING CONDITIONS OF APPROVAL SHALL APPLY, MAY INCLUDE POLICE DEPARTMENT REQUIREMENTS.

CITY MANAGER: _____ DATE: _____

SECURITY REQUIREMENT OR CONDITIONS AS PER CITY OF MENDOTA POLICE DEPARTMENT:

POLICE DEPT: _____ DATE: _____

CITY OF MENDOTA CONDITIONAL APPROVAL OF
FACILITY USE APPLICATIONS FOR THE 2018 BACKPACK GIVE AWAY

DATE/TIME	TOTAL NUMBER OF EVENT DAYS	EVENT	FACILITY	ORGANIZATION	CONDITIONAL APPROVAL	FEE'S WAIVED PER POLICY
07/29/2018 12:00pm - 7:00pm	1 Day Event Sunday	Backpack Giveaway	Rojas-Pierce Park Pavilion and Restrooms	Westside Youth Inc.	<p>Westside Youth Inc. Shall: Provide Liability Insurance Provide A Detailed Itinerary Clean Facility and Property Contract Police Services Contract Trash Services Obtain An Amplified Music Permit Pick-Up Key (7/27/2018) Return Key (7/30/2018)</p> <p>Fees: \$177.50 (breakdown below) Rojas Pierce Park & Pavilion Rental: \$175 (\$350 x 1 day= \$350) (50% Waived) Amplified Music Permit:\$2.50 (\$5 x 1 days= \$5) (50% Waived)</p> <p>Deposits:\$350 (breakdown below) Rojas Pierce Park & Pavilion Cleaning Deposit: \$300 Key Deposit: \$50.00</p>	<p style="text-align: center;">Fees Waived: \$177.50</p> <p style="text-align: center;">Administrative Policy: 2004.01 - Event Permit for Non-Profit Organizations (Exhibit B)</p>
08/05/2018 9:00am - 2:00pm	1 Day Event Sunday	Backpack Giveaway	Rojas-Pierce Park (Pavilion)	Mendota Youth Recreation	<p>Mendota Youth Recreation Shall: Provide Liability Insurance Provide A Detailed Itinerary Clean Facility and Property Contract Police Services Contract Trash Services Obtain An Amplified Music Permit Pick-Up Key (8/3/2018) Return Key (8/6/2018)</p> <p>Fees: \$177.50 (breakdown below) Rojas Pierce Park & Pavilion Rental: \$175 (\$350 x 1 day= \$350) (50% Waived) Amplified Music Permit:\$2.50 (\$5 x 1 day= \$5) (50% Waived)</p> <p>Deposits: \$350 (breakdown below) Rojas Pierce Park & Pavilion Cleaning Deposit: \$300 Key Deposit: \$50.00</p>	<p style="text-align: center;">Fees Waived: \$177.50</p> <p style="text-align: center;">Administrative Policy: 2004.01 - Event Permit for Non-Profit Organizations (Exhibit B)</p>

ADMINISTRATIVE SERVICES DEPARTMENT REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES
VIA: CITY MANAGER
SUBJECT: MONTHLY REPORT
DATE: MAY 22, 2018

HUMAN RESOURCES

- **Worker's Compensation Claims**
 - There was one workers' compensation claim in the month of April.
- **Personnel**
 - Total of 4 disciplinary actions. *(Details of issues are confidential)*
 - One of one grievance resolved. *(Details of issues are confidential)*
 - One employee resigned.
 - Full-Time Permanent General Maintenance Worker I position filled.
- **Other**
 - Completed the 2017 Government Compensation in California (GCC) Report for the City of Mendota.
 - Started working on the LUCA 2020 Census *(Details are Confidential)*

RISK MANAGEMENT

- **Claims**
 - There were zero new claims against the city in the month of April.

SENIOR CENTER

- For the month of April, there was a daily average of 9 attendees at the senior center.

PUBLIC WORKS REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CRISTIAN GONZALEZ, PUBLIC WORKS DIRECTOR
VIA: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: PUBLIC WORKS MONTHLY REPORT
DATE: MAY 22, 2018

STREETS AND ROADS

- Street sweeping continues as usual.
- Pavement Seal Project is underway. This project should be completed in the first week of June.
- The City's Engineer's office is preparing cost estimates for design services, for future street projects, for council consideration.
- Crews will be street striping in the following weeks. We ask that the public proceed with caution while road work is being performed.

PARKS AND PUBLIC BUILDINGS

- Public Works continues to maintain the parks for the community.

DRINKING WATER

- Meter reads are complete.

WASTE WATER

- Monthly samples have been submitted.
- Lozano Lift Station project is on pace to begin on the 28th of May. The manufacturer of the lift station package, Muni Quip, finally has confirmed shipping date.

ANIMAL CONTROL

- Animals impounded: 15

- Animals euthanized: 6
- Animals adopted: 2 dogs
- Animals redeemed by owner: 5
- Graffiti abated: 0
- Citations issued: 0

ADULT OFFENDER WORK PROGRAM

- AOWP continue working on public right of ways and alley weed abatement.
- AOWP assist at the pool park, and airport.

BUILDING PERMITS ISSUED

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

PLANNING

- The Planning Department continues to work with the developer that is proposing a residential subdivision on the corner of Bass and Highway 33. This includes a commercial use as well. The environmental impact report was published and circulated to all the stakeholders. Once the comment period is over, it will go to the Planning Commission, then City Council.

STAFFING FOR PUBLIC WORKS

- 14 full time employees
- 2 part time employees

FUEL STOCK

- Unleaded: 4,170 gallons
- Diesel: 3,121 gallons

Permits Issued

Report Date Range : 04/18/2018 to 05/15/2018

Permit #	Type of Permit	Date Issued	Job Address
20180079	329(b) INSTALLING 16 SOLAR MODULES ROOF MOUNT 5.44 KW	4/18/2018	424 Rio Frio St
20180080	329(b) ROOF MOUNT PV ON COMP SHINGLE 5.49 KW 18 PANELS PANEL UPGRADE 100-125 AMP	4/19/2018	554 S Kate St
20180081	437(a) ELECTRICAL PERMIT FOE NEW FUEL EQUIPMENT	4/23/2018	1267 OLLER ST
20180082	434(a) NEW PATIO 550 SQ FT PER APPROVED PLAN	4/27/2018	429 BANDONI CT
20180083	329(b) ROOF MOUNT P.V. TILE ROOF 4.06 KW 14 PANELS	4/27/2018	248 Espinoza St
20180084	MISC REPLACE STUCCO ON BUILDING PER APPROVED PLAN	4/27/2018	1166 Pucheu St
20180085	101 NEW CONSTRUCTION SFR 1831 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	4/27/2018	30 CASTRO ST
20180086	434(a) NEW PATIO 546 SQ FT PER APPROVED PLAN	5/3/2018	446 SILVA ST
20180087	437(a) NON-APPROVED PLUMBING INSPECTION	5/4/2018	2033 7th St
20180088	MISC ADD STUCCO TO HOME 856 SQ FT PER APPROVED PLAN	5/7/2018	418 Pucheu St
20180089	437(a) INSTALL NEW ILLUM INDIVIDUAL CHANNEL LETTER SIGN ON STORE FRONT 19.7 SQFT	5/8/2018	713 Oller St
20180090	329(b) ROOF MOUNTED SOLAR INSTALLATION AND MSP UPGRADE 10.36 KW (30 MODULES)	5/8/2018	265 K St
20180091	434(b) REPLACE FORCED AIR FURNACE	5/8/2018	354 J St
20180092	434(b) REPLACE WATER HEATER	5/15/2018	328 J St
20180093	MISC NEW BLOCK FENCE AND GATE 36 FT LONG	5/15/2018	954 Oller St
20180094	434(a) NEW PATIO 864 SQ FT PER APPROVED PLAN	5/15/2018	449 Rio Frio St

Permits Issued

Report Date Range : 04/18/2018 to 05/15/2018

<u>Permit #</u>	<u>Type of Permit</u>	<u>Date Issued</u>	<u>Job Address</u>
-----------------	-----------------------	--------------------	--------------------

Total Number of Permits List		16	
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