



# CITY OF MENDOTA

*"Cantaloupe Center Of The World"*

VICTOR MARTINEZ  
Mayor  
LIBERTAD "LIBERTY" LOPEZ  
Mayor Pro Tem  
JOSE ALONSO  
JOSEPH R. RIOFRIO  
OSCAR ROSALES

**AGENDA**  
**MENDOTA CITY COUNCIL**  
Regular City Council Meeting  
City Council Chambers  
643 Quince Street  
Mendota, California 93640  
July 11, 2023  
6:00 PM

CRISTIAN GONZALEZ  
City Manager  
JOHN KINSEY  
City Attorney

The Mendota City Council welcomes you to its meetings, which are scheduled for the 2nd and 4th Tuesday of every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Council may discuss and/or take action on any or all of the items listed on this agenda. Please turn your cell phones on vibrate/off while in the council chambers.

Any public writings distributed by the City of Mendota to at least a majority of the City Council regarding any item on this regular meeting agenda will be made available at the front counter at City Hall, located at 643 Quince Street Mendota, CA 93640, during normal business hours, 8 AM – 5 PM.

In compliance with the Americans with Disabilities Act, individuals requiring special assistance to participate at this meeting please contact the City Clerk at (559) 655-3291 or (559) 577-7692. Notification of at least forty-eight hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to the meeting.

Si necesita servicios de interpretación para participar en esta reunión, comuníquese con la Secretaria de la Ciudad al (559) 655-3291 o (559) 577-7692 entre las 8 a.m. y las 5 p.m. de lunes a viernes. La notificación de al menos veinticuatro horas antes de la reunión permitirá al personal adoptar las disposiciones necesarias para garantizar su participación en la reunión.

## **CALL TO ORDER**

## **ROLL CALL**

## **FLAG SALUTE**

## **INVOCATION**

## **FINALIZE THE AGENDA**

1. Adjustments to Agenda
2. Adoption of final Agenda

## **PRESENTATION**

1. Chief of Police Smith to introduce Police Officers Juliana Lopez, Juan Perez, Shahab Yaghoubie, Brayden Grove, William Cubias, and Jeremy Dao.
2. Chief of Police Smith to introduce the new members of the Mendota Police Department's Explorers Program.

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

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

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

1. Minutes of the regular City Council meeting of June 27, 2023.
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. JUNE 21, 2023 THROUGH JUNE 30, 2023  
WARRANT LIST CHECK NOS. 53451 THROUGH 53496  
TOTAL FOR COUNCIL APPROVAL = \$1,414,041.20
2. Proposed adoption of **Resolution No. 23-45**, authorizing the final payment of retention to the contractor for the Mendota Junior High School Safe Routes To School Project – ATPL-5285(021).
3. Proposed adoption of **Resolution No. 23-46**, approving a successor Memorandum of Understanding between the City of Mendota and Operating Engineers Local Union No. 3, on behalf of the Mendota Police Officers Association.
4. Proposed adoption of **Resolution No. 23-47**, granting a Utility Distribution Easement to the Pacific Gas and Electric Company.

## **BUSINESS**

1. Discussion and consideration of **Resolution No. 23-48**, appointing voting delegates for the League of California Cities' Annual Conference General Assembly.
  - a. *Receive report from City Clerk Cabrera-Garcia*
  - b. *Inquiries from City Council to staff*
  - c. *Mayor Martinez opens floor to receive any comment from the public*
  - d. *City Council appoints delegates and considers Resolution No. 23-48 for adoption*

2. Discussion regarding Noise Ordinances and Enforcement.
  - a. *Receive report from Assistant City Attorney Castro and Chief of Police Smith*
  - b. *Inquiries from City Council to staff*
  - c. *Mayor Martinez opens floor to receive any comment from the public*
  - d. *City Council discussion and direction to staff*
  
3. Discussion regarding Food Vendor Regulations and Enforcement.
  - a. *Receive report from Assistant City Attorney Castro and Chief of Police Smith*
  - b. *Inquiries from City Council to staff*
  - c. *Mayor Martinez opens floor to receive any comment from the public*
  - d. *City Council discussion and direction to staff*

### **PUBLIC HEARING**

1. Public hearing regarding the adoption of **Resolution No. 23-49**, confirming the diagram and authorizing the levy and collection of assessments for Landscape and Lighting Maintenance District No. 2019-01 for Fiscal Year 2023-2024.
  - a. *Receive report from Finance Director Banda*
  - b. *Inquiries from Council to staff*
  - c. *Mayor Martinez opens the public hearing, accepting comments from the public*
  - d. *Mayor Martinez closes the public hearing*
  - e. *Council provides any input, and consider Resolution No. 23-49 for adoption*

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

1. Finance Director
  - a) Grant Update
  
2. City Engineer
  - a) Update
  
3. City Attorney
  - a) Update
  
4. City Manager

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

1. Council Member(s)

2. Mayor

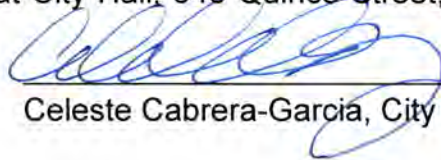
**CLOSED SESSION**

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

**ADJOURNMENT**

**CERTIFICATION OF POSTING**

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota City Council Regular Meeting of July 11, 2023, was posted on the outside bulletin board located at City Hall, 643 Quince Street, on Friday, July 7, 2023, at 5:00 p.m.

  
\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk



## MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

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**Regular Meeting**

**June 27, 2023**

**Meeting called to order by Mayor Martinez at 6:00 PM.**

**Roll Call**

**Council Members Present:** Mayor Victor Martinez, Mayor Pro Tem Libertad “Liberty” Lopez, Council Members Jose Alonso and Joseph Riofrio

**Council Members Absent:** Council Member Oscar Rosales

**Flag salute led by Chief Plant Operator Jeronimo Angel**

**Invocation led by Police Chaplain Robert Salinas**

**A moment of silence was held in honor of Mendota residents Francisco Andrade, Anastacio Macias, and Raymond Snowden**

### **FINALIZE THE AGENDA**

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

A motion was made by Council Member Riofrio to adopt the agenda, seconded by Council Member Alonso; unanimously approved (4 ayes, absent: Rosales).

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

None offered.

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

1. Minutes of the regular City Council meeting of June 13, 2023.



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 Council Member Riofrio to approve items 1 and 2, seconded by Council Member Alonso; unanimously approved (4 ayes, absent: Rosales).

### **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. JUNE 7, 2023 THROUGH JUNE 19, 2023  
WARRANT LIST CHECK NOS. 53342 THROUGH 53450  
TOTAL FOR COUNCIL APPROVAL = \$725,539.41
2. Proposed ratification of a letter of support for Climate Resilience Investments for the May Revision Budget Proposal for Fiscal Year 2023-2024.
3. Proposed ratification of a letter of support for the Newsom Administration's Infrastructure Package: Build California's Clean Future, Faster.
4. Proposed adoption of **Resolution No. 23-39**, revising the Management Benefit Resolution applicable to the City's Management Employees.
5. Proposed adoption of **Resolution No. 23-40**, approving the proposal and consultant services agreement from Provost & Pritchard Engineering Group, Inc. for engineering services for the Fleming and McCabe Avenue Reconstruction Project and authorizing the City Manager to execute all necessary documents.
6. Proposed adoption of **Resolution No. 23-41**, approving an addendum to the employment contract of the City Manager.
7. Proposed adoption of **Resolution No. 23-42**, authorizing the City Manager to purchase a vehicle for City Hall in an amount not to exceed \$60,000.00 plus taxes and fees and execute all documents necessary to effectuate the purchase.
8. Proposed adoption of **Resolution No. 23-43**, approving the application for Land and Water Conservation Fund assistance for the Mendota Triangle Park Project.

A motion was made by Council Member Riofrio to approve items 1 through 8, seconded by Council Member Alonso; unanimously approved (4 ayes, absent: Rosales).

## **BUSINESS**

1. Council discussion and consideration of **Resolution No. 23-44**, accepting the City of Mendota Safe Routes to School Master Plan.

Mayor Martinez introduced the item and Finance Director Banda provided the report and introduced Morgan Wright with Provost & Pritchard Consulting Group.

Morgan Wright with Provost & Pritchard Consulting Group presented information on the City of Mendota Safe Routes to School Master Plan.

Discussion was held on the information provided.

Sergio Valdez commented on reckless driving occurring in the City.

Discussion was held on the comments made by Mr. Valdez and on the item.

A motion was made by Council Member Riofrio to approve Resolution No. 23-44, seconded by Council Member Alonso; unanimously approved (4 ayes, absent: Rosales).

2. Council discussion and consideration of the public review draft of the Fresno County Multi-Jurisdictional Housing Element, City of Mendota Local Housing Element Section.

Mayor Martinez introduced the item and Sara Allinder with Provost & Pritchard Consulting Group presented information on the Fresno County Multi-Jurisdictional Housing Element, City of Mendota Local Housing Element Section.

Discussion was held on the information provided.

Joseph Amador commented on the item.

At 6:59 p.m. Mayor Pro Tem Lopez left the Council Chambers and returned at 7:02 p.m.

Sergio Valdez commented on the item.

A motion was made by Council Member Alonso for the oral comments that were made during the discussion of the item be considered during the public review draft of the Fresno County Multi-Jurisdictional Housing Element, City of Mendota Local Housing Element Section, seconded by Council Member Riofrio; unanimously approved (4 ayes, absent: Rosales).

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

1. Animal Control, Code Enforcement, and Police Department

Police Sergeant Galaviz provided a report on the Animal Control, Code Enforcement and Police Departments including ongoing tasks for all departments.

Discussion was held on the Police Department addressing illegal fireworks, thefts, individuals drinking in public, and reckless driving.

Alfredo Arambula commented on the approval process and fees associated with public dances and facility use applications; shared concerns regarding the approval process for public dances and facility use applications; and commented on the enforcement of the City's business license regulations.

Discussion was held on Mr. Arambula's comments and on the ability for the public to request public records.

Joseph Amador inquired on the status of an upcoming public dance and commented on the enforcement of the City's business license regulations.

Discussion was held on Mr. Amador's comments.

Ramon Gonzalez provided information on the Conditional Use Permit that was issued for his banquet hall.

Discussion was held on the enforcement of business license regulations.

2. City Attorney  
a) Update

Assistant City Attorney Castro provided an update on the weed abatement process; reported that he is reviewing various sections of the Mendota Municipal Code; and provided an overview on the California Public Records Act.

Discussion was held on the approval process and regulations for mobile food vendors.

3. City Manager

City Manager Gonzalez provided an update on the status of the Mendota Police Station and City Council Chambers project; the 2022 Local Street Reconstruction Project; and on the 2023 Mendota Fireworks Show; and reported on the passage of California Assembly Bill 102, which allocates funding in the State Budget for the construction of the Mendota Community Center.

Discussion was held on conversations that were recently held with Assemblywoman Esmeralda Soria and the status of Congressman John Duarte's request for Federal funding for the Mendota Pavement Management Project.



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

### 1. Council Member(s)

Council Member Alonso reported on the upcoming Mendota Fireworks Show.

Mayor Pro Tem Lopez reported on the “Meet and Greet” event held by Assemblywoman Soria; commented on the importance of building relationships with the public and elected and appointed officials; and reported on the condition of the homeless encampment.

Council Member Riofrio reported on a streetlight that is not working.

### 2. Mayor

Mayor Martinez reported on the City Council’s goals to repair roads, construct a community center; enhance parks, construct an additional soccer field, address the issue of loose dogs, and increase lighting in the City.

## **CLOSED SESSION**

### 1. CONFERENCE WITH LABOR NEGOTIATORS

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

- a. Agency Designated Representative: Cristian Gonzalez, City Manager
- b. Employee Organization: Mendota Police Officers Association

### 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9 (one potential case).

At 7:55 p.m. the Council moved into closed session.

At 8:35 p.m. the Council reconvened in open session and Assistant City Attorney Castro stated that in regard to items 1 and 2 of the Closed Session, there were no reportable actions.

## **ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 8:35 p.m. by Council Member Alonso, seconded by Mayor Pro Tem Lopez; unanimously approved (4 ayes, absent: Rosales).

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Victor Martinez, Mayor

ATTEST:

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Celeste Cabrera-Garcia, City Clerk

DRAFT

CITY OF MENDOTA  
CASH DISBURSEMENTS  
06/21/23 - 06/30/23  
CK# 053451 - 053496

Check Date	Check Number	Check Amount	Vendor	Department	Description
June 21, 2023	53451	\$ 170,117.00	CITY OF MENDOTA PAYROLL	GENERAL	PAYROLL TRANSFER FOR 06/05/23 - 06/18/23
June 23, 2023	53452	\$ 1,032,022.81	MARKO CONSTRUCTION GROUP INC	GENERAL, WATER, SEWER	MENDOTA POLICE & COUNCIL CHAMBERS CONSTRUCTION APRIL 203 AND MAY 2023
June 30, 2023	53453	\$ 517.28	AFLAC	GENERAL	AFLAC INSURANCES FOR JUNE 2023
June 30, 2023	53454	\$ 692.18	ARAMARK	WATER, SEWER	(5) PORTCO LONG SLEEVE SHIRTS, PUBLIC WORKS UNIFORM SERVICES JUNE 2023
June 30, 2023	53455	\$ 1,383.95	AT&T	GENERAL, WATER, SEWER	CITYWIDE PHONE SERVICES 04/25/23 - 05/24/23, 05/25/23 - 06/24/23
June 30, 2023	53456	\$ 564.24	AUTOZONE, INC.	SEWER, WATER	(1) PROELITE LOW BACK BLACK SEAT COVER, (1) FLOOR MATS, (1) BELL BLACK GRIP STEERING WHEEL COVER
June 30, 2023	53457	\$ 642.69	BELMONT NURSERY	LLMD	(6) BANDANA PINK, (6) BANDANA LEMON ZEST- LA COLONIA
June 30, 2023	53458	\$ 1,168.00	BSK ASSOCIATES	WATER, SEWER	GENERAL EDT WEEKLY TREATMENT & DISTRIBUTION, WW WEEKLY GRAB SAMPLE WWTP
June 30, 2023	53459	\$ 2,980.11	CENTRAL VALLEY CONCRETE, INC.	GENERAL	(20) CY C50- CEMENT FOR INCLUSIVE PARK
June 30, 2023	53460	\$ 300.00	COLLEGE OF THE SEQUOIAS	GENERAL	(2) FIELD TRAINING OFFICER (PD)
June 30, 2023	53461	\$ 1,618.38	FARMERS LUMBER AND SUPPLY CO.	STREETS	(2) 35' PG&E POLES - JENNING AND 9TH
June 30, 2023	53462	\$ 8,736.20	FERGUSON ENTERPRISES, INC 1423	WATER	(1) GATE VLV, (1) BLND FLG, (4) GSKT PK L/GLAND, (3) 4 FLG HEX BLT BX SER (3) RNG GSKT (4) GASKET (4) WDG
June 30, 2023	53463	\$ 847.00	US COMPUTER AND NETWORK SERVICE	GENERAL, WATER, SEWER	TECHNOLOGY SERV ON SITE - MEETING WITH NEW IT COMPANY
June 30, 2023	53464	\$ 180.01	GONZALEZ GLASS	WATER, SEWER	2006 F-150 FORD: REAR LEFT WINDOW - PUBLIC UTILITIES
June 30, 2023	53465	\$ 758.12	GONZALEZ TOWING & TRANSPORT	STREETS	(1) AIR SPRING ROLLING LOBE, (1) TIRE REPAIR
June 30, 2023	53466	\$ 45.97	GUTHRIE PETROLEUM INC	WATER, SEWER, STREETS	(9) PROPANE BLK
June 30, 2023	53467	\$ 546.00	MATT KAWANA	GENERAL	REIMBURSEMENT FOR LOAD BEARING VEST 06/07/23
June 30, 2023	53468	\$ 206.00	KERWEST NEWSPAPER	LLMD	(6.5) NOTICE LANDSCAPE AND LIGHTING LEVY
June 30, 2023	53469	\$ 250.00	MENDOTA YOUTH RECREATION	GENERAL	REIMBURSEMENT OF DEPOSIT FOR USE OF BASEBALL FIELD
June 30, 2023	53470	\$ 100.00	MENDOTA COMMUNITY CORPORATION	REFUSE	SB 1383 LARGE ROOM MEETING FOR 60 GUESTS AT AMOR WELLNESS CENTER 2/23/2023
June 30, 2023	53471	\$ 1,504.59	METRO UNIFORM	GENERAL	(2) MENS LAPD, (4) SHLDR PATCH - F. RENTERIA, (8) CUSTOM SEWING- G. VACA, (4) SHLDR PATCH- G. GALAVIZ (PD)
June 30, 2023	53472	\$ 7,548.37	MID VALLEY DISPOSAL, INC	REFUSE, STREETS	50Y DELIVERY- 3123 BASS AVE, 50Y EXCHANGE -3123 BASS AVE, SERVICES FOR JUNE 1-15 FOR CITY YARD
June 30, 2023	53473	\$ 2,000.00	NICHOLS LOCAL GOVERNMENT	GENERAL	PREPARATION OF SB90 STATE MANDATED COST CLAIMS
June 30, 2023	53474	\$ 1,771.67	NORTHSTAR CHEMICAL	WATER	(520) SODIUM HYPOCHLORITE- 12.5% MILL A 06/23/23
June 30, 2023	53475	\$ 375.71	OFFICE DEPOT	GENERAL, WATER, SEWER	(1) LASERJET TONER, (4) VERTICAL HOLDER, (1) TICKET ROLL, (2) BATTERY COPRTP, (2) OFFICE DUSTER, (4) COPIER PAPER
June 30, 2023	53476	\$ 20,178.77	PG&E	GENERAL, WATER, SEWER, STREETS	CITYWIDE UTILITES 05/09/23 - 06/07/23
June 30, 2023	53477	\$ 304.73	PITNEY BOWES INC.	GENERAL, WATER, SEWER	POSTAGE METER RENTAL 1/1/2023 - 6/30/2023
June 30, 2023	53478	\$ 3,025.00	PURCHASE POWER	GENERAL, WATER, SEWER	POSTAGE METER REFILL 5/16, 6/02, 6/09
June 30, 2023	53479	\$ 1,314.45	RAMON'S TIRE & AUTO	SEWER, STREETS	TRAILER- (4) RADIAL TRAIL TIRE, (4) HIGH PRESSURE VALVE STE, LOADER 544 J #65- BOOT PATCH, THIN O-RING
June 30, 2023	53480	\$ 26,707.25	RRM DESIGN GROUP	GENERAL, WATER, SEWER	MENDOTA POLICE STATION CONSTRUCTION DOCUMENTS

CITY OF MENDOTA  
 CASH DISBURSEMENTS  
 06/21/23 - 06/30/23  
 CK# 053451 - 053496

June 30, 2023	53481	\$ 491.37	ERNEST PACKING SOLUTIONS	GENERAL,WATER,SEWER	(10) CASCADES BATH TISSUE, (1) CLEANER/DEGREASER BATH
June 30, 2023	53482	\$ 4,405.06	SITEONE LANDSCAPE SUPPLY LLC	GENERAL	(50) POLY CUTOFF RISER 1/2 IN (24) HUNTER PGJ, (20) REDUCING BUSHING, (1) HUNTER NODE OUTDOOR
June 30, 2023	53483	\$ 6,852.49	SORENSEN MACHINE WORKS	GENERAL,WATER,SEWER, STREETS	CITYWIDE DEPARTMENT SUPPLIES MAY 2023
June 30, 2023	53484	\$ 3,453.00	SWRCB ACCOUNTING OFFICE	SEWER	WWTP REGULATORY COVERAGE CERTIFICATE -WDID:5D100109001
June 30, 2023	53485	\$ 1,070.00	MARK ANTHONY DUARTE	GENERAL,WATER,SEWER	PEST CONTROL SERV FOR ROJAS PIERCE PARK, LOZANO PARK, POOL PARK, CITY HALL, POLICE DEPARTMENT MAY/JUNE
June 30, 2023	53486	\$ 2,004.59	THE HOME DEPOT CREDIT CARD	GENERAL,WATER,SEWER	(1) HUSKY RATCHET, SHOCKWAVE SET, TITAN BIT, GROOVE JT, (1) CORNER ROLLER (2) KNIT POLY ROLL (2) BEHR PAINT
June 30, 2023	53487	\$ 120.00	TOP DOG TRAINING CENTER	GENERAL	MONTHLY MAINTENANCE: K-9 TRAINING VACA AND YANOSCH
June 30, 2023	53488	\$ 1,825.56	TRIANGLE ROCK PRODUCTS, LLC	STREETS	(5.59) ST 3/8 CM SC3000 AGG & ASPHALT FOR POTHOLES, (17.13) 1/2 COMMERCIAL AGG & ASPHALT - STREETS
June 30, 2023	53489	\$ 2,008.77	UNITED RENTALS (NORTH AMERICA)	GENERAL	(1) RENTAL FORKLIFT WHSE, DELIVERY AND PICKUP
June 30, 2023	53490	\$ 2,036.67	USA BLUEBOOK	WATER	(2) REAGENT, REFILL TABLETS BOX, (2) HACH CHLORINE (2) HACH DPD
June 30, 2023	53491	\$ 6,436.00	WANGER JONES HELSLEY PC ATTORNEY	GENERAL	LEGAL SERVICE RE: CITY ATTORNEY SPECIAL LEGAL SERVICE 5/15/23
June 30, 2023	53492	\$ 93,225.61	WEST COAST RUBBER RECYCLING	REFUSE	GROUND RUBBER PLAY - RED NUGGETS, CHOCOLATE BROWN
June 30, 2023	53493	\$ 289.95	AUTOZONE, INC.	WATER, SEWER	2-70 PC GREASE FIT (WA), DURALAST BATTERY (GENERATOR BATTERY), MEGUIAR'S WIPES & WHEEL CLEANER (PREP-WA/SW)
June 30, 2023	53494	\$ 125.00	RIGHT NOW PHLEBOTOMY	GENERAL	(1) BLOOD DRAW 23 -1331 5/21/2023
June 30, 2023	53495	\$ 820.40	VETERINARY MEDICAL CENTER	GENERAL	(2) EUTHANASIA & MEDICAL FEE 6/12/2023, (16) EUTHANASIA SERVICES 6/28/2023
June 30, 2023	53496	\$ 470.25	AXON ENTERPRISE, INC.	GENERAL	CONTRACT#3107175674: TASER INSTRUCTOR (PD)

\$ 1,414,041.20

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MICHAEL OSBORN, CITY ENGINEER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** AUTHORIZING THE FINAL PAYMENT OF RETENTION TO THE CONTRACTOR FOR THE MENDOTA JUNIOR HIGH SCHOOL SAFE ROUTES TO SCHOOL PROJECT – ATPL-5285(021)  
**DATE:** JULY 11, 2023

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**ISSUE**

Should the City Council adopt Resolution No. 23-45, authorizing the final payment of retention to the contractor for the Mendota Junior High School Safe Routes to School Project – ATPL-5285(021)?

**BACKGROUND**

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

Resolution No. 22-33 authorized the award of the construction contract to American Paving Co. (“Contractor”). On June 7, 2023, the project was found to be substantially complete and on June 15, 2023 the Notice of Completion was recorded by the Fresno County Recorder as Document No. 2023-0055423.

Following the 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**

To the best of staff’s knowledge, no liens or stop notices have been filed prior to nor during the 35-day waiting period; therefore, payment of the retention may be made in full.

**FISCAL IMPACT**

Final payment including retainage of \$10,423.99 was included in the fee of the awarded contract as well as the approved budget for Fiscal Year 2022-2023. The cost of construction of the improvements is 88.53% reimbursable by ATP funds authorized by Caltrans to the City for this purpose. The City’s will utilize approximately \$87,000 of local transportation funds to implement this project, satisfying the match and additional project costs. Use of the local Street Funds were included in the Fiscal Year 2022/2023 Budget. This project will not impact the General Fund.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution 23-45, authorizing the final payment of retention to the contractor for the Mendota Junior High School Safe Routes to School Project – ATPL-5285(021).

**Attachment:**

1. Resolution No. 23-45



**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 FINAL PAYMENT OF RETENTION TO  
THE CONTRACTOR FOR THE MENDOTA  
JUNIOR HIGH SCHOOL SAFE ROUTES TO  
SCHOOL PROJECT – ATPL-5285(021)**

**RESOLUTION NO. 23-45**

**WHEREAS**, Resolution No. 22-33 authorized the award of the Mendota Junior High School Safe Routes To School (“SRTS”) Project, Federal Project No. ATPL-5285(021), construction contract to American Paving Co. (“Contractor”); and

**WHEREAS**, City staff found the SRTS Project to be substantially complete on June 7, 2023; and

**WHEREAS**, the Notice of Completion was filed with the Fresno County Recorder on June 15, 2023, and was recorded as Document No. 2023-0055423; and

**WHEREAS**, during the portion of the required 35-day waiting period that has elapsed to date, no stop notices or liens have been filed with the City against the Contractor in relation to the SRTS Project; and

**WHEREAS**, payment of the full contract amount, including retention, was included in the approved budget for Fiscal Year 2022-2023 to be paid for from Local Street Funds and partially reimbursed by Active Transportation Program funds.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota hereby authorizes the City Manager to release the payment of retention in the amount of \$10,423.99 to American Paving Co. as final payment for the SRTS Project after the completion of the 35-day waiting period where no notices or liens have been filed with the City.

\_\_\_\_\_  
Victor Martinez, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 11<sup>th</sup> day of July, 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Celeste Cabrera-Garcia, City Clerk

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES/ ACM  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** APPROVING A SUCCESSOR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MENDOTA AND OPERATING ENGINEERS LOCAL UNION NO. 3, ON BEHALF OF THE MENDOTA POLICE OFFICERS ASSOCIATION  
**DATE:** JULY 11, 2023

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**ISSUE**

Shall the City Council adopt Resolution No. 23-46, approving a successor Memorandum of Understanding between the City of Mendota and Operating Engineers Local Union No. 3, on behalf of the Mendota Police Officers Association?

**BACKGROUND**

The most recently approved Mendota Police Officers Association (“MPOA”) Memorandum of Understanding (“MOU”) expired on June 30, 2023. The City of Mendota (“City”) and the MPOA began discussions on April 30, 2023 for a successor MOU.

**ANALYSIS**

The City’s negotiating team met in good faith with employee representatives and the MPOA in accordance with the Meyers-Milias-Brown Act regarding salaries, benefits, and other terms and conditions of employment. A tentative agreement was reached on June 28, 2023 and on July 2, 2023 the MPOA membership ratified the tentative agreement for a one-year contract from July 1, 2023 through June 30, 2024.

**FISCAL IMPACT**

There is a fiscal impact of approximately \$54,400 which will be funded from the General Fund, Fund 61, and Fund 23.

**RECOMMENDATION**

Staff recommends that the City Council consider the adoption of Resolution No. 23-46, approving a successor Memorandum of Understanding between the City of Mendota and Operating Engineers Local Union No. 3, on behalf of the Mendota Police Officers Association.

**Attachments:**

1. Resolution No. 23-46
2. Exhibit “A” - MPOA MOU

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA APPROVING  
A SUCCESSOR MEMORANDUM OF  
UNDERSTANDING BETWEEN THE CITY  
OF MENDOTA AND OPERATING ENGINEERS  
LOCAL UNION NO. 3, ON BEHALF OF THE  
MENDOTA POLICE OFFICERS ASSOCIATION**

**RESOLUTION NO. 23-46**

**WHEREAS**, the City of Mendota (“City”) entered into an agreement, dated July 1, 2021, with the Mendota Police Officers Association (“MPOA”) and Operating Engineers Local Union No. 3 (“Union”) (collectively, “Parties”) to promote harmonious relations between the City, the Association, and the Union, to establish an equitable and peaceful procedure for the resolution of differences, and to establish wages, hours of work and other terms and conditions of employment (“Agreement”); and

**WHEREAS**, the Memorandum of Understanding (“MOU”) expired on June 30, 2023; and

**WHEREAS**, a tentative agreement was reached between the Parties and ratified by the Union on July 2, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota hereby approves the successor MOU attached as Exhibit “A”, between the City of Mendota and the Mendota Police Officers Association and Operating Engineers Local Union No. 3 for the term of July 1, 2023 through June 30, 2024.

\_\_\_\_\_  
Victor Martinez, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 11<sup>th</sup> day of July, 2023, by the following vote:

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

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

# **EXHIBIT A**

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

July 1, 2023 – June 30, 2024



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**ARTICLE I  
(PREAMBLE)**

**A. Preamble**

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

**B. Purpose**

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

**C. Past Practices**

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

**D. No Abrogation of Rights**

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

**E. Term**

The term of this Agreement will be July 1, 2023 to June 30, 2024.

**ARTICLE II  
(MANAGEMENT RIGHTS)**

**A. Management Rights**

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

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

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

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

#### **A. Recognition**

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

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

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

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

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

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

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

1. The City shall not interfere with nor discriminate against any employee by reason of his/her membership in the Union and/or Association, or by reason of any activity required by this Agreement.
2. The City shall not intimidate any employee or attempt to restrain any employee or attempt to limit the full and free expression of Employees' rights to participate in Union and/or Association's lawful activities.
3. The City shall deduct Association membership dues and assessments, the amount to be designated by the Association, and any other mutually agreed upon payroll deductions each pay period from the pay of member Employees. The dues or other mutually agreed payroll deductions must first be authorized in writing by the Employee on an authorization card acceptable to the City.

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

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

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

4. Except in cases of emergency as provided in this subsection, the Union, if affected, shall be given reasonable advance notice of ordinance, resolution, rule or regulation directly and primarily relating to matters within the scope of representation proposed to be adopted by the City and shall be given the opportunity to meet with the appropriate management representatives. In cases of emergency, the City shall make its best effort to notify the Association on the first business day after the emergency.
5. The City shall provide officers of the Association and the officially designated representatives of the Union reasonable access to employee work locations, with prior Department Head and City Manager notification and approval for the purpose of processing grievances or contacting Employees of the Association concerning issues within the scope of representation.

**ARTICLE IV  
(STATUS OF EMPLOYEES)**

**A. Status of New Employees**

A new Employee shall be on probation in accordance with Section II..C.3 of the City’s Personnel Rules.

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

Any Employee rejected during the probationary period following a promotion, or at the conclusion of the probationary period shall be reinstated to the position from which he/she was promoted, in accordance with Section II.C.3. of the City’s Personnel Rules.

**ARTICLE V  
(COMPENSATION)**

**A. Salary**

The annual compensation schedule for Police Officers, Police Corporals, and Police Sergeants employed on a full-time basis shall be as follows effective July 1, 2023:

<b>Position</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>
Police Officer	\$26.7249	\$28.0612	\$29.4642	\$30.9374	\$32.4843	\$34.1085
Police Corporal	\$28.0693	\$29.4728	\$30.9464	\$32.4938	\$32.4937	\$34.1184
Police Sergeant	\$30.2902	\$31.8047	\$33.3949	\$35.0647	\$36.8179	\$38.6588

Employees shall be eligible for a salary step increase at the time of his/her yearly performance evaluation, contingent on the Employee receiving a satisfactory performance evaluation along with a recommendation for the salary step increase made by the Employee’s supervisor and approved by the City Manager. When an Officer is promoted to Corporal, they shall be promoted to the same step in the new classification.

**B. Work Schedules and Overtime Compensation**

The Chief of Police has the discretion to set Employee work schedules per the needs of the Department, including, but not limited to a 3/12, 4/10, and/or a 5/8 work schedule. Employees will be provided reasonable advance notice of any modifications of work schedules.

The Association and the Union acknowledge that the City has established a 14-day work period for Employees.



Employees will receive overtime for all hours worked in excess of 84 hours in a 14-day work period. All overtime earned will be paid out in cash at time-and-one-half of the employee's regular rate of pay. All overtime hours must be approved by an Employee's supervisor prior to being worked. However, if prior authorization for overtime work is not possible because of emergency conditions, a confirming authorization shall be made by the Employee's supervisor or his/her designee on the next regular business day after such work is performed.

**C. Training Time**

Employees will be compensated for hours worked in training time that is mandated by the City or Police Department. All such training time must be approved in advance by the Chief of Police. For P.O.S.T. certified trainings, Employees will be reimbursed for costs incurred, if applicable, at the P.O.S.T. reimbursement rate.

All non-probationary Officers who train new Officers shall receive an additional pay of five percent (5%) above their regular base rate of pay for all hours worked while training another Officer.

**D. Out of Class Pay**

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

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

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

Basic P.O.S.T. Certificate - \$475

Intermediate P.O.S.T. Certificate - \$625

Advanced P.O.S.T. Certificate - \$775

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

**F. Direct Deposit**

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

## **ARTICLE VI (BENEFITS)**

### **A. Uniform Allowance**

Within sixty (60) days of initial employment by the Police Department, any employee required to wear a uniform shall have two hundred dollars (\$200) available to use towards the purchase of initial uniform and/or accessories, excluding firearms and/or parts thereof and ammunition, upon requesting and receiving a purchase order from the Finance Department.

Purchase orders will only be issued for Best Uniforms, Metro Uniforms and Accessories and/or BPS Tactical for the purchase of uniform and/or accessories, excluding firearms and/or parts thereof and ammunition. Employees shall receive a purchase order, for up to the available balance, from the Finance Department within one business day from request.

Following the completion of the initial probationary period, the City shall pay \$1,100.00 each year as a lump sum payment, in the second pay period of July.

### **B. Safety Equipment**

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

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

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

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

If any equipment described in this MOU is lost or damaged by the employee, he/she shall pay

appropriate repair or replacement costs. This does not include damage that occurs in the normal course and scope of Employee's job duties.

**C. Vacation**

Employees shall accrue vacation credits at the following rates:

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

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

Emergency vacation leave of less than five (5) working days may be granted if the employee gives as much prior notice as is reasonably possible and it is a true emergency. Requests for emergency leave will not be denied unless the functions of that department would be seriously jeopardized by the absence of the Employee.

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

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

**D. Holidays**

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

**E. Sick Leave**

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

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

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

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

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

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

Employees shall have the option of participating in a plan to buy back a portion of their accumulated sick leave hours upon meeting certain criteria as outlined below:

Payment for this sick leave will be based on the hourly wage rate of the employee at the end of Pay Period 24 and issued with the paycheck for Pay Period 25. This cash out will be based on the employee's regular rate of pay and will not include any special pays.

Employees who have a sick leave balance of at least 140 hours at the end of Pay Period 24 and have used less than 80 hours of sick leave during the previous 26 pay periods may cash out up to 50% of the difference between 80 hours and the number of hours actually used during the previous 26 pay period up to a maximum of 40 hours.

Examples:

Sick Leave Balance	Maximum Hours Allowed	Hours used during the previous 26 pay periods	Available Cash Out Hours
140	80	0	$80 - 0 = 80 \times 50\% = 40$ hours
170	80	36	$80 - 36 = 44 \times 50\% = 22$ hours
200	80	80	$80 - 80 = 0 \times 50\% = 0$ hours

## F. Health Insurance

1. The City will obtain health, dental, orthodontic, and vision insurance for full-time permanent employees and their qualified dependents. The City shall pay health insurance for its employees

and dependents, with premium coverage up to the capped levels of monthly premium contribution:

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

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

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

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

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

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

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

#### **G. Life Insurance**

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

#### **H. Worker's Compensation**

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

#### **I. Long Term Disability**

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

**J. State Disability Insurance**

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

**K. Retirement**

The City of Mendota is a member of the California Public Employees' Retirement System "PERS". The benefit contract in effect between the City of Mendota and PERS on behalf of eligible employees of this unit is 2.7% at age 57. The employee will make the full employee contribution to the plan. The employer will make the full employer contribution to the plan.

Employees hired after January 1, 2013, fall under Public Employees' Pension Reform Act, or "PEPRA", CalPERS Local Safety 2.7% at Age 57 Retirement plan with Three-Year Final Average Salary Compensation. All PERS contribution paid by the employees shall be paid on a pre-tax basis as per IRS code.

The City shall preserve the existing 401(k) Retirement Plan. Employees are eligible to make contributions after 6 months of regular full-time employment. The City will not contribute a match to employee contributions.

**L. Bilingual Pay**

Those Police Sergeants, Corporals, or Officers proficient in Spanish shall be eligible for a bilingual pay incentive of five (5%) in addition to his/her base pay. In order to qualify for this incentive, the employee must have skills sufficient to pass a certified competency language examination as determined by the City. Additionally, re-testing may be required at the discretion of the City.

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

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

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

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

These hours shall not be added to the base salary of employees for purpose of calculating overtime and are not considered hours worked.

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

**N. Court Time**

Court time compensation shall apply to those appearances in court as witness to testify as to

matters discovered in the course of duty when such appearances are outside the employee's working hours.

Compensation for Court Time shall be the greater of:

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

**O. Night Shift Differential Pay**

**During a 3/12 Schedule:**

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

**During a 4/10 Schedule:**

An employee who is regularly assigned to work the graveyard shift is eligible to receive night shift differential pay in addition to the employee's base salary. If the employee's shift is regularly scheduled to start at 8:00 p.m., the employee will receive shift differential pay of one dollar (\$1.00) per hour for all hours actually worked that shift. The night shift differential pay will be paid only to an employee who is regularly assigned to the graveyard shift starting at 8:00 p.m. and who actually works such shift. Further, the night shift differential pay will also be paid for hours continuously worked from the graveyard shift whenever the employee is held over from the graveyard shift.

**P. Canine (K-9) Officer Assignment**

K-9 Handler must possess a certified K-9 and be assigned to K-9 Handler duty. The certification must be provided by a certified handler from another Police agency who has the authority to do so. Officers performing the assignment of Canine Officer are entitled to compensation for the off-duty time spent caring for and maintaining the canine and the canine vehicle/equipment. The City and Mendota Police Association acknowledged that the FLSA, which governs the entitlement to compensation for canine duties and care, entitles the parties to agree to the approximate amount of off duty time spent for the performance of canine duties and care. The FLSA also allows the city and the Association to agree upon appropriate compensation for the performance of canine duties and care.

Following an investigation into the pertinent facts, including an inquiry of the officers assigned to canine special assignment and consultation with Canine Officer's supervisors, the parties agree in good faith that 15 minutes per day is a reasonable approximation of the off-duty time a

Canine Officer spends caring for, grooming, feeding and training the Canine and maintaining and cleaning their Canine vehicle/unit. The City and Association also agree and understand that a lot of the ancillary duties required of a canine handler can be done while on-duty. The City and Association understand and agree that this additional compensation is intended to compensate canine officers for all off-duty hours spent caring for, grooming, feeding, exercising, following health care instructions, cleaning of kennel and patrol vehicle and otherwise maintaining their canine unit, in compliance with the FLSA and interpretive case and rulings.

The City and Association believe and agree that a 7% stipend above the Canine Handlers base salary is fair and reasonable compensation for the above described extra duties. Therefore, the City will pay the canine officer while in custody of a City owned canine, an additional 7% above base pay per month for "canine maintenance." The City and Association agree that all medical/veterinary expenses will be covered by the City following approval by the Chief of Police. In the event of a medical emergency or other unusual circumstances requiring extraordinary care for the canine, the canine officer must notify the Department of the additional time that he/she is required to spend with the canine beyond their regularly scheduled shift. The City and Association agree that the City will be responsible for the purchase of all necessary supplies such as a quality dog food, collars, leashes, vest, chew toys, and incidentals to be approved by the Chief of Police in advance.

The City and Association agree that any required off-duty training, actual training with an outside vendor (off-duty), is not covered under the 7% stipend and the canine handler is permitted to receive overtime at the rate of time and one-half (1 ½ ) of the Canine handlers base pay.

Assignment of this position is at the discretion of the Police Chief. Selection for canine assignment may not be appealed or grieved. The Police Chief or his designee has the sole discretion and authority to establish and or modify policies and procedures for canine assignments.

**Q. Motorcycle Unit Assignment**

Employees covered under this MOU and who work the motorcycle unit assignment, shall receive an additional pay of five percent (5%) above their regular base rate of pay for all hours worked on this assignment.

**ARTICLE VII  
(MISCELLANEOUS)**

**A. Layoff**

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

**B. Lockout and Strike**

No lockout of Employees shall be instituted by the City during the term of the Agreement.



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

**C. Savings**

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

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

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

**E. AB 119 Compliance**

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

1. The City will provide the Association with not less than ten (10) calendar days' advance written notice of the time, date and location of all new employee orientation meetings, unless an urgent and unforeseeable need for a new employee orientation meeting precludes the City from providing the Association with ten (10) calendar days' advance notice. The advance notice will include the number of Association bargaining unit employees attending the orientation meetings.

The City will make reasonable effort to comply with the 10-day advanced notice, however, in the event that a candidate completes the pre-employment process and is then scheduled to begin work sooner than ten (10) days from being cleared to start, notice will be provided as soon as reasonably possible. Notice will be made by way of email to a contact person of the Association's choice.

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

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

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

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

#### 5. Information Provided

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

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

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

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

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

### **ARTICLE IX (TERMINATION)**

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

During the life of the Agreement, should either party desire to modify its terms or to meet and confer as to matters within the scope of representation not addressed in the Agreement, such

party shall request in writing to meet and confer on the item. Each item shall be specified in writing prior to the meeting. This provision shall not create the right to renegotiate this Agreement.

**ARTICLE X**  
**(EXECUTION)**

FOR THE CITY OF MENDOTA:

FOR THE UNION/ASSOCIATION:

\_\_\_\_\_  
Cristian Gonzalez, City Manager

\_\_\_\_\_  
Juan Gurrola, President  
Mendota Police Officer's Association

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

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

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

\_\_\_\_\_  
Gerardo Galaviz, Vice-President  
Mendota Police Officer's Association

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

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

\_\_\_\_\_  
Michael DeAnda, Business Representative  
Operating Engineers Local Union No. 3

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

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA GRANTING  
A UTILITY DISTRIBUTION EASEMENT  
TO THE PACIFIC GAS AND ELECTRIC  
COMPANY**

**RESOLUTION NO. 23-47**

**WHEREAS**, the Pacific, Gas and Electric Company (“PG&E”) has requested that the City of Mendota (“City”) approve an easement that is required to reconstruct utility services within property owned by the City; and

**WHEREAS**, the City’s residents rely on PG&E’s utility services, and would benefit by the City’s grant of an easement allowing for PG&E’s maintenance of those services.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota, that the City grants the Utility Distribution Easement Deed, in substantially the form attached hereto as Exhibit “A,” to PG&E.

**BE IT FURTHER RESOLVED**, that the City Manager and Finance Director are authorized to sign the documents necessary to grant the Utility Distribution Easement Deed to PG&E in substantially the form attached hereto.

\_\_\_\_\_  
Victor Martinez, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 11<sup>th</sup> day of July, 2023, by the following vote:

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

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

# **EXHIBIT A**

**RECORDING REQUESTED BY AND RETURN TO:**

***PACIFIC GAS AND ELECTRIC COMPANY  
300 Lakeside Drive, Suite 210  
Oakland, CA 94612  
Attn: Land Rights Library***

Location: City/Uninc \_\_\_\_\_  
Recording Fee \$ \_\_\_\_\_  
Document Transfer Tax \$ \_\_\_\_\_

- This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).
- Computed on Full Value of Property Conveyed, or
- Computed on Full Value Less Liens & Encumbrances Remaining at Time of Sale
- Exempt from the fee per GC 27388.1 (a) (2); This document is subject to Documentary Transfer Tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

\_\_\_\_\_  
Signature of declarant or agent determining tax

**LD# 2213-15-10015**

**EASEMENT DEED**

THE CITY OF MENDOTA, a California Municipal Corporation,

hereinafter called Grantor, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the right from time to time to excavate for, construct, reconstruct, replace (of initial or any other size), remove, maintain, inspect, and use facilities and associated equipment for public utility purposes, including, but not limited to electric, gas, and communication facilities, together with a right of way therefor, on, over, and under the easement area as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situated in the City of Mendota, County of Fresno, State of California, described as follows:

(APN 013-162-19S)

The parcel of land described and designated EXHIBIT B in the deed from S. Stamoules, Inc., a California Corporation to Grantor dated May 31<sup>st</sup>, 2022 and recorded as Document No. 2022-0075368, Fresno County Records.

The easement area is described as follows:

The strip of land of the uniform width of 10 feet, lying 5 feet on each side of the alignment of the facilities as initially installed hereunder. The approximate locations of said facilities are shown upon Grantee's Drawing No. 35280569A attached hereto and made a part hereof.

Grantee agrees that on receiving a request in writing, it will at Grantor's expense, survey, prepare and record a "Notice of Final Description" referring to this instrument and setting forth a description of said strip of land.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down, without Grantee paying compensation, any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said

easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor also grants to Grantee the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the excavation, construction, reconstruction, replacement, removal, maintenance and inspection of said facilities.

Grantor hereby covenants and agrees not to place or construct, nor allow a third party to place or construct, any building or other structure, or store flammable substances, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground level within said easement area, or construct any fences that will interfere with the maintenance and operation of said facilities.

Grantor further grants to Grantee the right to apportion to another public utility (as defined in Section 216 of the California Public Utilities Code) the right to excavate for, construct, reconstruct, replace, remove, maintain, inspect, and use the communications facilities within said easement area including ingress thereto and egress therefrom.

Grantor acknowledges that they have read the "Grant of Easement Disclosure Statement", Exhibit "A", attached hereto and made a part hereof.

The legal description herein, or the map attached hereto, defining the location of this utility distribution easement, was prepared by Grantee pursuant to Section 8730(c) of the Business and Professions Code.

This document may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated: \_\_\_\_\_, \_\_\_\_\_.









<p>I hereby certify that a resolution was adopted on the ____ day of _____, 20____, by the _____ authorizing the foregoing grant of easement.</p> <p>By _____</p>
---

THE CITY OF MENDOTA, a California Municipal Corporation,

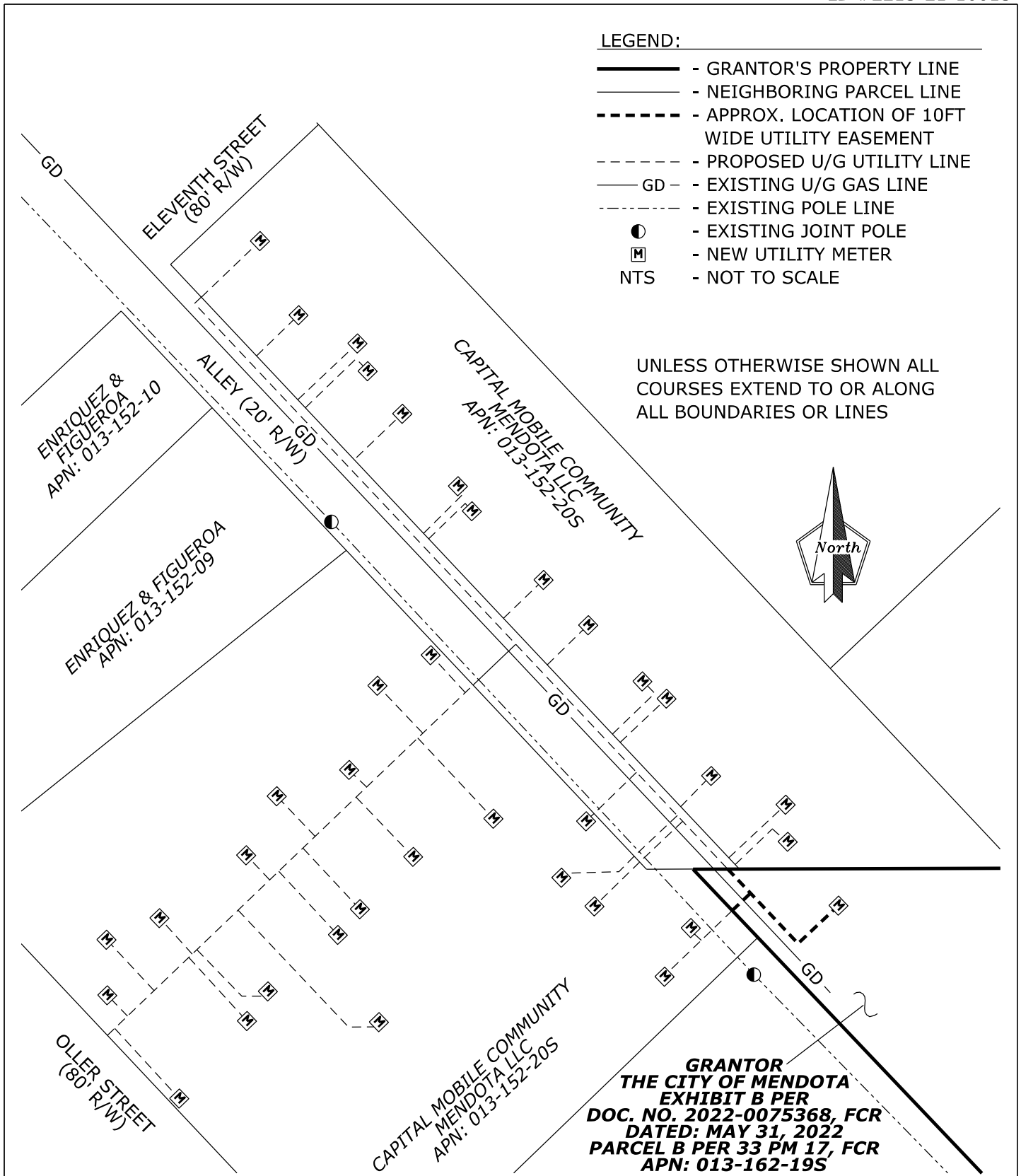
By \_\_\_\_\_  
Name:  
Title:

By \_\_\_\_\_  
Name:  
Title:

**LEGEND:**

-  - GRANTOR'S PROPERTY LINE
-  - NEIGHBORING PARCEL LINE
-  - APPROX. LOCATION OF 10FT WIDE UTILITY EASEMENT
-  - PROPOSED U/G UTILITY LINE
-  - EXISTING U/G GAS LINE
-  - EXISTING POLE LINE
-  - EXISTING JOINT POLE
-  - NEW UTILITY METER
- NTS - NOT TO SCALE

UNLESS OTHERWISE SHOWN ALL COURSES EXTEND TO OR ALONG ALL BOUNDARIES OR LINES



**GRANTOR**  
**THE CITY OF MENDOTA**  
**EXHIBIT B PER**  
**DOC. NO. 2022-0075368, FCR**  
**DATED: MAY 31, 2022**  
**PARCEL B PER 33 PM 17, FCR**  
**APN: 013-162-19S**

Applicant: PG&E MHP PROJECT - UTILITY EASEMENT 1161 OLLER STREET, MENDOTA				SCALE NTS	DATE 06-08-2023
SECTION 31 SW1/4 OF SE1/4	TOWNSHIP 13S	RANGE 15E	MERIDIAN MDB&M	COUNTY OF: FRESNO	CITY OF: MENDOTA
PLAT MAP REFERENCES		ELECTRIC 1315315, GAS 3859-D5 PG&E LD#: 2213-15-10014		F.B.: <b>PG&amp;E</b>	DR.BY: CXVE YOSEMITE DIVISION
				121898574 AUTHORIZ	CH.BY: PRFB 35280569A DRAWING NO.



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 \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_ Notary Public,  
Insert name

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 of Notary Public

(Seal)

**CAPACITY CLAIMED BY SIGNER**

- Individual(s) signing for oneself/themselves
- Corporate Officer(s) of the above named corporation(s)
- Trustee(s) of the above named Trust(s)
- Partner(s) of the above named Partnership(s)
- Attorney(s)-in-Fact of the above named Principal(s)
- Other \_\_\_\_\_



## EXHIBIT "A"

### GRANT OF EASEMENT DISCLOSURE STATEMENT

This Disclosure Statement will assist you in evaluating the request for granting an easement to Pacific Gas and Electric Company (PG&E) to accommodate a utility service extension to PG&E's applicant. **Please read this disclosure carefully before signing the Grant of Easement.**

- You are under no obligation or threat of condemnation by PG&E to grant this easement.
- The granting of this easement is an accommodation to PG&E's applicant requesting the extension of PG&E utility facilities to the applicant's property or project. Because this easement is an accommodation for a service extension to a single customer or group of customers, PG&E is not authorized to purchase any such easement.
- By granting this easement to PG&E, the easement area may be used to serve additional customers in the area and **may be used to install additional utility facilities**. Installation of any proposed facilities outside of this easement area will require an additional easement.
- Removal and/or pruning of trees or other vegetation on your property may be necessary for the installation of PG&E facilities. You have the option of having PG&E's contractors perform this work on your property, if available, or granting permission to PG&E's applicant or the applicant's contractor to perform this work. Additionally, in order to comply with California fire laws and safety orders, PG&E or its contractors will periodically perform vegetation maintenance activities on your property as provided for in this grant of easement in order to maintain proper clearances from energized electric lines or other facilities.
- The description of the easement location where PG&E utility facilities are to be installed across your property must be satisfactory to you.
- The California Public Utilities Commission has authorized PG&E's applicant to perform the installation of certain utility facilities for utility service. In addition to granting this easement to PG&E, your consent may be requested by the applicant, or applicant's contractor, to work on your property. Upon completion of the applicant's installation, the utility facilities will be inspected by PG&E. When the facility installation is determined to be acceptable the facilities will be conveyed to PG&E by its applicant.

By signing the Grant of Easement, you are acknowledging that you have read this disclosure and understand that you are voluntarily granting the easement to PG&E. Please return the signed and notarized Grant of Easement with this Disclosure Statement attached to PG&E. The duplicate copy of the Grant of Easement and this Disclosure Statement is for your records.

Utility Distribution Easement (02/2020)

Attach to LD: 2213-15-10015

Area, Region or Location: Area 5, Yosemite

Land Service Office: Fresno

Line of Business: Gas Distribution (53)

Business Doc Type: Easements

MTRSQ: 22.13.15.31.23,

FERC License Number: N/A

PG&E Drawing Number: 35280569A

Plat No.: Gas Plat. 3859-D5

LD of Affected Documents: N/A

LD of Cross Referenced Documents: LD#: 2213-15-10014

Type of interest: Gas and Pipeline Easements (5), Utility Easement (86)

SBE Parcel: N/A

% Being Quitclaimed: N/A

Order or PM: 35280569

JCN: N/A

County: Fresno

Utility Notice Number: N/A

851 Approval Application No: N/A ;Decision: N/A

Prepared By: CXVE

Checked By: PRFB

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CELESTE CABRERA-GARCIA, CITY CLERK  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** APPOINTING VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES' ANNUAL CONFERENCE GENERAL ASSEMBLY  
**DATE:** JULY 11, 2023

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**ISSUE**

Should the City Council adopt Resolution No. 23-48, appointing voting delegates for the League of California Cities' Annual Conference General Assembly?

**BACKGROUND**

The League of California Cities ("LOCC") requests that each City designate a voting delegate and alternates for its Annual General Assembly that is held concurrently with the Annual Conference. This year's conference will be held from September 20-23, 2023 in Sacramento, CA. The Annual Business Meeting at which the City's representative is to vote will take place on Friday, September 22<sup>nd</sup>. The League will be providing additional information regarding the conference at a later date.

**ANALYSIS**

In the past, the City Council has designated the Council Members who will be attending the event as the voting delegates. The Council Members that have been registered to attend the conference are Mayor Victor Martinez and Council Members Jose Alonso and Oscar Rosales. As such, staff recommends that the Council discuss and appoint the City's voting delegate and alternates from the Council Members who will be attending the conference.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Staff recommends that the City Council appoint the Voting Delegate and Alternate Delegates, and adopt Resolution No. 23-48, appointing voting delegates for the League of California Cities' Annual Conference General Assembly.

**Attachments:**

1. LOCC Voting Delegate Information
2. Resolution No. 23-48



Council Action Advised by August 28, 2023

**DATE:** Wednesday, June 21, 2023

**TO:** Mayors, Council Members, City Clerks, and City Managers

**RE:** DESIGNATION OF VOTING DELEGATES AND ALTERNATES  
League of California Cities Annual Conference and Expo, Sept. 20-22, 2023,  
Sacramento SAFE Credit Union Convention Center

Every year, the League of California Cities convenes a member-driven General Assembly at the [Cal Cities Annual Conference and Expo](#). The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Sept. 22, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

**Please complete the attached voting delegate form and email it to Cal Cities office no later than Monday, August 28.**

**New this year, we will host a pre-conference information session for voting delegates to explain their role.** Submitting your voting delegate form by the deadline will allow us time to establish voting delegate/alternate records prior to the conference and provide pre-conference communications with voting delegates.

Please view Cal Cities' [event and meeting policy](#) in advance of the conference.

**Action by Council Required.** Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council.

Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.



**Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration is open on the [Cal Cities](#) website.

For a city to cast a vote, one voter must be present at the General Assembly and in possession of the voting delegate card and voting tool. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the voting delegate desk. This will enable them to receive the special sticker on their name badges that will admit the voting delegate into the voting area during the General Assembly.

**Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the General Assembly, they may *not* transfer the voting card to another city official.

**Seating Protocol during General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

The voting delegate desk, located in the conference registration area of the SAFE Credit Union Convention Center in Sacramento, will be open at the following times: Wednesday, Sept. 20, 8:00 a.m.- 6:00 p.m. and Thursday, Sept. 21, 7:30 a.m.- 4:00 p.m. On Friday, Sept. 22, the voting delegate desk will be open at the General Assembly, starting at 7:30 a.m., but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to Cal Cities office by Monday, Aug. 28. If you have questions, please contact Zach Seals at [zseals@calcities.org](mailto:zseals@calcities.org).

Attachments:

- General Assembly Voting Guidelines
- Voting Delegate/Alternate Form
- Information Sheet: Cal Cities Resolutions and the General Assembly



## General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.
6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.
7. **Resolving Disputes.** In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.



CITY: _____
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**2023 ANNUAL CONFERENCE  
VOTING DELEGATE/ALTERNATE FORM**

**Please complete this form and return it to Cal Cities office by Monday, August 28, 2023. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.**

To vote at the General Assembly, voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

**Please note:** Voting delegates and alternates will be seated in a separate area at the General Assembly. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the voting delegate desk.

**1. VOTING DELEGATE**

Name: \_\_\_\_\_ Email: \_\_\_\_\_

Title: \_\_\_\_\_

**2. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email: \_\_\_\_\_

**3. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email: \_\_\_\_\_

**ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES OR**

**ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).**

Name: \_\_\_\_\_ Email: \_\_\_\_\_

Mayor or City Clerk: \_\_\_\_\_ Date: \_\_\_\_\_ Phone: \_\_\_\_\_  
(circle one) (signature)

**Please complete and email this form to [votingdelegates@calcities.org](mailto:votingdelegates@calcities.org) by Monday, August 28, 2023.**



# How it works: Cal Cities Resolutions and the General Assembly

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure that we are representing California cities with one voice. These policies directly guide Cal Cities advocacy to promote local decision-making, and lobby against statewide policy that erodes local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how Resolutions and the General Assembly works.

## Prior to the Annual Conference and Expo

### General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance to cities. The resolution must have the concurrence of at least five additional member cities or individual members.



### Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.



## During the Annual Conference and Expo

### Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.



### Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved<sup>1</sup> by either a policy committee or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.<sup>2</sup>



### General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

## Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, policy committee, as well as individuals appointed by the Cal Cities president.

**Voting delegates** are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates — one from every member city.

Seven **Policy Committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, municipal department, as well as individuals appointed by the Cal Cities president.

## What's new in 2023?



- Voting delegates will receive increased communications to prepare them for their role during the General Assembly.
- The General Assembly will take place earlier to allow more time for debate and discussion.
- Improvements to the General Assembly process will make it easier for voting delegates to discuss and debate resolutions.

<sup>1</sup> The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

<sup>2</sup> Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI. Sec. 5(f).

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA APPOINTING  
VOTING DELEGATES FOR THE LEAGUE  
OF CALIFORNIA CITIES' ANNUAL  
CONFERENCE GENERAL ASSEMBLY**

**RESOLUTION NO. 23-48**

**WHEREAS**, the League of California Cities ("League") will hold its Annual Conference from September 20<sup>th</sup> to 22<sup>nd</sup>, 2023; and

**WHEREAS**, during the League's Annual Conference, the League will hold its Annual General Assembly wherein member cities vote on whether the League should take action on resolutions that establish League policy; and

**WHEREAS**, this year's Annual General Assembly will be held in Long Beach, CA, on Friday, September 22, 2023; and

**WHEREAS**, the City of Mendota ("City") is a member of the League, and is allowed to vote in the League's Annual General Assembly; and

**WHEREAS**, any official voting for a member city must be specifically authorized to do so by the legislative body of that city in advance of the vote being cast; and

**WHEREAS**, the City must authorize a representative to participate in the League's 2023 Annual General Assembly to ensure the City and its residents are represented therein.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Mendota hereby designates \_\_\_\_\_ as the Voting Delegate, and \_\_\_\_\_ and \_\_\_\_\_ as the Alternate Voting Delegates, for representation of the City of Mendota in League matters at the League's 2023 Annual General Assembly.

\_\_\_\_\_  
Victor Martinez, Mayor

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 11<sup>th</sup> day of July, 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MICHAEL OSBORN, CITY ENGINEER  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** CONFIRMING THE DIAGRAM AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 2019-01 FOR FISCAL YEAR 2023-2024  
**DATE:** JULY 11, 2023

---

**ISSUE**

Shall the City Council adopt Resolution No. 23-49, confirming the diagram and authorizing the levy and collection of assessments for the Landscape and Lighting Maintenance District No. 2019-01 for Fiscal Year 2023-2024?

**BACKGROUND**

At its regular meeting of July 9, 2019, the City Council adopted Resolution No. 19-48 forming the Landscape and Lighting Maintenance District 2019-01 to cover the costs for landscape maintenance and park lighting operations and maintenance associated with Tract 6218 (La Colonia.) According to the Landscape and Lighting Act of 1972, which is Part 2 of Division 15 of the California Streets and Highways Code (the “Act”), an engineer shall prepare a report for “each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements described in the report.” (§22566 SHC)

The landscape improvements included in LLMD 2019-01 were accepted by the City as follows: the interior park improvements were accepted by the City in February 2021, the in-tract improvements which included the landscaping along Barboza Street were accepted in May 2021, and the Bass Avenue landscaping was accepted on April 12, 2022.

**ANALYSIS**

The costs expended by the City during the last fiscal year for park maintenance was \$12,404 and for lighting maintenance was \$978; totaling \$13,382 for LLMD2019-01, which is within the overall budget of \$21,768. Because of this, the levy for landscape maintenance has not changed from last year; however, the levy for the lighting has increased by the maximum allowable by the Consumer Price Index increase of 6.3% from January 2022 to January 2023 to account for increase in energy costs. The total assessment per parcel increased by \$0.10 to a total of \$256.19.

The City Manager and City Attorney have reviewed the Engineer’s Report and are satisfied that it meets the requirements of the Act, and it has been filed with the City Clerk as required by the Act. Once the attached resolution is adopted by the City Council, staff will be able to move forward with placing the assessments on the Fiscal Year 2023-2024 tax roll.

**FISCAL IMPACT**

No negative financial impact. The assessment will result in income to the City in excess of \$21,000 per year, which is dedicated to the costs for landscape maintenance and park lighting operation and maintenance within LLMD 2019-01.

**RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 23-49, confirming the diagram and authorizing the levy and collection of assessments for the Landscape and Lighting Maintenance District No. 2019-01 for Fiscal Year 2023-2024.

**Attachments:**

1. Resolution No. 23-49
2. Exhibit "A" - Engineer's Report for Landscape and Lighting Maintenance District No. 2019-01 for Fiscal Year 2023-2024

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA CONFIRMING  
THE DIAGRAM AND AUTHORIZING THE  
LEVY AND COLLECTION OF ASSESSMENTS  
FOR LANDSCAPE AND LIGHTING  
MAINTENANCE DISTRICT NO. 2019-01  
FOR FISCAL YEAR 2023-2024**

**RESOLUTION NO. 23-49**

**WHEREAS**, the Landscape and Lighting Act of 1972, California Streets and Highways Code section 22500, *et seq.* (“Act”), allows agencies, including cities, to create landscape and lighting maintenance districts to assess property owners for the cost of maintaining landscaping and operating lighting systems which provide special benefit to the property owners in the District over and above the benefits received by City of Mendota (“City”) residents at large; and

**WHEREAS**, on July 9, 2019, the City Council adopted Resolution No. 19-48 forming the Landscape and Lighting Maintenance District 2019-01 (“LLMD 2019-01”) to accommodate the La Colonia subdivision and fund improvement for landscape maintenance, including center median landscaping, parkway landscaping along the major perimeter street (Bass Avenue), public easement (paseo) landscaping, and neighborhood park open space area landscaping, and supplemental park lighting; and

**WHEREAS**, in accordance with Streets and Highways Code section 22587, on June 13, 2023, the City adopted a resolution of intention, Resolution No. 23-33, which accepted the Engineer’s Report for Fiscal Year 2023-2024, declared its intention to levy and collect the assessments for Fiscal Year 2023-2024, and called for a public hearing regarding the levying of the proposed assessment; and

**WHEREAS**, in accordance with Streets and Highways Code sections 22552 and 22553 and Government Code section 6061, the City provided notice of the public hearing to consider the adoption of the proposed assessment.

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

1. The City Council hereby determines that the territory within LLMD No. 2019-01, whose boundaries are set forth in the Engineer’s Report for the LLMD No. 2019-01 for fiscal year 2023-2024, and on file with the City Clerk will be the territory benefited by the maintenance and servicing of the improvements described in said Engineer’s Report.

2. The public hearing on said annual levy of assessments for the LLMD No. 2019-01 was held in accordance with law.
3. The Engineer's Report, attached hereto as Exhibit "A," the diagram for LLMD No. 2019-01, and the assessment of the estimated costs of the improvements contained therein, are adopted and approved.
4. The City Council hereby orders the levy and collection of the approved assessments for the fiscal year 2023-2024 pursuant to Streets and Highways Code section 22500, *et seq.*
5. The City hereby authorizes and directs the City Manager, or his designee, to work with the County of Fresno Assessor to add the approved levies to the 2023-2024 property tax roll.

\_\_\_\_\_  
Victor Martinez, Mayor

**ATTEST:**

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 11<sup>th</sup> day of July, 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Celeste Cabrera-Garcia, City Clerk

# **EXHIBIT A**



City of Mendota

# ENGINEER'S REPORT

## Landscape and Lighting Maintenance District No. 2019-01

Fiscal Year 2023/2024

June 6, 2023

Prepared for:  
City of Mendota

Prepared by:  
Provost & Pritchard Consulting Group  
455 W. Fir Avenue, Clovis 93611

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Report Prepared for:

City of Mendota

643 Quince Street  
Mendota, CA 93640

Contact:

Cristian Gonzalez, City Manager

Report Prepared by:

Provost & Pritchard Consulting Group

Michael Osborn, PE  
City Engineer  
559-449-2700

[mosborn@ppeng.com](mailto:mosborn@ppeng.com)



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# 1 Introduction

## 1.1 Background

This report is prepared pursuant to the Landscape and Lighting Act of 1972, which is Part 2 of Division 15 of the California Streets and Highways Code (the “Act”). The Act allows agencies, including cities, to create Landscape and Lighting Maintenance Districts (LLMD) to assess property owners for the cost of maintaining landscaping, and operating lighting systems which provide special benefit to the property owners included in the LLMD which are over and above the benefits received by the City’s residents at large.

In July 2019 the City Council approved the formation of the Landscape and Lighting Maintenance District 2019-01 (LLMD 2019-01) and the levy of assessments to fund the landscape maintenance and the park lighting operation within Tract 6218, “La Colonia”.

Per the Act, an engineer shall prepare a report for “each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements described in the report.” (§22566 SHC)

This Engineer’s report describes LLMD 2019-01, including its boundaries; the properties which are included; the facilities which will be constructed, operated, and/or maintained; the amount proposed for assessment to the benefitting properties; the method proposed for apportionment of the assessment; and the dollar amount of the assessment proposed to be levied on each property within the LLMD. The assessments adopted by the City Council (the Council) must be prepared in accordance with the Act.

The Council must review the Engineer’s Report and may either order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and the assessments proposed to be levied and placed on the County tax roll for the coming fiscal year, the Council would then order the levy and collection of assessments for the fiscal year pursuant to the Act.

For the purposes of the LLMD 2019-01, the proposed operating and maintenance costs associated with the improvements and the benefitting properties have been closely reviewed and evaluated. The method of apportioning costs has been developed to provide an equitable method of calculating the benefit that various properties receive from the improvements. The assessments established for this fiscal year account for the anticipated operating and maintenance expenses for public areas of landscaping and for operation of special landscape and security lighting systems in the areas identified.

LLMD 2019-01 provides a mechanism to annually adjust the assessment to allow the City to keep income closely related to ongoing expense, without having to hold annual public hearings as would otherwise be required. This assessment adjustment mechanism allows the City Council to annually increase the maximum assessment rates by the greater of inflation (based on the Consumer Price Index) or two percent (2%). Should this automatic increase provision become inadequate to keep pace with actual expenses, a new calculation of costs and proposed assessments can be made and new assessment hearings may be held to confirm the increased assessments.

The area which is included in LLMD 2019-01 is shown on the Assessment Diagram in Appendix A. The Assessment Diagram shows the boundary of the LLMD, the areas to be maintained, and all of the properties that are assessed. This Engineer’s Report (“Report”) describes the LLMD, and the proposed assessments for this fiscal year. The maintenance, operation and servicing of the improvements associated with the LLMD that provides a special benefit to the properties in that area are tabulated, and each parcel is assessed

proportionately for those costs that are found to be a special benefit to the properties within the LLMD. The budget and assessments are based on the City's estimated cost to provide these services.

LLMDs can include multiple "Benefit Zones," or areas which are assessed for the costs related to differing improvements related to the properties within each zone. This LLMD may be expanded in the future to include additional properties and Benefit Zones, by vote of the City Council. For this fiscal year, LLMD 2019-01 consists of a single Benefit Zone.

## 1.2 Parcels Included in LLMD 2019-01

The word "parcel", for the purposes of this Report, refers to an individual property assigned its own address and its own Assessor's Parcel Number (APN) as assigned by the Fresno County Assessor's Office. The Fresno County Auditor/Controller uses APNs and specific Fund Numbers to identify properties assessed for Special District Benefit Assessments such as proposed for this LLMD on the property tax roll.

The City Council will review the Engineer's Report and the assessment information will be submitted to the County Auditor/Controller and will be included on the property tax roll for each parcel for this fiscal year.

## 1.3 Improvements Eligible for Inclusion

While not all of the following are included costs in LLMD 2019-01, the Act defines eligible improvements to mean one or any combination of the following, and any or all could be included in future assessments should the need arise:

- The installation or planting of landscaping;
- The installation or construction of statuary, fountains, and other ornamental structures and facilities;
- The installation or construction of public lighting facilities;
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
- The maintenance or servicing, or both, of any of the foregoing;
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5;
- Costs associated with any elections held for the approval of a new or increased assessment.

The Act defines "maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement;
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;
- The removal of trimmings, rubbish, debris, and other solid waste;
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

## 2 Description of LLMD 2019-01

LLMD 2019-01 includes the entire boundary of Tract 6218, also known as the La Colonia subdivision. The boundary and layout of the LLMD 2019-01 are shown on the Assessment Diagram in Appendix A. All parcels within the tract are within a single zone of benefit.

Costs included in the proposed assessments include those associated with operations and maintenance of unique landscaping and lighting elements constructed by the developer and dedicated to the City, as described below. All of these are considered to be over and above the level of improvement customarily provided by the City, and therefore provide a special benefit to the property owners within LLMD 2019-01.

### 2.1 LLMD Purpose and Services Provided

LLMD 2019-01 provides for the ongoing maintenance and operation of landscaping, landscape and security lighting, graffiti abatement and related services within the public spaces located within LLMD 2019-01, as detailed in the sections below.

The costs and assessments set forth in this Report are based upon the City's estimate of the expenses related to the operation and maintenance of the LLMD 2019-01 improvements, including labor, personnel, utilities, equipment, materials, administration and incidental expenses.

Parcels that receive special benefits from the improvements within each Zone share in the cost of the services and improvements associated only with that Zone. For this fiscal year LLMD 2019-01 consists of a single Benefit Zone. The total amount to be assessed within the Zone for the operation and maintenance of the improvements is equitably spread among the benefiting parcels.

### 2.2 Landscape Maintenance

Landscape maintenance areas within the LLMD 2019-01 include center median landscaping and parkway landscaping along Bass Avenue, the major perimeter street, and including the center circle of the roundabout; center median landscaping and parkway landscaping along Barboza Street (between Bass Avenue and Ramirez Avenue), the primary access street to the tract; public easement (paseo) landscaping; and the neighborhood park open space area landscaping. Particular services provided may include, but would not be limited to:

- Fertilizing, cultivating, pruning, and replacing plant materials all landscape improvements within the medians, parkways, entryways, paseos and pocket park open space areas within the LLMD including street trees, turf, ground cover, shrubs, irrigation and drainage systems;
- Weed abatement;
- Painting and repairing of all sound walls, fencing, and necessary appurtenances. These may include but are not limited to shade structures, picnic tables, outdoor grills benches, trash and coal receptacles and similar items;
- Repair or replacement of colored, stamped concrete or river rock surfacing;
- Solid waste and litter collection

As noted above, LLMD 2019-01 includes only a single Benefit Zone. If additional areas are added to LLMD 2019-01 in the future, each area would be counted as a distinct and separate Benefit Zone. Improvements which would be operated and maintained may vary from zone to zone.

Landscape improvements within LLMD 2019-01 will be maintained and serviced on a regular basis. The frequency and specific maintenance and operations required within LLMD 2019-01 and each Benefit Zone will be determined weekly by City staff. The net costs associated with the improvements will be equitably spread to parcels proportionately according to the special benefits received.

## 2.3 Lighting Operation and Maintenance

LLMD 2019-01 includes supplemental lighting in the neighborhood park area. Cost for operation and maintenance of this light are included in the initial assessment. These costs include:

- Electrical power
- Lamp and LED replacement
- Graffiti removal and/or painting
- Replacement of broken or damaged parts

No other lighting improvements are included in LLMD 2019-01 at this time. As additional Benefit Zones are added, the costs of operating and maintaining the full variety of supplemental lighting improvements within those new Benefit Zones may be assessed to properties within those zones.



## 3 Method of Assessment

Pursuant to the Act, the costs incurred by the LLMD may be apportioned by any formula or method which fairly distributes the net amount to be assessed among assessable parcels in proportion to the estimated benefits to be received by each parcel from the assessed improvements. In order to accomplish this requirement, the formula used for calculating special benefits within the LLMD must reflect the land use composition of the parcels, the types of improvements being operated, and the maintenance and operations services provided.

The City must identify all parcels which have special benefits conferred upon them and which are to be assessed, in relationship to the entirety of the public improvement and the maintenance and operation expenses being provided.

### 3.1 Benefit Analysis

In conjunction with the provisions of the Act, the California Constitution, in Article XIIIID, defines a number of terms which are essential to an acceptable and equitable levy of assessments:

Section 2d defines “District” as follows:

“an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property related service.”

Section 2i defines “Special Benefit” as follows:

“a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large. General enhancement of property value does not constitute “special benefit.”

Section 4a defines “Proportional Special Benefit Assessments” as follows:

“An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.”

### 3.2 Potential Special Benefits of Landscaping Improvements

The special benefits of additional landscaping within the LLMD boundaries include:

- Enhanced aesthetic environment
- Additional greenspace and shade within the tract
- Enhanced home values due to increase in overall greenspace within the development.
- Enhanced home values due to increased attractiveness of entrance frontage and entrance road median

### 3.3 Potential Special Benefits of Special Lighting Improvements

The potential benefits of special landscape and lighting within the boundaries of the LLMD include:

- Convenience, safety, and security of property, improvements, and goods
- Improvement of usability of greenspace areas
- Enhanced deterrence of crime and the aid to police protection
- Improved ability of pedestrians to see potential obstacles

### 3.4 Assessment Methodology

Each parcel in LLMD 2019-01 is assigned a weighting factor known as an Assessment Unit (AU) to identify the parcel's proportionate special benefit from specific improvements. Each parcel's AU is calculated based on the parcel's land use, development status and/or size as compared to other parcels within the LLMD, as determined to be appropriate for each type of expense.

A typical single-family residential property will be assigned an AU of 1.00, and all other property types will be assigned an AU proportionate to the special benefits they receive as compared to this single-family residential property.

The total number of Assessment Units in each Zone will then be divided into the total dollar amount to be assessed (also known as the Balance to Levy, a term defined in the Act) to establish the Levy per AU (the Assessment Rate). The Assessment Rate will then be multiplied by the parcel's AU to establish the parcel's Levy Amount.

Put mathematically, the formulas for the method of apportionment will be as follows:

$$\text{Total Balance to Levy} / \text{Total AU in Zone} = \text{Levy per AU (Rate)}$$

$$\text{Levy per AU (Rate)} \times \text{Parcel's Calculated AU} = \text{Parcel's Levy Amount}$$

LLMD 2019-01 provides for operation and maintenance of improvements that enhance the presentation, aesthetics and public safety aspects of the included properties. These improvements will directly benefit the parcels to be assessed within the LLMD 2019-01. The assessments and method of apportionment are based on the premise that the assessments will be used to operate and maintain landscape and lighting improvements within LLMD 2019-01, and that the assessment revenues generated by LLMD 2019-01 will be used solely for such purposes. This reports finds the following:

- The costs of operation and maintenance of the proposed improvements have been identified and allocated to properties within LLMD 2019-01 based on a determined special benefit.
- The LLMD improvements are not required nor necessarily desired by any properties or developments outside the LLMD 2019-01 boundary. Therefore, any public access or use of these local improvements by others is incidental and there is no measurable general benefit to properties outside LLMD 2019-01 or to the public at large.
- The LLMD improvements, associated costs and assessments are localized, and the construction and installation of the improvements are only necessary for the development of properties within LLMD 2019-01.

- The improvements provided by LLMD 2019-01 and for which properties will be assessed have been identified as an essential component and local amenity that provide a direct reflection and extension of the properties within LLMD 2019-01.
- The method of assessment set forth in this Report assumes that each assessed property receives special benefits from the landscape and lighting improvements within LLMD 2019-01, over and above any general community benefit.
- The assessment obligation for each parcel reflects that parcel's proportional share of special benefits as compared to other properties within LLMD 2019-01.
- Pursuant to the provisions of the Act, the improvements and the associated costs described in this Report have been carefully reviewed and have been allocated proportionally to properties within LLMD 2019-01.

Every parcel within LLMD 2019-01 has a land use classification based on the City's designation. While primary land use classification (i.e., Residential versus Non-Residential) can be a factor appropriate to help identify the special benefits conveyed to each property within a LLMD, it is not a factor used here since all properties carry the same residential land use classification.

Because landscape improvements associated with residential properties are usually located on the perimeter of a residential subdivision, or serve the needs of properties located within reasonable walking distance thereof, landscape improvements are typically associated with the entire development and are considered to provide substantially similar and equal benefits to each residential unit. Therefore, all residential properties are assigned 1.00 AU per unit as their proportional allocation of the landscape improvement costs whether a residential unit has been constructed or merely approved for development.

Similarly, for a typical residential tract development with landscaping and/or supplemental lighting within and adjacent to the development, the benefit to each residential property is reasonably equal and each residential parcel is assigned 1.00 AU.

No parcels in the City of Mendota are assessed for standard street lighting, and the same holds true here.

### 3.5 Annual Adjustments to Assessments

Most operations and maintenance budget items are typically impacted by inflation. Generally, any new or increased assessments to offset these increased costs require certain noticing, meeting, and balloting requirements by law. However, Government Code Section 54954.6(o) provides that a "new or increased assessment" does not include "an assessment which does not exceed an assessment formula or range of assessments...previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition of an increased assessment was later confirmed by Senate Bill 919 (the Implementing Legislation for Proposition 218). The following describes the assessment adjustment formula to be applied within LLMD 2019-01:

The maximum assessment amount allowed for each fiscal year may be increased in an amount equal to the greater of: (1) two percent (2.0%), or (2) the percentage increase of the Local Consumer Price Index (CPI). The Consumer Price Index to be applied is for the West Region for All Urban Consumers, as developed by U.S. Bureau of Labor Statistics.

Each fiscal year the City shall compute the percentage difference between the CPI on January 1, and the CPI for the previous January 1, or a similar 12-month time period. This percentage difference shall then establish the range of increased assessments allowed based on CPI. Should the Bureau of Labor Statistics revise such

index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living.

In the event that the City Council determines that the maximum inflation adjustment allowed to the assessments is not required for a given fiscal year, the City Council may adopt an assessment less than the allowable maximum assessment for that year. If the budget and assessments for the LLMD or any Zone requires an increase greater than the adjustment set forth in the formula in order to maintain solvency and cash flow within the LLMD or Zone, the proposed larger increase could be implemented but would be subject to majority protest by the property owners subject to the increased assessment.

### 3.6 LLMD Budget for Maintenance and Operations

The following tables provide summaries of the Landscape and Lighting Maintenance Operation budgets for LLMD 2019-01. These tables identify the costs and assessment rates applied to each Assessment Unit within the initial single Zone that will be necessary to cover the costs and expenses of operating and maintaining the improvements that provide special benefits to properties within LLMD 2019-01.

The improvements within LLMD 2019-01 were accepted and transferred to the City as follows: the park landscaping and lighting was accepted on February 9, 2021, Barboza Street landscaping was accepted on May 25, 2021, and Bass Avenue landscaping was accepted on April 12, 2022.

The City has incurred expenses related to LLMD 2019-01 and while the landscape maintenance fell within the current budget, costs for the lighting have increased. The calculated CPI from January 2022 to January 2023 is 6.3% and this increase will be applied to the Assessed Levy under the Lighting Maintenance Budget.

**Table 3-1** presents the budget for landscape maintenance over a year of operation.

**Table 3-1 Landscape Maintenance Budget**

<b>Direct Costs</b>	
Contract Landscape Maintenance	\$ 18,326
City Water	\$ 500
City Labor (Streets)	\$ 912
Maintain Park Appertenances	\$ 900
<b>Administration Costs</b>	
City Cost Allocation	\$ 1,000
<b>Balance to Levy</b>	<b>\$ 21,638</b>
<b>Calculation of Assessments</b>	
Number of Parcels Assessed	85
Total Equivalent Benefit Units	85
Assessed Levy per AU, '20/'21 to '22/'23	\$ 254.56
Maximum Levy* per AU, 2023/2024	\$ 270.60
Assessed Levy per AU, 2023/2024	\$ 254.56

*\* as increased by CPI*

**Table 3-2**, on the following page, presents the budget for lighting maintenance and operation over the last year of operation.

**Table 3-2 Lighting Maintenance Budget**

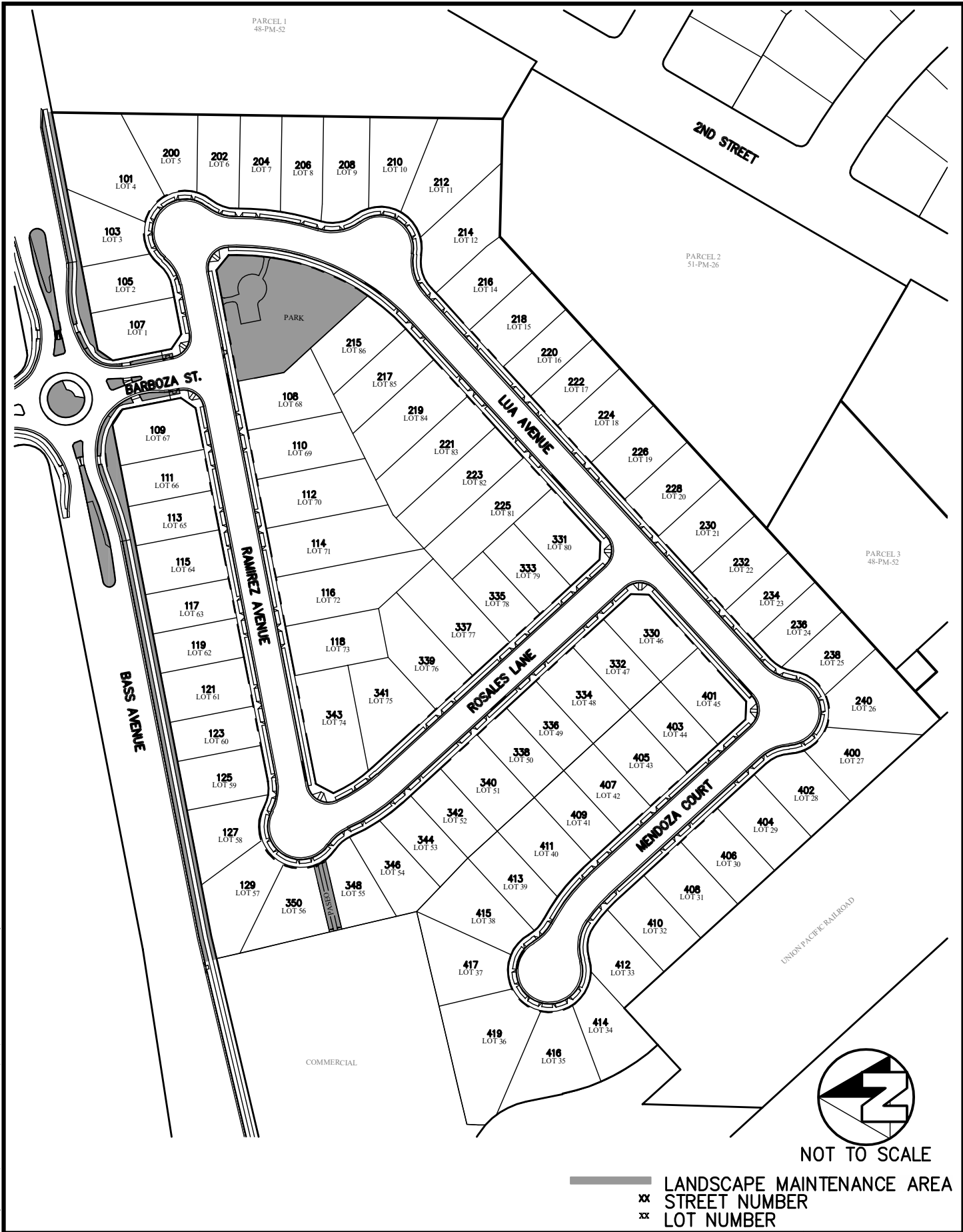
<b>Direct Costs</b>	
Park Light Electricity	\$ 30
Park Light Maintenance	\$ 100
<b>Balance to Levy</b>	<b>\$ 130</b>
<b>Calculation of Assessments</b>	
Number of Parcels Assessed	85
Total Equivalent Benefit Units	85
Assessed Levy per AU, '20/'21 to '22/'23	\$ 1.53
Maximum Levy* per AU, 2023/2024	\$ 1.63
Assessed Levy per AU, 2023/2024	\$ 1.63

\* as increased by CPI

# Appendix A

## Assessment Diagram

The attached Assessment Diagram shows the boundary of LLMD 2019-01 and all of the parcels included within that boundary. All of the residential parcels are included on the Assessment Roll, which appears as Appendix B. The non-residential and public benefit parcels are not included in the allocation of LLMD costs.



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EST. 1968

**PROVOST & PRITCHARD**

CONSULTING GROUP

An Employee Owned Company

CITY OF MENDOTA

LANDSCAPE & LIGHTING MAINTENANCE DISTRICT 2019-01

**APPENDIX A – ASSESSMENT DIAGRAM**

DESIGN ENGINEER:

DATE: APRIL 2022

JOB NO:

SHEET OF

# Appendix B

## LLMD 2019-01 Assessment Roll

An Assessment Roll (a listing of all parcels assessed within LLMD 2019-01 and the amount of their assessment) has been filed with the City Clerk and is, by reference, made part of this Report. The assessment roll will be available for public inspection in the City Clerk's Office during normal City of Mendota office hours.

The Assessment Roll reflects all properties currently identified within LLMD 2019-01 and their proposed assessment amount(s) for this fiscal year. Each lot or parcel listed on the assessment roll is or will be shown and illustrated on the County Assessor's Roll and has been or will be assigned a County Assessor's Parcel Number. These records are, by reference, made part of this Report and shall govern for all details concerning the description of the lots or parcels. All assessments presented on the assessment roll are subject to change as a result of parcel changes made by the County including parcel splits, parcel merges or development changes that occur prior to the County securing the roll and generating tax bills for this fiscal year.



**City of Mendota  
Landscape & Lighting Maintenance District No. 2019-01**

**Benefit Zone 01 -- Tract 6218**

**Assessment Roll -- Fiscal Year 2023/2024**

CPI increase Jan 2022 to Jan 2023: 6.3%  
Total Amount to be Assessed:

Landscape: \$ 21,638.00  
Lighting: \$ 138.19  
Total Levy: \$ 21,776.19

<b>Tract 6218</b>				<b>Fiscal Year Levy</b>		
<b>Lot No.</b>	<b>APN</b>	<b>Address</b>	<b>Assigned AU</b>	<b>Landscape</b>	<b>Lighting</b>	<b>Total</b>
1	013 - 442 - 01	107 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
2	013 - 442 - 02	105 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
3	013 - 442 - 03	103 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
4	013 - 442 - 04	101 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
5	013 - 442 - 05	200 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
6	013 - 442 - 06	202 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
7	013 - 442 - 07	204 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
8	013 - 442 - 08	206 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
9	013 - 442 - 09	208 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
10	013 - 442 - 10	210 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
11	013 - 442 - 11	212 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
12	013 - 442 - 12	214 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
14	013 - 442 - 13	216 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
15	013 - 442 - 14	218 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
16	013 - 452 - 01	220 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
17	013 - 452 - 02	222 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
18	013 - 452 - 03	224 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
19	013 - 452 - 04	226 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
20	013 - 452 - 05	228 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
21	013 - 452 - 06	230 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
22	013 - 452 - 07	232 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
23	013 - 452 - 08	234 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
24	013 - 452 - 09	236 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
25	013 - 452 - 10	238 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
26	013 - 452 - 11	240 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
27	013 - 452 - 12	400 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
28	013 - 452 - 13	402 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
29	013 - 452 - 14	404 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
30	013 - 452 - 15	406 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
31	013 - 452 - 16	408 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
32	013 - 452 - 17	410 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
33	013 - 452 - 18	412 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
34	013 - 452 - 19	414 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
35	013 - 452 - 20	416 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
36	013 - 441 - 01	419 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
37	013 - 441 - 02	417 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
38	013 - 441 - 03	415 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
39	013 - 441 - 04	413 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
40	013 - 441 - 05	411 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
41	013 - 441 - 06	409 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
42	013 - 441 - 07	407 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
43	013 - 451 - 01	405 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
44	013 - 451 - 02	403 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19
45	013 - 451 - 03	401 Mendoza Court	1.0	\$ 254.56	\$ 1.63	\$ 256.19

**City of Mendota  
Landscape & Lighting Maintenance District No. 2019-01**

**Benefit Zone 01 -- Tract 6218**

**Assessment Roll -- Fiscal Year 2023/2024**

CPI increase Jan 2022 to Jan 2023: 6.3%

Total Amount to be Assessed:

Landscape: \$ 21,638.00  
Lighting: \$ 138.19  
Total Levy: \$ 21,776.19

Tract 6218				Fiscal Year Levy		
Lot No.	APN	Address	Assigned AU	Landscape	Lighting	Total
46	013 - 451 - 04	330 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
47	013 - 451 - 05	332 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
48	013 - 451 - 06	334 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
49	013 - 441 - 08	336 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
50	013 - 441 - 09	338 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
51	013 - 441 - 10	340 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
52	013 - 441 - 11	342 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
53	013 - 441 - 12	344 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
54	013 - 441 - 13	346 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
55	013 - 441 - 14	348 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
56	013 - 441 - 15	350 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
57	013 - 441 - 16	129 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
58	013 - 441 - 17	127 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
59	013 - 441 - 18	125 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
60	013 - 441 - 19	123 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
61	013 - 441 - 20	121 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
62	013 - 441 - 21	119 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
63	013 - 441 - 22	117 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
64	013 - 441 - 23	115 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
65	013 - 441 - 24	113 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
66	013 - 441 - 25	111 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
67	013 - 441 - 26	109 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
68	013 - 443 - 19	108 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
69	013 - 443 - 18	110 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
70	013 - 443 - 17	112 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
71	013 - 443 - 16	114 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
72	013 - 443 - 15	116 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
73	013 - 443 - 14	118 Ramirez Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
74	013 - 443 - 13	343 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
75	013 - 443 - 12	341 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
76	013 - 443 - 11	339 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
77	013 - 443 - 10	337 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
78	013 - 443 - 09	335 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
79	013 - 443 - 08	333 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
80	013 - 443 - 07	331 Rosales Lane	1.0	\$ 254.56	\$ 1.63	\$ 256.19
81	013 - 443 - 06	225 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
82	013 - 443 - 05	223 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
83	013 - 443 - 04	221 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
84	013 - 443 - 03	219 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
85	013 - 443 - 02	217 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
86	013 - 443 - 01	215 Lua Ave	1.0	\$ 254.56	\$ 1.63	\$ 256.19
Total Levy:				\$ 21,638.00	\$ 138.19	\$ 21,776.19

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** NANCY BANDA, FINANCE DIRECTOR  
**VIA:** CRISTIAN GONZALEZ, CITY MANAGER  
**SUBJECT:** GRANTS UPDATE  
**DATE:** JULY 11, 2023

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**GRANTS UPDATE**

- **Land and Water Conservation Fund (LWCF)** – The Department of Parks and Recreation has requested a Site Visit for July 18, 2023, from 8 am to 9:30 am. A site visit does not guarantee approval of grant funding. There is an extensive multi-level review of all statewide applications. This grant was submitted for a total project cost of \$1,658,030.00, with a match of \$829,015.00 for the Mendota Triangle Park Project.
- **SB 1383** – Staff has ordered wagons and laptops. We will work with our interns from Fresno EOC to conduct our site visits on the educational campaigns.
- **Proposition 64** – Staff has planned out activities for the month of July. Movies in the Park will begin on Thursday, July 6<sup>th</sup> with the showing of “*Super Mario Bros,*” on Thursday, July 13<sup>th</sup> with the showing of “*Puss in Boots,*” on Thursday, July 20<sup>th</sup>, with the showing of “*Spiderman.*” We will have an educational discussion on Monday, July 17<sup>th</sup>. At this meeting, we will talk with the youth about the harmful effects of cannabis and also discuss what activities or discussions they would like to engage in this academic/fiscal year. Staff submitted an application to the Mendota Unified School District to use the McCabe Elementary Swimming Pool on Thursday, July 27<sup>th</sup>, from 2– 4 pm. This item will be on their School Board’s Agenda on Wednesday, July 19<sup>th</sup>.
- **Automatic Meter Read** – Staff submitted the final reimbursement to the State Water Board on June 28, 2023.
- **Encampment Funding** – City Staff and Townsend Public Affairs, Inc., met with the County of Fresno regarding this grant opportunity and succession planning. The County of Fresno would be willing to offer a letter of support for grant opportunities.
- **California State Budget** – Community Center \$8,000,000.00.

**In – Progress Grants:**

- **Rojas-Pierce Park Expansion Project** – County of Fresno, Urban Community Development Block Grant (CDBG) Program
- **Rojas-Pierce Park Expansion Project** – Per Capita Program
- **Rojas-Pierce Park Expansion Project** – CDBG-CV
- **COPS Hiring Program** – Department of Justice
- **Proposition 64** – Board of State and Community Corrections
- **Urban Flood Protection Grant** – California Natural Resources Agency

- **Automatic Meter Read Project** – State Water Board
- **Tire-Derived Product** – Cal Recycle
- **SB 1383** – Cal Recycle
- **Office of Traffic Safety** – STEP Program for October 2022 thru September 2023
- **Water Storage and Booster Pump** – County of Fresno
- **Floodplain Maps** – U.S. Army Corps of Engineers

**Attachments:**

1. Grants Spreadsheet
2. Townsend Public Affairs Grants and Funding Monthly Report

MENDOTA, CITY OF  
Grant Report  
Jul-23

Grant Name	Application Due Date	Award Date	Agency: Federal/State/County/ Private	Pass-thru	Matching	Award Amount	Purpose of Grant	Notes
California State Budget	Feb-23	7/1/2023	State	N	N	\$ 8,000,000.00	Community Center	
Land and Water Conservation Fund	6/1/2023	12/1/2023	Federal	Y	Y	\$ 1,658,030.00	Mendota Triangle Park Project: \$829,015 matching funds	
Clean California Local Grant Program	5/31/2023	TBD	State	N	N	\$ 5,000,000.00	(4) Projects: 1-Pocket Park at Bass Avenue and 2nd Street; 2-Art Sculpture at Bass Avenue Roundabout; 3-Trail to Pool Park; 4-Trails in Pool Park	
2020 Homeland Security Grant	5/31/2023	5/31/2023	Federal	Y	N	\$ 5,000.00	Purchase Video Camera Equipment for Public Safety	
Community Resilience Grant	2/27/2023	Summer 2023	State	N	N	Approximately \$8M	Navaqation Center	
COPS Hiring Program	1/31/2023	TBD	Federal	N	Y	\$ 250,000.00	(2) Police Officers for 3 years	
Office of Traffic Safety Grants	1/31/2023	8/1/2023	Federal	N	N	Approximately \$36k	DUI Checkpoints and Traffic Enforcement	
State Water Resources Control Board	12/9/2022	TBD	State	N	N	TBD	(3) Backup Generators	
Wonderful Community Grants	8/31/2022	9/30/2021	Private	N	N	\$ 100,000.00	Installation of an Inclusive Playground with three freestanding inclusive equipment	DENIED
T-Mobile	6/30/2022	6/30/2022	Private	N	N	\$ 46,141.92	(32) Christmas Ornaments for Oller Street	DENIED
CA WA & WWA Arrearages Payment	4/1/2022	6/6/2022	State	N	N	\$ 29,223.54	Financial assistance for customers' accounts 60 days+ for wastewater only	
County of Fresno Subrecipient Grant	3/9/2022	6/21/2022	County	Y	N	\$ 2,906,593.00	Water Storage Tank and Booster Pump Station	
Senator Anna Caballero Budget Request	2/25/2022	6/30/2022	State	Y	N	\$ 1,500,000.00	Police Department and City Council Chambers	
CalRecycle SB 1383 Grant	2/1/2022	TBD	State	N	N	\$ 20,000.00	Implementation program for SB 1383. Staff will conduct educational presentations, site visits, and enforcement activities.	
Clean California Local Grant Program	2/1/2022	3/1/2022	State	N	N	\$ 5,000,000.00	(4) Projects: 1-Pocket Park at Bass Avenue and 2nd Street; 2-Art Sculpture at Bass Avenue Roundabout; 3-Trail to Pool Park; 4-Trails in Pool Park	DENIED
Outdoor Equity Grant Program	10/8/2021	3/1/2022	State	N	N	\$ 154,861.00	Outdoor activities in the community and traveling inside of California	DENIED
Office of Traffic Safety Grants	1/31/2021	3/1/2022	State	N	N	\$ 550,000.00	DUI Checkpoints with partnering cities in the Westside	Mendota will be the lead agency
CA WA & WWA Arrearages Payment	12/6/2021	3/15/2022	State	N	N	\$ 70,743.47	Financial assistance for customers' accounts 60 days+ for water only	
Wonderful Community Grants	8/31/2021	9/30/2021	Private	N	N	\$ 50,000.00	(30) Rental Assistance (Continuing) (135) Utility Assistance (100) Dental Care	DENIED
Tire-Derived Product Grant	6/1/2021	8/31/2021	State	N	N	\$ 149,995.02	Install rubber mulch at (7) project sites citywide for landscape purposes.	
New Alternative Fuel Vehicle Purchase	TBD	TBD	Local	N	N	Up to \$20,000 per vehicle	Purchase (2) electric "Zero" motorcycles for the Police Department and (3) vehicles for Public Works & Public Utilities	
Statewide Park Development and Community Revitalization Program (SPP)	3/12/2021	12/13/2021	State	N	N	\$ 8,500,000.00	1) Community Center - Rojas-Pierce Park; 2) Fitness Court	DENIED
Proposition 64 Public Health and Safety Grant Program	1/29/2021	5/1/2021	State	N	N	\$ 452,509.75	(2) Community Resource Officers, (2) Administrative Assistants, (1) K-9, (1) vehicle	Partnership with City of Fresno (Lead Applicant), Fresno EOC, The Boys & Girls Clubs of Fresno County
Good Neighbor Citizenship Company Grants	10/31/2020	4/30/2021	Private	N	N	\$ 198,825.00	Pocket Park at Bass Avenue and I Street	DENIED
CARES County of Fresno	10/1/2020	12/31/2020	County	N	N	\$ 229,732.87	COVID-19 relief funds: Non-profit organizations: Message Trailers: Overtime	
Coronavirus Relief Funds (CRF)	10/1/2020	7/1/2020	State	N	N	\$ 154,512.00	Expenditures incurred for COVID-19 - Use funds for Police Department MDT's	
FEMA-4482-DR-CA	9/30/2022	TBD	State	N	Y	TBD	Expenditures incurred for COVID-19	25% match
CDGB -Coronavirus and Other	3/1/2020	7/1/2020	County	N	N	\$ 104,796.00	Fire Department Equipment & Broadband Assistance for Mendota Residents	
Wonderful Community Grants	8/31/2020	9/15/2020	Private	N	N	\$ 50,000.00	COVID-19 relief funds	MCC Administering
Tobacco Grant Program	8/7/2020	12/31/2020	State	N	N	\$ -	Add new tobacco language to our municipal code for enforcement; overtime for educational awareness to local vendors.	DENIED
California Aid to Airports Program	7/9/2020	3/31/2021	State	N	N	\$ 10,000.00	Annual credit grant to fund operational costs at the airport	
Community Facilities Grant	7/1/2020	8/1/2020	Federal	N	Y	\$ 50,000.00	Purchase (2) Police Ford Explorers, upfit and equipment. This grant is in conjunction with the New Alternative Fuel Vehicle Purchase Grant.	USDA
New Alternative Fuel Vehicle Purchase	6/22/2020	10/31/2020	Local	N	N	Up to \$20,000 per vehicle	Purchase (1) Police Ford Explorer and (1) Ford F-250 Truck	
CARES Act Airport Grant	6/18/2020	12/31/2020	Federal	N	N	\$ 1,000.00	Reimburse operational and maintenance expenses or debt service payments for the William Robert Johnston Municipal Airport	
Urban Flood Protection Grant Program	6/15/2020	9/7/2021	State	N	N	\$ 4,500,000.00	Removal and replacement of undersized and critically damaged storm drain from 8th Street southeasterly past 10th Street to an existing ditch.	
COPS Hiring Program	3/11/2020	10/1/2020	Federal	N	Y	\$ 125,000.00	Hire (1) Full-time Police Officer for 3 years.	25% match
Office of Traffic Safety Grants	1/30/2020	10/1/2020	State	N	N	\$ 81,527.00	DUI Saturations, Traffic Enforcements, Car Seat Installation/Giveaway Event, Emergency Medical Services for the Fire Department	We received 2/3 grants applied. Car Seat Installation was not approved.
Fresno COG 2019-2020 CMAO	1/1/2020	5/1/2020	Federal	Y	Y	\$ 458,304.00	Alley Paving Project for 7U & 7U1 (near Unida/Belmont/Derrick) and about 1/3 of the alleys on the eastside.	11.47% match
SB 2 Planning Grant Program	12/20/2019	6/1/2020	State	N	N	up to \$160,000	Update planning documents and processes of housing approvals/production	
New Alternative Fuel Vehicle Purchase	12/20/2019	6/1/2020	Local	N	N	Up to \$20,000 per vehicle	Purchase (1) Public Works/Utilities Trades Vehicle & (2) Police Explorers Interceptors Vehicles	(2) Police Explorers Vehicles to be paid with funding from USDA
Beverage Container Recycling City/County Payment Program	12/17/2019	2/28/2020	State	N	N	\$ 5,000.00	Billboard Advertisement and Radio Advertisement to promote beverage container recycling.	If you don't expend the full \$5,000.00, you must repay CalRecycle.
Automatic Meter Read Construction		10/21/2019	State	N	Y	\$ 3,074,561.00	Install City-wide Automatic Meter Reading Meters	Grant Component \$2,724,912.00

Access to Historical Records: Archival Projects	10/3/2019	7/1/2020	Federal	N	Y	\$ 95,907.00	Digitize public records and make freely available online	DENIED
National Fitness Campaign 2020	8/1/2019	10/1/2020	Private	N	Y	\$ 30,000.00	Outdoor Fitness Court	If the City wishes to pursue this grant, we would need to match \$100,000.00.
Urban Community Development Block	7/31/2019	7/1/2020	County	N	N	\$ 575,222.00	Phase II Rojas-Pierce Park Expansion Project	For Fiscal Years 2019/2020; 2020/2021 & 2021/2022
California Aid to Airports Program	7/31/2019	10/31/2019	State	N	N	\$ 10,000.00	Annual credit grant to fund operational costs at the airport	
Urban County Per Capita Grant Program	6/3/2019	2020	State	N	N	\$ 6,969.92	Rojas-Pierce Park Expansion	One-time basis
Per Capita Grant Program	6/3/2019	2020	State	N	N	\$ 177,952.00	Rojas-Pierce Park Expansion	One-time basis

Key: Applied for Grants

In process

Approved

Denied

Closed

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**M E M O R A N D U M**

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**To:** Cristian Gonzalez, City Manager, City of Mendota  
Nancy Banda, Finance Director, City of Mendota

**From:** Alex Gibbs, Grants Manager, Townsend Public Affairs, Inc.  
Andres Ramirez, Senior Associate, Townsend Public Affairs, Inc.

**Date:** July 5, 2023

**Subject:** Grants and Funding Monthly Report

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**Overview**

The purpose of this memo is to provide a monthly outline of upcoming funding opportunities and grant programs that could potentially meet the City's funding needs in the near future. This memo is not a comprehensive list of all grants that are currently available, but ones that you may be able to submit competitive applications for relevant priority projects.

**Funding Priorities**

TPA continues to research and identify potential sources of funding that meet the City of Mendota's stated funding priorities, including infrastructure projects, parks and recreation capital projects, such as the Mendota Pool Park project, the Mendota Community Center, transportation infrastructure, including pedestrian and bicycle safety projects and road resurfacing, as well as other funding priorities.

**Future Opportunities**

The month of June was filled with Legislative and Budgetary Action in Sacramento. While policy committees in the Senate and Assembly heard bills making their way through the State legislative process, each house's respective budget committee finalized a number of budget bill juniors and budget trailer bills, which seek to further amend the main budget bill and add greater substance to allocations made in the main budget bill.

All of the respective budget bill juniors and budget trailer bills were passed by both houses of the State Legislature, after weeks of intense negotiations between the Governor's Administration and Leadership in the Senate and Assembly. While Governor Newsom has already signed a number of trailer bills, he is expected to sign the remainder of them in the coming weeks. The signing of these budget bills is relevant because they make several appropriations for competitive grant programs amongst other things – meaning that once doled out to relevant State Agencies and

Departments, we will begin to get a better sense of upcoming funding opportunities for the coming fiscal years.

## Looking Ahead: Grant Program Highlights

### Transportation

Name	Awards & Match	Description	Timeline
California Transportation Commission  <a href="#"><u>Local Transportation Climate Adaptation Program</u></a>	Max Award: \$50,000,000  20% Non-Federal Match Required	The primary objective of the Local Transportation Climate Adaptation Program is to provide support for eligible applicants as they develop and implement local surface transportation infrastructure projects to climate change effects, improve transportation and community resiliency to natural hazards and disasters, and advance environmental justice by directly benefitting climate-vulnerable, underserved, and under-resourced communities.	July 31, 2023
Department of Transportation  <a href="#"><u>Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program</u></a>	Min Award: \$100,000  No Max Award  Match Required	The purpose of the PROTECT program is to help local agencies improve the resiliency of their on-system transportation infrastructure. The program provides federal funding to projects to help communities address vulnerabilities due to weather, natural disasters, and climate change. The program also provides funds to plan transportation improvements and emergency response strategies to address those vulnerabilities. PROTECT grants include resilience improvement grants, community resilience and evacuation route grants, and at-risk coastal infrastructure grants.	August 18, 2023
Department of Transportation  <a href="#"><u>Multimodal Project Discretionary Grant Program</u></a>	<b>Mega Program:</b> \$1.8 billion available	The <b>Mega program</b> supports large, complex projects that are difficult to fund by other means and are likely to generate national or regional economic, mobility, or safety benefits. Eligible projects could include highway, bridge, freight, port, passenger rail, and	August 21, 2023



	<p><b>INFRA Program:</b> \$3.1 billion available</p> <p><b>Rural Program:</b> \$675 million available</p>	<p>public transportation projects of national or regional significance.</p> <p>The <b>INFRA program</b> awards competitive grants to multimodal freight and highway projects of national or regional significance to improve the safety, accessibility, efficiency, and reliability of the movement of freight and people in and across rural and urban areas. Eligible projects will improve safety, generate economic benefits, reduce congestion, enhance resiliency, and hold the greatest promise to eliminate supply chain bottlenecks and improve critical freight movements.</p> <p>The <b>Rural program</b> supports projects that improve and expand our nation’s surface transportation infrastructure in rural areas in order to increase connectivity, improve the safety and reliability of the movement of people and freight, and generate regional economic growth and improve quality of life. Eligible projects for Rural grants include highway, bridge, and tunnel projects that help improve freight, safety, and provide or increase access to agricultural, commercial, energy, or transportation facilities that support the economy of a rural area.</p>	
<p>Caltrans</p> <p><a href="#"><u>Reconnecting Communities: Highways to Boulevards Pilot Program</u></a></p>	<p>Planning Grant Range: \$200,000–\$2,000,000</p> <p>Construction Grant Range: \$3,000,000–\$100,000,000</p> <p>No Match Required</p>	<p>The goal of the RC:H2B Pilot Program is to reconnect communities harmed by transportation infrastructure, through community-supported planning activities and capital construction projects.</p>	<p>September 20, 2023</p>

Public Safety

Name	Awards & Match	Description	Timeline
<p>Firehouse Subs</p> <p><a href="#"><u>Firehouse Subs Grant Program</u></a></p>	<p>Average Award: \$10,000 to \$25,000</p> <p>No Match Required</p>	<p>The Firehouse Subs Program provides funding to purchase equipment or provide training for firefighters in areas where the restaurant chain operates.</p>	<p>July 13, 2023</p>
<p>Department of Homeland Security (DHS)</p> <p><a href="#"><u>State and Local Cybersecurity Grant Program</u></a></p>	<p>Min Award: \$500,000</p> <p>No Max Award</p> <p>Match Required</p>	<p>The goal of SLCGP is to assist SLT governments with managing and reducing systemic cyber risk. For Fiscal Year (FY) 2023, applicants are required to address how the following program objectives will be met in their applications:</p> <p>(1) Develop and establish appropriate governance structures, including developing, implementing, or revising cybersecurity plans, to improve capabilities to respond to cybersecurity incidents and ensure continuity of operations.</p> <p>(2) Understand their current cybersecurity posture and areas for improvement based on continuous testing, evaluation, and structured assessments.</p> <p>(3) Implement security protections commensurate with risk.</p> <p>(4) Ensure organization personnel are appropriately trained in cybersecurity, commensurate with responsibility.</p> <p><i>Note: Potential grant applicants are encouraged to join in the CCTF-CIPS subcommittee's work.</i></p>	<p>TBD 2023</p>

*Parks and Recreation*

Name	Awards & Match	Description	Timeline
California Department of Parks and Recreation  <a href="#">Outdoor Equity Program</a>	Min Award: \$20,000  Max Award: \$700,000  No Match Required	Awarded through the new Outdoor Equity Grants Program, the funding helps establish hubs for local activities and trips to natural areas for underserved communities. The program also empowers youth and families with outdoor leadership education, career pathways, environmental justice engagement, and access to nature.	Draft guidelines yet to be released, with a tentative Fall 2023 deadline

*Arts/Humanities*

Name	Awards & Match	Description	Timeline
CalHumanities  <a href="#">Humanities for All Project Grants</a>	Min Award: \$10,000  Max Award: \$25,000  Equivalent Amount Match Required	Humanities for All Project Grants are awarded twice a year to large scale public humanities projects of up to two-years duration from the award date. Appropriate programming formats include but are not limited to virtual and in-person interpretive exhibits, community dialogue and discussion series, workshops and participatory activities, presentations and lectures, conversations and forums, and interactive and experiential activities.	Open June 1, 2023 to July 17, 2023
National Endowment for the Arts  <a href="#">Our Town</a>	Min Award: \$25,000  Max Award: \$150,000  Minimum Non-Federal Match Equal to Grant Amount Required	Our Town is the NEA's creative placemaking grants program. Through project-based funding, the program supports activities that integrate arts, culture, and design into local efforts that strengthen communities over the long term. Competitive projects are responsive to unique local conditions, authentically engage communities, center equity, advance artful lives, and lay the groundwork for long-term systems change. These projects have a required partnership component.	<b>Part 1</b> Grants.gov submission due August 3, 2023  <b>Part 2</b> Applicant Portal submission open from August 10–17, 2023

<p>CalHumanities</p> <p><a href="#">Humanities for All Quick Grant</a></p>	<p>Min Award: \$1,000</p> <p>Max Award: \$5,000</p> <p>No Match Required</p>	<p>Quick Grants are awarded three times a year to small-scale public humanities programs and projects which take place within one year from the award date. Projects should be grounded in the humanities, show potential to provide high quality humanities learning experiences for participants and audiences, and demonstrate capacity for successful implementation.</p>	<p>Open September 1, 2023 to October 2, 2023</p>
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*Community Development*

Name	Awards & Match	Description	Timeline
<p>CA Department of Housing and Community Development</p> <p><a href="#">Project Homekey Round 3</a></p>	<p>Project Max Varies</p> <p>No Match Required</p>	<p>Project Homekey is an opportunity for state, regional, and local public entities to develop a broad range of housing types, including but not limited to hotels, motels, hostels, single-family homes and multifamily apartments, adult residential facilities, and manufactured housing, and to convert commercial properties and other existing buildings to Permanent or Interim Housing.</p>	<p>Application Opens April 24, 2023 (first-come, first-serve)</p> <p>Deadline July 28, 2023</p> <p>Pre-application Project survey is required.</p>
<p>Strategic Growth Council</p> <p><a href="#">Community Resilience Centers (CRC) Program</a></p>	<p>Three types of grants available:</p> <p><b>Planning</b> \$100,000–\$500,000</p> <p><b>Project Development</b> \$500,000–\$5,000,000</p> <p><b>Implementation</b> \$1,000,000–\$10,000,000</p>	<p>SGC’s CRC program will fund planning, development, construction, and upgrades of neighborhood-level Community Resilience Centers to provide shelter and resources during climate and other emergencies, such as extreme heat events and poor air quality days. The program will also fund ongoing year-round community services and programs, such as food distribution and workforce development training, that build overall community resilience.</p>	<p>Application Pre-Proposals (for Implementation Grants only) due August 25, 2023</p> <p>Final application due September 5, 2023</p>

<p>Environmental Protection Agency</p> <p><a href="#"><u>Solar for All</u></a></p>	<p>Max Award: \$400,000,000</p> <p>Min Award: \$25,000,000</p> <p>No Match Required</p>	<p>The Solar for All competition is designed to spur the deployment of residential distributed solar energy to lower energy bills for millions of Americans and catalyze transformation in markets serving low-income and disadvantaged communities. Grantees will use funds to expand existing low-income solar programs or design and deploy new Solar for All programs nationwide. EPA will not fund individual projects under this competition.</p>	<p>NOI due August 14, 2023 for municipalities</p> <p>Applications due September 26, 2023</p>
<p>California Governor's Office of Emergency Services (Cal OES)</p> <p><a href="#"><u>Building Resilient Infrastructure and Communities (BRIC)</u></a></p>	<p>2023 NOFO forthcoming</p>	<p>BRIC will support states, local communities, tribes, and territories as they undertake hazard mitigation projects, reducing the risks they face from disasters and natural hazards. For FY 2023 BRIC is prioritizing the following types of projects: infrastructure projects, projects that benefit disadvantaged communities as referenced in EO 14008, projects that incorporate nature-based solutions including those designed to reduce carbon emissions, climate change adaptation and resilience projects, and projects proposed by applicants who adopt and enforce mandatory Tribal-, territory-, or state-wide building codes based on the latest published editions of building codes.</p>	<p>Notice of Interest due August 18, 2023</p> <p>Subapplication due November 8, 2023</p>
<p>T-Mobile</p> <p><a href="#"><u>Hometown Grant Program</u></a></p>	<p>Max Award: \$50,000</p> <p>No Match Required</p>	<p><i>Only cities with populations less than 50,000 are eligible to apply.</i></p> <p>The Hometown Grants program funds projects to build, rebuild, or refresh community spaces that help foster local connections in your town. Projects should be shovel-ready, physical builds or improvements that can be completed within 12 months of receiving Hometown Grants funding. Projects that add to a sense of place or could lead to</p>	<p>Next quarterly application is open from July 2023 to September 2023.</p>

		further investment are of particular interest.	
WalMart <a href="#"><u>Local Community Grant Program</u></a>	Min Award: \$250  Max Award: \$5,000	The Local Community Grant program funds projects in the areas of Community/Economic Development, Diversity/Inclusion, Education, Environmental Sustainability, Health and Human Service, Hunger Relief, Public Safety, Quality of Life. Organizations may submit a total number of 25 applications and/or receive up to 25 grants within the 2023 grant cycle.	Ongoing

# Memorandum

To: City Council via Cristian Gonzalez, City Manager

From: Michael Osborn, City Engineer  
Jeff O'Neal, City Planner

Subject: City Engineer's Report to City Council

Date: July 6, 2023

## Engineering Projects:

1. Rojas Pierce Park:
  - Construction of Phase 2 Expansion Project (field lighting) with CDBG funding
  - Completed
  - Working with County for CDBG funding for Phase 3: Restroom & Concession Building
2. Well 10 and Water Main Relocation
  - Design in progress; coordination with USBR and BB Limited
3. Citywide RRXG Improvements:
  - Coordinating crossing improvements with Railroad, Caltrans & CPUC
  - Construction anticipated in Winter 2023
4. MJHS Safe Routes to School Project
  - Construction with ATP funding
  - Completed
5. 2022 Local Street Reconstruction Project
  - Construction with SB1 funding in progress
  - Complete: 7/10/2023
6. Backwash Reclaim Project
  - Design is underway; looking for funding opportunities for construction
7. Mendota Stormwater Improvement Project
  - Prop 68 UFGP funded: Construction starting up
  - Construction in Summer/Fall 2023
8. Derrick & Oller Roundabout
  - CEQA & NEPA completed
  - Design finishing in July 2023
  - Construction anticipated in Spring 2024
9. Westside Water Tank & Booster Pump
  - ARPA funded design in progress
  - Construction anticipated in Fall 2023
10. 5<sup>th</sup> & Quince Street Reconstruction:
  - Design in progress
  - Construction funded with STBG funds in FFY 23/24
11. Fleming & McCabe Street Reconstruction:
  - Design in progress
  - Construction funded with SB1 funds, targeting late Fall 2023

12. 2024 Local Street Reconstruction:

- Includes segments of Tule Street, Quince Street & Jennings Street
- Design to start in October 2023
- Construction funded with SB1 funds in summer 2024

Planning/Development Projects

1. Rojas Pierce Park Annexation

- Continuing discussions with USBR about whether and how the WWD land retirement program affects the project.

2. Regional Housing Needs Allocation

- Participating in Fresno COG meetings for 6<sup>th</sup> Cycle multijurisdictional Housing Element

3. Safe Routes to School Master Plan

- Plan accepted on June 27, 2023, ATP funded

4. Airport Reuse

- Investigating closure and potential reuse of airport property

Grant Applications:

1. Amador & Smoot Extension:

- \$874,000 in STBG & CMAQ TPP funds; Construction authorization in FFY 23/24

2. Triangle Park & Pool Park:

- Assisted in Clean CA Grant application for both parks

3. Marie Street Reconstruction:

- Design to start in July 2023 to apply for CMAQ funding in September 2023

4. Divisadero Street Reconstruction:

- Design to start in July 2023 to apply for STBG funding in October 2023

On-going (this month):

1. Representation of the City at FCOG TTC
2. Coordination of road projects with Caltrans
3. Assistance to Finance Director for grant opportunities
4. Coordination with USACOE for Panoche Creek flood study

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

- Engineers: 7
- Planners: 1
- Surveyors: 2
- Environmental Specialist: 0
- GIS/CAD Specialists: 2
- Construction Manager: 2
- Project Administrator: 2

Abbreviations:

EOPCC – Engineer's Opinion of Probable Construction Cost  
NTP – Notice to Proceed  
CUCCAC – California Uniform Construction Cost Accounting Commission  
STBG – Surface Transportation Block Grant  
CMAQ – Congestion Mitigation and Air Quality (grant)

ATP – Active Transportation Plan (grant)  
RFP – Request for Proposal  
RFA- Request for Authorization (for grant funding)  
FCOG – Fresno Council of Governments  
ADA – Americans with Disabilities Act  
DBE – Disadvantaged Business Enterprise



TTC – Technical Transportation Committee (through FCOG)

RTP/SCS – Regional Transportation Plan, Sustainable  
Communities Strategies