



CITY OF MENDOTA

"Cantaloupe Center Of The World"

ROBERT SILVA
Mayor
SERGIO VALDEZ
Mayor Pro Tempore
JOSEPH AMADOR
ROLANDO CASTRO
JOSEPH RIOFRIO

AGENDA
MENDOTA CITY COUNCIL
Regular City Council Meeting
CITY COUNCIL CHAMBERS
643 QUINCE STREET
October 25, 2016
6:00 PM

VINCE DiMAGGIO
City Manager
JOHN KINSEY
City Attorney

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

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

CALL TO ORDER

ROLL CALL

FLAG SALUTE

INVOCATION

FINALIZE THE AGENDA

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

PRESENTATIONS

1. Fresno County Clerk Brandi Orth to provide information regarding the upcoming election.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

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

NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meetings of September 27, 2016 and October 11, 2016.
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. OCTOBER 12, 2016 THROUGH OCTOBER 19, 2016
WARRANT LIST CHECKS NO. 041600 THRU 041654
TOTAL FOR COUNCIL APPROVAL = \$225,730.30
2. Proposed adoption of **Resolution No. 16-72**, approving the Final Map of Tract No. 6146 and entering into a subdivision agreement.
3. Proposed adoption of **Resolution No. 16-73**, authorizing the City Manager to execute the necessary documents for health, dental and vision benefit plans.
4. Proposed adoption of **Resolution No. 16-74**, rejecting bids for the Lozano Lift Station modification project.
5. Proposed adoption of **Resolution No. 16-75**, opposing the passage of Proposition 57.
6. Proposed adoption of **Resolution No. 16-76**, awarding the bid for the Marie Street and Divisadero Street Reconstruction project to Avison Construction, Inc.
7. Proposed adoption of **Resolution No. 16-77**, accepting and filing the Community Facilities District No. 2006-1 Annual Report for Fiscal Year 2016/17.
8. Proposed adoption of **Resolution No. 16-79**, declaring surplus equipment and authorizing the sale or disposal of such property.

BUSINESS

1. Council consider a recommendation from the Police Department Compensation Sub-Committee to issue end-of-the-year bonuses to Police Officers and Sergeants.
 - a. *Receive report from City Manager DiMaggio*
 - b. *Inquiries from Council to staff*
 - c. *Mayor opens floor to receive any comment from the public*
 - d. *Council provide any input and adopt Resolution No. 16-80*

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

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

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
2. Mayor

ADJOURNMENT

CERTIFICATION OF POSTING

I, Celeste Cabrera, Deputy City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota City Council Regular Meeting of October 25, 2016, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, October 21, 2016 at 4:15 p.m.



Celeste Cabrera, Deputy City Clerk



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

September 27, 2016

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

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Sergio Valdez, Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

Council Members Absent: None.

Flag salute led by Councilor Amador.

Invocation led by Phillip Chavarria.

FINALIZE THE AGENDA

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

City Manager DiMaggio requested that the Council remove Consent Calendar item 3 from the agenda and allow presentation item 2 to occur prior to presentation item 1.

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

SWEARING IN

1. Deputy City Clerk Cabrera to swear in Police Officer David Maldonado and Reserve Police Officer Robert Perez.

Mayor Silva introduced the item.

Deputy City Clerk Cabrera swore in Police Officer David Maldonado and Reserve Police Officer Robert Perez.

Police Chief Andreotti shared the background of both officers.

PRESENTATIONS

1. Council to commend Officer Armando Casas, Gabriel Llanos, Tony Alarcon, and Angel Garcia for their heroic actions.

Mayor Silva introduced the item.

Police Chief Andreotti summarized the heroic actions of Officer Casas, Mr. Llanos, Mr. Alarcon, and Mr. Garcia and gave life saving commendations to the individuals.

Mayor Silva commended the individuals on behalf of the Council.

At 6:12 p.m. Mayor Silva announced that there would be a recess.

At 6:21 p.m. the Council convened in open session.

2. Council to present Certificates of Recognition to Enrique Noyola and Nathan Rosales.

Mayor Silva introduced the item.

Mark Bañuelos (Mendota Boxing) – stated that both Enrique and Nathan participated in an international tournament and reported on the various shows that the Enrique and Nathan have attended.

Discussion was held on the history of the boxing club and the possibility of hosting a boxing tournament in Mendota.

Deputy City Clerk Cabrera read the certificates into the records.

3. Chief Deputy District Attorney Blake Gunderson to present on Proposition 57.

Mayor Silva introduced the item.

Chief Deputy District Attorney Blake Gunderson summarized the purpose of Proposition 57 – the Public Safety and Rehabilitation Act and reported on various problematic concepts contained within Proposition 57.

Discussion was held on the negative effects that the passage of Proposition 47 has had on Fresno County.

Chief Deputy District Attorney Gunderson reported on the lack of necessary guidelines for Proposition 57 and emphasized the importance of individuals voting against the proposition.

Council consensus was reached to direct staff to create a resolution opposing Proposition 57 for Council consideration at a future meeting.

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 September 13, 2016.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

A motion was made by Councilor Riofrio to approve items 1 and 2, seconded by Councilor Castro; unanimously approved (5 ayes).

CONSENT CALENDAR

1. SEPTEMBER 07, 2016 THROUGH SEPTEMBER 21, 2016
WARRANT LIST CHECKS NO. 41469 THRU 41568
TOTAL FOR COUNCIL APPROVAL = \$487,849.67
2. Proposed adoption of **Resolution No. 16-64**, establishing the Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Year 2016/2017.
3. Approve the Rejection of September 1, 2016, Claim Submitted by Joe Gil Gomez, and Authorize the City Manager to Sign the Notice of Rejection.
[Removed from agenda]
4. Proposed adoption of **Resolution No. 16-66**, approving to tax defer member paid contributions to California Public Employees' Retirement System.
5. Proposed adoption of **Resolution No. 16-67**, approving the tax deferred deduction plan for service credit purchases.

A motion was made to approve items 1 through 4 of the Consent Calendar by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (5 ayes).

BUSINESS

1. Proposed adoption of **Ordinance No. 16-08**: An ordinance adopting the Official Plan Line for portions of Smoot Avenue and Amador Street, and give second reading, by title only, with further reading waived.

Mayor Silva introduced the item and City Attorney Kinsey stated that Council received a report on the item at a previous meeting and requested that the Council take action on the item.

Councilor Amador inquired on whether Amador Street was previously a boulevard.

A motion was made to adopt Ordinance No. 16-08 by Mayor Pro Tem Valdez, seconded by Councilor Castro; unanimously approved (5 ayes).

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Public Works
 - a) Monthly Report

Discussion was held on the status of amending water conservation regulations, the amount of water that is used throughout the City; whether staff can track water usage through meter readings; increasing water regulations to stage 3 in order to avoid state fines; acquiring automated water meters; ways to improve the condition of Pool Park; and the status of the Marie Street and Divisadero Street reconstruction project.

2. City Attorney

Nothing to report.

3. City Manager

City Manager DiMaggio stated that he had spoken to Mendota Unified School District (MUSD) Superintendent Dr. Lopez regarding scheduling a Joint MUSD School Board and City Council meeting.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Mayor Pro Tem Valdez inquired on the possibility of installing speed bumps on McCabe Street.

Councilor Amador reported on the upcoming Driver Awareness event that will be held on October 1st and reported on Mendota resident Lourdes Zavala being honored at the

Fresno County Board of Supervisors meeting.

2. Mayor

Mayor Silva stated that he attended the State of the County address; reported on the various issues that the Fresno County Board of Supervisors addressed; and reported on the Mendota Business Summit that will be held on November 2nd.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 7:25 p.m. by Councilor Castro, seconded by Councilor Amador; unanimously approved (5 ayes).

Robert Silva, Mayor

ATTEST:

Matt Flood, City Clerk



MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING

Regular Meeting

October 11, 2016

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

Roll Call

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Sergio Valdez, Councilors Joseph Amador, Rolando Castro, and Joseph Riofrio.

Council Members Absent: None.

Flag salute led by Mayor Pro Tem Valdez.

FINALIZE THE AGENDA

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

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

PRESENTATION

1. Council to present a Certificate of Recognition to Lourdes Zavala.

Mayor Silva introduced the item and Economic Development Manager Flood read the certificate into the record.

Ms. Zavala thanked the Council for the recognition.

At 6:12 p.m. Mayor Silva announced that there would be a recess.

At 6:21 p.m. the Council convened in open session.

CITIZENS ORAL AND WRITTEN PRESENTATIONS

None offered.

NOTICE OF WAIVING OF READING

1. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

Council consensus was reached to approve the notice of waiving of reading.

CONSENT CALENDAR

1. SEPTEMBER 26, 2016 THROUGH OCTOBER 05, 2016
WARRANT LIST CHECKS NO. 41538 THRU 41599
TOTAL FOR COUNCIL APPROVAL = \$187,443.73
2. Proposed adoption of **Resolution No. 16-68**, rejecting bids for the CDBG project No. 15-471 – Mendota Water System Improvements.
3. Proposed adoption of **Resolution No. 16-69**, declaring personal property surplus and authorizing the sale or disposal of such property.
4. Proposed adoption of **Resolution No. 16-70**, canceling the regular City Council meeting of November 8th and setting a special City Council meeting for November 9th.

Councilor Castro inquired on the surplus sale timeline.

A motion was made to approve items 1 through 4 of the Consent Calendar by Councilor Riofrio, seconded by Councilor Amador; unanimously approved (5 ayes).

BUSINESS

1. Proposed adoption of **Resolution No. 16-71**, delegating authority to the City Manager to reject certain claims.

Mayor Silva introduced the item and City Attorney Kinsey summarized his report including the process individuals have to go through to file a claim; how a claim is finalized; any recourse of appeal entities may have; the frequency with which the City receives claims; the recommendation of staff to streamline the claims process, especially when a claim appears to be frivolous or otherwise unsubstantial; and staff's suggestion to have the threshold be \$100,000.

Discussion was held on the reason that such a change in policy was suggested; the need to protect the City; there would not be changes as to when and how Council is notified

referent to claims; the manner in which determinations are made related to claims, including the role of the Risk Management Agency in the decision; the benefits of doing the claim process in the way staff recommended; details related to past claims that have been submitted to the City; and the possibility of putting the claim threshold at a lower amount.

A motion was made to adopt **Resolution No. 16-71**, with the modification of setting the threshold at \$50,000, by Councilor Amador, seconded by Councilor Riofrio; approved (4 ayes, no: Castro).

2. Introduction and first reading of **Ordinance No. 16-09**, amending the zoning of APN 012-200-26 from R-1, R-3, and C-3 to R-3, setting the public hearing for the October 25th regular Council meeting.

Mayor Silva introduced the item and City Planner O'Neal presented his report including the applicant's desire to change the zoning of the property.

At 6:30pm Councilor Amador announced that he would recuse himself and left the Council Chambers.

City Planner O'Neal stated that there is no proposed development for the property and reported on the need to have a public hearing to carry out the requested changes.

Discussion was held on the type of uses that are currently allowed on the property; types of uses that would be allowed on the property if the zoning change occurs; the history of the underlying land use as designated by the General Plan and what it is currently designated as on the City Zoning Map; the impact that any changes would have on traffic circulation (6:39 p.m. Mayor Pro Tem Valdez left the Council Chambers); the impacts that would become reality if there was development approved on that property (6:40pm Mayor Pro Tem Valdez reentered the Council Chambers); the conditions that are attached to any approvals; and the significance and deep analysis and discussion that will take place when an actual project is proposed.

A motion was made to deny the application by Councilor Riofrio, seconded by Councilor Castro; unanimously approved (4 ayes, absent: Amador).

At 6:46pm Councilor Amador reentered the Council Chambers.

DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Economic Development
 - a) Report

Economic Development Manager Flood talked about the variety of inquiries he has received from people interested in coming to Mendota to do business, but that there is a lack of available move-in space and reported on the Mendota Business Summit that will

take place on November 2nd.

2. Code Enforcement
 - a) Monthly Report

Economic Development Manager Flood summarized the report.

3. Police Department
 - a) Monthly Report

Police Chief Andreotti summarized his report including personnel levels being at optimal numbers again; vagrants inhabiting a property at Stamoules and 6th Streets; and the success that the School Resource Officer is currently having.

4. City Attorney

City Attorney Kinsey stated that he continues to work with staff on various issues.

5. City Manager

City Manager DiMaggio stated that he continues to work on acquiring grant funding for a job training center that can also be a community center and reported on a project he is working on with the City Attorney.

MAYOR AND COUNCIL REPORTS AND INFORMATIONAL ITEMS

1. Council Member(s)
Council reports

Councilor Castro reported on the League of California Cities Annual Conference and a dinner that will be sponsored by the Mexican Consulate.

Councilor Amador also spoke on what he experienced at the League of California Cities Annual Conference and thanked all who participated and helped with the Driver Awareness Event.

Councilor Riofrio reported on Mendota High School's upcoming rivalry football game versus Firebaugh High School.

2. Mayor

Mayor Silva reported on a report that Caltrans gave at COG and how it relates to Mendota's upcoming project on McCabe Avenue and SR180; reported on Proposition 53 and stated how he believes it should be opposed; and the Young Eagles Event that will be held on October 22nd at the Mendota Airport.

ADJOURNMENT

With no more business to be brought before the Council, a motion for adjournment was made at 7:15 p.m. by Councilor Amador, seconded by Councilor Castro; unanimously approved (5 ayes).

Robert Silva, Mayor

ATTEST:

Matt Flood, City Clerk

CITY OF MENDOTA
CASH DISBURSEMENTS
10/12/2016 - 10/19/2016
Check #041600-041654

Date	Check #	Amount	Vendor	Department	Description
October 12, 2016	41600	\$1,597.69	WESTAMERICA BANK	GENERAL	CALPERS TRANSFER FOR PAYROLL 18-19-20 FY 16/17
October 13, 2016	41601	\$292.15	ADT SECURITY SERVICES	GENERAL-WATER-SEWER	SECURITY ALARM 10/13/2016 - 12/10/2016 (CITY HALL)
October 13, 2016	41602	\$633.30	ALERT-O-LITE	WATER	BARRICADE AT BRIDGE ON BASS AVE (WATER), LONG COMBINATION MASTER LOCK, UTILITY PUMP (WATER)
October 13, 2016	41603	\$60.00	ALTA LANGUAGE SERVICES INC.	GENERAL	LISTENING AND SPEAKING TEST - SPANISH (J. ARCIGA PD)
October 13, 2016	41604	\$2,441.56	COOK'S COMMUNICATION	GENERAL	FED SIGN, UNIVERSAL SIREN BRACKET UNIT #92, REMOVE CODE #3 FROM SHOT GUN RACK, ON UNIT #1 REMOVE MOUNT KIT, REPROGRAMED UNIT93
October 13, 2016	41605	\$1,400.00	D&D DISPOSAL	GENERAL	FREEZER PICK UP ON 8/10/2016, FREEZER PICK UP 9/30/2016 (ANIMAL CONTROL)
October 13, 2016	41606	\$156.08	EWING	GENERAL	SPRINKLER HEADS AND NOZZLE I-CORE 6ST EXPAND (PARKS)
October 13, 2016	41607	\$507.34	EXCEL SIGN CO.	GENERAL	VEHICLE GRAPHICS FOR PATROL CAR #M87 (PD)
October 13, 2016	41608	\$10,833.33	FIREBAUGH POLICE DEPARTMENT	GENERAL	POLICE DISPATCH SERVICES 9/1/2016 - 9/30/2016 (PD)
October 13, 2016	41609	\$137.24	FRESNO COUNTY SHERIFF	GENERAL	RMS/JMS ACCESS FEE FOR SEPTEMBER 2016 (PD)
October 13, 2016	41610	\$35.00	KERWEST	GENERAL-WATER-SEWER	FIREBAUGH MENDOTA JOURNAL SUBSCRIPTION 16/17
October 13, 2016	41611	\$327.99	NISSAN MOTOR ACCEPTANCE CORP.	GENERAL-WATER-SEWER	2015 NISSAN LEASE PAYMENT FOR OCTOBER 2016
October 13, 2016	41612	\$608.43	NORTHSTAR CHEMICAL	WATER	SODIUM HYPOCHLORITE 12.5% MIL MEETS NSF
October 13, 2016	41613	\$73.30	OFFICE DEPOT	GENERAL-WATER-SEWER	CERTIFICATE HOLDER, ENVELOPE CLASP, STORAGE BOXES,BUSINESS CARD HOLDER, COUNTERFT PEN
October 13, 2016	41614	\$202.55	AT&T	GENERAL-WATER-SEWER	TELEPHONE 559-266-6456 FOR SEPTEMBER 26-OCTOBER 25, 2016
October 13, 2016	41615	\$60.49	SEBASTIAN	GENERAL	SECURITY SERVICES FOR OCTOBER NOVEMBER, AND DECEMBER (PD)
October 13, 2016	41616	\$531.30	SMITH & LOVELESS INC.	SEWER	PUMP VAC REPAIR KIT, SINGLE MECH SEAL, FREIGHT CHARGE (SEWER)
October 13, 2016	41617	\$1,654.96	SORENSEN MACHINE WORKS	GENERAL-WATER-SEWER-STREETS	HEAT SHRINK TUBBING, 2 WIRE NAILS, GLASS CLEANER, WASP HORNET SPRAY, PVC CEMENT,PUSH TUBE CAP, PURPLE PRIMER, TEFLON TAPE
October 13, 2016	41618	\$195.30	TCM INVESTMENTS	GENERAL	MPC3503 - COPY MACHINE LEASE PAYMENT - OCTOBER 2016 (PD)
October 13, 2016	41619	VOID			
October 17, 2016	41620	\$150.00	MIGUEL PENA	WATER	MQ CUSTOMER REFUND FOR PEN0002
October 17, 2016	41621	\$26.55	AIRGAS USA LLC.	WATER	CYL CARBON DIOXIDE FG/IND 20 LB
October 18, 2016	41622	\$727.20	AMERITAS GROUP	GENERAL	VISION INSURANCE FOR NOVEMBER 2016
October 18, 2016	41623	\$310.77	AMERIPRIDE SERVICES	GENERAL-WATER-SEWER	UNIFORM RENTALS FOR PUBLIC WORKS/UTILITIES 9/29/2016, 9/8/2016, 9/15/2016

**CITY OF MENDOTA
CASH DISBURSEMENTS
10/12/2016 - 10/19/2016
Check #041600-041654**

October 18, 2016	41624	\$18.00	TEOFILO BAUTISTA	GENERAL-WATER-SEWER	PER DIEM - LUNCH 9/22/2016 LIEBERT-CASSIDY
October 18, 2016	41625	\$851.17	BEST UNIFORM	GENERAL	POLO, BALL CAP, INNERBELT, NAME PLATE, HOLSTER, 1 PANT (S.AYALA) L/S SHIRT, NAME TAPE, SEW ON NAME, HOLSTER (D.MALDONADO)
October 18, 2016	41626	\$2,124.00	BSK ASSOCIATES	WATER-SEWER-STREETS	GEOTECHNICAL ENGINEERING INVESTIGATION, WASTEWATER WEEKLY ANALYSES 10/06/2016, WEEKLY DRINKING ANALYSES 10/13/2016
October 18, 2016	41627	\$88.82	CROWN SERVICES	GENERAL-SEWER	TOILET X1WK FOR SEPT 2016(PD), TOILET W/ SINK SEPT 2016 (WWTP)
October 18, 2016	41628	\$1,043.98	KOPPEL & GRUBER	CFD	CFD NO 2006-1 SERVICE FOR JULY THRU SEPTEMBER 2016
October 18, 2016	41629	\$4,000.00	MOUNTAIN VALLEY ENVIRONMENTAL	SEWER	CITY WASTEWATER AND CPO SERVICES FOR NOVEMBER 2016
October 18, 2016	41630	\$503.72	PETTY CASH	GENERAL-WATER	PETTY CASH EXPENSES, PUBLIC SAFETY MEETINGS, WATER FOR CITY HALL, LIFELINE TRAINING, PEROXIDE, LONG BED FOR GEM, DVD-R 5K
October 18, 2016	41631	\$10,145.20	PG&E	GENERAL-WATER	CITY-WIDE UTILITIES FOR 9/14/2016-10/12/2016
October 18, 2016	41632	\$3,984.69	PREMIER ACCESS	GENERAL	DENTAL INSURANCE FOR NOVEMBER 2016
October 18, 2016	41633	\$136.90	R.G. EQUIPMENT COMPANY	GENERAL	BELT-V LAWN MOWER BELT (PARKS)
October 18, 2016	41634	\$577.64	ERNEST PACKING SOLUTIONS	GENERAL-WATER-SEWER	(2) SOLARIS 1 PLY, (1) GLASS CLEANER, CAN LINERS, FRESH WAVE 3D URINAL SCREEN, CLOROX, PINESOL (CITY HALL)
October 18, 2016	41635	\$507.59	SIGNMAX	GENERAL-WATER-SEWER	14" ROUND LOGO GLOSS LAMINATE DECALS FOR PW/PU VEHICLES
October 18, 2016	41636	\$89.62	KEVIN SMITH	GENERAL	PARKING FOR TRAINING 6 TICKETS, FUEL FOR KEVIN SMITH (PD)
October 18, 2016	41637	\$331.57	UNION PACIFIC RAILROAD COMPANY	STREETS	PUBLIC ENCROACHMENT PERMIT FOR 11/1-30/2016
October 18, 2016	41638	\$230.00	STATE WATER RESOURCE CONTROL BOARD	SEWER	STATE WATER RESOURCE CONTROL BOARD WASTEWATER OPERATOR - J. ANGEL
October 18, 2016	41639	\$146.68	STATE OF CALIFORNIA DEP. OF TRANSPORTAION	STREETS	SIGNALS AND LIGHTING BILLING FOR JULY - SEPT 2016
October 18, 2016	41640	\$9,198.83	T&T VALVE AND INSTRUMENTS INC.	WATER	BRAY 10" BUTTERFLY VALVE MODEL #30-119 FIL (WTP)
October 18, 2016	41641	\$274.47	THE GOODYEAR COMPANY	GENERAL	103V EAGLE RS-A VSB (2) TIRES (PD)
October 18, 2016	41642	\$80.18	UNIFIRST CORPORATION	GENERAL-WATER-SEWER	MONTHLY WET/DRY MOPS,TOWELS, MATS FOR SEPTEMBER 2016
October 18, 2016	41643	\$82.06	USA BLUEBOOK	WATER	LIQUID LAMOTTE 288 TESTS 60ML (3)
October 18, 2016	41644	\$918.00	VULCAN MATERIALS	STREETS	(10.11) ST 1/2NMM ASPHALT (3.89) ST 1/2 (STREETS)
October 18, 2016	41645	\$95,500.00	WESTAMERICA BANK	GENERAL	PAYROLL TRANSFER 10/3/2016-10/16/2016
October 19, 2016	41646	\$4,700.00	ADMINISTRATIVE SOLUTIONS INC.	GENERAL	MEDICAL CHECK RUN FOR 10/13/2016
October 19, 2016	41647	\$37.80	ID CARDS INC.	GENERAL	CUSTOM PVC CARD, SINGLE SIDE FOR K.SMITH, D.MALDONADO, R.PEREZ
October 19, 2016	41648	\$52,563.77	MID VALLEY DISPOSAL	REFUSE	SANITATION CONTRACT FOR SEPTEMBER 2016

CITY OF MENDOTA
 CASH DISBURSEMENTS
 10/12/2016 - 10/19/2016
 Check #041600-041654

October 19, 2016	41649	\$93.96	MID-VALLEY SURGICAL SUPPLY	GENERAL	VACTUBE HOLDER, TOURNIQUETS, VACUTAINER-PHLEBOTAMY SUPPLIES (PD)
October 19, 2016	41650	\$289.26	MUNICIPAL MAINTENENACE EQUIPMENT	STREETS	CYLINDER BROOM, INNER 2X5 HEIM JOINT-STREET SWEEPER
October 19, 2016	41651	\$2,040.50	THE BANK OF NEW YORK MELLON	SEWER	ADMIN FEE MJPPFA WASTEWATER REVENUE BOND 2005 10/2016-09/2017
October 19, 2016	41652	\$775.00	THE BUSINESS JOURNAL	SEWER	ADVERTISEMENT FOR BIDS - LOZANO LIFT STATION
October 19, 2016	41653	\$1,475.07	VERIZON WIRELESS	GENERAL-WATER-SEWER	CITY-WIDE WIRELESS TELEPHONE SERVICE FOR 9/7/2016-10/6/2016
October 19, 2016	41654	\$9,959.29	WAGNER JONES HELSLEY PC ATTORNEYS	GENERAL	GENERAL LEGAL SERVICE RETAINER THROUGH 9/15/2016, TRETARY TREATMENT LEGAL SERVICES THROUGH 9/15/2016,SPECIAL LEGAL SER
		\$225,730.30			

AGENDA ITEM

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JEFFREY O'NEAL, AICP, CITY PLANNER

VIA: VINCE DIMAGGIO, CITY MANAGER

SUBJECT: CITY COUNCIL APPROVAL OF THE FINAL MAP OF TRACT 6146, PHASE VII OF LAS PALMAS ESTATES

DATE: OCTOBER 25, 2016

ISSUE

Should the Council approve the final map of Tract 6146?

BACKGROUND

Vesting Tentative Map No. 5483 was approved on March 22, 2005, and was initially valid through March 22, 2007. The Subdivision Map Act (Govt. Code Section 66410, *et seq.*) establishes the criteria for all divisions of land in California, and is implemented via the City of Mendota Subdivision Ordinance (Mendota Municipal Code Title 16). The Map Act provides various mechanisms by which approved maps can be extended without action being taken by the City. Through mechanisms provided by Govt. Code Sections 66452.6(a)(1) and 66452.24, the approved Vesting Tentative Map has received a number of automatic extensions and is currently valid through March 22, 2017. Until that date, the subdivider may file a final map or maps on a portion or all of the land remaining within the boundary of the approved tentative map.

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

A note regarding the tract numbering system: in Fresno County, prior to submitting a tentative map, a subdivider must contact the Recorder's Office to be assigned a unique tract number for that tentative map; in this case 5483. Filing of multiple phased final maps based on an approved tentative map requires that each subsequent final map after the first be assigned its own unique tract number. As a result, Vesting Tentative Map No. 5483 has resulted in final maps numbered

5483, 5678, 5826, 5835, 5847, 5925, 6111, and now 6146¹. Any future final maps will also have unique identifying numbers.

ANALYSIS

The owner, KSA Investments, LLC, has submitted a final map covering a portion of the remainder parcel resulting from the recordation of Tract No. 6111. The map, Tract No. 6146, is located east of Amador Avenue and is immediately north of recently-recorded Tract No. 6111. It includes 36 single-family lots along with local streets, curb, gutter, sidewalk, streetlights, and underground utilities. It forms the next logical development area within the overall Las Palmas project. This phase of the project will construct a short extension of Amador Avenue to the north of where it currently exists. This extension is part of a larger overall scheme to provide additional options for ingress and egress. Future phases of the Las Palmas project will continue construction of Amador and other interior streets to complete the area's circulation and further reduce impacts to the Black Avenue system.

As is typical with final maps, the required improvements for service of the mapped area will not be installed prior to final map approval. To that end, the City has prepared a subdivision agreement meeting the requirements of the City Engineer as to content and the City Attorney as to form. The Subdivision Agreement dictates timelines for installation of the required infrastructure, provides for payment of development impact fees, and establishes the required bonds to ensure timely completion of the project. The 36 single-family lots created via recordation of the map will be subject to a total of \$377,605.45 of development impact fees. In the event that the developer constructs offsite improvements, some of these fees will be credited in accordance with the type and cost of those improvements.

Environmental Assessment

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

Public Notice

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

Findings

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

¹ Tract 6146 is commonly referred to as Phase VII of Las Palmas Estates. However, since Phase II of the project was split into two sub-phases (IIA and IIB), Phase VII is actually the eighth phased final map recorded for the project.

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

FISCAL IMPACT

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

RECOMMENDATION

Staff recommends that the City Council adopts Resolution No. 16-72, approving the final map of Tract 6146, accepting all rights-of-way and other public dedications indicated thereon, and approving the subdivision agreement, development impact fees, and bond amounts.

OWNER'S STATEMENT

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER FOR DEDICATION FOR PUBLIC USE THE PARCELS, STREETS, EASEMENTS, AND OUTLOT "A" SPECIFIED ON THIS MAP AS INTENDED FOR PUBLIC USE FOR THE PURPOSES STATED THEREIN.

OWNER: **KSA INVESTMENTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY**

HAIR FAMILY TRUST, MANAGING MEMBER

BY: _____ DATE: _____
STEPHEN W. HAIR, TRUSTEE

NOTARY ACKNOWLEDGMENT

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

STATE OF CALIFORNIA }
COUNTY OF _____ } SS

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

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

SUBDIVISION AGREEMENT

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

SOILS CERTIFICATE

A GEOTECHNICAL INVESTIGATION REPORT FOR THE SUBDIVISION HAS BEEN PREPARED BY KLEINFELDER, INC., REPORT JOB NO. 46915.GEO, DATED OCTOBER 14, 2004, AND SIGNED BY DAVID L. PEARSON, PE, GE NO. 674.

MAP OF TRACT # 6146
LAS PALMAS ESTATES
PHASE VII
CONSISTING OF 3 SHEETS

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

SURVEYED AND PLATTED IN MARCH 2016 BY

HAWKINS & ASSOCIATES ENGINEERING
436 MITCHELL RD. MODESTO,
CALIFORNIA 95354

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

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

BEING THE "UNSUBDIVIDED REMAINDER" AS SHOWN ON THE MAP OF TRACT #6111, LAS PALMAS ESTATES PHASE VI, FILED FOR RECORD IN BOOK 85 OF PLATS, PAGES 96 THROUGH 98, FRESNO COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION OF SAID UNSUBDIVIDED REMAINDER DESCRIBED IN THE DEED TO THE CITY OF MENDOTA, RECORDED AUGUST 21, 2009, AS DOCUMENT NO. 2009-0116175, OF OFFICIAL RECORDS, SAID PORTION DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE "UNSUBDIVIDED REMAINDER" SHOWN ON THE MAP OF TRACT #5835, LAS PALMAS ESTATES PHASE IIIA, FILED FOR RECORD IN BOOK 79 OF PLATS, PAGE 72, FRESNO COUNTY RECORDS, SITUATE IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 14 EAST, MOUNT DIABLO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 397 OF ABOVE SAID TRACT, WHICH POINT ALSO LIES ON THE SOUTH LINE OF ABOVE SAID UNSUBDIVIDED REMAINDER; THENCE NORTH 1°35'45" EAST, A DISTANCE OF 304.33 FEET TO THE POINT OF TANGENCY WITH A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 75.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 64°03'32", A DISTANCE OF 83.85 FEET; THENCE NORTH 28°00'48" EAST, A DISTANCE OF 103.18 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 508.00 FEET, TO WHICH POINT A RADIAL LINE BEARS NORTH 20°44'42" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°13'32", A DISTANCE OF 312.32 FEET TO A POINT ON THE EAST LINE OF SAID UNSUBDIVIDED REMAINDER; THENCE SOUTH 1°35'45" WEST ALONG SAID EASTERLY LINE, A DISTANCE OF 227.34 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 280.00 FEET, TO WHICH POINT A RADIAL LINE BEARS NORTH 61°37'54" WEST; THENCE LEAVING THE EAST LINE OF SAID UNSUBDIVIDED REMAINDER, SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'31", A DISTANCE OF 50.62 FEET TO THE NORTHEAST CORNER OF LOT 399 OF SAID TRACT, SAID POINT ALSO LYING ON THE SOUTH LINE OF SAID UNSUBDIVIDED REMAINDER; THENCE NORTH 89°51'11" WEST ALONG THE SOUTH LINE OF SAID UNSUBDIVIDED REMAINDER, A DISTANCE OF 231.47 FEET, TO THE POINT OF BEGINNING.

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

NOTES

THIS PROPERTY IS AFFECTED BY:

INSTRUMENT #2003-0098349, FRESNO COUNTY RECORDS, RECORDED MAY 1, 2003.

DOCUMENT #104180, BOOK 7120, PAGE 872, FRESNO COUNTY RECORDS, RECORDED SEPTEMBER 18, 1978.

INSTRUMENT #2005-0180536 OF OFFICIAL RECORDS, FRESNO COUNTY.

INSTRUMENT #2007-0122749 OF OFFICIAL RECORDS, FRESNO COUNTY.

SURVEYOR'S STATEMENT

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

KEVIN J. GENASCI DATE
L.S. 8660

CITY ENGINEER'S STATEMENT

I, DAVID M. MCGLASSON, CITY ENGINEER OF THE CITY OF MENDOTA, HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, THAT THE MAP COMPLIES WITH THE PROVISIONS OF THE SUBDIVISION MAP ACT, STATE OF CALIFORNIA STATUTES OF 2016, AND ALL LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT I AM SATISFIED THE MAP IS TECHNICALLY CORRECT.

DAVID M. MCGLASSON, DATE
MENDOTA CITY ENGINEER
P.L.S. 6968

CITY CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MENDOTA, COUNTY OF FRESNO, STATE OF CALIFORNIA, BY RESOLUTION NO. _____ ADOPTED AT THE REGULAR MEETING OF SAID COUNCIL DULY CONVENED AND HELD ON THE _____ DAY OF _____, DID APPROVE THE WITHIN MAP (AND ACCEPTED ON BEHALF OF THE PUBLIC, SUBJECT TO CONSTRUCTION, ALL PARCELS OF LAND, EASEMENTS, AND OUTLOT "A" OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION). IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL OF SAID CITY THIS _____ DAY OF _____, 2016.

MATT FLOOD
CITY CLERK OF THE CITY OF MENDOTA

RECORDER'S CERTIFICATE

DOCUMENT NO. _____ FEE PAID \$ _____
FILED THIS _____ DAY OF _____, 2016,
AT _____ M. IN BOOK _____, OF PLATS, AT PAGES
_____, FRESNO COUNTY RECORDS, AT THE REQUEST OF
STEPHEN W. HAIR.

PAUL DICTOS, C.P.A., ASSESSOR-RECORDER
COUNTY OF FRESNO RECORDS

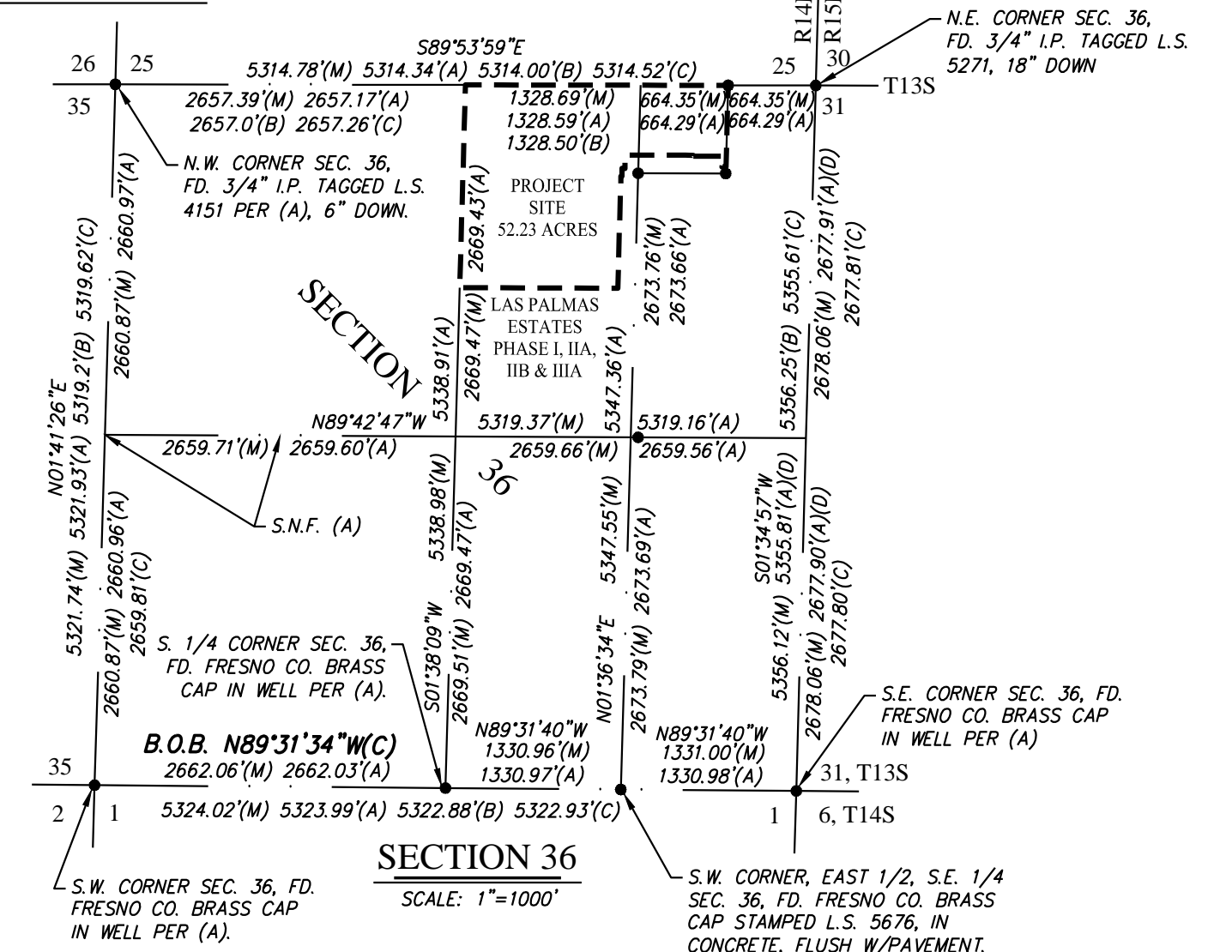
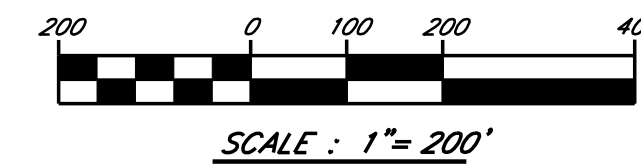
BY: _____
DEPUTY COUNTY RECORDER

MAP OF TRACT # 6146
LAS PALMAS ESTATES
PHASE VII
 CONSISTING OF 3 SHEETS

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

SURVEYED AND PLATTED IN MARCH 2016 BY

HAWKINS & ASSOCIATES ENGINEERING
 436 MITCHELL RD. MODESTO,
 CALIFORNIA 95354



REFERENCES

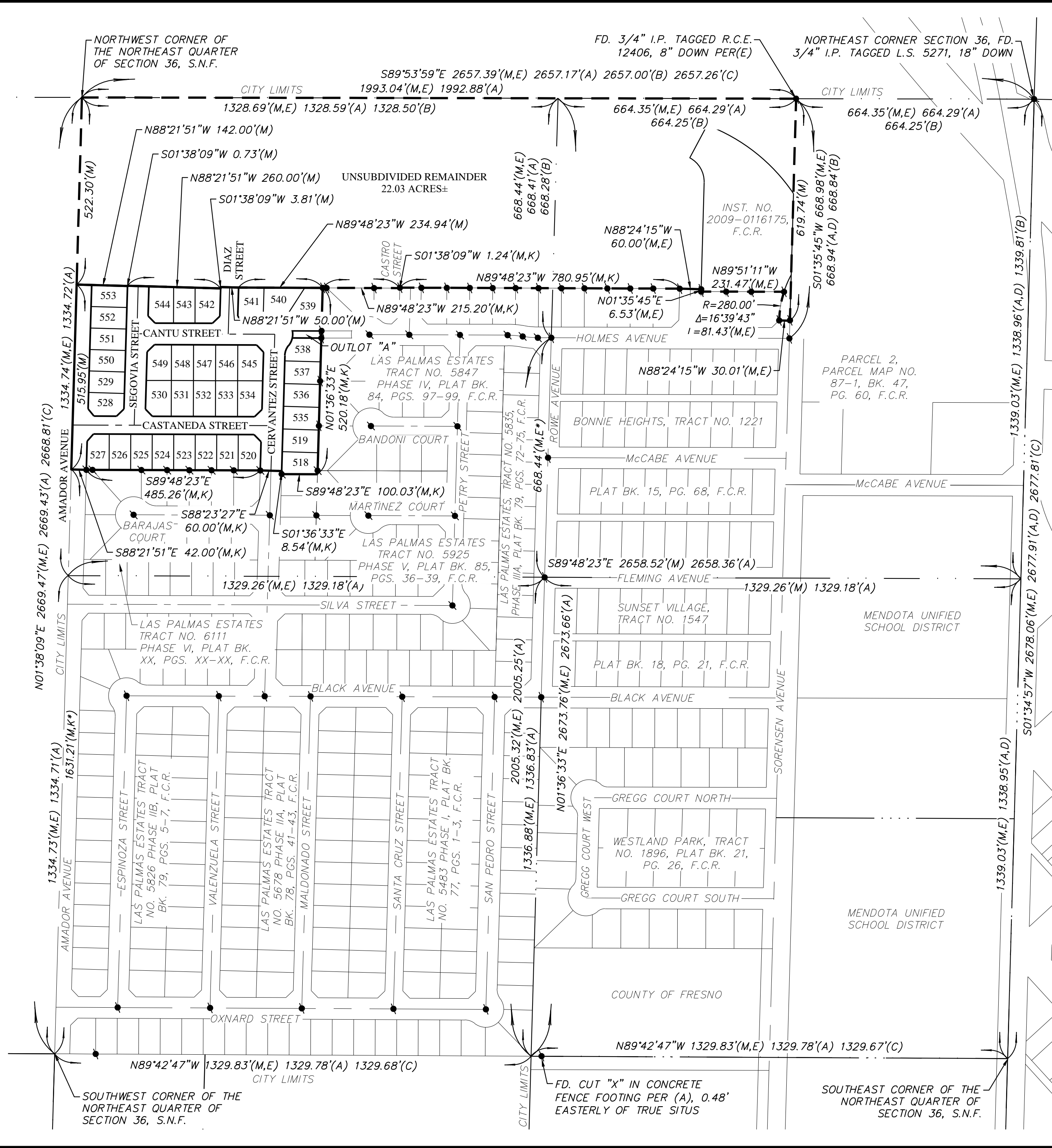
- NOTE: ALL REFERENCES PER FRESNO COUNTY RECORDS
- A. BOOK 34 OF SURVEYS, AT PAGE 70
 - B. VOLUME 15 OF PLATS, AT PAGE 68
 - C. BOOK 10 OF PARCEL MAPS, AT PAGE 38
 - D. BOOK 47 OF PARCEL MAPS, AT PAGE 60
 - E. LAS PALMAS ESTATES IIIA-TRACT NO. 5835-PLAT BK. 79, PGS. 72-75
 - F. LAS PALMAS ESTATES IIB-TRACT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

LEGEND

- INDICATES FOUND MONUMENT, AS NOTED
- ⦿ INDICATES FOUND MONUMENT PER MAP OF TRACT #5483, #5678, #5826, #5835, #5847, #5925, AND #6111 LAS PALMAS ESTATES PHASES I, IIA, IIB, IIIA, IV, V, & VI OR AS NOTED
- (M) MEASURED AS NOTED ON THIS MAP
- INDICATES LIMITS OF TRACT 5925 PHASE VI
- S.N.F. INDICATES SEARCHED, NOTHING FOUND
- (R) RADIAL BEARING
- * CALCULATED PER RECORD

BASIS OF BEARINGS

THE COURSE OF NORTH 89°31'34" WEST ALONG THE SOUTH LINE OF SECTION 36, T.13S., R.14E., AS SHOWN ON PARCEL MAP RECORDED NOVEMBER 15, 1973 IN BOOK 10 OF PARCEL MAPS, AT PAGE 38, FRESNO COUNTY RECORDS, IS THE BASIS FOR ALL BEARINGS ON THIS MAP.



MAP OF TRACT # 6146
LAS PALMAS ESTATES
PHASE VII
 CONSISTING OF 3 SHEETS

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

SURVEYED AND PLATTED IN MARCH 2016 BY

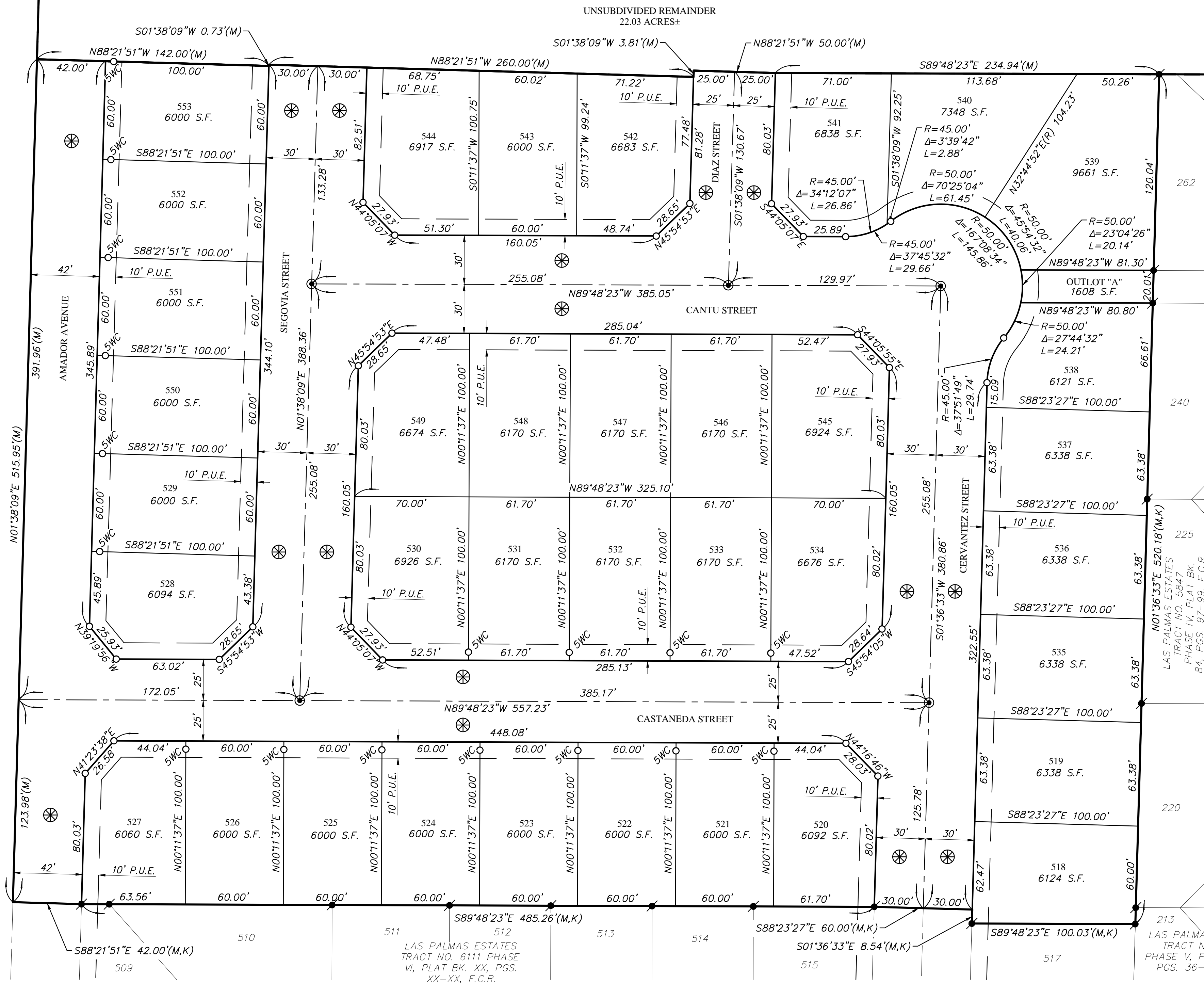
HAWKINS & ASSOCIATES ENGINEERING
 436 MITCHELL RD. MODESTO,
 CALIFORNIA 95354

LEGEND

- INDICATES FOUND MONUMENT PER MAP OF TRACT #5483, #5678, #5826, #5835, #5847, & #6111 LAS PALMAS ESTATES PHASES I, IIA, IIB, IIIA, IV, V, & VI OR AS NOTED
- INDICATES SET 2.5" LONG, 3/4"Ø IRON PIPE TAGGED L.S. 8660 6" BELOW GRADE
- 5WC ○ INDICATES SET 2.5" LONG, 3/4"Ø IRON PIPE TAGGED L.S. 8660 6" BELOW GRADE AND 5.00 FEET FROM TRUE POSITION ALONG LOT LINE
- ⊗ INDICATES SET BRASS CAP IN CONCRETE, STAMPED L.S. 8660, FLUSH WITH PAVEMENT, PER CITY OF MENDOTA STANDARD DWG M-9
- ┴ INDICATES SET 2.5" LONG, 3/4"Ø IRON PIPE TAGGED L.S. 8660 AT LOT CORNERS, 6" BELOW GRADE, PER CITY OF MENDOTA STANDARD DWG M-9
- P.U.E. INDICATES PUBLIC UTILITY EASEMENT
- (M) MEASURED AS NOTED ON THIS MAP
- ⊗ OFFERED FOR DEDICATION FOR PUBLIC STREET AND UTILITY PURPOSES
- INDICATES LIMITS OF TRACT 5925 PHASE VI
- (R) INDICATES RADIAL BEARING

NOTES

1. SEE SHEET 2 FOR BASIS OF BEARING AND REFERENCES.
2. ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
3. SUBDIVISION CONTAINS 36 LOTS ON 8.09 GROSS ACRES, MORE OR LESS.
4. OUTLOT "A" IS FOR PEDESTRIAN ACCESS PURPOSES AND IS OFFERED TO THE CITY OF MENDOTA IN FEE.



SUBDIVISION AGREEMENT
TRACT No. 6146
PHASE VII OF VESTING TENTATIVE MAP No. 5483

Las Palmas Estates

CITY OF MENDOTA
FRESNO COUNTY, CALIFORNIA

THIS AGREEMENT is made this _____ day of _____, 2016, by and between the City of Mendota, a Municipal Corporation (herein "City"), and KSA Investments, L.L.C., a Delaware Limited Liability Company (herein "Owner"), the owner of record, without regard for number or gender.

RECITALS

A. Owner has filed with the City a Final Map proposing the subdivision of land owned by Owner, and referred to as Tract No. 6146, Phase VII of Las Palmas Estates, situated in the City of Mendota, along with certain Plans, Specifications and Detail Documents. Upon requesting approval by the City, Owner shall deliver all required documents and pay all fees required under the Mendota Municipal Code, and this Agreement.

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

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

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

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

AGREEMENT

In consideration of approval by the **City** of the Final Map of Tract No. 6146 (Phase VII of Vesting Tentative Map No. 5483) for filing and recording as provided and required by law, it is mutually agreed and understood by and between Owner and City as follows:

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

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

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

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

	<u>Date of Completion</u>
Onsite and Offsite Grading	12-1-2018
Water Facilities	12-1-2018
Sewer Facilities	12-1-2018
Storm Drainage Facilities	12-1-2018
Gas, Electrical, and Telephone Facilities	12-1-2018
Street Improvements including Sidewalks	12-1-2018
Street Lights and Signage	12-1-2018

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

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

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

- d. "Division" shall mean and include the real property shown and described on the final map of Tract No. 6146, Phase VII of approved Vesting Tentative Map No. 5483, Las Palmas Estates, including street areas of adjacent existing public streets to the centerlines thereof.
3. All of the work and improvements and materials shall be performed, installed, and provided in strict accordance with the Standard Specifications, and all applicable Building Codes incorporated herein as though set forth in full. All said work and improvements shall also comply with the requirements of the City of Mendota Municipal Code. All of said work and improvements and materials shall be done, performed, and installed under the supervision of the Engineer and the Building Official of the City of Mendota, under whose directions the work shall be inspected as it progresses.

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

4. Owner agrees to perform and construct all work and improvements shown on the approved Plans on file with the Building Official of the City of Mendota,
5. Owner and City hereby agree that Owner is obligated to pay those fees and charges as set forth on Exhibit "A", attached hereto and incorporated herein by reference. Said fees and charges are due and payable upon approval of the Agreement by the City, unless agreed otherwise. City fees shall be collected per City regulations, or upon issuance of individual building permits for residences within the tract as agreed between Owner and City in accordance with applicable City ordinances and regulations.
6. Neither City nor any of its officers or agents shall be liable to Owner or its contractors for any error or omission arising out of or in connection with any work to be performed under this contract.
7. City shall not be liable to Owner or to other person, firm, or corporation whatsoever, for any injury or damage that may result to any person or property by or from any cause whatsoever in, on, or about the subdivision of said land covered by this agreement, or any part thereof.
8. Owner hereby releases and agrees to indemnify and hold City and its officers, agents, and employees harmless from and against any and all injuries to and deaths of persons and injuries to property, and all claims, demands, costs, loss, damage and liability, howsoever, the same may be caused and whensoever the same may appear, resulting directly or indirectly from the performance or non-performance of any or all work to be done in and upon the public street rights-of-way and upon the premises adjacent thereto pursuant to this agreement, and also from any and all injuries to and deaths of persons and injuries to property or other interests, and all claims, demands, costs, loss, damage, and liability, howsoever same may be caused and whensoever the same may appear, either directly or indirectly made or suffered by the Owner, the Owner's agents, employees, and subcontractors, while engaged in the performance of said work.

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

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

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

9. Upon completion of the improvements agreed to herein, Owner shall file a Notice of Completion of the improvements herein specified pursuant to Government Code Section 66499(b). This instrument shall be recorded and indexed in the Grantor Index to the names of all record owners of the property and in the Grantee Index to the City.
10. At the time Plans, Specifications, and Detail Documents for offsite and onsite improvements are approved, Owner shall submit the final documents and shall furnish to the City in a form acceptable to the City Attorney the following:
 - a. Improvement security in the amount of one-hundred-fifty percent (150%) of the total estimated cost for the faithful performance of all work and improvements required by this agreement;
 - b. Improvement security in the amount of one-hundred percent (100%) of the estimated cost of all required work to secure payment to the Contractor, his or her subcontractors, and to persons renting equipment or furnishing labor or materials for such improvements;

- c. Improvement security to secure the maintenance of the offsite improvements for a period of one (1) year after the completion and acceptance thereof against any defective work or labor done, or defective materials furnished, in the performance of the agreement with the City or the performance of the act. Said security shall not exceed an amount equal to twenty-five percent (25%) of the estimated cost of furnishing and installing said Offsite facilities. This security shall be in addition to any warranty required of the manufacturer;
 - d. Security in the amount equal to the estimated cost of placing all monuments and lot corners not set at the time the Final Map is recorded, as specified by the Subdivision Ordinance.
 - e. As a part of the obligation guaranteed by the security and in addition to the face amount of the security, there shall be included costs and reasonable expenses and fees, including reasonable attorney's and administration fees, incurred by the local agency in successfully enforcing the obligation secured.
 - f. Security in the estimated amount of taxes and special assessments collected as taxes which are a lien but which are not as yet payable as referred to in Government Code Section 66493, or satisfactory evidence in the form of a written receipt of prepayment of said taxes and special assessments as described herein at the time of recordation of the Final Map.
- 11. Owner and Owner's contractors and subcontractors shall pay for any materials, provisions and other supplies or terms used in, upon, for, or about the performance of the work contracted to be done, and for any work or labor thereon of any kind and for amounts due under the Unemployment Insurance Act of the State of California, with respect to such work or labor, and shall file with City pursuant to Section 3800 of the Labor Code a Certificate of Worker's Compensation and shall maintain a valid policy of Worker's Compensation Insurance for the duration for the period of construction.
 - 12. Compaction soil tests and retests shall be paid for by Owner. Street and onsite utility trench tests shall be taken in varying locations and depths as required and directed by the Engineer.
 - 13. Owner shall comply with Street, Plumbing, Electrical, and Zoning Codes and any other Codes of the City, and Owner shall secure an Encroachment Permit before working within any City of Mendota public right-of-way.
 - 14. Owner shall coordinate all work done by Owner's contractors and subcontractors, such as scheduling the sequence of operations and the determination of liability if one operation delays another. In no case shall representatives of City be placed in the position of making decisions that are the responsibility of Owner. It shall further be the responsibility of Owner to give the City Engineer written notice not less than two (2) working days in advance of the actual date on which work is to be started. Failure on the part of Owner to timely notify the City Engineer may cause delay for which Owner shall be solely responsible.

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

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

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

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

If within twenty-four (24) hours after such personal service of such notice or within forty-eight (48) hours after the mailing thereof as herein provided Owner shall not have commenced to maintain adequate dust control or shall at any time hereafter fail to maintain adequate dust control, the City Engineer may, without further notice of any kind, cause any such work to be completed by City forces or by others, as he may deem advisable to eliminate the scattering of dust. Owner agrees to pay to City forthwith, upon receipt of billing therefore, the entire cost to City of such work. When the surfacing on any existing street area is disturbed, this surfacing shall be replaced with temporary or permanent surfacing within fourteen (14) calendar days, and the roadway shall be maintained in a safe and passable condition at all times between the commencement and final completion, and adequate dust control shall be maintained during these operations.

17. Owner shall perform all work within the public rights-of-way and install all street improvements in accordance with Title 16, Chapter 16.32 of the Municipal Code of the City of Mendota, the City of Mendota Standard Specifications, and the State of California Department of Transportation Standard Specifications, current edition, and the approved construction plans.

18. Concrete curbs and gutters, the sanitary sewer system, water system, storm drainage pipeline and structures, together with water mains, gas mains, and their respective service connections, shall be completed and accepted by the City Engineer before finish pavement improvements are started.
19. Time is of the essence of this agreement, and the same shall bind and inure to the benefit of the parties hereto, their successors and assigns.
20. No assignment of this agreement nor of any duty or obligation of performance hereunder shall be made in whole or in part by Owner without the prior written consent of City.
21. This agreement includes the following Exhibits that are included herewith and made a part of this agreement:
 - a. Exhibit A — Fees and Bond Requirements
 - b. Exhibit B — Security
 - c. Exhibit C — Resolution and Conditions of Approval, Vesting Tentative Map No. 5483
 - d. Exhibit D — Final Map, Tract No. 6146, Las Palmas Estates Phase VII
22. In the event it becomes necessary for either party to bring an action with respect to enforcement of the provisions of this agreement, or the security herewith, the prevailing party in such action shall be awarded reasonable attorney's fees and court costs as may be determined by the court.
23. Owner agrees to defend, indemnify and hold harmless the City, and its respective agents, officers, and employees from any claim, action, or proceeding against any of them to attack, set aside, void, or annul, any approval of the City or Fresno County concerning action brought within the time period provided for in Government Code Section 66499.37. The City agrees to properly notify the Owner of any claim, action or proceeding, and the City agrees to cooperate fully in the defense.
24. In the event an extension is granted to the time within which all work is to be completed, the Owner agrees that it will comply with all the applicable improvement standards in effect at the time the extension is granted.
25. It is agreed that all conditions of approval shall apply to and be included in this Agreement.
26. The City Engineer is assumed to be a just arbitrator between City, Owner, and the Contractor, and the entire work is under his jurisdiction to such end. It is his function to interpret the drawings and specifications; and pass judgment upon merits of materials and workmanship.
27. The Owner agrees to obtain a City of Mendota Business License for the General Contractor and for each of the Sub-Contractors performing construction work on the improvements.
28. Pursuant to Government Code Section 66462 and Mendota Municipal Code Section 16.32.390, the undersigned hereby certify and acknowledge that the construction of improvements identified herein shall be completed on or before December 1, 2018 or any approved extension thereof.

29. The Owner acknowledges that the City has formed a community facilities district (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") to finance all or a portion of the cost of providing police, fire and paramedic services, as well any other services determined by the City which are allowed to be financed pursuant to the Act, that are in addition to those provided in the territory within the CFD prior to the formation of the CFD and do not supplant services already available within the territory proposed to be included in the CFD and to levy a special tax to pay for such services. The Owner agrees to include Tract No. 6146 in the CFD or annex Tract No. 6146 into the CFD, and the Owner shall cooperate with the City and take any necessary actions in order to assist the City in annexing Tract No. 6146 into the CFD. In furtherance of the foregoing, the Owner agrees to approve the levy of a special tax on any residential dwelling unit in the amount that is no less than \$865.30 per year but not greater than \$865.30 per year, which shall be subject to an annual escalation factor of no less than 2% but no greater than the rate of increase in the Consumer Price Index published by the U.S. Department of Labor for the County of Fresno.

In the event the Owner does not cooperate with the City and Tract No. 6146 is not included in the CFD or annexed into the CFD, the Owner agrees to pay the City an amount equal to the present value of all future special tax that would have been levied within Tract No. 6146 using a discount rate determined by the City in its sole discretion and assuming sixty (60) years of levy, which shall be used to mitigate the impact on the City's general fund in providing funds to finance the services described above.

(Signatures on Following Page)

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

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

Stephen W. Hair, Trustee

CITY: CITY OF MENDOTA, a Municipal Corporation

Robert Silva, Mayor

ATTEST:

Matt Flood, City Clerk

APPROVED AS TO FORM:

John P. Kinsey, City Attorney

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

Fees 1 through 11 are due and payable per unit at the time the Building Permit is issued.

1.	City management \$218.81 per unit x 36 units	\$7,877.16
2.	Law Enforcement \$591.49 per unit x 36 units	\$21,293.64
3.	Fire Protection \$714.10 per unit x 36 units	\$25,707.60
4.	Storm Drainage \$5,169.45 per acre x 7.62 acres (<u>\$1,094.20 per unit for Tract No. 6146 only</u>)	\$39,391.21
5.	Water Supply & Treatment \$2,350.30 per unit x 36 units	\$84,610.80
6.	Wastewater & Treatment \$1,947.56 per unit x 36 units	\$70,112.16
7.	Traffic \$690.05 per unit x 36 units	\$24,841.80
8.	Recreational Facilities \$1,364.51 per unit x 36 units	\$49,122.36
9.	Water Service Connection Charges \$420.77 per unit x 36 units	\$15,147.72
10.	Sewer Service Connection Charges \$480.88 per unit x 36 units	\$17,311.68
11.	West Side Sewer Interceptor \$616.37 per unit x 36 units	\$22,189.32
12.	Other (due upon approval of agreement and before construction)	
	(a) Deposit estimated inspection fees (Owner will be required to pay any cost that exceeds the deposited amount shown)	\$23,778.27
	(b) Performance bond, lien, cash deposit, approved by the City Attorney	\$1,779,556.23
	(c) Labor and material bond, lien, cash deposit approved by City Attorney	\$1,199,704.15
	(d) Off-Site warranty security	N/A
	(e) A surety bond approved by the City Attorney to guarantee payment for placing street monuments and lot corners	\$2,500.00
	(f) A cash security in the amount of taxes which are a lien but are not yet payable, or evidence of taxes paid (for maps filed for recordation in November or December). Amount to be determined by Fresno County Auditor.	

EXHIBIT "B"
SECURITY

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

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

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

RESOLUTION NO. 05-15

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

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

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

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

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

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

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

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

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

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

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

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

Standard Conditions

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

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

Subdivision Design

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

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

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

Incidental Conditions

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

Weekdays from 7:00 a.m. to 6:00 p.m.;
Saturday from 8:00 a.m. to 5:00 p.m.;
Sunday and Holidays – no construction allowed unless
authorization is granted by the City Manager.

30. The project applicant and/or land developer shall adhere to the San Joaquin Valley Unified Air Pollution Control District Regulation VIII through the implementation of the following measures to reduce air pollutant emissions generated during the construction phase of the project:
 - a. On-site vehicle speed on unpaved roads shall be limited to 15 miles per hour;
 - b. Loaded haul trucks, operating at speeds over 15 miles per hour, shall be equipped with tarpaulins or other effective covers, or shall maintain at least two feet of freeboard;
 - c. Water trucks shall be used regularly to reduce dust and particulates generated during construction and along non-paved surfaces;
 - d. Construction shall be restricted or banned on days of high winds (exceeding 30 miles per hour).

31. Air Quality Design

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

32. Cultural Resource Management

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

Mitigation Measures:

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

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

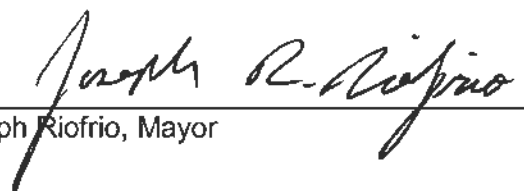
PASSED AND ADOPTED, by the City of Mendota City Council regularly scheduled meeting held on the 22nd day of March 2005.

AYES: 3 John Flores, Yvette Quiroga and Rene Covarrubia

NOES: 1 Joseph Riofrio

ABSTAIN: 1 Robert Silva

ABSENT: 0



Joseph Riofrio, Mayor

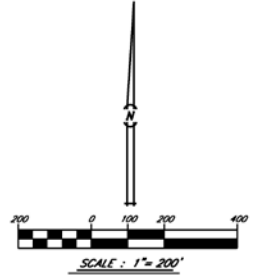
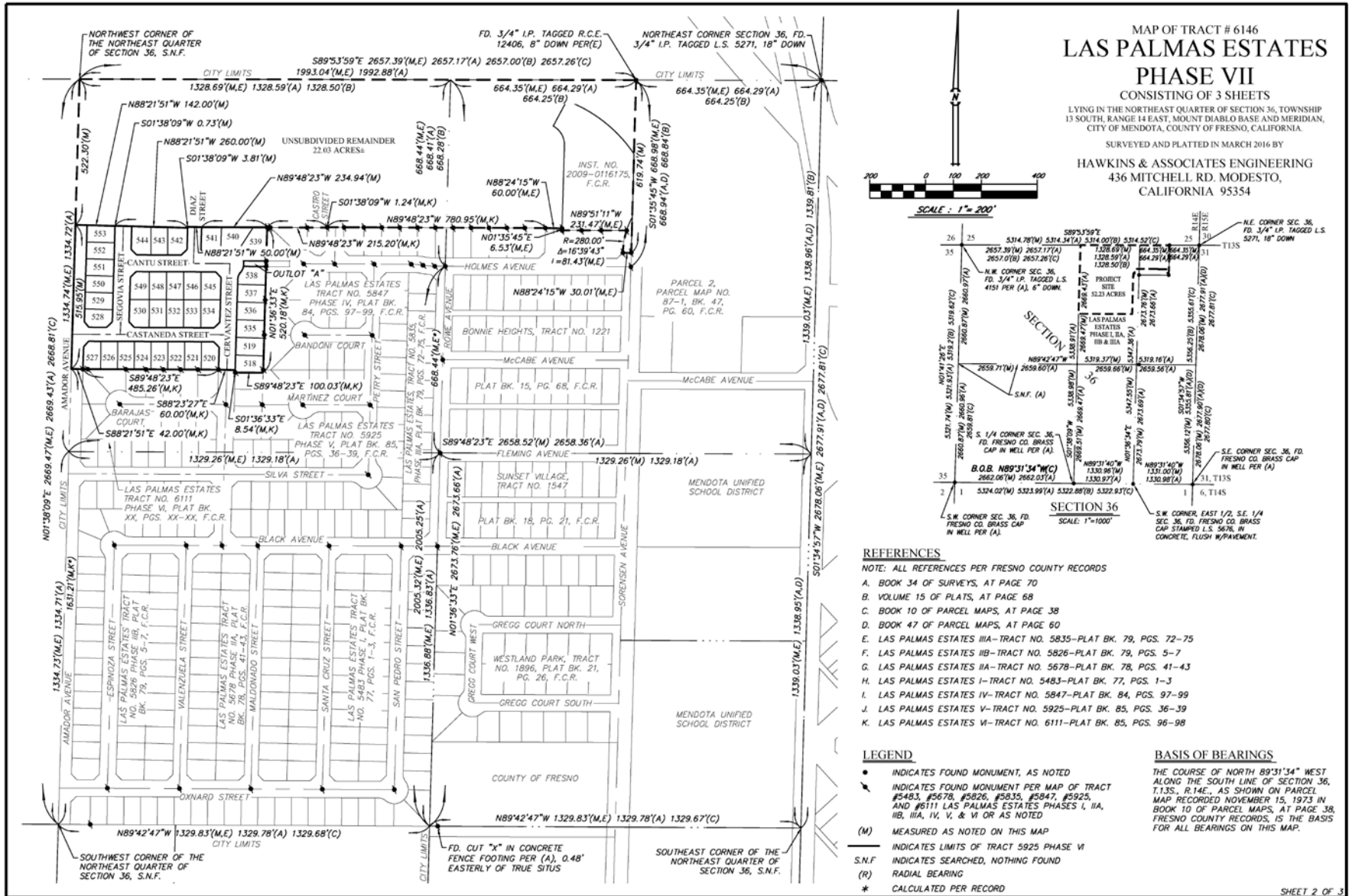
ATTEST:



Brenda L. Carter, City Clerk

Exhibit "D"

Tract No. 6146



MAP OF TRACT # 6146
LAS PALMAS ESTATES
PHASE VII
 CONSISTING OF 3 SHEETS
 LYING IN THE NORTH EAST QUARTER OF SECTION 36, TOWNSHIP
 13 SOUTH, RANGE 14 EAST, MOUNT Diablo BASE AND MERIDIAN,
 CITY OF MENDOTA, COUNTY OF FRESNO, CALIFORNIA.
 SURVEYED AND PLATTED IN MARCH 2016 BY
HAWKINS & ASSOCIATES ENGINEERING
 436 MITCHELL RD. MODESTO,
 CALIFORNIA 95354



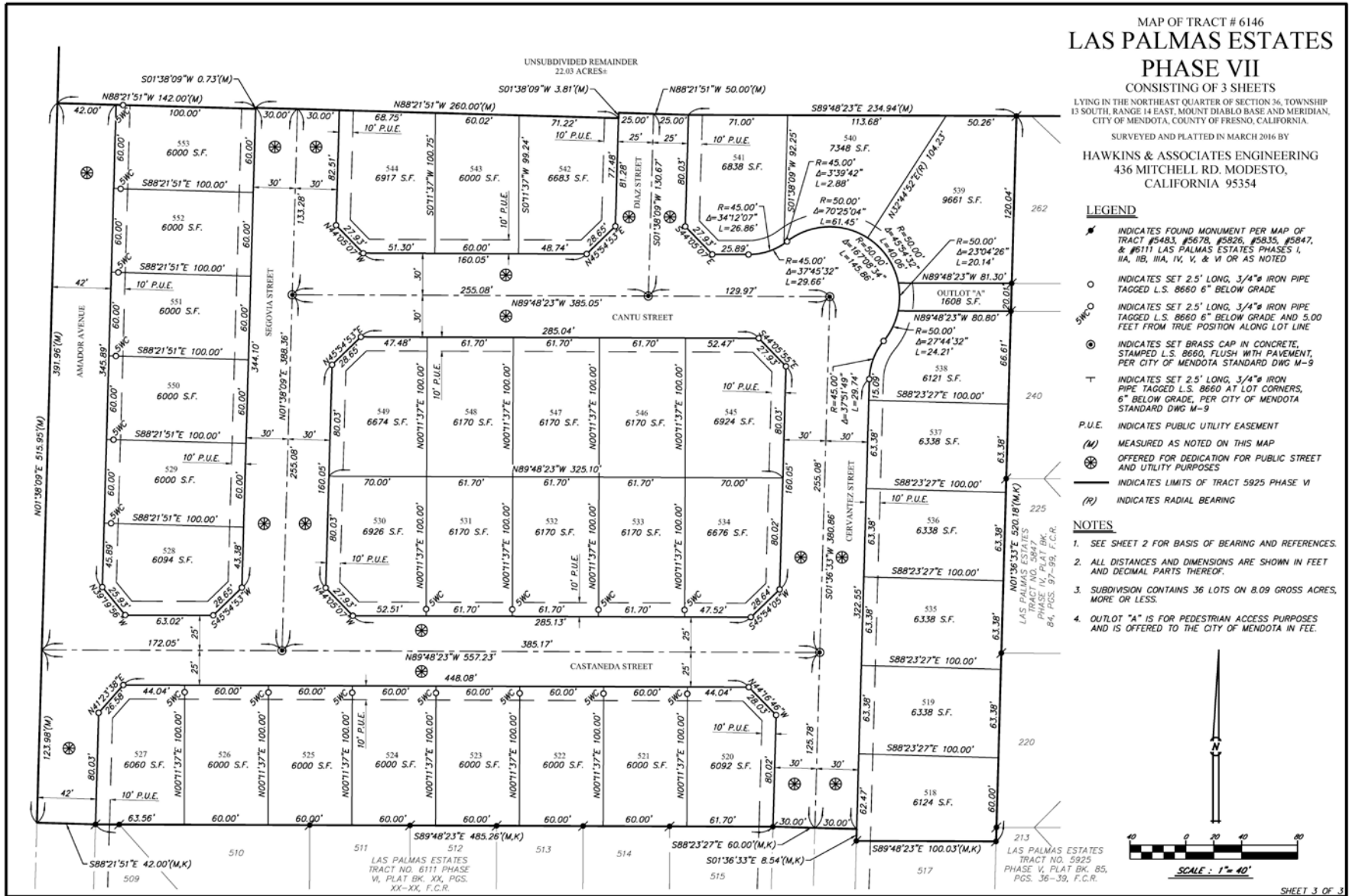
- REFERENCES**
- NOTE: ALL REFERENCES PER FRESNO COUNTY RECORDS
- A. BOOK 34 OF SURVEYS, AT PAGE 70
 - B. VOLUME 15 OF PLATS, AT PAGE 68
 - C. BOOK 10 OF PARCEL MAPS, AT PAGE 38
 - D. BOOK 47 OF PARCEL MAPS, AT PAGE 60
 - E. LAS PALMAS ESTATES IIIA--TRACT NO. 5835--PLAT BK. 79, PGS. 72-75
 - F. LAS PALMAS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

- LEGEND**
- INDICATES FOUND MONUMENT, AS NOTED
 - INDICATES FOUND MONUMENT PER MAP OF TRACT #5483, #5678, #5826, #5835, #5847, #5925, AND #6111 LAS PALMAS ESTATES PHASES I, IIA, IIB, IIIA, IV, V, & VI OR AS NOTED
 - (M) MEASURED AS NOTED ON THIS MAP
 - INDICATES LIMITS OF TRACT 5925 PHASE VI
 - S.N.F INDICATES SEARCHED, NOTHING FOUND
 - (R) RADIAL BEARING
 - * CALCULATED PER RECORD

BASIS OF BEARINGS

THE COURSE OF NORTH 89°31'34" WEST ALONG THE SOUTH LINE OF SECTION 36, T.13S., R.14E., AS SHOWN ON PARCEL MAP RECORDED NOVEMBER 15, 1973 IN BOOK 10 OF PARCEL MAPS, AT PAGE 38, FRESNO COUNTY RECORDS, IS THE BASIS FOR ALL BEARINGS ON THIS MAP.

Exhibit "D"
Tract No. 6146



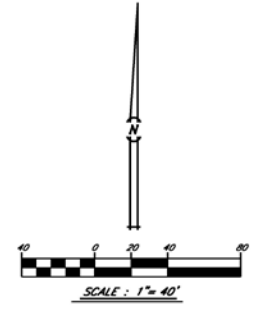
MAP OF TRACT # 6146
LAS PALMAS ESTATES
PHASE VII
CONSISTING OF 3 SHEETS

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

SURVEYED AND PLATTED IN MARCH 2016 BY
HAWKINS & ASSOCIATES ENGINEERING
436 MITCHELL RD. MODESTO,
CALIFORNIA 95354

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

- NOTES**
1. SEE SHEET 2 FOR BASIS OF BEARING AND REFERENCES.
 2. ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
 3. SUBDIVISION CONTAINS 36 LOTS ON 8.09 GROSS ACRES, MORE OR LESS.
 4. OUTLOT "A" IS FOR PEDESTRIAN ACCESS PURPOSES AND IS OFFERED TO THE CITY OF MENDOTA IN FEE.



Subdivision Bond
Labor & Material

Bond No. PB02762300131
Premium included in Performance Bond

SUBDIVISION BOND

KNOW ALL MEN BY THESE PRESENTS: That KSA Investments, LLC as Principal, and Philadelphia Indemnity Insurance Company, a corporation organized and existing under the laws of the State of Pennsylvania and authorized to transact surety business in the State of California, as Surety are held and firmly bound unto City of Mendota in the sum of one million, one hundred ninety-nine thousand, seven hundred four & 15/100----- Dollars (\$1,199,704.15-----), for the payment whereof, well and truly to be made, said Principal and Surety bind themselves, their heirs, administrators, successors and assigns, jointly and severally, firmly by these presents.

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

Tract 6146, Phase VII of Las Palmas Estates

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

SIGNED, SEALED, DATED: October 12, 2016 .

KSA Investments, LLC
(Principal) (Seal)

By: [Signature]

Philadelphia Indemnity Insurance Company
(Surety) (Seal)

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California)
County of Santa Clara)

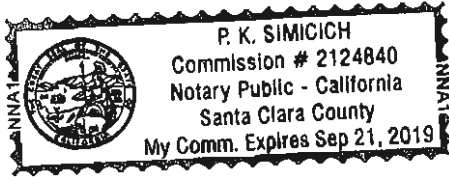
On October 12, 2016 before me, P. K. Simicich, Notary Public
Date Here Insert Name and Title of the Officer

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

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

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

WITNESS my hand and official seal.



Signature *[Handwritten Signature]*
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

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

Capacity(ies) Claimed by Signer(s)

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

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

California All-Purpose Acknowledgement

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

State of California

County of Kern

On 10/13/2014 before me, Grace T. Kerber, Notary Public
Name of Notary Public, Title

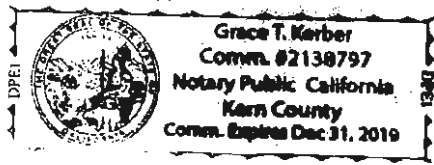
personally appeared Stephen W. Hall

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

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

Witness my hand and official seal.

Grace T. Kerber
Signature of Notary Public



Seal

OPTIONAL INFORMATION

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

Description of Attached Document

The preceding Certificate of Acknowledgement is attached to a

_____ Title or description of Document

containing, _____ pages, and dated _____.

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

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

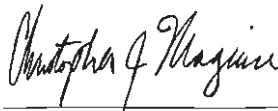
Its true and lawful Attorney (s) in fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$5,000,000.00.

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

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

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

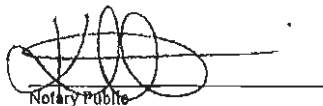
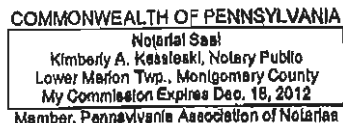
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 18TH DAY OF JULY, 2011.



President


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

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


Notary Public

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

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 12th day of October 2011.


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

Subdivision Bond
Faithful Performance

Bond No. PB02762300131
Premium \$ 26,693.00

SUBDIVISION BOND

KNOW ALL MEN BY THESE PRESENTS: That KSA Investments, LLC as Principal, and Philadelphia Indemnity Insurance Company, a corporation organized and existing under the laws of the State of Pennsylvania and authorized to transact surety business in the State of California, as Surety are held and firmly bound unto City of Mendota in the sum of ^{one million,} seventy-nine thousand, five hundred fifty-six & 23/100 Dollars (\$1,779,556.23-----), for the payment whereof, well and truly to be made, said Principal and Surety bind themselves, their heirs, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

WHEREAS the above Named Principal has entered into an agreement, dated _____, _____, with the City of Mendota to do and perform the following work, to wit:

Tract No. 6146, Phase VII of Las Palmas Estates

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

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney in Fact at Irvine, California this 12th day of October, 20 16.

KSA Investments, LLC
(Principal) (Seal)

By: [Signature]

Philadelphia Indemnity Insurance Company
(Surety) (Seal)

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California)
County of Santa Clara)

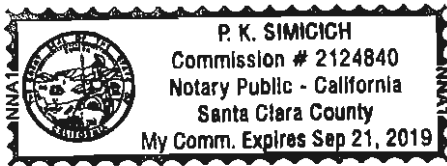
On October 12, 2016 before me, P. K. Simicich, Notary Public,
Date Here Insert Name and Title of the Officer

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

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

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

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

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

Capacity(ies) Claimed by Signer(s)

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

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

California All-Purpose Acknowledgement

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

State of California

County of Kern

On 10/13/14 before me, Grace T. Kerber, Notary Public
Name of Notary Public, Title

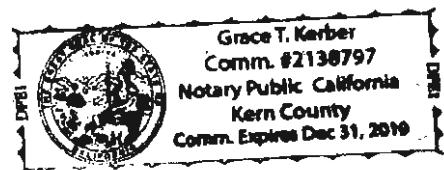
personally appeared Stephen W. Haer

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

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

Witness my hand and official seal.

Grace T. Kerber
Signature of Notary Public



Seal

OPTIONAL INFORMATION

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

Description of Attached Document

The preceding Certificate of Acknowledgement is attached to a

_____ Title or description of Document

containing, _____ pages, and dated _____.

Bond No. PB02762300132
Premium: \$100.00

MONUMENT BOND

Subdivision Map Act Bond Format

WHEREAS, **KSA Investments, LLC**, hereinafter designated as “Principal”, desires to record a final map for the development identified as: **Tract No. 6146, Phase VII of Las Palmas Estates**

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

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

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

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

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

IN WITNESS WHEREOF, this instrument has been duly executed by the principal and surety above named, on 12th, October, 2016.

Principal

KSA Investments, LLC

By: _____

Surety

Philadelphia Indemnity Insurance Company

By: _____

Charles M. Griswold, Attorney-in-fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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State of California)
County of Santa Clara)

On October 12, 2016 before me, P. K. Simicich, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Charles M. Griswold
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

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

Capacity(ies) Claimed by Signer(s)

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

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

California All-Purpose Acknowledgement

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State of California

County of Kern

On 10/13/2016 before me, Grace T. Kerber, Notary Public
Name of Notary Public, Title

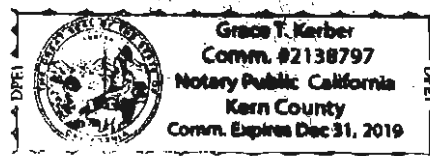
personally appeared Stephen W. Hair

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

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

Witness my hand and official seal.

Grace T. Kerber
Signature of Notary Public



Seal

OPTIONAL INFORMATION

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Description of Attached Document

The preceding Certificate of Acknowledgement is attached to a

_____ Title or description of Document

containing, _____ pages, and dated _____.



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

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

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

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

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

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

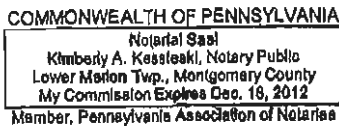
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 18TH DAY OF JULY, 2011.



President

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

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



Notary Public

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

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 12th day of October 2011.

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

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA IN THE MATTER
OF APPROVAL OF THE FINAL MAP OF
TRACT NO. 6146, AND ENTERING INTO A
SUBDIVISION AGREEMENT THEREFOR**

RESOLUTION NO. 16-72

WHEREAS, KSA Investments, LLC, a Delaware Limited Liability Company, (“Owner”) has applied for approval of a final map designated as Tract No. 6146, Phase VII of Las Palmas Estates (“Map”); and

WHEREAS, the Map comprises a 36-lot phased final map prepared pursuant to approved Vesting Tentative Map No. 5483, said Vesting Tentative Map valid as of the time of filing of the final map; and

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mendota that the final map of Tract No. 6146 as incorporated herein as Attachment A hereto substantially conforms to approved Vesting Tentative Map No. 5483, and is hereby approved.

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

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at Mendota City Hall on the 25th day of October, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

Attachment "A", Page 1

OWNER'S STATEMENT

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER FOR DEDICATION FOR PUBLIC USE THE PARCELS, STREETS, EASEMENTS, AND OUTLOT "A" SPECIFIED ON THIS MAP AS INTENDED FOR PUBLIC USE FOR THE PURPOSES STATED THEREIN.

OWNER: KSA INVESTMENTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY
HAIR FAMILY TRUST, MANAGING MEMBER
BY: STEPHEN W. HAIR, TRUSTEE DATE:

NOTARY ACKNOWLEDGMENT

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

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

SUBDIVISION AGREEMENT

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

SOILS CERTIFICATE

A GEOTECHNICAL INVESTIGATION REPORT FOR THE SUBDIVISION HAS BEEN PREPARED BY KLEINFELDER, INC., REPORT JOB NO. 48915.GEO, DATED OCTOBER 14, 2004, AND SIGNED BY DAVID L. PEARSON, PE, GE NO. 674.

MAP OF TRACT # 6146
LAS PALMAS ESTATES
PHASE VII
CONSISTING OF 3 SHEETS
LYING IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 14 EAST, MOUNT DIABLO BASE AND MERIDIAN, CITY OF MENDOTA, COUNTY OF FRESNO, CALIFORNIA.
SURVEYED AND PLATTED IN MARCH 2016 BY
HAWKINS & ASSOCIATES ENGINEERING
436 MITCHELL RD. MODESTO, CALIFORNIA 95354

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

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

BEING THE "UNSUBDIVIDED REMAINDER" AS SHOWN ON THE MAP OF TRACT #6111, LAS PALMAS ESTATES PHASE VI, FILED FOR RECORD IN BOOK 85 OF PLATS, PAGES 96 THROUGH 98, FRESNO COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION OF SAID UNSUBDIVIDED REMAINDER DESCRIBED IN THE DEED TO THE CITY OF MENDOTA, RECORDED AUGUST 21, 2009, AS DOCUMENT NO. 2009-0116175, OF OFFICIAL RECORDS, SAID PORTION DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE "UNSUBDIVIDED REMAINDER" SHOWN ON THE MAP OF TRACT #5835, LAS PALMAS ESTATES PHASE IIIA, FILED FOR RECORD IN BOOK 79 OF PLATS, PAGE 72, FRESNO COUNTY RECORDS, SITUATE IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 14 EAST, MOUNT DIABLO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 397 OF ABOVE SAID TRACT, WHICH POINT ALSO LIES ON THE SOUTH LINE OF ABOVE SAID UNSUBDIVIDED REMAINDER; THENCE NORTH 1°35'45" EAST, A DISTANCE OF 304.33 FEET TO THE POINT OF TANGENCY WITH A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 75.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 64°03'32" A DISTANCE OF 83.85 FEET; THENCE NORTH 28°00'48" EAST, A DISTANCE OF 103.18 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 508.00 FEET, TO WHICH POINT A RADIAL LINE BEARS NORTH 20°44'42" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°13'32" A DISTANCE OF 312.32 FEET TO A POINT ON THE EAST LINE OF SAID UNSUBDIVIDED REMAINDER; THENCE SOUTH 1°35'45" WEST ALONG SAID EASTERLY LINE, A DISTANCE OF 227.34 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 280.00 FEET, TO WHICH POINT A RADIAL LINE BEARS NORTH 61°37'54" WEST; THENCE LEAVING THE EAST LINE OF SAID UNSUBDIVIDED REMAINDER, SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'31" A DISTANCE OF 50.62 FEET TO THE NORTHEAST CORNER OF LOT 399 OF SAID TRACT, SAID POINT ALSO LYING ON THE SOUTH LINE OF SAID UNSUBDIVIDED REMAINDER; THENCE NORTH 89°51'11" WEST ALONG THE SOUTH LINE OF SAID UNSUBDIVIDED REMAINDER, A DISTANCE OF 231.47 FEET, TO THE POINT OF BEGINNING.

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

NOTES

THIS PROPERTY IS AFFECTED BY:
INSTRUMENT #2003-0098349, FRESNO COUNTY RECORDS, RECORDED MAY 1, 2003.
DOCUMENT #104180, BOOK 7120, PAGE 872, FRESNO COUNTY RECORDS, RECORDED SEPTEMBER 18, 1978.
INSTRUMENT #2005-0180536 OF OFFICIAL RECORDS, FRESNO COUNTY.
INSTRUMENT #2007-0122749 OF OFFICIAL RECORDS, FRESNO COUNTY.

SURVEYOR'S STATEMENT

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

KEVIN J. GENASCO DATE
L.S. 8660

CITY ENGINEER'S STATEMENT

I, DAVID M. MCGLOSSON, CITY ENGINEER OF THE CITY OF MENDOTA, HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, THAT THE MAP COMPLIES WITH THE PROVISIONS OF THE SUBDIVISION MAP ACT, STATE OF CALIFORNIA STATUTES OF 2016, AND ALL LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT I AM SATISFIED THE MAP IS TECHNICALLY CORRECT.

DAVID M. MCGLOSSON DATE
MENDOTA CITY ENGINEER
P.L.S. 6968

CITY CLERK'S CERTIFICATE

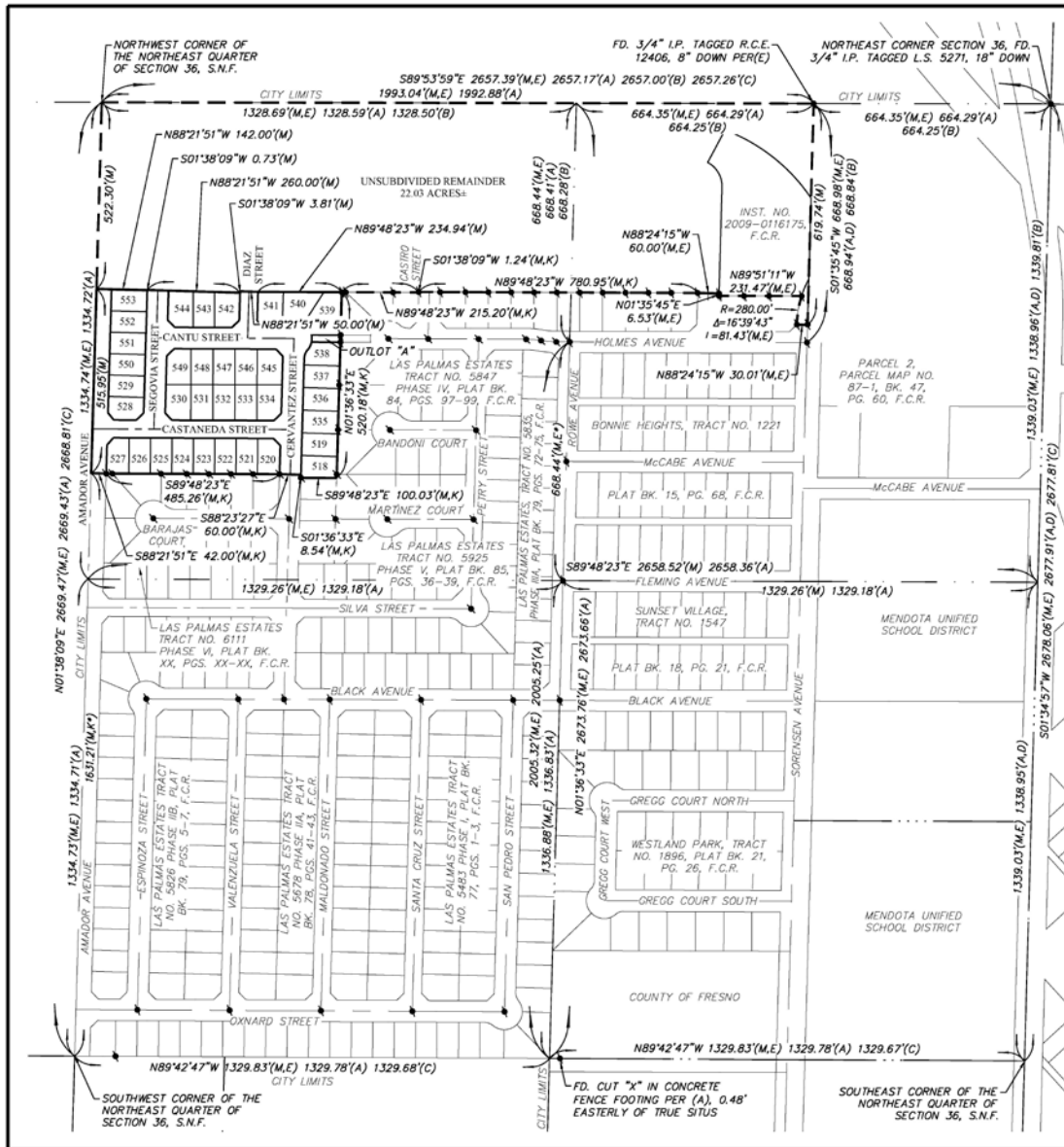
I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MENDOTA, COUNTY OF FRESNO, STATE OF CALIFORNIA, BY RESOLUTION NO. ADOPTED AT THE REGULAR MEETING OF SAID COUNCIL DULY CONVENED AND HELD ON THE DAY OF DID APPROVE THE WITHIN MAP (AND ACCEPTED ON BEHALF OF THE PUBLIC, SUBJECT TO CONSTRUCTION, ALL PARCELS OF LAND, EASEMENTS, AND OUTLOT "A" OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION). IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL OF SAID CITY THIS DAY OF 2016.

MATT FLOOD
CITY CLERK OF THE CITY OF MENDOTA

RECORDER'S CERTIFICATE

DOCUMENT NO. FEE PAID \$
FILED THIS DAY OF 2016,
AT M. IN BOOK OF PLATS, AT PAGES
FRESNO COUNTY RECORDS, AT THE REQUEST OF
STEPHEN W. HAIR.
PAUL DICTOS, C.P.A., ASSESSOR-RECORDER
COUNTY OF FRESNO RECORDS
BY:
DEPUTY COUNTY RECORDER

Attachment "A", Page 2

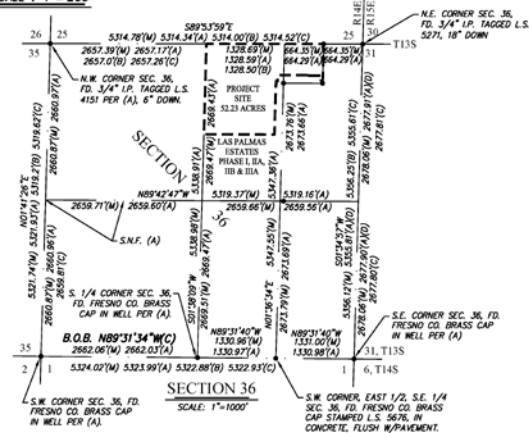
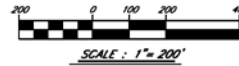


MAP OF TRACT # 6146
LAS PALMAS ESTATES
PHASE VII
 CONSISTING OF 3 SHEETS

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

SURVEYED AND PLATTED IN MARCH 2016 BY

HAWKINS & ASSOCIATES ENGINEERING
 436 MITCHELL RD. MODESTO,
 CALIFORNIA 95354



REFERENCES

NOTE: ALL REFERENCES PER FRESNO COUNTY RECORDS

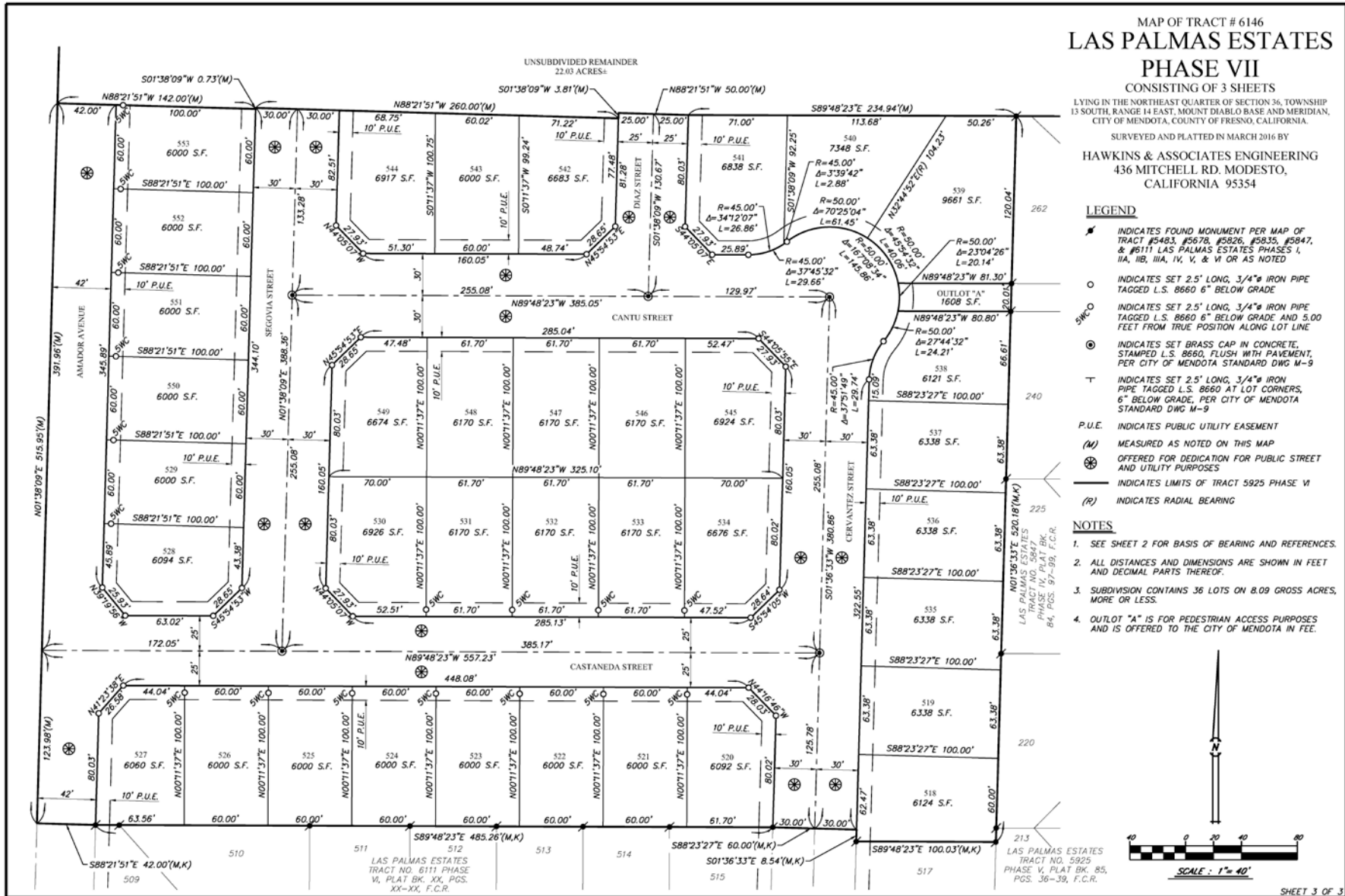
- A. BOOK 34 OF SURVEYS, AT PAGE 70
- B. VOLUME 15 OF PLATS, AT PAGE 68
- C. BOOK 10 OF PARCEL MAPS, AT PAGE 38
- D. BOOK 47 OF PARCEL MAPS, AT PAGE 60
- E. LAS PALMAS ESTATES IIIA-TRACT NO. 5835-PLAT BK. 79, PGS. 72-75
- F. LAS PALMAS ESTATES IIIB-TRACT NO. 5826-PLAT BK. 79, PGS. 5-7
- G. LAS PALMAS ESTATES IIIA-TRACT NO. 5678-PLAT BK. 79, PGS. 41-43
- H. LAS PALMAS ESTATES I-TRACT NO. 5483-PLAT BK. 77, PGS. 1-3
- I. LAS PALMAS ESTATES IV-TRACT NO. 5847-PLAT BK. 84, PGS. 97-99
- J. LAS PALMAS ESTATES V-TRACT NO. 5925-PLAT BK. 85, PGS. 36-39
- K. LAS PALMAS ESTATES VI-TRACT NO. 6111-PLAT BK. 85, PGS. 96-98

LEGEND

- INDICATES FOUND MONUMENT, AS NOTED
- ◊ INDICATES FOUND MONUMENT PER MAP OF TRACT #5483, #5678, #5826, #5835, #5847, #5925, AND #6111 LAS PALMAS ESTATES PHASES I, II, III, IIIA, IV, V, & VI OR AS NOTED
- (M) MEASURED AS NOTED ON THIS MAP
- INDICATES LIMITS OF TRACT 5925 PHASE VI
- S.N.F. INDICATES SEARCHED, NOTHING FOUND
- (R) RADIAL BEARING
- * CALCULATED PER RECORD

BASIS OF BEARINGS

THE COURSE OF NORTH 89°31'34" WEST ALONG THE SOUTH LINE OF SECTION 36, T.13S., R.14E., AS SHOWN ON PARCEL MAP RECORDED NOVEMBER 15, 1973 IN BOOK 10 OF PARCEL MAPS, AT PAGE 38, FRESNO COUNTY RECORDS, IS THE BASIS FOR ALL BEARINGS ON THIS MAP.



**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 CIY MANAGER TO EXECUTE THE
HEALTH, DENTAL AND VISION BENEFIT
PLANS**

RESOLUTION NO. 16-73

WHEREAS, the City's health care costs have risen significantly over the past several years, making it unaffordable for the City to absorb the premium costs for employees under its existing plans; and

WHEREAS, the City of Mendota has a duty to act in the employees' best interest and there is a need to consider the selection of a new health and dental plan, and add a new vision plan option to help minimize the unavoidable increase in premium costs for the City; and

WHEREAS, City staff, and insurance broker have conducted a comprehensive analysis of employee benefits plans and design in light of market costs and economic concerns; and

WHEREAS, staff recommends selecting the Blue Shield plan (3500/60) at a quoted 6% increase and provide a dual choice option to our current vision insurance (Ameritas) to help enhance provider choices for employee selection; and

WHEREAS, staff also recommends a change in the City's current dental plan from Premier Access to Ameritas for increased benefits with no added expense to the City with expanded network providers; and

WHEREAS, the City staff presented the benefit plans to the Collective Bargaining Units (American Federation of State, County and Municipal Employees (AFSCME) and Mendota Police Officer's Association (MPOA)) for their input and consideration as required per Meyers-Miliias-Brown Act (MMBA), and received no disagreement on the proposed plans; and

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Mendota approves the selection of the new Blue Shield health plan and dental plan and the added benefit options to the City's vision plan as reflected in the attached documents effective December 1, 2016.

BE IT FURTHER RESOLVED, and authorize the City Manager to sign any and all documents related to the City's participation in such plans.

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 25th day of October, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

Side By Side Comparison

City of Mendota
Effective December 01, 2016

Zip Code 93640 - Fresno

Blue Shield
blue of california
PPO
Silver Full PPO 1250/40 OffEx

Blue Shield
blue of california
PPO
Silver Full PPO 1700/40 OffEx

Blue Shield
blue of california
PPO(HSA)
Bronze Full PPO Savings
5500/40% OffEx

Blue Shield
blue of california
PPO
Bronze Full PPO 3500/60 OffEx

Deductible In Net	\$1,250	\$1,700	\$5,500	\$3,500
Out Net	\$2,500	\$3,400	\$5,500	\$7,000
PC/Specialist In Net	\$40/\$50 (ded waived)	\$40/\$50 (ded waived)	40% after ded	\$60/\$70 after ded
Out Net	50% after ded	50% after ded	50% after ded	50% after ded
Co-Insurance In Net	40%	30%	40%	15%
Out Net	50%	50%	50%	50%
OOP Limit In Net	\$6,500 (incl ded)	\$6,500 (incl ded)	\$6,500 (incl ded)	\$6,500 (incl ded)
Out Net	\$10,000 (incl ded)	\$10,000 (incl ded)	\$10,000 (incl ded)	\$10,000 (incl ded)
Inpatient Hospital In Net	40% after ded	30% after ded	40% after ded	15% after ded
Out Net	50% after ded; max \$2,000/day	50% after ded; max \$2,000/day	50% after ded; max \$2,000/day	50% after ded; max \$2,000/day
Rx Generic In Net	\$15 (ded waived)	\$15 (ded waived)	\$15 after ded	\$15 (ded waived)
Out Net	Not covered	Not covered	Not covered	Not covered
Rx Preferred In Net	\$50 after \$250	\$50 after \$300	\$50 after ded	\$50 after \$225
Out Net	Not covered	Not covered	Not covered	Not covered
Rx Non-Preferred In Net	\$75 after \$250	\$75 after \$300	\$75 after ded	\$75 after \$225
Out Net	Not covered	Not covered	Not covered	Not covered
RAF	1.000	1.000	1.000	1.000
EE's Included	27/27	27/27	27/27	27/27
EE Cost	\$11,883.47	\$11,854.15	\$10,339.00	\$10,227.73
Dep Cost	\$16,532.36	\$16,491.77	\$14,383.78	\$14,229.10
Total	\$28,415.83	\$28,345.92	\$24,722.78	\$24,456.83
ER Total	\$11,883.47	\$11,854.15	\$10,339.00	\$10,227.73
Increase	\$5,294.34	\$5,224.43	\$1,601.29	\$1,335.34
Change	23%	23%	7%	6%

* Unless stated "ded waived", the service is subject to the deductible.

The above rates and benefits are for general information and discussion purposes only and not valid unless approved by the carrier. Final rates are determined by the carrier's underwriting guidelines and final enrollment. The insurance policy, not general rates and descriptions in this website or printed output, will form the contract between the insured and the carrier.

fulfilling life

for CITY OF MENDOTA

Jake Bendler ALMI, ACS, CBC
7555 N. Del Mar
Ste. 201
Fresno, CA 93711
800-364-5162
License #0H60983

Eye Care Proposal

Presented By
LEBHERZ INSURANCE SERVICES INC
License #0672595
September 29, 2016





Eye Care Plan Design Summary.....3
Eye Care Features/Benefits6
Assumptions/Requirements.....9
Limitations/Exclusions 10

Based on the information provided to us, we've prepared this proposal to meet the needs of CITY OF MENDOTA and its people. Every benefits solution we offer -- from fully insured coverage to administrative service arrangements -- represents **our promise** to provide products that help protect the health of your employees and serve your organization. If any of your information or needs change, we will be happy to provide an updated proposal.

Eye Exam, Lenses, Frames, Frequencies

Proposed Effective Date: 12/1/2016

	Plan 1: EyeChoice Focus®		Plan 2: EyeChoice ViewPointe® Plan H	
	VSP Choice Network + Affiliates	Out of Network	EyeMed Access Network	Out of Network
Annual Eye Exam	Covered in full	Up to \$45	Covered in full	Up to \$35
Lenses (per pair)				
Single Vision	Covered in full	Up to \$30	Covered in full	Up to \$25
Bifocal	Covered in full	Up to \$50	Covered in full	Up to \$40
Trifocal	Covered in full	Up to \$65	Covered in full	Up to \$55
Lenticular	Covered in full	Up to \$100	20% discount	No benefit
Progressive	See lens options	NA	See lens options	NA
Frames	\$130**	Up to \$70	\$130	Up to \$65
Frequencies				
Exam/Lens/Frames	12/12/24	12/12/24	12/12/24	12/12/24
	Based on date of service	Based on date of service	Based on date of service	Based on date of service

**The Costco allowance will be the wholesale equivalent.

Deductible, Maximum

	Plan 1: EyeChoice Focus®	Plan 2: EyeChoice ViewPointe® Plan H
Deductibles	\$10 Exam \$25 Eye Glass Lenses or Frames*	\$10 Exam \$25 Eye Glass Lenses
Maximum Calendar Year	None	None

*Deductible applies to a complete pair of glasses or to frames, whichever is selected.

Contact Lenses

	Plan 1: EyeChoice Focus®	Plan 2: EyeChoice ViewPointe® Plan H
Fit & Follow Up Exams	15% discount. See Additional Focus Features.	No benefit
Contacts		
Elective	Up to \$130	Up to \$105
Medically Necessary	Covered in full	Up to \$210

Monthly Rates

Employee (EE)	\$8.52	\$8.52
EE + Spouse	\$18.36	\$18.36
EE + Children	\$14.88	\$14.88
EE + Spouse & Children	\$24.72	\$24.72

Rates are guaranteed for 12 months following the effective date listed above.

PLEASE NOTE: Rates assume enrollment in our electronic certificate (eCert) program. If you choose to receive paper certificates, monthly rates will increase. A \$15.00 monthly administrative fee may apply to groups with 15 or less enrolled employees and no online or paperless bill.

Employee Participation Requirements

Eligible Employees: 37

	All eligible employees Non-Contributory	All eligible employees Non-Contributory
--	--	--

Lens Options (member cost)*

	Plan 1: EyeChoice Focus®		Plan 2: EyeChoice ViewPointe® Plan H	
	VSP Choice Network + Affiliates (Other than Costco)	Out of Network	EyeMed Access Network	Out of Network
Progressive Lenses	Up to provider's contracted fee for Lined Bifocal Lenses. The patient is responsible for the difference between the base lens and the Progressive Lens charge.	Up to Lined Bifocal allowance.	Standard: \$65 + lens deductible Premium: lens cost - 20% discount - \$120 allowance + Standard Progressive cost	No benefit
Std. Polycarbonate	Covered in full for dependent children \$33 adults	No benefit	\$40	No benefit
Scratch Resistant Coating	\$17-\$33	No benefit	\$15	No benefit
Anti-Reflective Coating	\$43-\$85	No benefit	\$45	No benefit
Ultraviolet Coating	\$16	No benefit	\$15	No benefit
LASIK or PRK	NA	NA	Average discount of 15% off retail price or 5% off promotional price at US Laser Network participating providers.	No benefit

*Lens Option member costs vary by prescription, option chosen and retail locations.

Additional Focus® Choice Network Features (In Network)

Contact Lenses Elective	Allowance can be applied to disposables, but the dollar amount must be used all at once (provider will order 3 or 6 month supply). Applies when contacts are chosen in lieu of glasses. For plans without a separate contact fitting & evaluation (which includes follow up contact lens exams), the cost of the fitting and evaluation is deducted from the allowance.
Lens Options (Member Cost)*	\$15 - Solid Plastic Dye (Except Pink I & II) \$17 - Plastic Gradient Dye \$31-\$82 - Photochromatic Lenses (Glass & Plastic) Lens Option member cost vary by prescription and option chosen.
Additional Glasses	20% off additional complete pairs of prescription glasses and/or prescription sunglasses.*
Frame Discount	VSP offers 20% off any amount above the retail allowance.*
Laser VisionCareSM	VSP offers an average discount of 15% off or 5% off a promotional offer for LASIK Custom LASIK and PRK. The maximum out-of-pocket per eye for members is \$1,800 for LASIK and \$2,300 for custom LASIK using Wavefront technology, and \$1,500 for PRK. In order to receive the benefit, a VSP provider must coordinate the procedure.
Low Vision	With prior authorization, 75% of approved amount (up to \$1,000 is covered every two years).

Based on applicable laws, reduced costs may vary by doctor location.

Additional ViewPointe® Features (In Network)

Discounts	15% discount on the remaining balance in excess of the conventional contact lens allowance. 20% discount on the remaining balance in excess of the frame allowance. 20% discount on items not covered by the plan at network providers, which may not be combined with any other discounts or promotional offers. This discount does not apply to EyeMed Provider's professional services, or contact lenses.
Lens Options (Member Cost)	\$15 - Tint (Solid & Gradient).
Secondary Purchase Plan	Members receive a 40% discount on a complete pair of glasses once the funded benefit has been exhausted. Members receive a 15% discount off the retail price on conventional contact lenses once the funded benefit has been exhausted. Discount applies to materials only.
Contact Lens Replacement by Mail Program	After exhausting the contact lens benefit, replacement lenses may be obtained at significant discounts online. Visit EyeMedvisioncare.com for details.

Ameritas Focus® Eye Care

Focus eye care plans from Ameritas Group will help your employees receive and pay for the eye care they need. Our Focus plans emphasize eye health and preventive care, and features experienced, independent private-practice VSP eye doctors.

The Ameritas Group Partners with VSP® Vision Care

Since the mid-1980s, Ameritas Group and VSP have shared a strong business alliance based on similar philosophies: a commitment to excellent service. For Focus plans, Ameritas provides expertise in actuarial, underwriting, policy and certificate issue, and plan administration including eligibility and billing/collecting. VSP provides a network of exceptional eye care doctors, in addition to claims processing and customer service to Focus plan members.

VSP's Philosophy is One-Stop Care

Each doctor in VSP's network provides exam and eyewear services, so there's no need for Focus plan members to have a comprehensive exam in one location and then travel to another for their lenses and frames. VSP's statistics indicate most of the U.S. population lives within 4 miles of a VSP doctor.

Focus Plan Members Use The VSP Choice Network

Policyholders can select the VSP Choice Network, offering 29,000 doctors and 50,000 access points, plus reduced rates. Members will still save out-of-pocket for typical eye care services, including an average savings of 20-25% on lens options.

Member Choice

As with every Ameritas Group plan, members may visit any eye doctor. When Focus plan members see non-VSP providers, benefits are reimbursed according to the plan schedule.

No Claim Forms

Making an appointment and receiving claims payment through VSP will be easy for your employees. There is no paperwork or claim to file. Focus plan members simply make an appointment with a VSP doctor, state that they have coverage in a VSP network, and visit the doctor. VSP handles the rest.

Service And Satisfaction

A Recent Summary of Performance Results from VSP:

Member Satisfaction with Plan	99% (good/very good/excellent)
Ease of Doing Business with VSP	99% (good/very good/excellent)
Claims Financial Accuracy	100%
Claims Processing Accuracy	100%
Call Center Average Speed of Answer	14 Seconds
Call Center Telephone Inquiry Response	99.5% (same day response)
Call Abandonment Rate	1.4%

Ameritas ViewPointe® Eye Care

ViewPointe eye care plans from Ameritas Group will help your employees receive and pay for the eye care they need. Our ViewPointe plans emphasize quality care and convenient service that fits in with your employees' busy lifestyles, by featuring the money-saving eye care provider network of EyeMed Vision Care.

The Ameritas Group/EyeMed Partnership

Ameritas Group selected EyeMed Vision Care as an eye care partner in 2003 to bring additional eye care plan choices to our customers. We chose EyeMed because of their commitment to delivering quality, choice, value and service excellence. EyeMed's mission is "To serve and inspire with excellence." Ameritas Group provides expertise in actuarial, underwriting, policy and certificate issue, and plan administration including eligibility and billing/collecting. EyeMed provides claims processing and plan member customer service, as well as access to the EyeMed Access network, to ViewPointe eye care plan members.

ViewPointe Plan Members Use The EyeMed Network

ViewPointe plans are designed to serve your busy employees through a network that emphasizes convenient locations, expanded hours and same-day service. ViewPointe plan members have access to over 60,000 EyeMed providers nationwide at over 25,000 locations, with a choice between independent and retail providers located at one of their many chains. EyeMed's network of optical chains includes LensCrafters®, Target® Optical, Shopko®, and most Pearle Vision® and Sears® Optical locations. Retail chain advantages can include same-day service, evening and weekend hours, walk-in appointments, and specific guarantees on eyeglasses.

As with every Ameritas Group plan, members may visit any eye doctor. When ViewPointe plan members see non-EyeMed doctors, benefits are reimbursed according to the plan schedule.

Service And Satisfaction

A Recent Summary of Performance Results from EyeMed:

Claims Processing Financial Accuracy	99.9%
Claims Processing Financial Processing	99.6%
Call Center Average speed of answer	20 seconds
Call Center call abandonment rate	2.0%

Rx Savings - Extra value for Ameritas plan members

- It's no secret that prescription medications can be one of the biggest - and most important - health care expenditures a person, family or organization faces. Not to mention, when a person requires long-term maintenance medications, it can become a serious budgeting issue.
- Our valued plan members and their covered dependents (even their pets) can save on prescription medications through any Walmart or Sam's Club pharmacy across the nation. This Rx discount is offered at no additional cost, and it is not insurance.
- If your organization offers its associates health care pharmacy benefits, this no-cost Rx discount could save significant dollars. Walmart's pharmacies will give Ameritas plan members their normal health care pharmacy benefit, or the Walmart Rx discount, whichever saves more.
- Members can get hundreds of generic drug prescriptions at the everyday low price of \$4.00, in addition to saving approximately 40% off all other generics and 10-15% off most brand-name prescriptions. They can save even more with convenient home delivery mail-order service.
- To receive the Walmart Rx discount, Ameritas plan members just need to visit us at ameritas.com and sign into (or create) a secure member account. That's where they can access and print an online-only Rx discount savings ID card.
- Also, when choosing eServices, your benefits administrator will have access to the online-only Rx discount savings ID card to assist members without Internet access.

Retail Chain Affiliate Providers Available With Focus Plans

Effective January 1, 2012, retail chain affiliate providers, which include Costco® Optical and Visionworks, give members added convenience and additional retail choices. Costco Optical has 400 locations across the country, while Visionworks manages nearly 400 optical stores in 37 states and DC, including well-known stores such as EyeMasters, Visionworks, Dr. Bizer's VisionWorld, Eye DRx, and Hour Eyes, to name a few. Members enjoy a covered-in-full benefit experience with equivalent frame benefit at any of these retail chain locations.

Worldwide Support

When our members travel abroad, they'll have peace of mind knowing that should a dental or vision need arise, help is just a phone call away. Through AXA Assistance, Ameritas offers its dental and vision plan members 24-hour access to dental or vision provider referrals when traveling outside the U.S.

Immediately after a call is made to AXA, an assistance coordinator assesses the situation, provides credible provider referrals and can even assist with making the appointment. Within 48 hours following the appointment, the coordinator calls the member to find out if additional assistance is needed. If all is well, the case is closed. Then, the plan member may submit a claim to Ameritas for reimbursement consideration based on applicable plan benefits. Contact AXA Assistance USA toll free by calling 866-662-2731, or call collect from anywhere in the world by dialing 1-312-935-3727.

- If you purchase group insurance through Ameritas, your producer will receive compensation from Ameritas Group. This compensation may include one or more of the following:
 - Commission or override commission based on customary or negotiated scales.
 - Additional compensation based on factors such as the volume of premium, cases or lives placed by your producer with Ameritas, or persistency.
 - Fees for administrative or consulting services.

If you have any questions about the amount or type of compensation, please contact your producer.

- Some states require that producers be appointed with Ameritas Life Insurance Corp. before any presentation or solicitation of this plan design.
- This proposal is not a contract or a certificate of insurance. It contains proposed rates and benefits that are based on preliminary enrollment data. Such rates and benefits are subject to adjustment if final enrollment varies from the preliminary data.
- The rates are based on Standard Industry Code 922011.
- Benefits could be available for all full-time, active employees working at least 30 hours per week and dependents who have completed the designated waiting period.
- This proposal is being made as a result of information provided in the request for a proposal. It is intended for informational purposes and is not an offer to contract. If **CITY OF MENDOTA** wishes to apply for group insurance based upon this proposal, **CITY OF MENDOTA** may complete a Preliminary Application for Group Insurance. The Application will be subject to review and approval by the Home Office of the Company. If the Application is accepted, the final rates and benefits will be based on verification of this information and final enrollment.
- California state law requires that coverage shall be provided to Registered Domestic Partners that is equal to, and subject to the same terms and conditions as, the coverage provided to a spouse. Registered Domestic Partner means a partner of the Insured as long as the partnership meets the requirements for such relationship as defined in Section 297 of the California Family Code or the functional equivalent registration of any other state or local jurisdiction.
- The situs State of California has passed legislation which requires dependent children to be considered covered up to age 26 regardless of student status.
- Please let us know if you need a Spanish-language version of the Certificate.
- The policyholder must contribute the entire premium cost for all eligible employees and eligible dependents who are not covered by another eye care plan. (Employees and dependents who are covered by another eye care plan may enroll if the appropriate premium is paid by the employee.)
- This proposal assumes 0% of the benefit eligible employees are retirees. If this percentage changes, Ameritas Life Insurance Corp. reserves the right to revise the rates retroactive to the effective date of the vision benefits to accommodate this change. Please note: if the retiree population is 20% or more, Ameritas Life Insurance Corp. reserves the right to remove the vision benefits from this proposal. (Plan(s): 1, 2)
- No benefits are payable for a service which is not listed under the list of eye care services.

This plan has the following limitation: (Plan 1)

Some brands of spectacle frames may be unavailable at all locations for purchase as Covered Expenses, or may be subject to additional out-of-pocket expenses. Members may obtain details regarding frame brand availability from their treating provider or by calling VSP's Customer Care Division at (800) 877-7195.

This plan does not cover: (Plan 1)

- More than one eye exam in the frequency as indicated on the plan summary page.
- More than one pair of lenses in the frequency as indicated on the plan summary page.
- More than one set of frames in the frequency as indicated on the plan summary page.
- Services and/or materials not specifically included in the Schedule as covered Plan Benefits.
- Plano lenses (lenses with refractive correction of less than plus or minus .50 diopter) except as specifically allowed in the frames benefit section of the Plan Benefits.
- Services or materials that are cosmetic, including Plano contact lenses to change eye color and artistically painted Contact Lenses.
- Two pairs of glasses in lieu of Bifocals.
- Replacement of Spectacle Lenses, Frames, and/or contact lenses furnished under this plan that are lost or damaged, except at the normal intervals when services are otherwise available.
- Orthoptics or vision training and any associated supplemental testing.
- Medical or surgical treatment of the eyes.
- Contact lens modification, polishing or cleaning.
- The refitting of Contact Lenses after the initial 90-day filing period.
- Contact Lens insurance policies or service contracts.
- Additional office visits associated with contact lens pathology.
- Local, state and/or federal taxes, except where law requires us to pay.
- Membership fees for any retail center in which an Affiliate or Open Access provider office may be located. Covered persons may be required to purchase a membership in such entities as a condition of accessing Plan Benefits.

Covered Expenses will not include and no benefits will be payable for expenses incurred for:

Limitations for Plan(s) 2

- vision examinations more than the frequency as indicated on the plan summary page.
- lenses more than the frequency as indicated on the plan summary page.
- frames more than the frequency as indicated on the plan summary page.
- contact lenses more than once in any twelve month period. When chosen, contact lenses shall be in lieu of any other lens benefit during the twelve month period. When eyeglass lenses are chosen, expenses for contact lenses are not Covered Expenses during the twelve month period.
- contacts limited to the amount shown on the plan summary page unless they are medically necessary. Contact lenses are defined as medically necessary if the individual is diagnosed with one of the following conditions:
 - keratoconus where the patient is not correctable to 20/30 in either or both eyes using standard spectacle lenses.
 - high Ametropia exceeding -12 D or +9 D in spherical equivalent.
 - anisometropia of 3 D or more.
 - patients whose vision can be corrected two (2) lines of improvement on the visual acuity chart when compared to best corrected standard spectacle lenses.If the member is diagnosed with a medically necessary condition, the Provider will submit a request for pre-authorization to EyeMed. The Medical Director reviews all requests for medically necessary contact lenses. If approved, the member will be covered for medically necessary contact lenses up to the plan allowance.
Such payment is limited to once in any twelve month period and is in lieu of lens benefits under this proposal.
- orthoptics or eye care training and any associated testing.
- plano non-prescription lenses and non-prescription sunglasses (except for 20% discount).
- two pairs of glasses in lieu of bifocals. (Does not apply to Secondary Discounts).
- lenses and frames which are lost or broken, except at the normal intervals when services are otherwise available.
- medical and/or surgical treatment of the eye, eyes, or supporting structures.
- services for which a claim is filed more than 1 year after completion of the service.
- for any procedure not listed on the Schedule of Eye Care Services.

OUTPATIENT X-RAY, IMAGING, PATHOLOGY AND LABORATORY BENEFITS

CT scans, MRIs, MRAs, PET scans, and cardiac diagnostic procedures utilizing nuclear medicine		
Performed in a hospital ³ (prior authorization is required)	\$100 per visit + 15%	50% ⁶
Performed in a free-standing radiological center ³ (prior authorization is required)	15%	50%
Outpatient diagnostic x-ray and imaging (non-hospital based or affiliated) ³	15%	50% ⁶
Outpatient diagnostic laboratory and pathology (non-hospital based or affiliated) ³	15%	50% ⁶

HOSPITALIZATION SERVICES

Hospital Benefits (Facility Services)

Inpatient physician services	15%	50%
Inpatient non-emergency facility services (semi-private room and board, and medically-necessary services and supplies, including subacute care)	15%	50% ⁸
Bariatric surgery ⁷ (prior authorization required; medically necessary surgery for weight loss, for morbid obesity only)	15%	50% ⁸
Inpatient Skilled Nursing Benefits^{9, 10} (combined maximum of up to 100 days per benefit period; prior authorization is required; semi-private accommodations)		
Services by a free-standing skilled nursing facility	15%	15% ¹⁰
Skilled nursing unit of a hospital	15%	50% ⁸

EMERGENCY HEALTH COVERAGE

Emergency room services not resulting in admission (copayment does not apply if the member is directly admitted to the hospital for inpatient services)	50%	50%
Emergency room services resulting in admission (when the member is admitted directly from the ER)	15%	15%
Emergency room services not resulting in admission - physician fee (copayment does not apply if the member is directly admitted to the hospital for inpatient services)	15%	15%
Emergency room services resulting in admission - physician fee	15%	15%
Urgent care	\$60 per visit	Not Covered

AMBULANCE SERVICES

Emergency or authorized transport (ground or air)	15%	15%
	Participating Pharmacy	Non-Participating Pharmacy

PRESCRIPTION DRUG (PHARMACY) COVERAGE^{11, 12, 13, 14, 16, 17}

Retail Pharmacies (up to a 30-day supply)

Contraceptive drugs and devices ¹⁴	No Charge (not subject to the calendar year medical deductible)	Not Covered
Tier 1 Drugs	\$15 per prescription	Not Covered
Tier 2 Drugs	\$50 per prescription	Not Covered
Tier 3 Drugs	\$75 per prescription	Not Covered
Tier 4 Drugs (excluding Specialty Drugs)	30% up to \$500 per prescription	Not Covered

Mail Service Pharmacies (up to a 90-day supply)

Contraceptive drugs and devices ¹⁴	No Charge (not subject to the calendar year medical deductible)	Not Covered
Tier 1 Drugs	\$30 per prescription	Not Covered
Tier 2 Drugs	\$100 per prescription	Not Covered
Tier 3 Drugs	\$150 per prescription	Not Covered
Tier 4 Drugs (excluding Specialty Drugs)	30% up to \$1000 per prescription	Not Covered

Network Specialty Pharmacies^{12,16} (up to a 30-day supply)

Tier 4 Drugs	30% up to \$500 per prescription	Not Covered
Oral anticancer medications	30% up to \$200 maximum per prescription	Not Covered

	Participating Providers ²	Non-Participating Providers ²
PROSTHETICS/ORTHOTICS		
Prosthetic equipment and devices (separate office visit copayment may apply)	15%	Not Covered
Orthotic equipment and devices (separate office visit copayment may apply)	15%	Not Covered
DURABLE MEDICAL EQUIPMENT		
Breast pump	No Charge (not subject to the calendar year medical deductible)	Not Covered
Other durable medical equipment	50%	Not Covered
	MHSA Participating Providers²	MHSA Non-Participating Providers²
MENTAL HEALTH AND BEHAVIORAL HEALTH SERVICES¹⁸		
Inpatient hospital services (prior authorization is required)	15%	50% ⁸
Residential care (prior authorization is required)	15%	50% ⁸
Inpatient professional (physician) services	15%	50%
Routine outpatient mental health and behavioral health services (includes professional/physician visits)	\$60 per visit	50%
Non-routine outpatient mental health and behavioral health services (includes behavioral health treatment, electroconvulsive therapy, intensive outpatient programs, psychological testing, partial hospitalization programs, and transcranial magnetic stimulation. For partial hospitalization programs, a higher copayment and facility charges may apply per episode of care. Some services may require prior authorization and facility charges.)	15%	50%
	MHSA Participating Providers²	MHSA Non-Participating Providers²
SUBSTANCE USE DISORDER SERVICES¹⁸		
Inpatient hospital services (prior authorization is required)	15%	50% ⁸
Residential care (prior authorization is required)	15%	50% ⁸
Inpatient professional (physician) services	15%	50%
Routine outpatient substance use disorder services (includes professional/physician visits)	\$60 per visit	50%
Non-routine outpatient substance use disorder services (includes intensive outpatient programs, partial hospitalization programs, office-based opioid treatment, and post discharge ancillary care. Some services may require prior authorization and facility charges.)	15%	50%
	Participating Providers²	Non-Participating Providers²
HOME HEALTH SERVICES		
Home health care agency services ⁹ (up to 100 prior authorized visits per calendar year)	15%	Not Covered ¹⁵
Home infusion/home intravenous injectable therapy and infusion nursing visits provided by a home infusion agency	15%	Not Covered ¹⁵
HOSPICE PROGRAM BENEFITS		
Routine home care	No Charge	Not Covered ¹⁵
Inpatient respite care	No Charge	Not Covered ¹⁵
24-hour continuous home care	No Charge	Not Covered ¹⁵
Short-term inpatient care for pain and symptom management	No Charge	Not Covered ¹⁵
CHIROPRACTIC BENEFITS		
Chiropractic services ^{1,9} (up to 12 visits per calendar year)	50% (not subject to the calendar year medical deductible)	50% (not subject to the calendar year medical deductible)

Standard progressives	\$55	Not Covered
Premium progressives	\$95	Not Covered
Frame ²⁰ (one frame per calendar year)		
Collection frames Note: "Collection" frames are available at no cost at participating independent providers. Retail chain providers typically do not display the "Collection," but are required to maintain a comparable selection of frames that are covered in full.	No Charge	Up to \$40 Maximum Allowance
Non-Collection frames (V2020)	Up to \$150 Maximum Allowance	Up to \$40 Maximum Allowance
Contact Lenses ²¹		
Non-Elective (Medically Necessary) hard or soft, One pair per calendar year	No Charge	Up to \$225 Maximum Allowance
Elective (Cosmetic/Convenience) standard hard (V2500, V2510) One pair per calendar year	No Charge	Up to \$75 Maximum Allowance
Elective (Cosmetic/Convenience) non-standard hard (V2501-V2503, V2511-V2513, V2530-V2531), One pair per calendar year	No Charge	Up to \$75 Maximum Allowance
Elective (Cosmetic/Convenience) standard soft (V2520) One pair per month, up to 6 months, per calendar year	No Charge	Up to \$75 Maximum Allowance
Elective (Cosmetic/Convenience) non-standard soft (V2521-V2523) One pair per month, up to 3 months, per calendar year	No Charge	Up to \$75 Maximum Allowance
Other Pediatric Vision Benefits		
Supplemental low-vision testing and equipment ²²	35%	Not Covered
Diabetes management referral	No Charge	Not Covered

PEDIATRIC DENTAL BENEFITS²⁴ – Pediatric dental benefits are available for members through the end of the month in which the member turns 19. All pediatric dental benefits are provided by Blue Shield's Dental Plan Administrator.

Child Dental Diagnostic and Preventive	Participating Dentists	Non-Participating Dentists ²⁸
Oral exam	No Charge	20%
Preventive – cleaning	No Charge	20%
Preventive – x-ray	No Charge	20%
Sealants per tooth	No Charge	20%
Topical fluoride application	No Charge	20%
Caries risk management	No Charge	20%
Space maintainers – fixed	No Charge	20%
Child Dental Basic Services		
Amalgam fill - 1 surface ²⁶	20%	30%
Child Dental Major Services ²⁵		
Root canal – molar	50%	50%
Gingivectomy per quad	50%	50%
Extraction - single tooth exposed root or erupted	50%	50%
Extraction - complete bony	50%	50%
Porcelain with metal crown	50%	50%
Child Orthodontics ^{25,27}		
Medically necessary orthodontics	50%	50%

OPTIONAL BENEFITS: Optional infertility, dental and vision benefits are available. If your employer purchased any of these benefits, a description of the benefit is provided separately.

- For family coverage, there is an individual out-of-pocket maximum within the family out-of-pocket maximum. This means that the out-of-pocket maximum will be met for an individual who meets the individual out-of-pocket maximum prior to the family meeting the family out-of-pocket maximum.

Copayments or coinsurance for covered services accrue to the calendar year out-of-pocket maximum except copayments or coinsurance for:

- Charges in excess of specified benefit maximums
- Bariatric surgery: covered travel expenses for bariatric surgery
- Chiropractic benefits
- Dialysis center benefits: dialysis services from a non-participating provider

Copayments, coinsurance and charges for services not accruing to the member's calendar year out-of-pocket maximum continue to be the member's responsibility after the calendar year out-of-pocket maximum is reached. Please refer to the Summary of Benefits and *Evidence of Coverage* for additional details.

2. The Calendar Year Medical Deductible accrues to the Calendar Year Out-of-Pocket Maximum. A Calendar Year Medical Deductible for Covered Services by Preferred, Participating and Other Providers accrues to the Calendar Year Out-of-Pocket Maximum for Services by Preferred, Participating and Other Providers. A Calendar Year Medical Deductible for any combination of Preferred, Participating, Other Providers, Non-Preferred and Non-Participating Providers accrues to the Calendar Year Out-of-Pocket Maximum for Services by any combination of Preferred, Participating, Other Providers, Non-Preferred and Non-Participating Providers.

The Calendar Year Pharmacy Deductible accrues to the Calendar Year Out-of-Pocket Maximum.

For family coverage, there is an individual medical deductible and a separate individual pharmacy deductible within the family medical and pharmacy deductibles. This means that the medical and pharmacy deductibles will be met for an individual who meets the individual medical and pharmacy deductibles prior to meeting the family medical and pharmacy deductibles. Covered Services by Non-Preferred and Non-Participating Providers that are prior authorized as Preferred or Participating will be covered as a Preferred or Participating Provider Benefit.

Member is responsible for copayment in addition to any charges above allowable amounts. The coinsurance indicated is a percentage of allowable amounts. Participating providers accept Blue Shield's allowable amount as full payment for covered services. Non-participating providers can charge more than these amounts. When members use non-participating providers, they must pay the applicable deductibles, copayments or coinsurance plus any amount that exceeds Blue Shield's allowable amount. Charges above the allowable amount do not count toward the calendar year medical deductible or out-of-pocket maximum.

3. Participating non-hospital based ("freestanding") outpatient x-ray, pathology and laboratory facilities may not be available in all areas; however the member can obtain outpatient x-ray, pathology and laboratory services from a hospital or an ambulatory surgery center affiliated with a hospital, with payment according to your hospital services benefits.
4. Preventive Health Services, including an annual preventive care or well-baby care office visit, are not subject to the calendar year medical deductible. Other covered non-preventive services received during, or in connection with, the preventive care or well-baby care office visit are subject to the calendar year medical deductible and applicable member copayment/coinsurance.
5. Participating ambulatory surgery centers may not be available in all areas. Outpatient surgery services may also be obtained from a hospital or an ambulatory surgery center that is affiliated with a hospital, and paid according to the hospital services benefits.
6. The allowable amount for non-emergency surgery and services performed in a non-participating ambulatory surgery center or outpatient unit of a non-participating hospital is \$350 per day. Members are responsible for 50% of the coinsurance and all charges in excess of \$350. Charges that exceed the allowable amount do not count toward the calendar year out-of-pocket maximum and continue to be owed after the maximum is reached.
7. Bariatric surgery is covered when prior authorized by Blue Shield; however, for members residing in Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara and Ventura Counties ("Designated Counties"), bariatric surgery services are covered only when performed at designated contracting bariatric surgery facilities and by designated contracting surgeons. Coverage is not available for bariatric services from any other participating provider and there is no coverage for bariatric services from non-participating providers. In addition, if prior authorized by Blue Shield, a member in a Designated County who is required to travel more than 50 miles to a designated bariatric surgery facility will be eligible for limited reimbursement for specified travel expenses for the member and one companion. Refer to the Summary of Benefits and *Evidence of Coverage* for further details.
8. The allowable amount for non-emergency hospital services received from a non-participating hospital is \$2,000 per day. Members are responsible for 50% of the coinsurance and all charges in excess of \$2,000 per day. Charges that exceed the allowable amount do not count toward the calendar year out-of-pocket maximum and continue to be owed after the maximum is reached.
9. For plans with a calendar year medical deductible amount, services with a day or visit limit accrue to the calendar year day or visit limit maximum regardless of whether the calendar year medical deductible has been met.
10. Services may require prior authorization. When services are prior authorized, a member's share-of-cost is paid at the participating provider amount.
11. If the member or physician selects a brand drug when a Tier 1 drug equivalent is available, the member is responsible for paying the difference in cost between the brand drug and its Tier 1 drug equivalent, in addition to the Tier 1 drug copayment. The difference in cost that the member must pay does not accrue to any calendar year medical or pharmacy deductible and is not included in the calendar year out-of-pocket maximum responsibility calculation. The member or physician may request a medical necessity exception to the difference in cost as further described in the *Evidence of Coverage*. Refer to the *Evidence of Coverage* and Summary of Benefits for detail.
12. Network Specialty Pharmacies dispense Specialty Drugs which require coordination of care, close monitoring, or extensive patient training that generally cannot be met by a retail pharmacy. Network Specialty Pharmacies also dispense Specialty Drugs requiring special handling or manufacturing processes, restriction to certain Physicians or pharmacies, or reporting of certain clinical events to the FDA. Specialty Drugs are generally high cost.
13. This plan's prescription drug coverage is on average equivalent to or better than the standard benefit set by the federal government for Medicare Part D (also called creditable coverage). Because this plan's prescription drug coverage is creditable, you do not have to enroll in a Medicare prescription drug plan while you maintain this coverage. However, you should be aware that if you have a subsequent break in this coverage of 63 days or more any time after you were first eligible to enroll in a Medicare prescription drug plan, you could be subject to a late enrollment penalty in addition to your Part D premium.
14. Contraceptive drugs and devices covered under the outpatient prescription drug benefits do not require a copayment and are not subject to the calendar year medical deductible. However, if a brand contraceptive is selected when a Tier 1 equivalent is available, the member is responsible for paying the difference between the cost to Blue Shield for the brand contraceptive and its Tier 1 drug equivalent. The difference in cost that the member must pay does not accrue to any calendar year medical or pharmacy deductible and is not included in the calendar year out-of-pocket maximum responsibility calculation. The member or physician may request a medical necessity exception to the difference in cost as further described in the *Evidence of Coverage*. In addition, select contraceptives may need prior authorization to be covered without a copayment.

15. Services from non-participating providers, home health care, home infusion and hospice services are not covered unless prior authorized. When these services are prior authorized, a member's share-of-cost is paid at the participating provider amount.
16. Specialty drugs are available from a Network Specialty Pharmacy. A Network Specialty Pharmacy provides specialty drugs by mail or upon member request, at an associated retail store for pickup.
17. Blue Shield's Short-Cycle Specialty Drug Program allows initial prescriptions for select Specialty Drugs to be dispensed for a 15-day trial supply, as further described in the *Evidence of Coverage*. In such circumstances, the applicable Specialty Drug copayment or coinsurance will be pro-rated.
18. Mental Health and Substance Use Disorder Services are accessed through Blue Shield's Mental Health Service Administrator (MHSA) using Blue Shield's MHSA participating and non-participating providers. Only Mental Health and Substance Use Disorder Services rendered by Blue Shield MHSA participating providers are administered by the Blue Shield MHSA. Mental Health and Substance Use Disorder Services rendered by non-participating providers are administered by Blue Shield. For a listing of severe mental illnesses, including serious emotional disturbances of a child, and other benefit details, please refer to the Summary of Benefits and *Evidence of Coverage*. Inpatient services for acute medical detoxification are covered under the medical benefit; see the Hospital Benefits (Facility Services) section of the *Evidence of Coverage* for benefit details. Services for acute medical detoxification are accessed through Blue Shield using Blue Shield's participating providers or non-participating providers.
19. The comprehensive examination benefit allowance does not include filling and evaluation fees for contact lenses.
20. This benefit covers collection frames at no cost at participating independent and retail chain providers. Participating retail chain providers typically do not display the frames as "Collection" but are required to maintain a comparable selection of frames that are covered in full. For non-collection frames, the allowable amount is up to \$150; however, if (a) the participating provider uses wholesale pricing, then the wholesale allowable amount will be up to \$99.06, or if (b) the participating provider uses warehouse pricing, then the warehouse allowable amount will be up to \$103.64. Participating providers using wholesale pricing are identified in the provider directory. If frames are selected that are more expensive than the allowable amount established for this benefit, the member is responsible for the difference between the allowable amount and the provider's charge.
21. Contact lenses are covered in lieu of eyeglasses once per calendar year. See the "Definitions" section in the *Evidence of Coverage* for the definitions of Elective Contact Lenses and Non-Elective (Medically Necessary) Contact Lenses. A report from the provider and prior authorization from the Vision Plan Administrator (VPA) is required.
22. A report from the provider and prior authorization from the contracted VPA is required.
23. Members can search for vision care providers in the "Find a Provider" section of blueshieldca.com. All pediatric vision benefits are provided through MESVision, Blue Shield's Vision Plan Administrator. Any vision services deductibles, copayments and coinsurance for covered vision services accrue to the calendar year out-of-pocket maximum. Charges in excess of benefit maximums and premiums do not accrue to the calendar year out-of-pocket maximum.
24. Members can search for dental network providers in the "Find a Provider" section of blueshieldca.com. All pediatric dental benefits are provided by Blue Shield's Dental Plan Administrator. Copayments and coinsurance for covered dental services accrue to the calendar year out-of-pocket maximum, including any copayments for covered orthodontia services. Charges in excess of benefit maximums and premiums do not accrue to the calendar year out-of-pocket maximum.
25. There are no waiting periods for major & orthodontic services.
26. Posterior composite resin, or acrylic restorations are optional services, and Blue Shield will only pay the amalgam filling rate while the member will be responsible for the difference in cost between the posterior composite resin and amalgam filling.
27. Medically necessary orthodontia services include an oral evaluation and diagnostic casts. An initial orthodontic examination (a limited oral evaluation) must be conducted which includes completion of the Handicapping Labio-Lingual Deviation (HLD) score sheet. The HLD score sheet is the preliminary measurement tool used in determining if the member qualifies for medically necessary orthodontic services (see list of qualifying conditions below). Diagnostic casts may be covered only if qualifying conditions are present. Pre-certification for all orthodontia evaluation and services is required.

Those immediate qualifying conditions are:

- Cleft lip and or palate deformities.
- Craniofacial anomalies including the following: Crouzon's syndrome, Treacher-Collins syndrome, Pierre-Robin syndrome, Hemi-facial atrophy, Hemi-facial hypertrophy and other severe craniofacial deformities which result in a physically handicapping malocclusion as determined by our dental consultants.
- Deep impinging overbite, where the lower incisors are destroying the soft tissue of the palate and tissue laceration and/or clinical attachment loss are present. (Contact only does not constitute deep impinging overbite).
- Crossbite of individual anterior teeth when clinical attachment loss and recession of the gingival margin are present (e.g., stripping of the labial gingival tissue on the lower incisors). Treatment of bi-lateral posterior crossbite is not a benefit of the program.
- Severe traumatic deviation must be justified by attaching a description of the condition.
- Overjet greater than 9mm or mandibular protrusion (reverse overjet) greater than 3.5mm.
- The remaining conditions must score 26 or more to qualify (based on the HLD Index).

28. For covered services rendered by non-participating dentists, the member is responsible for all charges above the allowable amount.

Plan designs may be modified to ensure compliance with state and federal requirements.

fulfilling life

for City of Mendota

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Dental Proposal

Presented By
BARTHULI & ASSOCIATES INSURANCE SVCS INC
License #0C60247
August 30, 2016

Ameritas. 

Ameritas



Plan Design Summary 2

Covered Population Summary 4

Plan Features/Benefits 3

Assumptions/Requirements 4

Unfunded Expenses 4

Based on the information provided to us, we've prepared this proposal to meet the needs of City of Mendota and its people. Every benefits solution we offer -- from fully insured coverage to administrative service arrangements -- represents **our promise** to provide products that help protect the health of your employees and serve your organization. If any of your information or needs change, we will be happy to provide an updated proposal.

Dental Summary

Proposed Effective Date: 12/1/2016

		Plan 1 - \$2,000 max	Plan 2 - \$2,000 max w/Dental Rewards	Plan 3 - \$2,000 max w/LASIK and SoundCare	Plan 4 - \$2,000 max w/Ameritas Rewards
Plan Benefit	Type 1	100%	100%	100%	100%
	Type 2	90%	90%	90%	90%
	Type 3	60%	60%	60%	60%
	Deductible				
		\$50/Calendar Year Waived Type 1 3 Family Maximum	\$50/Calendar Year Waived Type 1 3 Family Maximum	\$50/Calendar Year Waived Type 1 3 Family Maximum	\$50/Calendar Year Waived Type 1 3 Family Maximum
Maximum (per person)		\$2,000/Calendar Year	\$2,000/Calendar Year	\$2,000/Calendar Year	\$2,000/Calendar Year
PPO		A New Choice® Plus	A New Choice® Plus	A New Choice® Plus	A New Choice® Plus
Allowance	Type 1	Discounted Fee	Discounted Fee	Discounted Fee	Discounted Fee
	Type 2	Discounted Fee	Discounted Fee	Discounted Fee	Discounted Fee
	Type 3	Discounted Fee	Discounted Fee	Discounted Fee	Discounted Fee
Dental Rewards®		NA	Included	NA	Included
Ameritas RewardsSM		NA	NA	NA	Included
Waiting Period		None	None	None	None
LASIK and SoundCare		None	None	Included	None
Annual Open Enrollment		None	None	None	None

Orthodontia Summary

Allowance All Plan Designs: In Network, discounted fee. Out of Network, U&C.					
Plan Benefit		50%	50%	50%	50%
Coverage for Adults		Yes	Yes	Yes	Yes
Lifetime Maximum (per person)		\$2,000	\$2,000	\$2,000	\$2,000
Waiting Period		None	None	None	None

LASIK Advantage®

Lifetime Benefit Earned (both eyes)	Year One	Year Two	Year Three
	\$350	\$350	\$700

SoundCare Summary

Coinsurance		
Annual Hearing Exam		100%
Hearing Aid		50%
Hearing Aid Maintenance		100%
Deductible		None
Maximum (per benefit period)		
Annual Hearing Exam		Up to \$75
Hearing Aids (both ears)		
Year One		Up to \$400
Year Two		Up to \$600
Year Three		Up to \$800
Hearing Aid Maintenance		Up to \$40

Monthly Rates

Employee (EE)	\$35.12	\$42.48	\$42.48	\$42.56
EE + Spouse	\$72.00	\$91.12	\$91.12	\$91.32
EE + Children	\$103.16	\$96.07	\$96.07	\$97.11
EE + Spouse & Children	\$140.08	\$140.92	\$140.92	\$142.04

Rates are guaranteed for 12 months following the effective date listed above and include Orthodontia if part of plan design.

PLEASE NOTE: Rates assume enrollment in our electronic certificate (eCert) program. If you choose to receive paper certificates, monthly rates will increase. A \$15.00 monthly administrative fee may apply to groups with 15 or less enrolled employees and no online or paperless bill.

Employee Participation Requirements

Eligible Employees: 27

All eligible employees Non-Contributory	All eligible employees Non-Contributory	All eligible employees Non-Contributory	All eligible employees Non-Contributory
--	--	--	--

	Plan 1	Plan 2	Plan 3	Plan 4
Plan Design Summary	100/90/60 \$50/Calendar Year Waived Type 1 3 Family Maximum \$2,000	100/90/60 \$50/Calendar Year Waived Type 1 3 Family Maximum \$2,000	100/90/60 \$50/Calendar Year Waived Type 1 3 Family Maximum \$2,000	100/90/60 \$50/Calendar Year Waived Type 1 3 Family Maximum \$2,000
Type 1 Procedure (Frequency)	<ul style="list-style-type: none"> • Routine Exam (1 in 6 months) • Bitewing X-rays (1 in 12 months) • Full Mouth/Panoramic X-rays (1 in 5 years) • Periapical X-rays • Cleaning (1 in 6 months) • Fluoride for Children 13 and under (1 in 12 months) 	<ul style="list-style-type: none"> • Routine Exam (1 in 6 months) • Bitewing X-rays (1 in 12 months) • Full Mouth/Panoramic X-rays (1 in 5 years) • Periapical X-rays • Cleaning (1 in 6 months) • Fluoride for Children 13 and under (1 in 12 months) 	<ul style="list-style-type: none"> • Routine Exam (1 in 6 months) • Bitewing X-rays (1 in 12 months) • Full Mouth/Panoramic X-rays (1 in 5 years) • Periapical X-rays • Cleaning (1 in 6 months) • Fluoride for Children 13 and under (1 in 12 months) 	<ul style="list-style-type: none"> • Routine Exam (1 in 6 months) • Bitewing X-rays (1 in 12 months) • Full Mouth/Panoramic X-rays (1 in 5 years) • Periapical X-rays • Cleaning (1 in 6 months) • Fluoride for Children 13 and under (1 in 12 months)
Type 2 Procedure (Frequency)	<ul style="list-style-type: none"> • Sealants (age 13 and under) • Restorative Amalgams • Restorative Composites (anterior and posterior teeth) • Endodontics (nonsurgical) • Endodontics (surgical) • Periodontics (nonsurgical) • Periodontics (surgical) • Denture Repair • Simple Extractions • Complex Extractions • Anesthesia 	<ul style="list-style-type: none"> • Sealants (age 13 and under) • Restorative Amalgams • Restorative Composites (anterior and posterior teeth) • Endodontics (nonsurgical) • Endodontics (surgical) • Periodontics (nonsurgical) • Periodontics (surgical) • Denture Repair • Simple Extractions • Complex Extractions • Anesthesia 	<ul style="list-style-type: none"> • Sealants (age 13 and under) • Restorative Amalgams • Restorative Composites (anterior and posterior teeth) • Endodontics (nonsurgical) • Endodontics (surgical) • Periodontics (nonsurgical) • Periodontics (surgical) • Denture Repair • Simple Extractions • Complex Extractions • Anesthesia 	<ul style="list-style-type: none"> • Sealants (age 13 and under) • Restorative Amalgams • Restorative Composites (anterior and posterior teeth) • Endodontics (nonsurgical) • Endodontics (surgical) • Periodontics (nonsurgical) • Periodontics (surgical) • Denture Repair • Simple Extractions • Complex Extractions • Anesthesia
Type 3 Procedure (Frequency)	<ul style="list-style-type: none"> • Space Maintainers • Onlays • Crowns (1 in 10 years per tooth) • Crown Repair • Prosthodontics (fixed bridge; removable complete/partial dentures) (1 in 10 years) 	<ul style="list-style-type: none"> • Space Maintainers • Onlays • Crowns (1 in 10 years per tooth) • Crown Repair • Prosthodontics (fixed bridge; removable complete/partial dentures) (1 in 10 years) 	<ul style="list-style-type: none"> • Space Maintainers • Onlays • Crowns (1 in 10 years per tooth) • Crown Repair • Prosthodontics (fixed bridge; removable complete/partial dentures) (1 in 10 years) 	<ul style="list-style-type: none"> • Space Maintainers • Onlays • Crowns (1 in 10 years per tooth) • Crown Repair • Prosthodontics (fixed bridge; removable complete/partial dentures) (1 in 10 years)

Current Dental Terminology © American Dental Association.

Dental Rewards®

This dental plan includes a valuable feature that allows qualifying plan members to carryover part of their unused annual maximum. A member earns dental rewards by submitting at least one claim for dental expenses incurred during the benefit year, while staying at or under the threshold amount for benefits received for that year. In addition, a person earning dental rewards who submits a claim for services received through the dental network earns an extra reward, called the PPO Bonus. Employees and their covered dependents may accumulate rewards up to the stated maximum carryover amount, and then use those rewards for any covered dental procedures subject to applicable coinsurance and plan provisions. If a plan member doesn't submit a dental claim during a benefit year, all accumulated rewards are lost. But he or she can begin earning rewards again the very next year.

Benefit Threshold	\$750	Dental benefits received for the year cannot exceed this amount
Annual Carryover Amount	\$400	Dental Rewards amount is added to the following year's maximum
Annual PPO Bonus	\$200	Additional bonus is earned if the member sees a network provider
Maximum Carryover	\$1,200	Maximum possible accumulation for Dental Rewards and PPO Bonus combined

Ameritas RewardsSM

Ameritas Rewards is an enhanced product that offers an increased maximum for hearing, LASIK, orthodontia and vision as well as dental. It allows members to utilize unused dental maximum carryover amounts from previous years towards dental benefits or other lines of coverage included in a plan. Employees and their covered dependents may accumulate dental rewards with an unlimited maximum carryover amount. These rewards can be used to increase the maximum for the other lines of coverage which can then be used for certain covered services or materials subject to applicable deductible, coinsurance and plan provisions. If a plan member doesn't submit a dental claim during a benefit year, all accumulated rewards are lost. A member is eligible to earn rewards again the next year.

Benefit Threshold	\$750	Dental benefits received for the year cannot exceed this amount
Annual Carryover Amount	\$400	Ameritas Rewards amount is added to the following year's maximum
Annual PPO Bonus	\$200	Additional bonus is earned if the member sees a network provider
Maximum Carryover	Unlimited	Maximum possible accumulation for Dental Rewards and PPO Bonus combined

Ameritas Network Products

- Employers achieve a balance between cost efficiency and employee choice.
- Plan members are free to receive care from any dentist they choose. Their out-of-pocket expenses are generally lower when using network providers, who have agreed to provide dental care at discounted fees.
- Our plans give members across the nation over 416,000 provider access points for dental care.
- Network providers must meet our credentialing and quality assurance requirements.

A New Choice® Plus

- Lower rates are achieved in part by limiting what is paid per procedure on non-network claims to the same amount that network dentists have agreed to charge (called the Maximum Allowable Charge, or MAC).
- Members who use a network provider are guaranteed their dental fees will be at or under MAC limits.
- MAC may vary based on dental office ZIP Code and are reviewed annually.

Rx Savings - Extra value for Ameritas plan members

- It's no secret that prescription medications can be one of the biggest - and most important - health care expenditures a person, family or organization faces. Not to mention, when a person requires long-term maintenance medications, it can become a serious budgeting issue.
- Our valued plan members and their covered dependents (even their pets) can save on prescription medications through any Walmart or Sam's Club pharmacy across the nation. This Rx discount is offered at no additional cost, and it is not insurance.
- If your organization offers its associates health care pharmacy benefits, this no-cost Rx discount could save significant dollars. Walmart's pharmacies will give Ameritas plan members their normal health care pharmacy benefit, or the Walmart Rx discount, whichever saves more.
- Members can get hundreds of generic drug prescriptions at the everyday low price of \$4.00, in addition to saving approximately 40% off all other generics and 10-15% off most brand-name prescriptions. They can save even more with convenient home delivery mail-order service.
- To receive the Walmart Rx discount, Ameritas plan members just need to visit us at ameritas.com and sign into (or create) a secure member account. That's where they can access and print an online-only Rx discount savings ID card.
- Also, when choosing eServices, your benefits administrator will have access to the online-only Rx discount savings ID card to assist members without Internet access.

Eyewear Savings at Walmart Vision Centers

- Ameritas plan members may receive up to 15% off eyewear frames and lenses purchased at any Walmart Vision Center nationwide. Members may also bring in their current vision prescription from any vision care provider and purchase eyewear at Walmart.
- This savings arrangement is not insurance: it is available to members at no additional cost to their plan premium.
- To receive the eyewear savings identification card, Ameritas plan members can visit ameritas.com and sign-in (or create) a secure member account. Members must present the Ameritas Eyewear Savings Card at time of purchase to receive the discount.
- Also, when choosing eServices, your benefits administrator will have access to the Ameritas Eyewear Savings Card to assist members without Internet access.

Dental Cost Estimator

Ever wonder what a dental procedure usually costs? The answer can be found using the Ameritas group division's Dental Cost Estimator tool located in our Secure Member Account portal.

Members can search by ZIP Code for a specific dental procedure and see fee range estimates for out-of-network general dentists in that area. Of course, we always suggest that members partner with their dentists, so they know what's involved in any recommended treatment plan.

The estimator tool is powered by Go2Dental and uses FAIR Health data that is updated annually. Please note, cost estimates do not reflect discounted rates available through provider networks, and the estimator does not include orthodontic estimates at this time.

In addition, when members are in their Secure Member Account, they can:

- Go paperless with electronic Explanation of Benefits statements and reduce the clutter in their mailboxes
- View their certificate of insurance and specific plan benefits information
- Access value-added extras like the Rx discount ID card

Value Source®

- Sound coverage balanced with smart cost controls to help employers offer attractive benefits in an expensive world.
- Numerous plan design options offer competitive benefits and features.
- Group size flexibility, available for groups with 10+ employees.

Composites on Molars

This dental proposal includes a benefit for composite fillings on the molars located in the back of the mouth. This complements the composite filling benefit we already offer on bicuspids, which are the teeth next to the molars. Dental composites consist of a core plastic material, also known as resin, mixed with fillers to achieve various levels of strength, wear resistance and color. The result is a more natural-looking, tooth-color filling.

For more than a century, amalgams (silver-color fillings) have been the first choice for fillings in molars, because of their superior strength and cost effectiveness. Molars are key to comfortably and thoroughly chewing food, and if a person suffers from bruxism (tooth grinding) the molars are always getting a workout, so molar strength is an important consideration.

However, advances in composite dental fillings have made them strong enough for back teeth. So with this strength, along with their natural look, composites have become a popular alternative. Ultimately, the choice of dental filling material should be decided between the patient and his/her dental professional. By selecting this enhanced benefit, employers would be giving their employees the freedom to choose either amalgam or composite fillings with fewer financial concerns.

Worldwide Support

When our members travel abroad, they'll have peace of mind knowing that should a dental or vision need arise, help is just a phone call away. Through AXA Assistance, Ameritas offers its dental and vision plan members 24-hour access to dental or vision provider referrals when traveling outside the U.S.

Immediately after a call is made to AXA, an assistance coordinator assesses the situation, provides credible provider referrals and can even assist with making the appointment. Within 48 hours following the appointment, the coordinator calls the member to find out if additional assistance is needed. If all is well, the case is closed. Then, the plan member may submit a claim to Ameritas for reimbursement consideration based on applicable plan benefits. Contact AXA Assistance USA toll free by calling 866-662-2731, or call collect from anywhere in the world by dialing 1-312-935-3727.

Deductibles

After the date that 3 members of a family have each satisfied their individual deductible amounts, we will waive the entire deductible or any remaining portion of the deductible amount for any other family members for the rest of that calendar year. (Plan(s): 1, 2, 3, 4)

- If you purchase group insurance through Ameritas, your producer will receive compensation from Ameritas Group. This compensation may include one or more of the following:
 - Commission or override commission based on customary or negotiated scales.
 - Additional compensation based on factors such as the volume of premium, cases or lives placed by your producer with Ameritas, or persistency.
 - Fees for administrative or consulting services.

If you have any questions about the amount or type of compensation, please contact your producer.

- Some states require that producers be appointed with Ameritas Life Insurance Corp. before any presentation or solicitation of this plan design.
- This proposal is not a contract or a certificate of insurance. It contains proposed rates and benefits that are based on preliminary enrollment data. Such rates and benefits are subject to adjustment if final enrollment varies from the preliminary data.
- Most plans for groups with 26 or more enrolled lives are administered by Ameritas Group. Billing and eligibility for most plans with 25 or fewer enrolled lives are provided by HealthPlan Services, Inc.
- The rates are based on Standard Industry Code 922011.
- Benefits could be available for all full-time, active employees working at least 30 hours per week and dependents who have completed the designated waiting period.
- This proposal is being made as a result of information provided in the request for a proposal. It is intended for informational purposes and is not an offer to contract. If **City of Mendota** wishes to apply for group insurance based upon this proposal, **City of Mendota** may complete a Preliminary Application for Group Insurance. The Application will be subject to review and approval by the Home Office of the Company. If the Application is accepted, the final rates and benefits will be based on verification of this information and final enrollment.
- California state law requires that coverage shall be provided to Registered Domestic Partners that is equal to, and subject to the same terms and conditions as, the coverage provided to a spouse. Registered Domestic Partner means a partner of the Insured as long as the partnership meets the requirements for such relationship as defined in Section 297 of the California Family Code or the functional equivalent registration of any other state or local jurisdiction.
- The situs State of California has passed legislation which requires dependent children to be considered covered up to age 26 regardless of student status.
- Please let us know if you need a Spanish-language version of the Certificate.
- The policyholder must contribute the entire premium cost for all eligible employees and eligible dependents who are not covered by another dental plan. (Employees and dependents who are covered by another dental plan may enroll if the appropriate premium is paid by the employee.)
- Our proposal assumes that the Ameritas Life Insurance Corp. dental plan is the only plan offered for acceptance or consideration. If any other dental coverage is involved, such as a self-insured, DHMO or Prepaid plan, we would gladly provide another quote, as this one is no longer valid. (Plan(s): 1, 2, 3, 4)
- This proposal assumes 0% of the benefit eligible employees are retirees. If this percentage changes, Ameritas Life Insurance Corp. reserves the right to revise the rates retroactive to the effective date of the dental benefits to accommodate this change. Please note: if the retiree population is 20% or more, Ameritas Life Insurance Corp. reserves the right to remove the dental benefits from this proposal. (Plan(s): 1, 2, 3, 4)

Covered Expenses will not include and no benefits will be payable for expenses incurred:

All Plans

- for any procedure except exams, cleaning and fluoride applications for the first 12 months when an employee or dependent becomes classified as a late entrant. An employee or dependent who does not enroll within 31 days from the date the person qualifies for the insurance, or who elects to become covered again after canceling a premium contribution agreement, will be classified as a late entrant.
- for any treatment which is for cosmetic purposes, except as specifically listed in the Table of Dental Procedures.
- to replace any prosthetic appliance, crown, inlay or onlay restoration, or fixed partial denture within ten years of the date of the last placement of these items. However, if a replacement is required because of an accidental bodily injury sustained while the person is covered, it will be a Covered Expense.
- for initial placement of any dental prosthesis or prosthetic crown unless such placement is needed because of the extraction of one or more teeth while the plan member is covered under the dental expense benefit. The extraction of a third molar (wisdom tooth) will not qualify under the above. Any such dental prosthesis or prosthetic crown must include the replacement of the extracted tooth or teeth.
- for any procedure begun before the plan member was covered under the dental expense benefit.
- for any procedure begun after the member's insurance under the dental expense benefit terminates; or for any prosthetic dental appliances installed or delivered more than 90 days after the member's insurance under the dental expense benefit terminates.
- to replace lost or stolen appliances.
- for appliances, restorations, or procedures to:
 - alter vertical dimension;
 - restore or maintain occlusion;
 - splint or replace tooth structure lost because of abrasion or attrition
- for any procedure which is not shown on the Table of Dental Procedures.
- for orthodontic treatment (unless otherwise specified in this contract.)
- for which the plan member is entitled to benefits under any workmen's compensation or similar law, or charges for services or supplies received as a result of any dental condition caused or contributed to by an injury or sickness arising out of or in the course of any employment for wage or profit.
- for charges for which the plan member is not liable or which would not have been made had no insurance been in force.
- for services which are not required for necessary care and treatment or are not within the generally accepted parameters of care.
- because of war or any act of war, declared or not.
- in any quarter of a Program if the member was not covered under the orthodontic expense benefits for the entire quarter.
- after the member's insurance under the orthodontic expense benefits terminates.

Limitations for Plan(s) 4

- for orthodontic treatment program banded prior to the effective date, no rewards benefits will be paid.

AGENDA ITEM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CRISTIAN GONZALEZ, PUBLIC WORKS DIRECTOR
MICHAEL L. GIERSCH, PROJECT ENGINEER

VIA: VINCE DIMAGGIO, CITY MANAGER

SUBJECT: LOZANO LIFT STATION MODIFICATIONS – ANALYSIS OF BIDS
RECEIVED AND RECOMMENDATION FOR REJECTION OF BIDS

DATE: OCTOBER 25, 2016

ISSUE

Should the City Council reject the bids received to modify the Lozano Lift Station?

BACKGROUND

The existing sanitary sewer lift station located at the east end of Lozano Ave. (see Attachment 1, Location Map) was constructed approximately 25 years ago and requires frequent maintenance. The lift station is necessary in order to pump or lift sewage flows from the nearby residential subdivision to a higher elevation until it is able to flow by gravity to the sanitary sewer at the intersection of Bass Ave. and 2nd Ave.

At the April 12, 2016 Council meeting, a contract with Giersch and Associates, Inc. (hereafter G&A) was approved for the preparation of plans, specifications and estimate (PS&E) for modification of the Lozano Lift Station, and to provide construction support services for the project.

The project includes the construction of a new RFP (reinforced fiberglass polyester) lift station, dual sewer pump, and electrical connection. The lift station will be constructed adjacent to the existing system, and the existing concrete slab will be expanded to allow for maintenance vehicle access to the new lift station. While the existing pump system will be removed following the installation and activation of the new pumps, the chamber will continue to be used as additional storage for accumulated sewage. The additional capacity will result in less frequent starting of the pumps, which is expected to extend their service life.

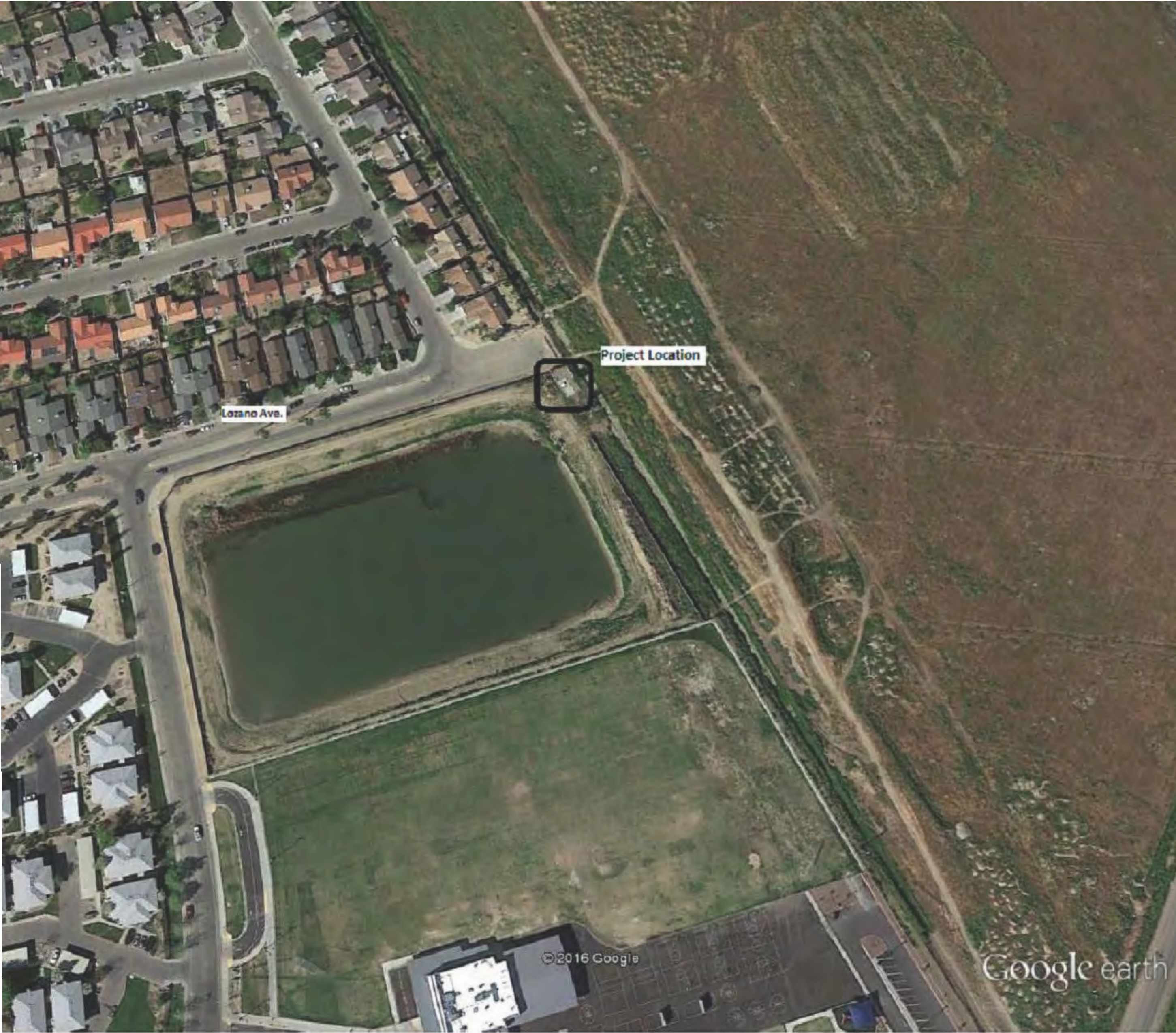
After completion of the PS&E and following a review by City staff, the project was advertised for bids. The bid opening for this project was held on Friday, October 14th at 2:30 p.m. in the Council Chambers. A total of two (2) bids were received. The low bid of \$336,030 was submitted by Bill Nelson GEC [General Engineering Construction] (see Attachment 2, Bid Summary).

Both bids greatly exceeded the Engineer's Estimate and the amount of funds budgeted for this project. As such, it is G&A's recommendation that the bids be rejected, and that the scope of the project be reviewed and analyzed to determine what modifications can be done to reduce the construction costs.

In their previous involvement with projects of a similar nature, G&A has usually had a larger number of firms submitting bids, which results in lower bid costs because of the increased competition. It is not known why there were a low number of bidders, but that was likely a major contributing factor in the higher than anticipated bid costs. G&A feels that there is the potential for the City to achieve substantial cost savings by modifications to the project and re-advertising the project for bids in the near future.

RECOMMENDATION

Adopt Resolution No. 16 - 74, rejecting the bids received at the October 14th bid opening for the Lozano Lift Station improvement project.



**Google Earth Aerial View of
Lozano Lift Station Location**

City of Mendota
Canvas of Bids: October 14, 2016
Lozano Lift Station Modifications

Item Description	Qty	Unit	Engineer's Estimate		1 Bill Nelson GEC, Inc.		2 JT2 Inc., dba Todd Co.	
			Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1. Mobilization, Bonds & Insurance	1	L.S.	\$ 8,080.00	\$ 8,080.00	\$ 15,000.00	\$ 15,000.00	\$ 9,120.00	\$ 9,120.00
2. Clearing & Grubbing	1	L.S.	\$ 4,500.00	\$ 4,500.00	\$ 15,000.00	\$ 15,000.00	\$ 4,068.00	\$ 4,068.00
3. Removal/Installation of C.L. Fence	1	L.S.	\$ 2,800.00	\$ 2,800.00	\$ 14,200.00	\$ 14,200.00	\$ 3,346.80	\$ 3,346.80
4. Shoring and Occupational Safety	1	L.S.	\$10,000.00	\$ 10,000.00	\$ 27,500.00	\$ 27,500.00	\$ 6,480.00	\$ 6,480.00
5. Earthwork	1	L.S.	\$ 8,000.00	\$ 8,000.00	\$ 15,000.00	\$ 15,000.00	\$ 10,876.80	\$ 10,876.80
6. 6" PVC Sanitary Sewer	90	L.F.	\$ 130.00	\$ 11,700.00	\$ 125.00	\$ 11,250.00	\$ 90.13	\$ 8,111.70
7. 72 in. dia. FRP lift station; submersible pump; electrical work; 10 in. PVC sewer connection	1	L.S.	\$72,000.00	\$ 72,000.00	\$120,000.00	\$120,000.00	\$220,245.60	\$220,245.60
8. Reinforced Concrete Slab (net increase)	686	S.F.	\$ 20.00	\$ 13,720.00	\$ 30.00	\$ 20,580.00	\$ 13.57	\$ 9,309.02
9. 6" PVC Sewer Connections to Existing Sewer Manhole	1	L.S.	\$ 4,500.00	\$ 4,500.00	\$ 25,000.00	\$ 25,000.00	\$ 16,740.00	\$ 16,740.00
10. Sewer Bypass System	1	L.S.	\$ 2,000.00	\$ 2,000.00	\$ 35,000.00	\$ 35,000.00	\$ 45,396.20	\$ 45,396.20
11. Removal/disposal of existing pump; furnish/install heavy duty alum cover	1	L.S.	\$ 5,000.00	\$ 5,000.00	\$ 37,500.00	\$ 37,500.00	\$ 9,738.00	\$ 9,738.00
Subtotal			\$ 142,300.00		\$ 336,030.00		\$ 343,432.12	

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA REVIEWING
THE BIDS FOR THE LOZANO LIFT STATION
MODIFICATION PROJECT, AND TO REJECT
ALL BIDS**

RESOLUTION NO. 16-74

WHEREAS, the Lozano Sanitary Sewer Lift Station is over 25 years old and requires frequent maintenance; and

WHEREAS, modification of the lift station is needed due to the resultant costs of maintenance (the "Project"); and

WHEREAS, following completion of the Plan, Specification and Estimate ("PS&E") for the Project, the City advertised the Project for bids; and

WHEREAS, at the October 14, 2016, bid opening at Mendota City Hall, two (2) bids were received; and

WHEREAS, both bids greatly exceeded the Engineer's Estimate and the amount of funds budgeted for the Project; and

WHEREAS, it is believed that there is a potential for modifications to be performed to the Project which would result in cost savings to the City; and

WHEREAS, it is in the City's best interest to reject all bids, and to modify the plans/specifications so that the Project can be completed within budget.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Mendota that all bids for the construction of the Lozano Lift Station Modification project received on October 14, 2016 are hereby rejected.

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at Mendota City Hall on the 25th day of October, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA OPPOSING
PASSAGE OF PROPOSITION 57,
ALSO KNOWN AS THE CALIFORNIA
PAROLE FOR NON-VIOLENT
CRIMINALS AND JUVENILE COURT
TRIALS REQUIREMENTS INITIATIVE**

RESOLUTION NO. 16-75

WHEREAS, Over the previous five years, the State of California has seen an unprecedented release of criminals from the state prison system, due to a number of release programs such as Realignment, Proposition 36, Proposition 47, and so-called Non-Violent Second Strike Release; and

WHEREAS, Prison inmates are already being given increased opportunity to earn credits for good behavior and educational achievements in excess of those authorized by the California Legislature; and

WHEREAS, Crime in California has shown a dramatic increase from 2014 to 2015; and

WHEREAS, Proposition 57 has multiple ambiguous terms that are not defined by the Initiative, such as just what constitutes a “non-violent felony” or what would constitute “parole consideration”, that will lead to extensive appellate litigation; and

WHEREAS, Proposition 57 would violate long-standing California law that the purpose of imprisonment is punishment and that this purpose is best served by “terms proportionate to the seriousness of the offense with provision for uniformity in the sentences of offenders committing the same offense under similar circumstances”; and

WHEREAS, Proposition 57 would conflict with many other initiatives passed by the voters of California, such as, The Victims’ Bill of Rights, Marsy’s Law, The Gang Violence and Juvenile Crime Prevention Act, The Three Strikes Law, The Use a Gun and You’re Done Law, as well as the recent Californians Against Sexual Exploitation Act; and

WHEREAS, the City Council of the City of Mendota will forward copies of this Resolution, Opposing Proposition 57, to California Governor Jerry Brown, California State Senator Anthony Cannella, California Assemblyman Joaquin Arambula, California Attorney General Kamala Harris, The Fresno County Board of Supervisors, the California State Sheriffs’ Association, the California State Police Chiefs Association, and the California District Attorneys Association.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Mendota does hereby proclaim opposition to Proposition 57, the so-called Public Safety & Rehabilitation Act of 2016 and calls on the voters of the City of Mendota, County of Fresno and State of California to vote NO on this ill-conceived attempt to accelerate the release of state prison inmates. This initiative will be on the November 2016 General Election ballot.

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 25th day of October, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

AGENDA ITEM

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CRISTIAN GONZALEZ, PUBLIC WORKS DIRECTOR
DAVID McGLASSON, CITY ENGINEER

VIA: VINCE DIMAGGIO, CITY MANAGER

SUBJECT: AWARD OF CONTRACT TO THE LOWEST RESPONSIBLE BIDDER
MARIE STREET AND DIVISADERO STREET RECONSTRUCTION
PROJECT

DATE: OCTOBER 19, 2016

ISSUE

Should the City Council adopt the attached resolution awarding a construction contract to the lowest responsible bidder and authorizing the City Manager or his designee to execute all documents necessary for the completion of the Project?

BACKGROUND

The reconstruction of a portion of Marie Street, from M&M Grocery to Divisadero Street, and a portion of Divisadero Street, from Marie Street to Lolita Street, was identified as a priority public works project and included in the Fiscal Year 2016/2017 Budget approved by the City Council on June 28, 2016.

On July 13, 2016 Provost & Pritchard Consulting Group was retained to provide survey, engineering design, and construction services for the Project. BSK Associates was retained to provide geotechnical engineering services for the Project.

The project was advertised in the Business Journal and construction documents (plans and specifications) have been available to contractors through local Builder's Exchanges since Friday, September 30, 2016.

On Tuesday, October 18, 2016 at 2:00 p.m. the bid opening was held. Two general contractors attended and submitted bids, along with staff and the assistant City Engineer. The two bids were as follows:

CONTRACTOR	AMOUNT
Avison Construction, Inc.	\$ 210,976.00
A.J. Excavation, Inc.	\$ 239,195.50

ANALYSIS

The Engineer's Opinion of Probable Construction Cost for the Project was \$300,000, so the bids received represent very good value to the City. There is a potential for weather delays from rain and relatively low daytime temperatures (highs around 55 degrees); however, the City staff has discussed the timing of the project with the City Engineer and based on the average rainfall and temperatures in Mendota during the month of November and the Contractor's proposed schedule, Staff believes that the project can proceed in accordance with the Construction Documents and schedule to be completed this fall.

FISCAL IMPACT

The approved Fiscal Year 2016/2017 Budget, allocated funds from the Gas Tax, Measure C, and Local Transportation Funds (LTF) funds to finance the Project. \$210,976.00 from that allocation will be utilized to complete the project.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution 16-76, awarding the contract for construction of the Project to the lowest responsible bidder, Avison Construction, Inc. and authorizing the City Manager or his designee to execute all documents necessary for the completion of the Project.

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA AWARDED
THE BID FOR THE MARIE STREET AND
DIVISADERO STREET RECONSTRUCTION
PROJECT TO AVISON CONSTRUCTION, INC.
FOR \$210,976.00**

RESOLUTION NO. 16-76

WHEREAS, the City of Mendota and the City Engineer have determined that Marie Street from M&M Grocery to Divisadero Street and Divisadero Street from Marie Street to Lolita Street should be reconstructed (the "Project"); and

WHEREAS, the City Council in its Fiscal Year 2106/2017 Budget allocated funds from the Gas Tax, Measure C, and Local Transportation Fund funds to finance the Project; and

WHEREAS, on September 30, 2016, and October 12, 2016, the City published notice in the Business Journal, notifying all interested parties to submit bids for the Project; and

WHEREAS, a bid opening was held promptly after the deadline published in the aforementioned notice on October, 18, 2016, at 2:00 p.m. in the Council Chambers of the City of Mendota; and

WHEREAS, two companies submitted bids before the deadline, with Avison Construction, Inc. qualifying as the lowest responsible bidder at \$210,976.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota that the City of Mendota awards the contract for the construction of the Marie Street and Divisadero Street Reconstruction Project to Avison Construction, Inc. for \$210,976.00 and authorizes the City Manager or his designee to execute all documents necessary for the completion of the Project.

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 25th day of October, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
VIA: VINCE DIMAGGIO, CITY MANAGER
FROM: NANCY M. DIAZ, FINANCE ADMINISTRATIVE SUPERVISOR
SUBJECT: APPROVE RESOLUTION 16-77 TO ACCEPT AND FILE THE COMMUNITY FACILITIES DISTRICT NO. 2006-1 ANNUAL REPORT FOR FISCAL YEAR 2016/17
DATE: OCTOBER 21, 2016

ISSUE

Should the City Council approve Resolution 16-77 to accept and file the Community Facilities District No. 2006-1 Annual Report for Fiscal Year 2016/17?

BACKGROUND

Community Facilities District No. 2006-1 (“CFD No. 2006-1”) was formed by the City on November 28, 2006 and includes properties within Las Palmas Tract 5483, which is generally located west of Hwy 33, north of Belmont Avenue, and bordered by Bass Avenue to the north and primarily Rowe Avenue to the east.

The qualified electors within CFD No. 2006-1 authorized the City to levy a Special Tax to finance certain services, specifically to pay the costs of providing police and fire services that are in addition to those provided in the territory within the CFD prior to the formation and to pay costs associated with the determination of the levy and collection of the special taxes.

It is the City’s intention to annex new residential developments into CFD No. 2006-1 as they are approved to provide for the services in the new growth areas of the City.

The Annual Report provides certain general and administrative information related to CFD No. 2006-1 including: (I) the Special Tax Levy for Fiscal Year 2016/17, the current Fiscal Year, (II) Background of CFD No. 2006-1, and (III) Summary of the projected and actual development within CFD No. 2006-1. The information described above is provided to the City for informational purposes only and is not required by any statute of law.

ANALYSIS

The Annual Report attached includes information prepared in compliance with the Local Agency Special Tax and Bond Accountability Act (“Accountability Act”). The

Accountability Act was enacted by California State Legislature through Senate Bill 165 to provide accountability measures for any local special tax and/or bond measure subject to voter approval on or after January 1, 2001. According to the requirements of the Accountability Act (Sections 50075.1 and 53410 of the Government Code of the State of California), an annual report must be filed by the local agency levying the special tax and or issuing a bond measure and shall contain a description of the following:

- (1) The amount of funds collected and expended.
- (2) The status of any project required or authorized to be funded by the special tax and/or bond measure.

Section VI. of the Annual Report includes information regarding the amount of the annual Special Taxes collected and the authorized expenditures for fiscal year 2015/2016.

FISCAL IMPACT

None

RECOMMENDATION

Staff recommends that the City Council approve Resolution 16-77 to accept and file the CFD No. 2006-1 Annual Report and authorize the placement of special assessments/direct charges on the tax roll for the CFD No. 2006-1 for Fiscal Year 2016/2017.

**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 PLACEMENT OF SPECIAL
ASSESSMENTS/DIRECT CHARGES ON THE
TAX ROLL FOR THE COMMUNITY FACILITIES
DISTRICT NO. 2006-1 FOR FISCAL YEAR
2016/2017**

RESOLUTION NO. 16-77

WHEREAS, on November 28, 2006, the City formed Community Facilities District No. 2006-1 (“CFD No. 2006-1”); and

WHEREAS, the qualified electors within CFD No. 2006-1 subsequently authorized the City to levy a Special Tax to finance certain services, specifically to pay the costs of providing police and fire services that are in addition to those provided in the territory within the CFD prior to the formation and to pay costs associated with the determination of the levy and collection of the Special Taxes; and

WHEREAS, the County of Fresno requires each governing body to authorize the placement of special assessments/direct charges on the tax roll in compliance with the California Code; and

WHEREAS, the Annual Report also includes information prepared in compliance with the Local Agency Special Tax and Bond Accountability Act (“Accountability Act”); and

WHEREAS, according to the requirements of the Accountability Act, an Annual Report must be filed by the local agency levying the Special Tax and or issuing a Bond Measure and shall contain a description of the following:

- (1) The amount of funds collected and expended.
- (2) The status of any project required or authorized to be funded by the Special Tax and/or Bond Measure.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota that the City Council hereby authorizes the placement of special assessments/direct charges on the tax roll for the Community Facilities District No. 2006-1 for Fiscal Year 2016/2017.

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 25th day of October, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk



**CITY OF MENDOTA
COMMUNITY FACILITIES DISTRICT No. 2006-1
(POLICE AND FIRE SERVICES)**

**ANNUAL REPORT
FISCAL YEAR 2016/2017**

KOPPEL & GRUBER
PUBLIC FINANCE

334 VIA VERA CRUZ, SUITE 256
SAN MARCOS
CALIFORNIA 92078

T. 760.510.0290
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City of Mendota

Vince DiMaggio, City Manager
Rudy Marquez, Finance Director
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Attachments

- Attachment 1 – Boundary Map
- Attachment 2 – Rate & Method of Apportionment
- Attachment 3 – Fiscal Year 2016/17 Special Tax Roll

INTRODUCTION

This Annual Special Tax Report (“Report”) summarizes certain general and administrative information related to Community Facilities District No. 2006-1 (Police and Fire Services) (“CFD No. 2006-1”) of the City of Mendota (“City”). The Report outlines the following for CFD No. 2006-1: (I) Special Tax Levy for Fiscal Year 2016/2017, (II) Background of CFD No. 2006-1, (III) Development Summary, and (IV) Reporting of information in compliance with the Local Agency Special Tax and Bond Accountability Act (SB 165). The Report also includes Attachments referenced by and/or supplementing the information outlined herein. The capitalized terms not defined in the Report are used as defined in the Rate & Method of Apportionment of CFD No. 2006-1 (“RMA”).

SECTION I. SPECIAL TAX LEVY FOR FY 2016/2017

Section I of the Report contains information for the determination of the Fiscal Year (“FY”) 2016/2017 Special Tax levy.

A. Special Tax Requirement

The Special Tax Requirement represents the sum of budgeted police and fire protection services and Administrative Expenses of CFD No. 2006-1 in FY 2016/2017. The Special Tax Requirement for FY 2016/2017 is \$212,863.80. The table below shows the calculation used to determine the FY 2016/2017 Special Tax Requirement as well as the FY 2015/2016 amounts for comparison.

SPECIAL TAX COMPONENTS	FY 2016/2017 DOLLARS	FY 2015/2016 DOLLARS
Police Services	\$207,609.44	\$157,509.06
Fire Services	0.00	0.00
Administrative Expenses	\$5,254.36	\$5,190.98
SPECIAL TAX REQUIREMENT	\$212,863.80	\$162,700.04

B. Distribution of Special Tax

Special Taxes that CFD No. 2006-1 may levy are limited by the RMA. A copy of the RMA is included as Attachment 2 provided herein. In FY 2016/2017, the Special Tax levy was applied to Two Hundred Forty-Six (246) dwelling Units of Developed Residential Property at the Maximum Special Tax rate on a per dwelling Unit basis. The calculation for the Special Tax Requirement for FY 2016/2017 is based to the development of property within CFD No. 2006-1 and the Special Tax limitations on such Developed Residential Property as further described in the RMA. The FY 2016/2017 Maximum Special Tax rates, the applied annual Special Tax rates, number of dwelling Units with a levy amount for each land use classification is listed in the table below.

LAND USE CATEGORY	NUMBER OF DWELLING UNITS/ ACREAGE	FY 2016/2017 MAXIMUM SPECIAL TAX	FY 2016/2017 APPLIED ANNUAL SPECIAL TAX	PERCENT OF MAXIMUM	FY 2016/2017 LEVY AMOUNT
Developed Residential Property	246	\$865.30 per Unit	\$865.30 per Unit	100%	\$212,863.80
TOTAL	246	NA	NA	NA	\$212,863.80

C. Estimated Administrative Expenses

Each year a portion of the Special Tax levy goes to pay the ongoing costs of administration. The estimated FY 2016/2017 Administrative Expenses are shown below followed by a description of each line item. The FY 2015/2016 amounts are also shown for comparison.

ADMINISTRATIVE EXPENSES	FY 2016/2017 DOLLARS	FY 2015/2016 DOLLARS
City Administrative Fees and Expenses	\$1,000.00	\$1,000.00
Consultant Administrative Fees	4,115.00	4,058.00
County Tax Collection Fees ¹	39.36	32.98
Other Expenses	100.00	100.00
TOTAL	\$5,254.36	\$5,190.98

¹ Reflects change in County Fee Schedule.

City Administrative Fees and Expenses - includes customary out-of-pocket costs associated with the administration of CFD No. 2006-1 including, but not limited to: assessor parcel maps and data, postage, and telephone expenses. Also included are the City's estimated costs to provide accounting of funds collected by CFD No. 2006-1 and expended for the use of authorized facilities and maintenance costs.

Consultant Administrative Fees - include the cost of preparing the Annual Special Tax Report and providing special tax information to the County of Fresno ("County"), attorney fees, and other administrative contractors.

County Tax Collection Fees - refer to the County processing fee to levy and collect tax installments on the County property tax bill. The fee is currently equal to \$0.16 per parcel for parcels applied to the tax roll.

Other Expenses - include any other contingencies that have been added to protect CFD No. 2006-1 from unanticipated unbudgeted costs.

SECTION II. BACKGROUND OF CFD No. 2006-1

A. Summary Table of Information

The following table shows information related to the formation of CFD No. 2006-1:

CFD FORMATION	
Date of Resolution of Intention to Establish	October 24, 2006
Resolution of Intention Number	06-39
Date of Resolution of Formation	November 28, 2006
Resolution of Formation Number	06-44
County Fund Number	6109

B. CFD No. 2006-1 Background

The Mello-Roos Community Facilities Act (“Act”) of 1982 came about as a response to the lack of adequate financing for public capital facilities and services in the post-Proposition 13 era. State Legislatures Mello and Roos sponsored this Bill, which was enacted into law by the California Legislature and is now Section 53311 *et. seq.* of the California Government Code. The Act authorizes a local government agency, such as a park district or a city, to form a Community Facilities District (“CFD”) within a defined set of boundaries for the purposes of providing public facilities and services. A CFD is formed for financing purposes only and is governed by the agency that formed it.

The City Council of the City of Mendota established CFD No. 2006-1 on November 28, 2006. The qualified electors within CFD No. 2006-1 authorized the City to levy a Special Tax to finance certain services, specifically to pay the costs of police and fire services within the community facilities district and in the surrounding area, and to pay costs associated with the determination of the amount of and the levy and collection of the special taxes.

C. Boundaries

CFD No. 2006-1 is located west of Hwy 33, north of Belmont Avenue, and bordered by Bass Avenue to the north and primarily Rowe Avenue to the east.

It is the City’s intention to annex new residential developments into CFD No. 2006-1 as they are approved for police and fire services in the new growth areas of the City. The Future Annexation Area, as described in Resolution No. 06-39 Section 2, shall be comprised of undeveloped parcels within the boundaries of the City, other than those parcels already within the boundaries of CFD No. 2006-1, which are planned to be developed for private residential purposes and such other parcels as may be added upon the petition of property.

SECTION III. DEVELOPMENT SUMMARY

CFD No. 2006-1 is proposed to include 422 single family residences at build out. As of June 1, 2016, building permits had been issued for 246 dwelling Units.

SECTION IV. LOCAL AGENCY SPECIAL TAX AND BOND ACCOUNTABILITY ACT COMPLIANCE (SB 165)

A. Background

The Local Agency Special Tax and Bond Accountability Act (“Accountability Act”) was enacted by California State Legislature through Senate Bill 165 to provide accountability measures for any local special tax and/or bond measure subject to voter approval on or after January 1, 2001. According to the requirements of the Accountability Act (*Sections 50075.1 and 53410 of the Government Code of the State of California*), an annual report must be filed by the local agency levying a special tax and/or issuing a bond measure on or before each January 1, commencing January 1, 2002 and shall contain a description of the following:

- (1) The amount of funds collected and expended to fund authorized facilities/services for the previous fiscal year.
- (2) The status of any project required or authorized to be funded by the special tax and/or bond measure.

The information contained in this Section has been compiled and is being presented pursuant to and in accordance with the requirements outlined in the Accountability Act for Fiscal Year 2015/2016.

B. Authorized Services

The purpose of CFD No. 2006-1 is to provide for the cost of providing (1) police protection services, (2) fire protection services that are in addition to those provided in the territory within the CFD prior to the formation of CFD No. 2006-1, and (3) incidental expenses related to financing, forming and administering CFD No. 2006-1.

C. Collection of Special Taxes & Expenditures

A separate account is held by the City for the deposit of Special Taxes levied by CFD No. 2006-1 and for the disbursement of authorized expenditures. The following table provides a description of the collection of Special Taxes and the funds disbursed for authorized expenditures for Fiscal Year 2015/2016.

ITEM	AMOUNT
BEGINNING BALANCE AS OF JULY 1, 2015	\$123,804.73
<i>Sources of Funds</i>	
Special Tax Collections	\$147,695.45
<i>Subtotal Sources of Funds</i>	<i>\$147,695.45</i>
<i>Expenditures</i>	
Administrative Expenses	(\$3,953.92)
Police Services	(\$119,836.74)
Fire Services	\$0.00
<i>Subtotal Expenditures</i>	<i>(\$123,790.66)</i>
ENDING BALANCE AS OF JUNE 30, 2016	\$147,709.52

ATTACHMENT 1
BOUNDARY MAP

The following page shows the recorded boundary map.

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SHEET 1 OF 1

MAP OF PROPOSED BOUNDARIES OF
 COMMUNITY FACILITIES DISTRICT NO. 2006-1
 (POLICE AND FIRE SERVICES)

CITY OF MENDOTA
 COUNTY OF FRESNO
 STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CITY CLERK THIS 27th DAY OF October, 2006
 I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-1 (POLICE AND FIRE SERVICES), CITY OF MENDOTA, COUNTY OF FRESNO, STATE OF CALIFORNIA, WAS PREPARED AND SUBMITTED TO THE CITY CLERK AT A REGULAR MEETING HELD ON THE 27th DAY OF October, 2006, BY ITS RESOLUTION NO. 06-036.

Rosalee L. Carter
 CITY CLERK
 CITY OF MENDOTA

FILED THIS 30th DAY OF November, 2006, AT THE HOUR OF 10:00 O'CLOCK A.M.
 IN THE BOOK 142 OF MAPS OF ASSIGNMENT AND COMMUNITY FACILITIES DISTRICTS,
 PAGE 29, AND AS INSTRUMENT NO. 06-036-147
 COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

Donita Dainoff
 COUNTY RECORDER
 COUNTY OF FRESNO
 STATE OF CALIFORNIA

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSORS MAPS FOR THOSE PARCELS LISTED.

THE FRESNO COUNTY ASSESSORS MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.



800' 400' 0'
 SCALE: 1" = 800'

LEGEND
 — CFD BOUNDARY
 (1) MAP REFERENCE NUMBER

MAP REF. NO.	ASSESSOR'S PARCEL NO.
1	012-1190-40
2	012-1190-41

KOPPEL & GRUBER
 PUBLIC ENGINEERS

2014 Via Vera Cruz
 Suite 206
 San Marcos, California 92078
 Phone (760) 510-0890 Fax (760) 510-0888

(06-036) OCTOBER 2006

ATTACHMENT 2
RATE & METHOD OF APPORTIONMENT
FOR CFD No. 2006-1 (POLICE AND FIRE SERVICES)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

CITY OF MENDOTA COMMUNITY FACILITIES DISTRICT NO. 2006-1 (POLICE AND FIRE SERVICES)

A special tax as hereinafter defined shall be levied on and collected for City of Mendota Community Facilities District No. 2006-1 (Police and Fire Services) (“CFD No. 2006-1”) each Fiscal Year, commencing in Fiscal Year 2006-2007, in an amount determined by the City Council of the City of Mendota through the application of the appropriate Special Tax for “Developed Residential Property” as described below. All of the real property in CFD No. 2006-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

1. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“**Act**” means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

“**Administrative Expenses**” means any actual ordinary and necessary expense of the City of Mendota, or designee thereof or both, to carry out the administration of CFD No. 2006-1 related to the determination of the amount of the levy of the Special Tax, the collection of the Special Tax including the expenses of collecting delinquencies, the payment of a proportional share of salaries and benefits of any City employee whose duties are directly related to the administration of CFD No. 2006-1, fees and expenses for counsel, Special Tax consultant and other consultants hired by the City in relation to CFD No. 2006-1, costs associated with responding to public inquiries regarding CFD No. 2006-1, and costs otherwise incurred in order to carry out the authorized purposes of CFD No. 2006-1.

“**Annual Escalation Factor**” means for the Special Tax, the greater of (i) two percent (2.00%), or (ii) the percentage change in the Consumer Price Index for the Calendar Year ending in December of the prior Fiscal Year.

“**Assessor’s Parcel**” means a lot or parcel of land designated on an Assessor’s Parcel Map with an assigned Assessor’s Parcel number within the boundaries of CFD No. 2006-1.

“**Assessor’s Parcel Map**” means an official map of the Assessor of the County designating parcels by Assessor’s Parcel number.

“**Base Year**” means Fiscal Year ending June 30, 2007.

“**Building Permit**” means a permit for new construction for a residential dwelling Unit. For purposes of this definition, “Building Permit” shall not include permits for

construction or installation of retaining walls, utility improvements, or other such improvements not intended for human habitation.

“Calendar Year” means the period commencing January 1 of any year and ending the following December 31.

“CFD Administrator” means an official of the City, or designee thereof, responsible for determining the Special Tax Requirements and providing for the levy and collection of the Special Tax.

“CFD No. 2006-1” means Community Facilities District No. 2006-1 (Police and Fire Services) established by the City under the Act.

“City” means the City of Mendota.

“City Council” means the City Council of the City, acting as the Legislative Body of CFD No. 2006-1, or its designee.

“Consumer Price Index” means the index published by the U.S. Department of Labor, Bureau of Labor Statistics for all urban consumers in the Fresno County area.

“County” means the County of Fresno.

“Developed Residential Property” means all Assessor’s Parcels within CFD No. 2006-1 for which Building Permits were issued for purposes of constructing Single-Family Residential or Multi-Family Residential dwelling Units on or before June 1 preceding the Fiscal Year for which the Special Tax is being levied, and that each such Assessor's Parcel is associated with a Lot within a Final Map, as determined reasonably by the City and/or CFD administrator.

“Exempt Property” means all Assessor’s Parcels within CFD No. 2006-1 designated as being exempt from the Special Tax as determined in Section F.

“Final Map” means a subdivision of property evidenced by the recordation of a final map, parcel map, or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or the recordation of a condominium plan pursuant to California Civil Code 1352 that creates individual lots for which Building Permits may be issued without further subdivision.

“Fiscal Year” means the period commencing on July 1 of any year and ending the following June 30.

“Lot” means an individual legal lot created by a Final Map for which a Building Permit could or has been issued.

“Maximum Special Tax” means the Maximum Special Tax determined in accordance with Section C, which can be levied by CFD No. 2006-1 in any Fiscal Year on Developed Residential Property within CFD No. 2006-1.

“Multi-Family Residential” means all Assessor’s Parcels for which a Building Permit has been issued for purposes of constructing a residential structure consisting of two or more residential Units that share common walls, including, but not limited to, duplexes, triplexes, town homes, condominiums, and apartment Units.

“Non-Residential Property” means all Assessor’s Parcels for which a Building Permit was issued for any type of non-residential use.

“Public Property” means any property within the boundaries of CFD No. 2006-1 that is owned by or irrecoverable dedicated to the City, the federal government, the State of California, the County, CFD No. 2006-1, or other public agency.

“Public Services” means new police and fire services, including but not limited to (i) the costs of contracting services, (ii) related facilities, equipment, vehicles, ambulances, fire apparatus and supplies, (iii) the salaries and benefits of City and non-City staff that directly provide police and fire services, and (iv) City and non-City overhead costs associated with providing such services within CFD No. 2006-1. The Special Tax provides only partial funding for police and fire services.

“Special Tax” means any special tax authorized to be levied by CFD No. 2006-1 pursuant to the Act to fund Public Services and Administrative Expenses.

“Single-Family Residential” means all Assessor’s Parcels for which a Building Permit has been issued for purposes of constructing one single-family residential dwelling Unit.

“Tax-Exempt Property” means an Assessor's Parcel not subject to the Special Tax as defined under Section F.

“Undeveloped Property” means all Assessor’s Parcels within CFD No. 2006-1 for which Building Permits have not been issued and are not classified as Public Property.

“Unit” means any separate residential dwelling unit in which a person or persons may live, which comprises an independent facility capable of conveyance separate from adjacent residential dwelling units and is not considered to be for commercial or industrial use.

2. LAND USE CLASSIFICATION

Each Fiscal Year, beginning with Fiscal Year 2006-2007, each Assessor’s Parcel within CFD No. 2006-1 shall be classified as Developed Residential Property or Exempt Property.

3. MAXIMUM SPECIAL TAX RATES

The Maximum Special Tax for each Assessor’s Parcel classified as Developed Residential Property in Fiscal Year 2006-2007 shall be equal to \$660.00 per Unit. For each subsequent Fiscal Year following the Base Year, the Maximum Special Tax shall be adjusted by the Annual Escalation Factor.

4. METHOD OF APPORTIONMENT

Commencing with Fiscal Year 2006-2007, and for each subsequent Fiscal Year, the CFD Administrator shall calculate the Maximum Special Tax applicable for such Fiscal Year and levy the Maximum Special Tax on all Developed Residential Property.

5. TERM OF SPECIAL TAX

The Special Tax shall be levied in perpetuity to fund Public Services provided to CFD No. 2006-1.

6. EXEMPTIONS

The City shall classify as Exempt Property: (i) Public Property, (ii) Non-Residential Property, (iii) Undeveloped Property, (iv) Assessor's Parcels which are used as places of worship and are exempt from ad valorem property taxes because they are owned by a religious organization, (v) Assessor's Parcels used exclusively by a homeowners' association, or (vi) Assessor's Parcels with public or utility easements making impractical their utilization for other purposes than those set forth in the easement.

7. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the City Council not later than twelve months after having paid the first installment of the Special Tax that is disputed. A representative(s) of CFD No. 2006-1 shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the representative's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made, but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

8. COLLECTION OF SPECIAL TAXES

Collection of the Annual Special Tax shall be made by the County in the same manner as ordinary ad valorem property taxes are collected and the Annual Special Tax shall be subject to the same penalties and the same lien priority in the case of delinquency as ad valorem taxes; provided, however, that the Council may provide for other means of collecting the Special Tax, including direct billings thereof to the property owners.

ATTACHMENT 3
FISCAL YEAR 2016/2017
SPECIAL TAX ROLL FOR CFD NO. 2006-1

A list of the parcels and CFD No. 2006-1 Special Taxes submitted to the County for FY 2016/2017 is provided in an electronic medium.

ASSESSOR'S PARCEL NUMBER	APPLIED TAX RATE
012-281-01	\$865.30
012-281-02	\$865.30
012-281-03	\$865.30
012-281-04	\$865.30
012-281-05	\$865.30
012-281-06	\$865.30
012-281-07	\$865.30
012-281-08	\$865.30
012-281-09	\$865.30
012-281-10	\$865.30
012-281-11	\$865.30
012-281-12	\$865.30
012-281-13	\$865.30
012-281-14	\$865.30
012-281-15	\$865.30
012-281-16	\$865.30
012-282-01	\$865.30
012-282-02	\$865.30
012-282-03	\$865.30
012-282-04	\$865.30
012-282-05	\$865.30
012-282-06	\$865.30
012-282-07	\$865.30
012-282-08	\$865.30
012-282-09	\$865.30
012-282-10	\$865.30
012-282-11	\$865.30
012-282-12	\$865.30
012-282-13	\$865.30
012-282-14	\$865.30
012-282-15	\$865.30
012-282-16	\$865.30
012-283-01	\$865.30
012-283-02	\$865.30
012-283-03	\$865.30
012-283-04	\$865.30
012-283-05	\$865.30
012-283-06	\$865.30
012-283-07	\$865.30
012-283-08	\$865.30
012-283-09	\$865.30
012-283-10	\$865.30
012-283-11	\$865.30
012-283-12	\$865.30
012-283-13	\$865.30
012-283-14	\$865.30

012-283-15	\$865.30
012-283-16	\$865.30
012-283-17	\$865.30
012-283-18	\$865.30
012-283-19	\$865.30
012-283-20	\$865.30
012-283-21	\$865.30
012-283-22	\$865.30
012-283-23	\$865.30
012-283-24	\$865.30
012-283-25	\$865.30
012-283-26	\$865.30
012-283-27	\$865.30
012-283-28	\$865.30
012-283-29	\$865.30
012-284-01	\$865.30
012-284-02	\$865.30
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012-291-01	\$865.30
012-291-02	\$865.30
012-291-03	\$865.30
012-291-04	\$865.30
012-291-05	\$865.30
012-291-06	\$865.30
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012-298-04	\$865.30
012-298-05	\$865.30
012-298-06	\$865.30

012-301-01	\$865.30
012-301-02	\$865.30
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012-301-17	\$865.30
012-301-18	\$865.30
012-301-19	\$865.30
012-301-20	\$865.30
012-302-01	\$865.30
012-302-02	\$865.30
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012-302-11	\$865.30
012-302-12	\$865.30
012-302-13	\$865.30
012-302-14	\$865.30
012-302-15	\$865.30
012-302-16	\$865.30
012-302-17	\$865.30
012-302-18	\$865.30
012-302-20	\$865.30
012-302-23	\$865.30
012-302-24	\$865.30
012-302-25	\$865.30
012-310-01	\$865.30
012-310-02	\$865.30
012-310-03	\$865.30
012-310-04	\$865.30
012-310-05	\$865.30

012-310-06	\$865.30
012-310-07	\$865.30
012-310-08	\$865.30
012-310-09	\$865.30
012-320-01	\$865.30
012-320-02	\$865.30
012-320-03	\$865.30
012-320-04	\$865.30
012-320-05	\$865.30
012-320-06	\$865.30
012-320-07	\$865.30
012-320-08	\$865.30

Total Levy Amount: \$212,863.80
Total Parcels Levied: 246

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILORS
FROM: MATT FLOOD, ECONOMIC DEVELOPMENT MANAGER
VIA: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: APPROVING AMENDED SURPLUS LIST
DATE: OCTOBER 25, 2016

ISSUE

Shall the Council approve the amended surplus list?

BACKGROUND

The City Council approved the surplus list at the previous Council Meeting. However, staff has since discovered additional items that are in the City's best interest to add. The attached list is very similar to the list previously approved, with the exception of the added items.

ANALYSIS

The surplus sale is scheduled to take place on November 18th. Bids for items valued at \$100 and over will be done by written bid. Items less than that value will be sold on November 18th from 9am-4pm at the Public Works yard.

FISCAL IMPACT

Slight gain of revenue depending on the ultimate price items are sold at.

RECOMMENDATION

Council adopt Resolution No. 16-79, adopting the surplus list.

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA DECLARING
SURPLUS EQUIPMENT AND AUTHORIZING
THE SALE OR DISPOSAL OF SUCH PROPERTY**

RESOLUTION NO. 16-79

WHEREAS, Government Code Section 37350 provides for the ability of cities to dispose of property for the common benefit of the City; and

WHEREAS, on October 11, 2016, the City Council approved Resolution No. 16-69, declaring certain property surplus; and

WHEREAS, following the approval of Resolution No. 16-69, Staff identified minor corrections that need to be made to the Items to be Sold List, which are shown in redline form in Exhibit "A"; and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mendota does hereby approve the modified version of Exhibit A, previously attached to Resolution No. 16-69, and authorizes the City Manager to declare the items listed in attached Exhibits A as surplus and to dispose of it in the appropriate manner.

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a Regular Meeting of said Council, held at the Mendota City Hall on the 25th day of October, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

EXHIBIT A
Property to be Sold

Description of item	Model	VIN or Serial Number	Valuation of Item
2006 Ford (PD M83) License Plate #1224633	Crown Victoria	VIN: 2FAFP71W16X157151	\$500
2009 Ford (PD M82) License Plate #1332057	Crown Victoria	VIN: 2FAHP71V59X143595	\$500
2009 Ford (PD M81) License Plate #1332056	Crown Victoria	VIN: 2FAHP71V79X143596	\$500
2002 Ford short bed pick-up	Ranger	VIN: 1FTRF17252NB26377	\$1,000
2007 Chevy truck (wrecked front)	1500	VIN: 1GCEC14C97Z514023	\$800
2003 Ford truck	F150	VIN: 1FTRF17253NA73696	\$1,000
SHARP EL-1197PIII Electronic Calculator	VX-2652B	0D021225	\$5
Logitech computer mouse	T-BC21	810-000767	\$1
Microsoft computer mouse	63618-OEM-	X08-70372	\$1
HP computer mouse	M-BT96a	None found	\$1
HP computer mouse	MOAFKOA	None found	\$1
HP computer mouse	M-S69	None found	\$1
HP Laserjet Printer ink	98A	None found	\$10
Portable sprayer tank 150 gallon Capacity	Unknown/Generic	None found	\$100
Worthington trailer mounted diesel engine - Height 76 inches, width 68 inches, engine ID. #4D35656, 250cfm	Worthington 2088	752-573	\$100
Portable generator 120/220 volt output capacity amp load unknown, needs tires	Unknown/Generic	None found	\$100
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-29	5DKSA17738	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-29	5HKSB46518	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-29	5DKSA09851	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-29	5GKSA38432	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-29	5HKSB46372	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	7EKSA35407	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	0AKYA12569	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	0AKYA12454	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	9BKYA29964 (Clovis #05510)	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	9EKYA52327 (Clovis #06177)	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	7HKYA59956 (Clovis #04559)	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	9BKYA28876 (Clovis #05002)	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	9BKYA31809 (Clovis #06202)	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	9EKYA52234 (Clovis #06208)	\$25

EXHIBIT A
Property to be Sold

Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	7HKYA60158 (Clovis #04661)	\$25
Lap Top Computer - Toughbook (No hard Drive)	Panasonic / CF-30	9EKYA52231 (Clovis #06205)	\$25
Logitech cordless computer keyboard and mouse set	Y-RCP140	MC752CZ	\$10
HP computer keyboard	9109	None found	\$3
HP computer keyboard	KU-0316	None found	\$3
HP computer mouse	M-UAE96	None found	\$1
4 Meter Readers with charging station	Telxon MCO-860 and PTC-860	2424879301657550	\$100
DC-DC Converter	Passport by Fender	None found	\$10
19 Cassette Tapes	Maxell	N/A	\$5
Door Tumbler	General Lock	None found	\$5
Computer Foot Pedal	Panasonic RP-2692	None found	\$1
Router	HP JetDirect 300X	00110AEA3EFF	\$1
(2) 10 ft. and (1) 3 ft. CAT5 Ethernet	Unknown/Generic	N/A	\$1
Foot Control Unit	Sony FS-80	None found	\$1
Phone (landline)	NEC Dterm80	BH04621928	\$5
Document/Mail brackets	Unknown/Generic	N/A	\$1
Black Inkjet Printer Cartridges	HP74XL	N/A	\$5
Black Inkjet Printer Cartridges	HP74XL	N/A	\$5
Black Inkjet Printer Cartridges	HP74XL	N/A	\$5
Black Inkjet Printer Cartridges	HP98	N/A	\$5
Color Inkjet Printer Cartridges	HP75XL	N/A	\$5
Color Inkjet Printer Cartridges	HP75XL	N/A	\$5
Color Inkjet Printer Cartridges	HP75XL	N/A	\$5
Color Inkjet Printer Cartridges	HP75	N/A	\$5
Inkjet Printer	HP Photosmart C4250	CN74NF11YK	\$15
Phone (landline)	Listed Accessory 538E	96SP34103784	\$1
Printer	Wireless HP Officejet 4500	CN0ADH513N	\$5
Camera	Sony/DSC-W70	531171	\$10
Camera	Fujifilm/JX250	0UA71305	\$10
Wireless Laser Presenter	Targus/AMP03US	907122092	\$2
Phone Case	Otter Box/ iPhone 5C	None found	\$3
Phone Case	Otter Box/iPhone 3GS	None found	\$3
6 Person Canvas Military Style Tent	Camel Manufacturing	None Found	\$20
6 Person Canvas Military Style Tent	Camel Manufacturing	None Found	\$20

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: CONSIDER RECOMMENDATION FROM POLICE DEPARTMENT COMPENSATION SUBCOMMITTEE TO ISSUE END-OF-YEAR BONUSES TO POLICE OFFICERS
DATE: OCTOBER 26, 2016

ISSUE

Should the City Council approve the issuance of end-of-year monetary bonuses to police officers and sergeants?

BACKGROUND

On September 13, 2016, the Mayor appointed (with Council consent) a City Council subcommittee to consider compensation issues pertaining to the police department. The subcommittee consists of Councilmember's Castro and Amador. The initial meeting of this subcommittee occurred on October 19, when the committee reviewed salary and benefit information from surrounding cities as the beginning stage of a larger effort to improve overall compensation for the Mendota police force.

As part of the initial meeting of the subcommittee, Councilmember Castro proposed the idea of issuing end-of-the-year monetary bonuses to members of the police force. Councilmember Amador also supported this idea. Direction was given to staff to bring this item forth for consideration by the whole City Council.

ANALYSIS

As envisioned by the subcommittee, a one-time, end-of-the-year bonus of \$2,500 would be issued in December for all officers who have been full-time, City-employees for at least the last 12 months. There are eight officers who meet that criteria. Additionally, officers who have been full-time City employees for less than 12 months would receive \$1,000. There are two officers that fall into that category. Contract reserve officers are not eligible.

In general terms, staff is supportive of the concept of end-of-year bonuses as an acknowledgment of a job well done, to enhance morale, and as a way to improve overall compensation in the short term, while more permanent measures to improve compensation are being worked on.

FISCAL IMPACT

The total cost to implement this program is \$22,000. Per the subcommittee's criteria, there are eight (8) officers that are eligible to receive the \$2,500 bonus, (\$20,000) plus two (2) officers that qualify for the \$1,000 bonus (\$2,000); a total of \$22,000.

Despite the fact that the entire bonus program has a small total cost, relative to the overall City budget, it is nevertheless an unbudgeted expenditure. Staff has not identified any existing funds within the 2016-2017 FY budget that could be diverted for this purpose. However, it is the City Council's prerogative to utilize the City's reserve funds, which are approximately \$950,000 to fund this expenditure. While staff would not recommend or support using the reserve funds for *recurring* bonus programs, the fact that this is a one-time program, coupled with the fact that the Police Department Compensation Subcommittee is actively working on a comprehensive program to increase overall compensation of officers, staff can be supportive of the use of reserve funds in this case.

The proper way for going about implementing this bonus program is to: 1) have the Council approve the bonus (see attached resolution); and 2) have staff prepare a subsequent resolution that makes a formal finding making it permissible to use the reserve funds for this expenditure.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution approving the one-time end-of-year bonus program for qualifying police officers and direct staff to return to the Council on November 9 with a subsequent resolution enabling use of the reserve fund to fund the program.

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

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA APPROVING
THE ISSUANCE OF AN END-OF-THE-YEAR
MONETARY BONUS FOR MEMBERS OF
THE MENDOTA POLICE DEPARTMENT**

RESOLUTION NO. 16-80

WHEREAS, on September 13, 2016, the Mayor and City Council approved the creation of a City Council subcommittee to study and bring forth recommendations for improving the overall compensation of members of the Mendota Police Department; and

WHEREAS, during the subcommittee's initial meeting, a proposal was put forth to offer a one-time, end-of-the-year monetary bonus and staff was directed to bring this proposal forth for consideration by the full City Council; and

WHEREAS, under the subcommittee's proposal, at the first regular payroll period in December, 2016, officers who have been employed as full-time, City employees for at least 12 months would receive a one-time monetary bonus of \$2,500, and officers who have been employed as full-time, City employees for less than 12 months would receive a one-time monetary bonus of \$1,000; and

WHEREAS, the total cost of the one-time bonus program would be \$22,000; and

WHEREAS, the City Council hereby directs staff to return to Council on November 9, 2016, at the special City Council meeting, with an enabling resolution with appropriate findings allowing the use of the City's reserve funds to fund the bonus program.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota that a one-time, end-of-the-year bonus, as described herein, is hereby approved by the City Council.

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 25th day of October, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Matt Flood, City Clerk

PUBLIC WORKS REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CRISTIAN GONZALEZ, PUBLIC WORKS DIRECTOR
VIA: VINCE DIMAGGIO, CITY MANAGER
SUBJECT: PUBLIC WORKS MONTHLY REPORT
DATE: SEPTEMBER 25, 2016

STREETS AND ROADS

- Street sweeping continues as usual. Our sweeper operator has indicated that there is a high amount of cars being left parked on the streets where sweeping is scheduled, making it impossible to sweep long stretches of pavement.
- The sections of Marie and Divisadero Streets that will be reconstructed have gone out to bid. The lowest bidder came in significantly lower than what was budgeted, which is always great news. Staff is awaiting Council approval and acceptance of the bid in order to move forward.

PARKS AND PUBLIC BUILDINGS

- Public Works continues to maintain the parks for the community, with limited staff.
- The restrooms at Rojas Park will continue to be locked after hours. Locking the restrooms has helped tremendously in the reduction of vandalism and service calls at the park.
- The restroom at the Pool Park (east section) was demolished. This building was leaning and unsafe due to a damaged structural block section.

DRINKING WATER

- Water usage has decreased this month by 25% compared to last year. We are required to save 25% of water compared to 2013 calendar year.
- AMI (advanced metering infrastructure) grant application has been submitted to the Department of Water Resources. This would be a great improvement to our water distribution system. This technology would replace the need for operators to physically read the meters. This currently takes three staff members an entire week to do. Freeing up some time for an already depleted workforce is needed in order to perform deferred

maintenance. The system would also allow residents/users to monitor their water usage from any internet service, at no extra cost. The system would also notify users via email or cell phone if there are potential water leaks at their point of use.

- Meter reads are complete.
- The water treatment's SCADA system has been installed. This will help avoid glitches in communication between wells, booster pumps and the filter systems. Work and progress continue on this capital improvement item.
- The voltage regulator on the city's backup generator got replaced.

WASTE WATER

- The bid opening for the Lozano Lift Station Improvement Project was held on the 14th. The bids (2) came in extremely over the engineers estimate. At this time staff will request Council to reject the bids and allow the contracted Engineer to review the plans and specs to see if changes can be made to allow for more bids and better pricing, and then ultimately go out to bid again.
- Monthly samples have been submitted.
- Aerator maintenance continues and will be ongoing.

ANIMAL CONTROL

- Animals impounded: 55
- Animals euthanized: 54
- Animals redeemed by owner: 1
- Graffiti abated: 3
- Citations issued: 3

ADULT OFFENDER WORK PROGRAM

- AOWP continue working on public right of ways and alley weed abatement, including all tree-wells and City owned lots.
- The program also assists with maintenance of the Pool Park.

BUILDING PERMITS ISSUED

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

PLANNING

- Staff completed the Site Plan Review process for the proposed solar project that will help offset City electrical costs.

STAFFING FOR PUBLIC WORKS

- 14 full time employees
- 4 part time employees

FUEL STOCK

- Unleaded: 1,614 gallons
- Diesel: 3,057 gallons

Permits Issued

Report Date Range : 09/20/2016 to 10/31/2016

Permit #	Type of Permit	Date Issued	Job Address
20160248	434(a) RE-ROOF 1800+700 SQFT OF ROOFING	9/20/2016	1558 10th St
20160249	101 ADDING AN EXTERIOR DOOR (WIDENING FRAMING) AND FRAMING FILL IN	9/20/2016	603 L St
20160250	329(b) SOLAR: INSTALL 28 PV PANELS; ROOFMOUNT: 7-840 KW PANEL UPGRADE	9/20/2016	1208 5th St
20160251	434(a) STUCCO AND LATH OVER EXISTING SIDING	9/28/2016	1917 Jennings St
20160252	329(b) MAIN ELECTRIC PANEL UPGRADE (100AMPS)	9/28/2016	1208 5th St
20160253	329(b) SOLAR: INSTALL 12 MODULES ; ROOF MOUNT: COMP; 3.18KW	10/3/2016	594 Peach Ave
20160254	328 PLUMBING FOR HAND SINK AND ELECTRICAL WORK PERMIT	10/4/2016	719 Quince St
20160255	MISC BLOCK FENCE INSTALLATION AT REAR OF PROPERTY 90' +-	10/12/2016	497 Lolita St
20160256	434(a) RE-ROOF TEAR OFF 685 Lolita	10/12/2016	990 7th St
20160257	434(a) FRONT PORCH ADDITION 136 SQUARE FEET PER APPROVED PLAN	10/12/2016	652 Sorensen Ave
20160258	MISC INSTALLING INSULATION AND SHEETROCK TO GARAGE (NOT A GARAGE CONVERSION PERMIT)	10/12/2016	485 Marie St
20160259	434(a) PATIO ADDITION 102 SQFT PER APPROVED PLAN-WORK WITHOUT PERMIT 50%	10/12/2016	997 10TH STREET
20160260	434(a) 140 SQFT PATIO ADDITION	10/12/2016	348 SILVA ST
20160261	434(a) 160 SQFT PATIO ADDITION	10/12/2016	421 SILVA
20160262	434(a) RE-ROOF TEAR OFF	10/14/2016	605 J St
20160263	329(b) SOLAR PV PANELS INSTALL16 MODULE	10/14/2016	608 De La Cruz St
20160264	434(a) RE-ROOF TEAR OFF NO PERMIT FEE ADDED 50% 2000 SQFT	10/17/2016	536 S Kate St

Permits Issued

Report Date Range : 09/20/2016 to 10/31/2016

Permit #	Type of Permit	Date Issued		Job Address	
20160265	434(b) HVAC CUT IN-8 SUPPLY- RETURN-3 TON 96% SPLIT SYSTEM	10/17/2016		842 Lolita St	

Total Number of Permits List 18