



# CITY OF MENDOTA

*"Cantaloupe Center Of The World"*

ROLANDO CASTRO  
Mayor

VICTOR MARTINEZ  
Mayor Pro Tempore

JESSE MENDOZA

OSCAR ROSALES

ROBERT SILVA

**AGENDA**  
**MENDOTA CITY COUNCIL**  
Regular City Council Meeting  
**CITY COUNCIL CHAMBERS**  
643 QUINCE STREET  
April 24, 2018  
6:00 PM

VINCE DiMAGGIO  
City Manager

JOHN KINSEY  
City Attorney

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

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

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

## **CALL TO ORDER**

## **ROLL CALL**

## **FLAG SALUTE**

## **FINALIZE THE AGENDA**

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

## **PROCLAMATION**

1. Proposed adoption of **Proclamation No. 18-03**, recognizing and celebrating the Westside Youth Center for its 40<sup>th</sup> Anniversary.

## **CITIZENS ORAL AND WRITTEN PRESENTATIONS**

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

## APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING

1. Minutes of the regular City Council meeting of April 10, 2018.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

## CONSENT CALENDAR

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

1. APRIL 11, 2018 THROUGH APRIL 17, 2018  
WARRANT LIST CHECKS NO. 043739 THRU 043831  
TOTAL FOR COUNCIL APPROVAL = \$354,144.91
2. Proposed adoption of **Resolution No. 18-22**, adopting the list of street projects proposed for SB 1 (Road Maintenance and Rehabilitation Account) funding.
3. Proposed adoption of **Resolution No. 18-23**, adopting the negative declaration for the Fresno County Regional Active Transportation Plan.
4. Proposed adoption of **Resolution No. 18-24**, approving the Fresno County Regional Active Transportation Plan.
5. Proposed adoption of **Resolution No. 18-25**, awarding the bid for the 2018 pavement seal project to Avison Construction, Inc.

## BUSINESS

1. Council discussion and consideration of a facility use application to hold a circus on the City's property on 7<sup>th</sup> Street and Riofrio Street.
  - a. *Receive report from Economic Development Manager Flood*
  - b. *Inquiries from Council to staff*
  - c. *Mayor opens floor to receive any comment from the public*
  - d. *Council take action as appropriate*

## DEPARTMENT REPORTS AND INFORMATIONAL ITEMS

1. Administrative Services
  - a) Monthly Report
2. Public Works
  - a) Monthly Report

3. City Attorney  
a) Update

4. City Manager

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

1. Council Member(s)

2. Mayor

### **CLOSED SESSION**

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

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

3. PUBLIC EMPLOYMENT  
CA Government Code § 54957.6  
Title: Unrepresented Management MOU  
Designated Representative and Negotiator: Vince DiMaggio

### **BUSINESS (CONTINUED)**


2. Council consideration of **Resolution No. 18-26**, amending the management benefit resolution.

3. Council consideration of **Resolution No. 18-27**, approving an amendment to the employment contract of the City Manager.

### **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 April 24, 2018, was posted on the outside bulletin board located at City Hall, 643 Quince Street Friday, April 20, 2018 at 4:10 p.m.

  
Celeste Cabrera, Deputy City Clerk

City of Mendota  
Proclamation to the Citizens of  
Mendota, California  
Proclamation No. 18-03

*Recognizing and Celebrating the Westside Youth Center for its 40th Anniversary*

**WHEREAS**, in the decade of 1970 members of the community of Mendota were looking for ways to be able to engage youth and provide them activities to keep them away from the ills of society; and

**WHEREAS**, in 1977 David Daniels opened the Westside Youth Center, as a boxing club, to achieve this goal; and

**WHEREAS**, since that day David and Nancy Daniels worked together to provide more wholesome diversions for youth, including the Mendota Cobras youth football program, computers to do homework and play games, and other activities; and

**WHEREAS**, the Westside Youth Center has integrated programs into its organization that help the entire family including food distributions, an open market, and counseling and other support services, among many others; and

**WHEREAS**, the loving and selfless service that the Westside Youth Center, its employees, and many volunteers have rendered for decades has contributed to the betterment of the community of Mendota as well as the region as a whole; and

**WHEREAS**, the Westside Youth Center is celebrating its 40th year in operation and desires to include the whole community in its celebration.

**NOW, THEREFORE, BE IT RESOLVED**, on this 24th day of April, 2018, the City Council of the City of Mendota does, by this proclamation, celebrate with and recognize Westside Youth Center for its 40th Anniversary.

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Rolando Castro, Mayor



## **MINUTES OF MENDOTA REGULAR CITY COUNCIL MEETING**

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**Regular Meeting**

**April 10, 2018**

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

**Flag salute led by Mayor Castro.**

### **Roll Call**

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

**Council Members Absent:** Mayor Pro Tem Victor Martinez.

### **FINALIZE THE AGENDA**

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

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

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

None offered.

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

1. Minutes of the special City Council meeting of March 26, 2018 and the regular City Council meeting of March 27, 2018.
2. Notice of waiving of the reading of all resolutions and/or ordinances introduced and/or adopted under this agenda.

A motion was made by Councilor Rosales to approve items 1 and 2, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

### **CONSENT CALENDAR**

1. MARCH 26, 2018 THROUGH APRIL 04, 2018  
WARRANT LIST CHECKS NO. 043739 THRU 043796  
TOTAL FOR COUNCIL APPROVAL = \$246,072.58
2. Proposed adoption of **Resolution No. 18-20**, approving a contract with Granted Solutions for grant writing and lobbying services.
3. Proposed adoption of **Resolution No. 18-21**, conditionally approving an exclusive use permit for use of Rojas-Pierce Park to hold an event in May.

Requests were made to pull items 2 and 3 for discussion.

A motion was made by Councilor Silva to adopt item 1 of the Consent Calendar, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

2. Proposed adoption of **Resolution No. 18-20**, approving a contract with Granted Solutions for grant writing and lobbying services.

Mayor Castro requested that this item be discussed due to past grant writers that have not performed adequately, and stated that he wishes to meet with the party directly.

Dino Perez of Westside Youth, Inc. spoke in favor of Sonia Hall and her company, including her proven track record, and what she has done for his organization.

Sonia Hall of Granted Solutions reported that she has acquired \$55 million in funds for the City of Parlier, and explained how her firm knows the needs of rural communities.

Discussion was held on meeting with the grant firm in the future to communicate what the City of Mendota would like to pursue, and the absence that the previous grant writers demonstrated.

A motion was made by Councilor Silva to adopt Resolution No. 18-20, seconded by Councilor Rosales; unanimously approved (4 ayes, absent: Martinez).

3. Proposed adoption of **Resolution No. 18-21**, conditionally approving an exclusive use permit for use of Rojas-Pierce Park to hold an event in May.

Councilor Silva reported on the fees that were established for the usage of the park before it was remodeled that specifically addressed these types of events; the damage that can happen to the parks with these types of events; and how the current fee schedule is set up.

Discussion was held on the different fees that will be charged to the applicant; the security requirements, including contracting police officers; the lack of success in previous public dances or concerts; the fence that will be set up to monitor admissions; the legal challenges related to limiting access to the park; and Council direction to staff to accommodate Mr. Arambula as much as allowable.

**Alfredo Arambula (applicant)** - stated that he is unsure on the amount of tickets that will be sold; his experience of doing events in other communities; and the difficulties that certain regulations impose on conducting this type of business.

A motion was made by Councilor Rosales to adopt Resolution No. 18-21, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

## **BUSINESS**

1. Appointment of a Mendota resident to the Mendota Recreation Commission.

Mayor Castro introduced the item and Economic Development Manager Flood summarized the report including that the Recreation Commission has a vacancy due to the resignation of Kevin Romero, and that Ms. Jessica Barron had submitted an application.

A motion was made by Councilor Silva to appoint Jessica Barron to the Recreation Commission, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

2. Discussion on the status of the Liberty Groves/WST/Mekorot Waste Water Treatment Plant project.

Mayor Castro introduced the item and City Manger DiMaggio reported on the City's partnership with Liberty Groves; the logistics of the proposed project; the proposed project being exclusive to Mendota; recent testing being done in Firebaugh with the purpose of including that community in the project; the selection of a consultant to perform an Environmental Impact Review (EIR); staff not supporting the inclusion of a Firebaugh element to the project in the EIR, due to the necessity of including a 7-mile pipeline and, consequently, the jurisdiction of Fresno County; delay in the project possibly due to work being done for Firebaugh; the need for the City to make a decision regarding how it is to move forward, whether that be cutting off the relationship with Liberty Groves, continuing to wait for Liberty Groves, or a hybrid of these two paths; the disadvantage and advantages of these options; the need to work with the State of California to set the preliminary groundwork for expanding the Wastewater Treatment Plant as a failsafe; and the recommendation of staff to select, as a course, a hybrid of the two paths.

Discussion was held on the trip that staff and a member of the City Council took to review the technology that will be used for the project in Israel.

**Igal Trebach (Liberty Groves)** - reported on how his company became interested in doing this project in Mendota; the economic factors taken into consideration when undertaking such a project; the agreement stipulating that there would be no cost to the City of Mendota; their wish to be able to accomplish things much quicker; issues related to aluminum leeching into the water; how bringing Firebaugh into the project creates more efficiencies; the cost of building such a plant; and reaffirmed his commitment to build the project in Mendota, while possibly using the City of Firebaugh's water.

Discussion was held on how long the project will take to come to fruition; the future timeline for completing the project; the efficiency of the Israeli systems; the fact that Liberty Groves is paying for all staff time related to this project; the need to not involve anymore jurisdictions in an already complicated project; the State's posture on tertiary treated water being exchanged in the California Water Project; and the desire of the Council to have Liberty Groves commit to doing a Mendota-only EIR.

A motion was made by Councilor Silva to work with Liberty Groves in a hybrid of the two proposed options, seconded by Councilor Rosales; unanimously approved (4 ayes, absent: Martinez).

## **DEPARTMENT REPORTS AND INFORMATIONAL ITEMS**

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

Chief Andreotti provided his report for the Code Enforcement Department including the monitoring of various violations; the upcoming weed abatement process; and recruitment for a new code enforcement officer.

Discussion was held on violations near a specific apartment complex; two burnt cars on separate streets that have been parked outside in public view; and the violations inside the trailer park.

Chief Andreotti provided his report for the Police Department including a serious pedestrian versus vehicle accident where the pedestrian was in critical condition; updates on staffing; and the possibility of expanding the School Resource Officer position.

Discussion was held on the efforts of the police department in reducing crime in the community.

2. Economic Development
  - a) Monthly Report



Economic Development Manager Flood reported on an economic profile on Mendota that will be published in the coming months, and the efforts being made to fill some of the empty lots throughout the city.

Discussion was held on bringing a car dealership to the City and the progress that is being made on the Canna-Hub facility.

3. City Attorney
  - a) Update

Nothing to report.

4. City Manager

City Manager DiMaggio reported that new lights will be installed on the dais

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

1. Council Member(s)

Councilor Silva reported on the efforts related to fundraising for the Mendota fireworks show; information he received on the expansion of Highway 180; and that a couple of members of the City Council would be attending the Mendota Unified School Board meeting on behalf of the Mendota Community Corporation Board.

Councilor Mendoza reported on a building at Pool Park that needs to be knocked down.

Councilor Rosales reported on a \$5,000 donation that Steve Hair donated towards the fireworks show.

2. Mayor

Mayor Castro reported on meeting with the Stamoules family on moving forward with the construction of the new Catholic Church, and having the Drip 2000 building function as a social hall; a \$2,000 donation the Stamoules company gave towards the fireworks show; an upcoming Coffee with a Cop and Council Member event; and an event that the Boys & Girls Club is going to have.

### **ADJOURNMENT**

With no more business to be brought before the Council, a motion for adjournment was made at 7:38 p.m. by Councilor Silva, seconded by Councilor Mendoza; unanimously approved (4 ayes, absent: Martinez).

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Rolando Castro, Mayor

ATTEST:

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Matt Flood, City Clerk

CITY OF MENDOTA  
CASH DISBURSEMENTS  
4/11/2018 - 4/17/2018  
Check # 043739 - 043831

Date	Check #	Amount	Vendor	Department	Description
April 11, 2018	43797	\$5,075.00	ADMINISTRATIVE SOLUTIONS, INC.	GENERAL	(5) HRA ADMINISTRATION APRIL 2018 - PD, MEDICAL CHECK RUN
April 11, 2018	43798	\$4,638.74	AMERITAS GROUP	GENERAL	DENTAL INSURANCE FOR MAY 2018, VISION INSURANCE FOR MAY 2018
April 11, 2018	43799	\$1,330.42	COMCAST	GENERAL-WATER-SEWER	CITYWIDE XFINITY SERVICES 4/6/18 - 5/5/18
April 11, 2018	43800	\$327.23	NISSAN MOTOR ACCEPTANCE CORP	GENERAL-WATER-SEWER	2015 NISSAN ALTIMA LEASE PAYMENT APRIL 2018 - CM
April 11, 2018	43801	\$747.19	BANKCARD CENTER	GENERAL	CREDIT CARD EXPENSES 2/27/2018 - 3/20/2018
April 17, 2018	43802	\$96,336.00	WESTAMERICA BANK	GENERAL	PAYROLL TRANSFER 4/2/2018 - 4/15/2018
April 17, 2018	43803	\$600.00	ADMINISTRATIVE SOLUTIONS, INC.	GENERAL	(20) MONTHLY MEDICAL ADMINISTRATIVE FEES - APRIL 2018
April 17, 2018	43804	\$30.72	AIRGAS USA, LLC	WATER	(1) RENT CYL IND SMALL CARBON DIOXIDE 20LB ALUM
April 17, 2018	43805	\$329.82	AMERIPRIDE SERVICES INC	GENERAL-WATER-SEWER	PUBLIC WORKS UNIFORM WEEK 3/1/18, 3/8/18, 3/15/18, 3/22/18, & 3/29/18
April 17, 2018	43806	\$13.26	GREGG ANDREOTTI	GENERAL	EXPENSE REIMBURSEMENT FOR COFFEE WITH A COP 4/12/18
April 17, 2018	43807	\$222.11	AT&T	GENERAL	POLICE DEPARTMENT DISPATCH PHONE SERV 2/27/18 - 3/26/18
April 17, 2018	43808	\$55,196.75	AVISON CONSTRUCTION, INC.	STREETS	FINAL PAYMENT- DERRICK & 7TH BEAUTIFICATION & RECONSTRUCTION PROJECT PAYMENT
April 17, 2018	43809	\$349.00	BMI	GENERAL	ANNUAL PAYMENT NOISE PERMIT FOR THE CITY'S EVENTS MUSIC LICENSE FEE 4/1/2018 - 3/31/2019
April 17, 2018	43810	\$1,904.00	BSK ASSOCIATES	WATER-STREETS	PROFESSIONAL SERVICES DECEMBER 2017 - 8TH STREET RECONSTRUCTION, GENERAL EDT WEEKLY TREATMENT & DISTRIBUTION, MONTHLY WW, 1ST
April 17, 2018	43811	\$245.69	DATAMATIC, INC.	WATER	MONTHLY SOFTWARE LICENSE & SERVICES MAINTENCE FEE MAY 2018
April 17, 2018	43812	\$1,614.20	DEPARTMENT OF CONSERVATION	GENERAL	(5 QUARTERS) MOTION INSTRUMENTATION & SEISMIC HAZARD MAPPING FEE FOR JANUARY 2017 - MARCH 2018
April 17, 2018	43813	\$373.00	DEPARTMENT OF JUSTICE	GENERAL	(4) FINGERPRINT (4) CHILD ABUSE INDEX CHECK MARCH 2018 (PD), (7) BLOOD ALCOHOL ANALYSIS MARCH 2018 (PD)
April 17, 2018	43814	\$10,833.33	FIREBAUGH POLICE DEPARTMENT	GENERAL	POLICE DEPARTMENT DISPATCH SERVICES MARCH 2018
April 17, 2018	43815	\$137.99	FRESNO COUNTY SHERIFF	GENERAL	RMS JMS ACCESS FEE FOR MARCH 2018 - PD
April 17, 2018	43816	\$621.82	HARDWARE DISTRIBUTION	STREETS-AVIATION	(10) 10' TELSPAR SIGN POST (1) AIRPORT WIND SOCK KIT
April 17, 2018	43817	\$78.41	J.P. COOKE RABIES & LICENSE TAGS	GENERAL	(1) 7/2018 - 6/2019 GOLD AA LICENSE DOG TAGS (2)
April 17, 2018	43818	\$100.00	JENNIFER LEKUMBERRY	GENERAL	EDUCATION REIMBURSEMENT PROGRAM - WINTER TERM REIMBURSEMENT REQUEST
April 17, 2018	43819	\$52.00	LOS BANOS VETERINARY CLINIC	GENERAL	(1) CITY EUTHANASIA - ANIMAL CONTROL
April 17, 2018	43820	\$51,975.31	MID VALLEY DISPOSAL, INC.	REFUSE-STREETS	SANITATION CONTRACT SERVICES MARCH 2018, ROLL OFF BIN (10Y, 40Y) EXCHANGE (QTY 14.31, QTY 303, QTY 4.39, QTY 8.42, QTY 11.57, QTY 10.01)
April 17, 2018	43821	\$150.71	MUNICIPAL MAINTENANCE EQUIPMENT	STREETS	STREET SWEEPER: PETER PAUL VALVE

CITY OF MENDOTA  
 CASH DISBURSEMENTS  
 4/11/2018 - 4/17/2018  
 Check # 043739 - 043831

April 17, 2018	43822	\$1,271.04	NORTHSTAR CHEMICAL	WATER	(620 GAL) SODIUM HYPOCHLORITE - 12.5%
April 17, 2018	43823	\$585.18	OFFICE DEPOT	GENERAL-WATER-SEWER	MULTIPLE DEPARTMENT OFFICE SUPPLIES FOR MARCH
April 17, 2018	43824	\$116,542.50	PROVOST & PRITCHARD	GENERAL-WATER-SEWER	CITY ENGINEERING SERVICES - RETAINER, PROFESSIONAL SERVICES-MOWRY BRIDGE RECONSTRUCTION, PASSTHRU-OUR LADY OF GUADALUPE, TACO
April 17, 2018	43825	\$78.22	R&B COMPANY	SEWER	(1) 8X4 SADDLE GASKET WITH CLAMP, (2) PVC SEWER PIPE, (1) SEWER CPLG PVC
April 17, 2018	43826	\$515.81	RAMON'S TIRE & AUTO SERVICE	WATER-SEWER	2005 CHEV SILVERADO - (1) RADIAL REPAIR INSIDE PATCH, STREET SWEEPER (1) TOYO M177 11R22.5 STEER G
April 17, 2018	43827	\$165.00	RED WING BUSINESS ADVANTAGE ACCOUNT	WATER-SEWER	(1) BOOT REPLACEMENT PER MOU
April 17, 2018	43828	\$101.16	KEVIN SMITH	GENERAL	EXPENSE REIMBURSEMENT RCS MEETING 4/11/2018 - PD
April 17, 2018	43829	\$1,134.14	SORENSEN MACHINE WORKS	WATER-SEWER-STREETS	MULTIPLE DEPARTMENT SUPPLIES MARCH 2018
April 17, 2018	43830	\$111.93	STATE OF CALIFORNIA	STREETS	SIGNAL & LIGHTING BILLING JANUARY 2018 - MARCH 2018
April 17, 2018	43831	\$357.23	TRIANGLE ROCK PRODUCTS	STREETS	ST 3/8 CM SC3000 ASPHALT (QTY 5.00) STREET POTHoles
		<b>\$354,144.91</b>			

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**AGENDA ITEM**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MICHAEL OSBORN, ASSISTANT CITY ENGINEER  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** STREET PROJECT LIST PROPOSED FOR SB1 (RMRA) FUNDING  
**DATE:** April 13, 2018

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**ISSUE**

Should the City Council approve a resolution adopting the list of street projects proposed for SB1 (RMRA) funding?

**BACKGROUND**

On April 28, 2017 the Governor signed Senate Bill (SB) 1 which is known as the Road Repair and Accountability Act of 2017 and beginning on November 1, 2017, the State Controller (Controller) has begun to deposit various portions of this new funding in the newly created Road Maintenance and Rehabilitation Account (RMRA), with a percentage of that being apportioned to the City of Mendota.

The California Transportation Commission (CTC) is requiring that agencies provide a list of projects that may receive SB1 (RMRA) funding by May 1, 2018 to receive their fiscal year 2018-19 SB1 fund distribution. They have informed us that the project list can include projects planned for after fiscal year 2018-19. SB1 clean up legislation, AB 135, signed into law on July 15, 2017, provides that the use of RMRA funds can be specified in a list adopted at a regularly scheduled public meeting instead of having to amend the City's adopted budget.

Resolution 17-67 adopted the attached list of projects along with following projects that have been completed, or will be completed, by the end of fiscal year 2017-2018:

1. 8<sup>th</sup> Street Reconstruction (complete)
2. Self-Help Resurfacing (construction upcoming in May/June)
3. Belmont Avenue Resurfacing (construction upcoming in May/June)
4. Las Palmas Phase 1 & 2 Resurfacing (construction upcoming in May/June)
5. 7<sup>th</sup> Street & Derrick (complete)

## **ANALYSIS**

This list of projects was prepared by staff, specifically the Director of Public Works, the City Manager and City Engineer based on the 2015 Pavement Condition Survey of downtown conducted by the Director of Public Works, targeting “red” streets and incorporating other critical areas outside of downtown. The California Transportation Commission now uses an on-line project intake tool. Upon adoption, the projects on the list will be submitted via this tool.

Per AB 135, the project list shall not limit the flexibility of the City to fund projects in accordance with local needs and priorities so long as the projects are consistent with subdivision (b) of Section 2030; therefore, this list may be rearranged or amended.

## **FISCAL IMPACT**

The City is projected to receive \$66,462 in FY 17/18 and \$199,374 in FY 18/19; these amounts will only cover a portion of any one project on the list and to make a project happen, other street funding (regular Gas Tax, LTF, Measure C, State & Federal grants) will be needed.

## **RECOMMENDATION**

Staff recommends that the City Council adopt the attached resolution adopting the list of projects proposed to utilize SB1 (RMRA) funding through fiscal year 2021-22.

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA ADOPTING  
THE LIST OF STREET PROJECTS  
PROPOSED FOR SB1 (RMRA) FUNDING**

**RESOLUTION NO. 18-22**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

**WHEREAS**, the City must adopt a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1 by resolution, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

**WHEREAS**, beginning on November 1, 2017, the State Controller (Controller) began to deposit various portions of this new funding in the newly created Road Maintenance and Rehabilitation Account (RMRA), with a percentage being apportioned to the City of Mendota; and

**WHEREAS**, the City will receive an estimated \$199,374 in RMRA funding in Fiscal Year 2018-19 from SB 1; and

**WHEREAS**, this is the second year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

**WHEREAS**, the project list shall not limit the flexibility of the City to fund projects in accordance with local needs and priorities so long as the projects are consistent with subdivision (b) of Section 2030; and

**WHEREAS**, the City developed the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will provide for a better quality of life for the City's residence and a better experience to those visiting the City.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota does hereby find the foregoing recitals are true and correct and adopt the list of projects, attached hereto and made part hereof as Exhibit "A".

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Rolando Castro, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 24<sup>th</sup> day of April, 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Matt Flood, City Clerk



Exhibit "A"

FY 18-19 SB1 Project List

Proposed Project	Description	Location	Estimated Completion Date		Estimated Useful Life (# of Yr)	
			Pre-Construction	Construction	Min.	Max.
5th Street and Quince Street Reconstruction	In general, the project consists of reconstruction of 5th Street from Oller Street (State Route 180) to Derrick Avenue (State Route 33) and Quince Street from 5th Street to 6th Street, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, driveway and alley approaches, and traffic striping and markings to add two way left turn lanes, parking/bike lanes and high visibility school zone cross walks.	5th Street from Oller Street (SR 180) to Derrick Avenue (SR 33), and Quince Street from 5th Street to 6th Street	Mar-19	Aug-19	15	30
Black, Fleming, McCabe Avenue Reconstruction	In general, the project consists of reconstruction of the three streets between Rowe Avenue and Sorensen Avenue, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, driveway approaches, and traffic striping and markings to add center lane lines, parking/bike lanes and high visibility school zone cross walks.	Black Avenue from Rowe Avenue to Sorensen Avenue, Flemming Avenue from Rowe Avenue to Sorensen Avenue, and McCabe Avenue from Rowe Avenue to Sorensen Avenue	Mar-20	Nov-20	15	30
Kate Street Reconstruction	In general, the project consists of reconstruction of North Kate Street between Divisadero Street and I Street, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, and traffic striping and markings to add center lane line and parking/bike lanes.	North Kate Street between Divisadero Street and I Street	Mar-20	Nov-20	15	30
Rio Frio Street Reconstruction	In general, the project consists of reconstruction of Rio Frio Street between 7th Street and 8th Street, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, and traffic striping and markings to add two way left turn lanes and parking/bike lanes.	Rio Frio Street from 7th Street to 8th Street	Mar-21	Sep-21	15	30
Stamoules Street Reconstruction	In general, the project consists of reconstruction of Stamoules Street between 7th Street and 9th Street, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, and traffic striping and markings to add two way left turn lanes and parking/bike lanes.	Stamoules Street from 7th Street to 9th Street	Mar-21	Sep-21	15	30

Marie Street & 5th Street Reconstruction	In general, the project consists of reconstruction of Marie Street between Divisadero Street and 5th Street and 5th Street between Marie Street and Lolita Street, including demolition of existing asphalt and concrete pavements, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, and traffic striping and markings to add center lane line and parking/bike lanes.	Marie Street from Divisadero Street to 5th Street, and 5th Street from Marie Street to Lolita Street	Mar-21	Sep-21	15	30
Naples Street Reconstruction	In general, the project consists of reconstruction of Naples Street between 2nd Street and 9th Street, including demolition of existing asphalt and concrete pavements, storm drain inlets, manholes and pipes, Full Depth Reclamation soil-cement treatment, new HMA pavement, curbs, gutters, ramps, and traffic striping and markings to add two way left turn lanes and parking/bike lanes.	Naples Street from 2nd Street to 9th Street	Mar-22	Oct-22	15	30

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** NEGATIVE DECLARATION FOR THE FRESNO COUNTY REGIONAL ACTIVE TRANSPORTATION PLAN  
**DATE:** APRIL 18, 2018

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**ISSUE**

Should the City Council adopt resolution 18-23 adopting the negative declaration for the Fresno County Regional Active Transportation Plan?

**BACKGROUND**

Fresno COG developed a Regional Active Transportation Plan (R-ATP) to provide a comprehensive document outlining the future of walking and bicycling in Fresno County. The R-ATP was developed in coordination with Fresno COG's member agencies, the general public and stakeholder groups such as local bicycling groups, walking advocates, educational institutions and disadvantaged communities.

**ANALYSIS**

Fresno COG has prepared a Program Initial Study/Negative Declaration, in accordance with the California Environmental Quality Act (CEQA). The R-ATP contains various programs, policies and recommendations that pertain to bicycle and pedestrian facilities in Fresno County. Projects are identified at a conceptual level for the Fresno County R-APT. Specific development is not being proposed under the regional plan and adopting the CEQA document would not authorize any development. Jurisdiction resolutions are one of the ATP components the CTC requires.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Staff recommends that the City Council adopt the attached resolution adopting the negative declaration for the Fresno County Regional Active Transportation Plan.

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

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENDOTA ADOPTING  
THE NEGATIVE DECLARATION FOR THE  
FRESNO COUNTY REGIONAL ACTIVE  
TRANSPORTATION PLAN**

**RESOLUTION NO. 18-23**

**WHEREAS**, the Fresno Council of Governments (Fresno COG) has prepared a comprehensive County-wide Active Transportation Plan that outlines the future of walking and bicycling in Fresno County (Project); and

**WHEREAS**, Fresno COG is the lead agency for purposes of environmental review of the Project under the California Environmental Quality Act (CEQA), Public Resources Code § 21000 *et seq.* , and the CEQA Guidelines Title 14 of the California Code of Regulations § 15000 *et seq.* ; and

**WHEREAS**, Fresno COG caused to be prepared an Initial Study in December 2017 for the adoption of the Active Transportation Plan to evaluate potentially significant environmental impacts and determined that no significant environmental impacts would result from the Project; and

**WHEREAS**, on the basis of the Initial Study, a Negative Declaration has been prepared, circulated, and made available for public comment pursuant to CEQA; and

**WHEREAS**, Fresno COG submitted the Initial Study / Negative Declaration (IS/ND) to the State Clearinghouse and distributed it to those agencies which have jurisdiction by law with respect to the Project, posted a Notice of Intent to Adopt a Negative Declaration concerning the Project (Notice) with the Fresno County Clerk, published the Notice in the *Fresno Bee* on December 1, 2017, and mailed the Notice to other interested parties; and

**WHEREAS**, the draft IS / ND with appendices and supporting information sources were duly noticed for public review and comment from December 1, 2017 to January 8, 2018, as provided by law; and

**WHEREAS**, a hearing concerning Fresno COG's intent to adopt a Final IS / ND was duly noticed and held on January 8 and again on January 25, at which time any interested parties were afforded an opportunity to be heard in addition to the public review and comment period referenced above as part of the Environmental Record.

**WHEREAS**, the City of Mendota finds, determines and resolves as follows:

1. The City adopts the foregoing recitals as true and correct.

2. The City finds that the IS / ND for the Project are adequate and have been completed in compliance with CEQA and the CEQA Guidelines.
3. The City finds that it has independently reviewed and considered the Environmental Record, including the Initial Study and proposed Negative Declaration, as a final Negative Declaration, prior to adopting the final Negative Declaration.
4. On the basis of the Environmental Record as the whole record before the City, including the Initial Study and any comments received, the City finds, in its independent judgment and analysis, that there is no substantial evidence the Project will have a significant effect on the environment.
5. The City approves and adopts the findings set forth herein, and the Negative Declaration, based on the Environmental Record.
6. The City authorizes Fresno COG staff to cause a Notice of Determination concerning the adoption of the Negative Declaration for the Project to be filed in the office of the Fresno County Clerk and with the Office of Planning and Research in accordance with CEQA and State CEQA Guidelines.

***NOW, THEREFORE, BE IT RESOLVED***, that the City Council of the City of Mendota hereby adopts the negative declaration for the Fresno County Regional Active Transportation Plan.

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Rolando Castro, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 24<sup>th</sup> day of April, 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Matt Flood, City Clerk

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** THE FRESNO COUNTY REGIONAL ACTIVE TRANSPORTATION PLAN  
**DATE:** APRIL 18, 2018

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**ISSUE**

Should the City Council approve resolution 18-24 adopting the Fresno County Regional Active Transportation Plan?

**BACKGROUND**

The Active Transportation Plan (ATP) is a comprehensive guide that creates a vision for a network of trails, bike lanes, sidewalks, and other elements to support safe walking and bicycling. The Fresno Regional ATP is an important document that will help each jurisdiction in the County identify needed bicycle and pedestrian projects and help the agencies qualify for new funds to implement the projects. It is important that the Plan be context sensitive to local needs and vetted with local staff and the community. Development of the Regional ATP was approved by the Fresno COG Policy Board February 22, 2018 and required input from all cities in Fresno County and from the County of Fresno representing the unincorporated communities.

**ANALYSIS**

The Regional ATP includes all the elements the California Transportation Commission requires for ATPs, as well as a separate chapter for the County and each of the 11 cities involved. Both the draft plan and the California Environmental Quality Act (CEQA) document were released for a 39-day comment period. Jurisdiction resolutions are one of the ATP components the CTC requires.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Staff recommends that the City Council approve the attached resolution adopting the Fresno County Regional Active Transportation Plan.

**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 FRESNO COUNTY REGIONAL ACTIVE  
TRANSPORTATION PLAN**

**RESOLUTION NO. 18-24**

**WHEREAS**, the Fresno Council of Governments has prepared a Regional Active Transportation Plan that outlines the future of walking and bicycling in Fresno County (Plan); and

**WHEREAS**, the Plan complies with the California Transportation Commission 2017 Active Transportation Program Guidelines; and

**WHEREAS**, the Plan is in compliance with the 2014 Fresno Council of Governments Regional Transportation Plan and Sustainable Communities Strategy; and

**WHEREAS**, the Plan is an implementation tool to the City of Mendota General Plan Circulation Element; and

**WHEREAS**, the Plan promotes walking and biking for transportation and recreation by all members of the community by creating a connected and complete network of trails, walkways, and bikeways that provides safe, convenient, and enjoyable connections to key destinations and neighborhoods in City of Mendota; and

**WHEREAS**, the Plan promotes pedestrian and bicyclist safety and collision reduction, and will improve the accessibility of funding for pedestrian and bicycle related-related improvements in City of Mendota; and

**WHEREAS**, the approval of the Plan meets eligibility requirements for Active Transportation Program funding.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of City of Mendota hereby approves the Fresno County Regional Active Transportation Plan.

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Rolando Castro, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 24<sup>th</sup> day of April, 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Matt Flood, City Clerk



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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CRISTIAN GONZALEZ, PUBLIC WORKS DIRECTOR  
MICHAEL OSBORN, ASSISTANT CITY ENGINEER  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** AWARD OF CONTRACT TO THE LOWEST RESPONSIVE BIDDER  
2018 PAVEMENT SEAL PROJECT  
**DATE:** APRIL 20, 2018

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**ISSUE**

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

**BACKGROUND**

Staff has worked to identify and prioritize street improvement projects throughout town. The approved Fiscal Year 2017-2018 budget included street reconstruction projects as well as street maintenance projects. The reconstruction projects have been completed and staff has proceeded with the final projects in the budget – sealing the pavement on Belmont Avenue, within the Self Help Housing area, and within Las Palmas Phases 1 & 2. The three street maintenance projects have been cost-effectively grouped as one project and will accomplish important maintenance of some of the newer pavement in the city.

The streets included in the project are: Belmont Avenue between Derrick Avenue and Oller Street; Sorensen Avenue south of the dog-leg 210 feet north of Locust, Locust Avenue, Elm Avenue, Ash Avenue, and Peach Avenue (“Self Help Housing Streets”); and Amador Avenue south of Silva Street, Oxnard Street, San Pedro Street, Santa Cruz Street, Maldonado Street, Valenzuela Street, Espinosa Street, Black Avenue west of Rowe Avenue, and Rowe Avenue (“Las Palmas Phase 1 & 2 Streets”).

In February 2018 Provost & Pritchard Consulting Group was retained to provide survey and engineering design for the Project as well as professional construction phase services.

The project was advertised in the Business Journal and construction documents (plans and specifications) have been available to contractors through the office of the City Engineer and local Builder’s Exchanges since Friday, March 30, 2018.

On Thursday, April 19, 2017 at 10:00 a.m. the bid opening was held. Three general contractors attended and submitted bids, along with staff and the assistant City Engineer. The three bids were as follows:

<b>CONTRACTOR</b>	<b>AMOUNT</b>
Avison Construction, Inc.	\$ 596,335.00
Central Valley Asphalt	\$ 614,332.00
Seal Rite Paving.	\$ 644,245.71

### **ANALYSIS**

The Engineer's Opinion of Probable Construction Cost for the Project was \$538,118, so the bids received represent a good value to the City. Staff believes that the project can proceed in accordance with the Construction Documents and is scheduled to be completed this spring.

This project is scheduled to start on May 7<sup>th</sup> and be completed in mid-June. This schedule is coordinated with the last day of regular school and the start of summer school.

### **FISCAL IMPACT**

The approved Fiscal Year 2017/2018 Budget allocated Street Funds from the Gas Tax, Measure C, and Local Transportation Funds (LTF) to finance this Project and four others. Money from that allocation will be utilized to complete this project.

### **RECOMMENDATION**

Staff recommends that the City Council adopt the attached resolution awarding the contract for construction of the Project to the lowest responsive 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 2018 PAVEMENT SEAL  
PROJECT TO AVISON CONSTRUCTION,  
INC. IN THE AMOUNT OF \$596,335.00**

**RESOLUTION NO. 18-25**

**WHEREAS**, the City of Mendota and the City Engineer have determined that a portion of Belmont Avenue, the streets within the Self Help Housing area, and the streets within Las Palmas Phases 1 & 2 should be maintained and done so under one construction contract (the Project); and

**WHEREAS**, the City Council in its Fiscal Year 2017/2018 Budget allocated funds from the Gas Tax, Measure C, and Local Transportation Fund funds to finance the Project; and

**WHEREAS**, Provost & Pritchard Consulting Group provided the design and preparation of the construction documents for the project and is under contract to provide professional construction phase services; and.

**WHEREAS**, on March 30, 2018 and April 6, 2018 notice was published 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 April 19, 2018 at 10:00 a.m. in the Council Chambers of the City of Mendota; and

**WHEREAS**, three companies submitted bids before the deadline, with Avison Construction, Inc., qualifying as the lowest responsible bidder at \$596,335.00;

**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 2018 Pavement Seal Project to Avison Construction, Inc. in the amount of \$596,335.00 and authorizes the City Manager or his designee to execute all documents necessary for the completion of the Project.

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Rolando Castro, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 24<sup>th</sup> day of April, 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Matt Flood, City Clerk

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** MATT FLOOD, ECONOMIC DEVELOPMENT MANAGER  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** CONSIDERATION OF EXCLUSIVE USE PERMIT TO HOLD A CIRCUS ON THE CITY-OWNED LOT ON 7<sup>TH</sup> AND RIOFRIO.  
**DATE:** APRIL 24, 2018

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**ISSUE**

Shall the Council approve an Exclusive Use Permit requesting to host a circus on the City-owned lot on Riofrio and 7th Streets?

**BACKGROUND**

Staff received a request from Circus Royal Spectacular to hold a circus at the empty lot on Riofrio and 7<sup>th</sup> Street. To staff's knowledge, this circus company has not come to Mendota before but appears similar to other small circuses and has no animals. As Council knows, shows such as these have come to Mendota in the past and have been successful with minimal complaints received.

According to the application submitted (attached to this report), the circus would be performing shows for five days (approximately May 3rd through May 7th) with two days before and two days after for set-up and take-down.

Generally these requests would go to the City Manager for approval or denial. However, past practice has been to bring these requests to Council due to a variety of factors, including the multi-day nature of the event, the use of a City-owned facility, and it being in the middle of our crowded commercial sector.

**ANALYSIS**

The City has had the practice of charging \$1500 for the use of the lot, plus any other additional fees required by the Mendota Municipal Code (such as inspections, business license, etc). Wear and tear has been minimal and staff's opinion is that the benefit to the community outweighs any ancillary costs.

**FISCAL IMPACT**

Revenue of \$1500 to the General Fund from fees paid by the Circus directly to the City.

**RECOMMENDATION**

Staff recommends Council approval of the application for a circus on the City-owned lot.



**CITY OF MENDOTA  
FACILITY USE APPLICATION**



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

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

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

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

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

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

On "Rio Frio" AND 7th Street

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

Circus Royal Spectacular Corp

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

NAME: Fernando Campa Lopez

ADDRESS (STREET AND CITY): 5903 KIRK ST. BRICKENFIELD, CA 98307

TELEPHONE NO.: (702) 684-4199

MON - THUR - FRI 7:30 pm to 9:30

4. DATE: 5-1-18 TO 5-9-18 TIME: SAT - SUN 6:00 pm till 9:30 pm

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

SEE ATTACHED MAP

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

FOR A CIRCUS" NO ANIMALS

7. Number of persons expected to attend the function or event. 200 TO 300 people

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

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

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

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PARTICIPATION/INVOLVEMENT: N/A

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

CIRCUS TENT - 6 RV'S - TICKET BOOTHS  
GENERATOR - PORTABLE RESTROOMS -  
AMPLIFIED EQUIPMENT - 3 SMALL SPEAKERS -

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

13. Will there be an admissions charge to the event? If so, state the exact amount of each ticket \$15/20. State the reason for imposing this admission charge.  
KIDS FREE WITH ONE PAYS BOULT

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

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

Circus Royal Spectacular N/A <sup>FN</sup>

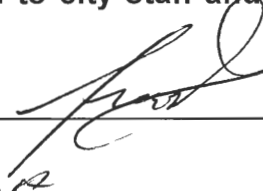
16. If this permit application is for all or substantially all of the park area, or all or substantially all of the picnic and bandstand area, state the overriding public interest or special circumstances which justify excluding residents of the City of Mendota from using their public park facilities.

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



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

Signature of Permittee: \_\_\_\_\_



DATE: \_\_\_\_\_

04-06-18

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

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

04-06-18

Signature of Permittee

**CITY MANAGER APPROVAL**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY MANAGER: \_\_\_\_\_

DATE: \_\_\_\_\_

\*\*\*\*\*

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

POLICE DEPT: \_\_\_\_\_

DATE: \_\_\_\_\_

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## ADMINISTRATIVE SERVICES DEPARTMENT REPORT

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** JENNIFER LEKUMBERRY, DIRECTOR OF ADMINISTRATIVE SERVICES  
**VIA:** CITY MANAGER  
**SUBJECT:** MONTHLY REPORT  
**DATE:** APRIL 24, 2018

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### SPECIAL PROJECT MANAGEMENT

- I submitted the close out documents for the Derrick and 7<sup>th</sup> Project, including the final request for payment in the amount of \$453,934.

### HUMAN RESOURCES

- **Worker's Compensation Claims**
  - There were two workers' compensation claims in the month of March.
- **Recruitment**
  - Opened and closed the recruitment for a General Maintenance Worker I position. Interviews were conducted in early April and the final candidate was hired.
  - Part-Time Code Enforcement Officer position remains open.

### RISK MANAGEMENT

- **Sidewalk Liability Program**
  - I submitted a reimbursement request to CSJVRMA's Sidewalk Liability Program for \$1,000 for material purchased for the repair of sidewalks in the City of Mendota.
- **Claims**
  - There was one new claim against the city for a vehicle accident that occurred in February 2018 involving a public works employee.
- **Dog Bite Hearings**
  - There was one dog bite hearing in the month of March.

### SENIOR CENTER

- For the month of March, there was a daily average of 7 attendees at the senior center.

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## **PUBLIC WORKS REPORT**

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**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** CRISTIAN GONZALEZ, PUBLIC WORKS DIRECTOR  
**VIA:** VINCE DIMAGGIO, CITY MANAGER  
**SUBJECT:** PUBLIC WORKS MONTHLY REPORT  
**DATE:** APRIL 24, 2018

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### **STREETS AND ROADS**

- Street sweeping continues as usual.
- Several slurry projects received went to bid. The lowest responsible bid is being recommended by staff to the City Council. If approved, the project will begin May 7th. Slurry projects include the installation of a slurry coat over existing pavement. Severely cracked pavement within the project areas will be replaced before the slurry is installed.
- Crews work on replacing failing smaller sections of asphalt throughout the city.
- During last week's storm event, the two storm pumps on 2nd and Naples stalled. Crews worked hard to troubleshoot and were able to get the pumps on line.

### **PARKS AND PUBLIC BUILDINGS**

- Public Works continues to maintain the parks for the community.
- Crews installed 2 sets of horseshoe pits at Rojas Pierce Park, for the community to enjoy.

### **DRINKING WATER**

- Meter reads are complete.
- All work to the city owned ag wells is complete. These wells are used to pump water into the slough, in order to meet the exchange requirements identified in the city's drinking water contract. The city typically spends 50,000/year to operate these wells. This year, since normal water allocations exist and pumping was not necessary, the city invested the 50,000 towards rehabbing the wells. We expect the wells to run much more efficiently next year, bringing down cost to operate.

- The automated water meter project received approval from the State to proceed with contracts.

### **WASTE WATER**

- Monthly samples have been submitted.
- Lozano Lift Station project is on pace to begin in May. The manufacturer of the lift station package, Muni Quip, continues to be the reason for delay. There is a large demand for these stations, according the MuniQuip, but we continue to push the best we can.

### **ANIMAL CONTROL**

- Animals impounded: 7
- Animals euthanized: 1
- Animals adopted: 11 dogs
- Animals redeemed by owner: 1
- Graffiti abated: 2
- Citations issued: 0

### **ADULT OFFENDER WORK PROGRAM**

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

### **BUILDING PERMITS ISSUED**

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

### **PLANNING**

- The Planning Department has been working with the developer that is proposing a residential subdivision on the corner of Bass and Highway 33. This includes a commercial use as well. An environmental impact report is near completion for the project, once complete it will be circulated to all agencies and impacted neighbors for comment.

### **STAFFING FOR PUBLIC WORKS**

- 14 full time employees
- 2 part time employees

## **FUEL STOCK**

- Unleaded: 5,109 gallons
- Diesel: 3,640 gallons

## Permits Issued

Report Date Range : 03/22/2018 to 04/18/2018

Permit #	Type of Permit	Date Issued	Job Address
20180057	434(a) ADD A NEW SHED 120 SQ FT PER APPROVED PLAN	3/22/2018	946 2nd St
20180058	329(b) INSTALLATION OF 18 MODULES 4.5 KW 5.1 KW PER APPROVED PLANS	3/22/2018	485.Rio Frio St
20180059	434(a) RESIDENTIAL REMODEL 1100 SQ FT PER APPROVED PLAN	3/22/2018	378 K St
20180060	434(a) INSTALLING 22 MODULES 6.2 KW	3/26/2018	64 QUIROGA CT
20180061	434(a) INSTALLING 22 MODULES 6.2 KW	3/26/2018	510 CASTANEDA ST
20180062	434(a) INSTALLING 18 MODULES	3/26/2018	261 Fleming Ave
20180063	434(a) RE-ROOF TEAR OFF 2400 SQ FT EXISTING COMP SHINGLES PROPOSING ASPHALT SHINGLES COOL ROOF 5/12 PITCH PER APPROVED PLAN	3/28/2018	1155 Pucheu St
20180064	329(b) 7.25 KW SYSTEM 25 MODULES REPLACE 100A MAIN PANEL WITH 100A SOLAR READY MAIN PANEL	3/29/2018	660 Pucheu St
20180065	434(a) RE-ROOF TEAR-OFF 1800 EXISTING SHINGLES PROPOSING SHINGLES	4/2/2018	903 Jenning Cir
20180066	434(a) NEW PATIO/PORCH 264 SQ FT PER APPROVED PLAN	4/5/2018	260 Espinoza St
20180067	434(a) SOLAR GRID-TIED PHOTOVOLTAIC SYSTEM 4.500 KW DC	4/5/2018	189 PETRY ST
20180068	434(a) ROOM ADDITION 123 SQ FT PER APPROVED PLAN	4/11/2018	678 Lolita St
20180069	434(a) ROOM ADDITION 326 SQ FT PER APPROVED PLAN	4/11/2018	527 I St
20180070	101 NEW CONSTRUCTION SFR 1435 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	4/11/2018	534 GONZALEZ ST
20180071	101 NEW CONSTRUCTION SFR 1435 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	4/11/2018	56 DIAZ ST

**Permits Issued**

Report Date Range : 03/22/2018 to 04/18/2018

<u>Permit #</u>	<u>Type of Permit</u>	<u>Date Issued</u>	<u>Job Address</u>
20180072	101 NEW CONSTRUCTION SFR 1095 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	4/11/2018	550 GONZALEZ ST
20180073	101 NEW CONSTRUCTION SFR 1275 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	4/11/2018	48 DIAZ ST
20180074	437(a) MODIFICATION OF TELECOMMUNICATIONS SITE 230 SQFT	4/11/2018	450 Oller St
20180075	101 NEW CONSTRUCTION SFR 1831 SQFT & 400 SQFT GARAGE PER APPROVED PLAN	4/12/2018	51 SEGOVIA ST
20180076	437(a) TACO BELL LED SIGN 4'-2 9/16" LONG 2'-6 3/8" TALL LETTERS (3) I CANOPY-DRIVE THRU	4/12/2018	680 DERRICK AVE
20180077	437(a) SIGN PERMIT 20FT X 3FT	4/13/2018	927 S Derrick Ave
20180078	437(a) NEW BUSINESS SIGN 32 SQFT PER APPROVED PLAN	4/13/2018	575 Naples St

**Total Number of Permits List**

22

**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 AMENDING THE  
MANAGEMENT BENEFIT RESOLUTION**

**RESOLUTION NO. 18-26**

**WHEREAS**, the City Council of the City of Mendota has adopted resolutions setting the compensation of non represented City employees, hereinafter "Management Employees"; and,

**WHEREAS**, the City Council of the City of Mendota wishes to modify such benefits and compensation set forth by Resolutions 14-13 and 15-49; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mendota that compensation and benefits for Management Employees are set, established, and modified as follows:

- 1) **PERSONNEL RULES:** Mendota Personnel rules, adopted April 9, 2002, by Resolution 02-18 are enforceable and incorporated herein by reference.
- 2) **SALARY SCHEDULE:** Rates for "Employees" shall be as set forth in a Step Plan to be revised by population periodically based on salary survey of like cities.
- 3) Management Employees shall receive an annual cost of living salary increase of \_\_\_% effective \_\_\_\_\_.
- 4) **TOTAL COMPENSATION:** All compensation paid to or on behalf of all City Employees, including benefits, insurances, shall be considered a part of Employees total compensation package. The Management Compensation Plan shall apply to all employees classified as "Management". Such Employees shall continue their eligibility for existing or future compensation programs which may be applicable to other Employees unless made inapplicable by Council action.
- 5) **STEP INCREASES:** Management Employees shall be evaluated annually no later than the anniversary date of the employees appointment to his/her position by the City Manager. Employees who receive "satisfactory" or better on their overall evaluation shall receive a step increase consistent with the Step Plan.
- 6) **PENSION PLANS:** City shall maintain the existing Section 401(k) Pension Plan. City will contribute 5% of each participating employee's base salary, in the same manner as represented General Employees.



7) SDI: City shall pay the full amount of Employee's S.D.I.

ADMINISTRATION DAYS: Employees shall have six (6) Administrative leave days per fiscal year. Unused leave can either be paid out during the fiscal year or up to 20 hours of unused Administrative leave days may be carried over to the following fiscal year.

8) VACATION: Vacation shall accrue at the rate of 6.666 hours per month. Employees with at least 5 years plus one day of service shall accrue vacation at the rate of 10 hours a month to be carried over annually. Management employees may receive payment at their regular salary rate of up to 80 hours of accrued vacation time per fiscal year.

9) SICK LEAVE: Employees shall accrue eight (8) hours a month accumulated sick leave. Employees who become ill while on vacation may charge their sick leave accounts for the time sick. Sick leave to be carried over annually.

10) BEREAVEMENT LEAVE: Employees shall be entitled to use up to 24 hours bereavement leave for each occurrence, not to exceed a total of 48 hours, upon approval of City Manager.

11) UNUSED SICK LEAVE: Upon death, retirement, resignation, layoff or termination, unused accumulated sick leave shall be paid at the Employees last salary rate as follows: More than 5 years City service: 25%; more than 10 years City service: 35%; more than 20 years City service: 50%.

12) HOLIDAY: Employees shall have thirteen (13) paid Holidays annually, and any day or part of day declared by the President of the United States or Governor of California to be a national day of mourning or celebration. Holidays shall be same as for Represented General Employees, and if additional Holidays are added, Management Employees shall have their Holidays match. In the interest of maintaining a minimum level of service to the community, management employees may be required to work on a declared day of mourning. The employee will be compensated at their regular rate of pay but shall be entitled to eight (8) hours of compensatory time off to be taken at the Employees discretion with approval of the City Manager.

13) HEALTH BENEFITS: Employees shall receive fully paid City health benefits for themselves and their dependents which shall include: Medical, Dental, and Vision. Plans should be equal to or better than what plans represented General Employees receive. Employee covered by Health Insurance from different source other than City may elect to receive payment in lieu of coverage in the amount of \$500.00.

14) LIFE INSURANCE: Employees shall receive a Fifty Thousand dollar (\$50,000.00) Term Life Insurance Policy, paid by the City.

15) EDUCATIONAL REIMBURSEMENT PROGRAM: Employees shall be reimbursed for tuition and book expenses actually incurred (\$100.00 per academic term, not to exceed \$300.00 per year) for attending classes on their own time which would be a direct benefit to the individual employee and the City, as approved by the City Manager.

16) OVERTIME: Employees are "Management Personnel" and are not eligible for overtime pay.

17) REST PERIODS: Employees shall be allowed rest periods not to exceed fifteen (15) minutes each, once before lunch and once after lunch, during work shift without loss of pay.

18) HOURS OF WORK: Daily hours of work for employees shall be assigned by the City Manager as required to meet the operational needs of the City. City Hall Management staff 8:00 a.m. to 5:00 p.m. Public Works Director and Building Inspector/Public Works Superintendent shall maintain similar hours as Public Works staff or as assigned by the City Manager.

19) CITY AND PERSONAL VEHICLE: A City vehicle and fuel will be provided to the City Manager, the Chief of Police, the Public Works Director, Public Utilities Director, and the Building Inspector/Code Enforcement Officer for his/her use in performing his/her official duties. Employee's use of personal vehicle for City business shall be compensated at a rate established by the IRS mileage rate. The City Manager, Public Works Director, and Chief of Police are permitted to use such assigned vehicles to commute between work and personal residence.

20) LEAGUE AND DEPARTMENT CONFERENCES: Employees are authorized to attend appropriate meetings and conferences relating to their employment activities and to be given a flat rate per diem rate, lodging, and mileage, as set by City Council.

21) ANNUAL RECONSIDERATION. The above listed items to remain in force. Employees may request the City Council to annually review the Management Employee Compensation and Benefit Plans and make changes or additions with a new resolution amending this resolution.

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Rolando Castro, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 24th day of April 2018 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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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 APPROVING  
AN AMENDMENT TO THE EMPLOYMENT  
CONTRACT OF THE CITY MANAGER**

**RESOLUTION NO. 18-27**

**WHEREAS**, Vince DiMaggio is the appointed City Manager of the City of Mendota (“City”) and serves under an Employment Agreement between himself and the City, dated April 21, 2014 (“Agreement”); and

**WHEREAS**, the Agreement was previously amended on October 21, 2014, on May 12, 2015, and on August 18, 2016; and

**WHEREAS**, the City and Mr. DiMaggio wish to execute a fourth amendment to the Agreement adjusting Mr. DiMaggio’s annual salary; and

**WHEREAS**, the City has prepared an amendment to the Agreement, attached hereto as Exhibit “A” and incorporated herein, reflecting the agreement between the parties as to the desired modifications to the Agreement (“Fourth Amendment”); and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mendota, that the Fourth Amendment to the Employment Agreement between the City of Mendota and Vince DiMaggio, as set forth in Exhibit “A”, is hereby approved and the Mayor is authorized to execute the Amendment and any other documentation necessary to effectuate the Amendment, said execution to provide conclusive evidence of such approval.

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

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 24<sup>th</sup> day of April, 2018, by the following vote:

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

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

Exhibit A

**FOURTH AMENDMENT TO EMPLOYMENT AGREEMENT**

This Amendment to Employment Agreement (the "Amendment"), dated as of April 24, 2018 (the "Effective Date"), is made by and between the City of Mendota (the "City"), a California municipality, and Vince DiMaggio, an individual ("Employee"). The City and the Employee are collectively referred to herein as the "Parties," and individually as a "Party."

**RECITALS**

**WHEREAS**, the City has employed Employee as City Manager of the City as provided by certain regulations of the City, as specified in the April 21, 2014, Employment Agreement between the City and Employee ("Employment Agreement"); and

**WHEREAS**, the City and Employee entered into a First Amendment to Employment Agreement on October 21, 2014, a Second Amendment to Employment Agreement on May 12, 2015, and a Third Amendment to Employment Agreement on August 18, 2016; and

**WHEREAS**, it is the desire of the City and Employee to make certain further amendments to the Employment Agreement, as specified herein.

**NOW, THEREFORE**, in consideration of the mutual covenants herein contained, effective April 24, 2018, the parties agree as follows:

**AGREEMENT**

A. The following language shall be added to the end of the paragraph located at Section 2, Paragraph A:

"Effective April 24, 2018, EMPLOYEE's base salary shall be \_\_\_\_\_/year."

B. In all other respects, the Employment Agreement, as previously amended, shall remain in full force and effect.

Dated this 24th day of April, 2018

**CITY OF MENDOTA**

**EMPLOYEE**

By: \_\_\_\_\_  
Robert Silva, Mayor

By: \_\_\_\_\_  
Vince DiMaggio

Approved as to Legal Form:

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

Exhibit A

**ATTEST:**

By: \_\_\_\_\_  
Matt Flood, City Clerk