LAFCO PROCEDURE CHECKLIST

RO-05-17 — File Number

"ANNEXATION 05-01" REORGANIZATION — Application Name

MAY 17, 2005 — Date Received

ANNEXATION TO THE CITY OF MENDOTA; DETACH FROM FRESNO CO. FIRE, WESTLANDS WATER DISTRICT & SILVER CREEK DRAINAGE DISTRICT
Subject Agency(s)

Inhabited ☐ Uninhabited ☒ Public Hearing ☐ 100% Consent ☐ Land Conservation ☐

Sphere of Influence Consistency ☐ Sphere Revision Needed ☐ SOI File Number _____

☐ Request Info. from Proponent _____ Date Requested _____ Date Completed

☐ Property Tax Resolution Needed: _____ Date Requested _____ Date Completed

☐ Environmental Assessment Needed _____ Date Sent _____ Date Completed EIR ☐ Neg. Dec ☒ Exempt ☐ Environmental Determination/Date

☐ Petition Verified _____ Date Sent _____ Date Completed

1. Application File Complete _____ Date

2. Request for Information from Other Agencies: Date / Returned

☐ Assessor (aff. area only ☐) Landowner ☐ LCC ☐ AV ☐ 7/1/05

☐ Planning

☐ Environmental Health

☐ State Office of Drinking Water

☐ California Regional Water Quality Control Board

☐ Elections

☐ Affected Districts

☐ U.S. Soil Conservation District

☐ Director of Conservation

☐ Other _____

3. Map and Description Approval 5-9-06
4. Certificate of Filing 6-7-06
5. Hearing Date Set 5-17-06
6. Notices Published 5-17-06
7. Notices Mailed and Posted (Request for Notice ☐) 6-1-06
8. Executive Officer's Report Mailed (Req. for Report ☐
9. Commission Action _____

☐ Rev. M/L needed – CA Cont. _____ 30 Day Follow Up _____ App. Rev. M & L _____

10. 60 Day Follow-up
11. Proposal Log _____
12. LAFCO Resolution Mailed 6-16-06

☐ Condition Compliance Needed ☐ Notice of Determination Filed (if app) _____

13. Cert. Comp./Bound. Change Mailed 10/26/2006 20060228435
14. County Recorder – Time, Date, and Document 9:12 a.m. 10/26/06 20060228435
15. Effective Date 10/26/06
16. Conducting Authority Contacted 10/26/06
17. Effective Notices Mailed 10/26/06
18. Proposal Log 10/26/06

Notes: _____

Contact Person: _____ Phone: _____

RECORDING REQUESTED BY AND MAIL TO

NAME LAFCO

STREET 2115 KERN STREET, SUITE 310

CITY & STATE FRESNO, CA 93721

ATTN: CANDIE

3

FRESNO County Recorder
Robert C. Werner
DOC- 2006-0228435
Thursday, OCT 26, 2006 09:12:35
Ttl Pd $0.00 Nbr-0002334047
CRR/R2/1-3

"ANNEXATION 05-01" REORGANIZATION

CERTIFICATE OF COMPLETION
FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION

The Conducting Authority Proceedings were waived by the Commission.

The names of the agencies whose territory is changed and the type of change for each are:

Annexation to the City of Mendota and detachment from the Fresno County Fire Protection District, the Westlands Water District, and the Silver Creek Drainage District.

The county in which the entire boundary change occurred is Fresno County.

The short title of the reorganization proceeding is "Annexation 05-01" Reorganization, LAFCo File No. RO-05-17.

The affected territory is Uninhabited.

The change of organization was ordered without an election, and Resolution No. RO-05-17 ordering the change of organization was adopted by the Fresno Local Agency Formation Commission on June 7, 2006.

A legal description of the territory affected by the reorganization is set forth in the attached Exhibit "A".

The conditions of approval of the reorganization have been complied with as follows:

1. The City of Mendota shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.

2. Satisfactory verification that the City has accepted a final subdivision map covering 50% or more of the affected territory shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

3. Ownership of land permitting, the annexation shall include the full existing right-of-way width of adjacent streets.

4. A detachment fee in the amount of $6,432.90 shall be paid to the Westlands Water District. Evidence of such payment shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

I, Rick Ballantyne, Executive Officer of the Fresno County Local Agency Formation Commission, hereby certify that the attached legal description, map, and terms and conditions of the change of organization do comply with the Commission's resolution of approval.

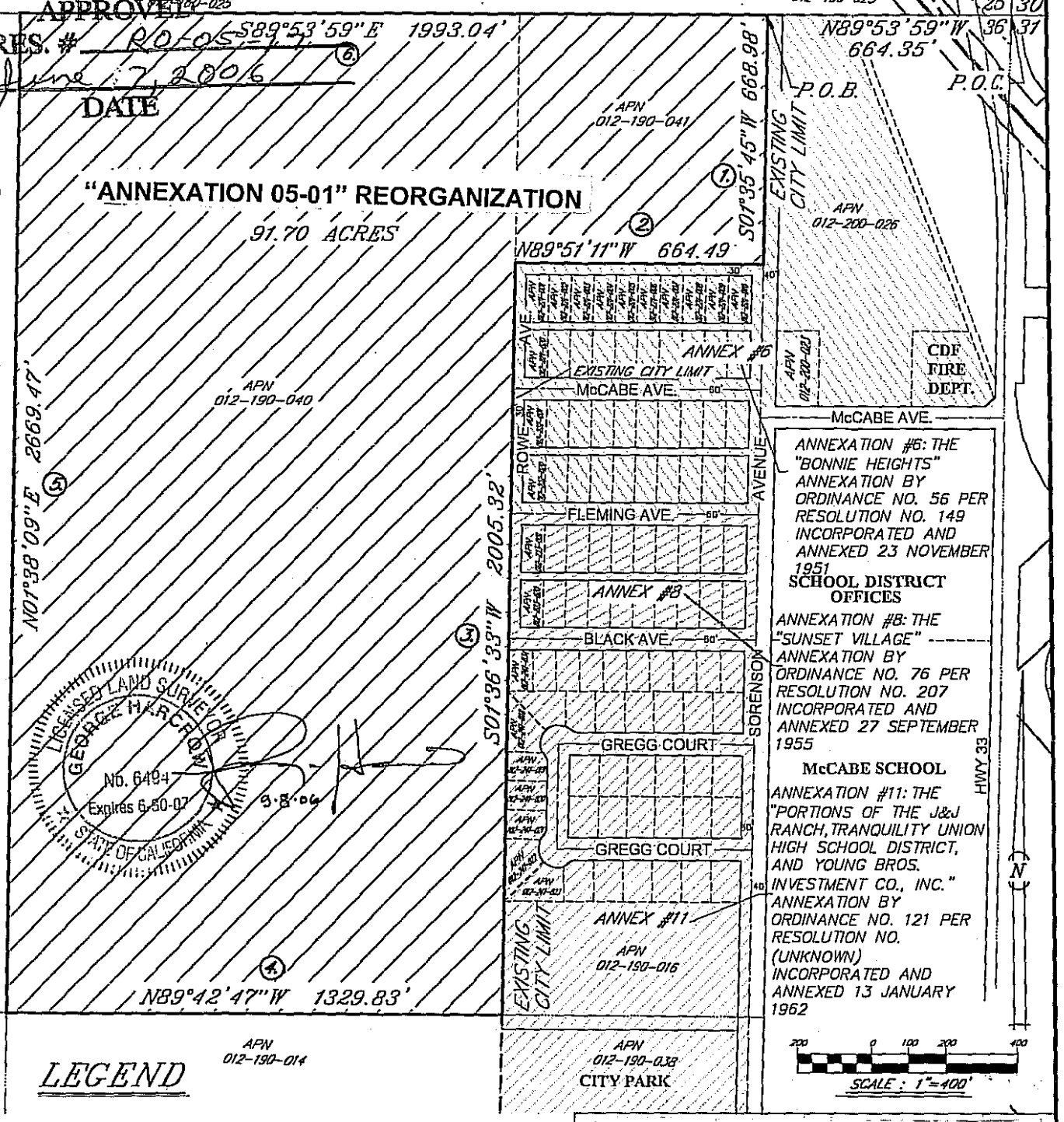
Rick Ballantyne
Executive Officer

Dated: October 26, 2006

2

EXHIBIT "A"

APPROVED
LAFCO RES. # R0-05-7
June 7, 2006
DATE



LEGEND

- INDICATES EXISTING CITY LIMITS
- INDICATES PROPOSED ANNEXATION BOUNDARY
- INDICATES EXISTING STREET CENTERLINE
- INDICATES EXISTING STREET RIGHT OF WAY
- INDICATES EXISTING LOT LINE
- INDICATES EXISTING SECTION LINE
- P.O.C. INDICATES POINT OF COMMENCEMENT
- P.O.B. INDICATES POINT OF BEGINNING
- (4) INDICATES DESCRIPTION COURSE NUMBER

H/S DEVELOPMENT
CITY OF MENDOTA, CALIFORNIA

"ANNEXATION 05-01" REORGANIZATION

AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

HAWKINS & ASSOCIATES ENGINEERING
436 MITCHELL RD.
MODESTO, CA. 95354
PH: (209) 575 - 4295
FX: (209) 578 - 4295
G.H.

SHEET 2 OF 2

2466

STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION
PROPERTY AND SPECIAL TAXES DEPARTMENT
450 N STREET, MIC: 59, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0059
TELEPHONE (916) 322-7185
FAX (916) 327-4251
www.boe.ca.gov

NOV 2006
Received
FRESNO
LAFCO

BETTY T. YEE
Acting Member
First District, San Francisco

BILL LEONARD
Second District, Ontario

CLAUDE PARRISH
Third District, Santa Ana

JOHN CHIANG
Fourth District, Los Angeles

STEVE WESTLY
Controller, Sacramento

RAMON J. HIRSIG
Executive Director

Mr. Richard Ballantyne, Interim Executive Officer
Fresno County LAFCo
2115 Kern St., Suite 310
Fresno, CA 93721

This is to acknowledge receipt of the statements(s) required by Section 54900, et seq., of the Govenment Code for the action described below. Copies of your documents will be forwarded by us to other agencies. You are required by Section 54902 of the Government Code to file a complete set of documents, except for the processing fee, with the County Assessor and Auditor affected by this action.

Tax rate area boundaries and property tax allocations will become effective for the assessment roll indicated below.

Assessment Roll: **2007/08**
County: **10 Fresno**

BOE File No.: **07-031**
Received at BOE: **10/31/2006**
Date of acknowledgment: **11/03/2006**
Distribution: **15**

District: **MENDOTA**
Conducting Authority: **CITY**

Short Title: **ANX. 05-01 REORG. TO CITY OF MENDOTA**
Type of Action: **02 Annexation to City**

Resolution/Ord. No.:
LAFCo No.: **RO-05-17**
Effective Date: **10/26/2006**
Fee: **$1500**
Acreage: **91.70**

Ralph L. Davis, Research Manager
Tax Area Services Section

cc: County Assessor, County Auditor

County of Fresno

Robert C. Werner
Assessor - Recorder

October 30, 2006

OCT 2006
Received
FRESNO
LAFCO

Local Agency Formation Commission
Fresno County Plaza
Fresno, CA 93711

Re: 2006 Assessment Roll

Dear Mr. Vallentyne:

This will acknowledge that the below change has been filed with this office pursuant to Section 54,900 et. seq. of the Government Code.

Date Filed: OCTOBER 26, 2006
City/ District: CITY OF MENDOTA

Ord./Resolution #: RO 05-17

Subject: ANNEXATION 05-01 REORGANIZATION

Yours Truly,
Robert C. Werner
Fresno County Assessor

Virginia Quevedo

Virginia Quevedo
Cadastral Technician III

Hall of Records, 2281 Tulare Street / Fresno, California 93721 / Phone (559) 488-3585 / Fax (559) 488-6774
P.O. Box 1146 / Fresno, California 93715-1146
Equal Employment Opportunity • Affirmative Action • Disabled Employer

Fresno Local Agency Formation Commission

October 26, 2006

NOTICE OF COMPLETION OF BOUNDARY CHANGE

To: Clerk, City of Mendota

From: Rick Ballantyne, Executive Officer

Subject: "Annexation 05-01" Reorganization
LAFCo File No. RO-05-17

Please be advised that all filings for the above approved annexation have been made, as required by California Government Code Section 57200 et seq. The change of organization is now complete and effective.

A certified copy of the Certificate of Completion is enclosed along with the map and legal description indicating the recording numbers affixed by the County Recorder. A Statement of Boundary Change was sent to the County Assessor, County Auditor, and State Board of Equalization.

A map showing the change of boundaries was also sent to the agencies listed on the attached letter of transmittal.

RB:cf

Attachments

LAFCO Office: 2115 Kern Street, Suite 310, Fresno CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

TO: Mike Harris, State Board of Equalization
Robert Werner, County Assessor
Vicki Crow, County Auditor

SUBJECT: "Annexation 05-01" Reorganization
LAFCo File No. RO-05-17

In accordance with the requirements of the California State Government Code (Section 54900 et seq.), and in accordance with Section 99(b) of the State Revenue and Taxation Code, the attached Statement of Boundary Change has been forwarded to you for filing.

A Certificate of Completion for this change of organization was executed and certified by the Executive Officer on October 26, 2006.

The change of organization was effective on October 26, 2006.

Property tax negotiations have been completed. The property tax revenue exchange shall be in accordance with the provisions of the master property tax exchange agreement on file with the Commission.

Rick Ballantyne
Executive Officer

Date: October 26, 2006

(Please acknowledge the filing of this statement by sending a receipt to our office. Thank you.)

LAFCO Office: 2115 Kern Street, Suite 310, Fresno CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

DATE: October 26, 2006

TO: City of Mendota
Fresno County Fire Protection District
Westlands Water District
Silver Creek Drainage District
County Elections, Precinct Activities - STOP #28
Stephanie Kahl, Environmental Health - STOP #147
Bernard Jimenez, Development Services Div. - STOP #214
Development Engineering - STOP #214
Robin Quinn, Road Maintenance - STOP #214
Lynn Gorman, Planning & Resource Management - STOP #214
Parks and Recreation - STOP #214
Pat Guerrero, EMIS - STOP #214
Sheila Kirkorian, 911 Coordinator - STOP #224
Flora Kotchkina, Public Works - STOP #214 (legal attached)
Lt. Dave Price, California Highway Patrol
U. S. Department of Commerce
J. M. Leonardo, Caltrans
State of California, Alcoholic Beverage Control
Housing Authority of City and County
Mendota Unified School District
West Hills Junior College District

FROM: Rick Ballantyne, Executive Officer

SUBJECT: "Annexation 05-01" Reorganization
LAFCo File No. RO-05-17

Please be advised that all required filings for the "Annexation 05-01" Reorganization" have been made. The change of organization was effective on October 26, 2006.

A map of the approved annexation/reorganization is attached for your reference.

RB:cf

Attachment

LAFCO Office: 2115 Kern Street, Suite 310, Fresno CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

DATE: October 26, 2006

TO: Fresno County Recorder - Stop #4

FROM: Rick Ballantyne, Executive Officer

SUBJECT: "Annexation 05-01" Reorganization
LAFCo File No. RO-05-17

In order to complete the filing for this approved change of organization, we are sending you a counterpart original of the Certificate of Completion for recordation.

Please assist the completion of this filing by making the required filing of the boundary description with the County Assessor's Office.

Please provide the information above for verification purposes. Thank you for your assistance.

Recorded at 9:12 on 10-26-06

Document Number 10/26/2006 20060228435

Signed

cc: Dan Sparks, Assessor's Office

LAFCO Office: 2115 Kern Street, Suite 310, Fresno CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

CERTIFICATE OF COMPLETION
FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION

The Conducting Authority Proceedings were waived by the Commission.

The names of the agencies whose territory is changed and the type of change for each are:

Annexation to the City of Mendota and detachment from the Fresno County Fire Protection District, the Westlands Water District, and the Silver Creek Drainage District.

The county in which the entire boundary change occurred is Fresno County.

The short title of the reorganization proceeding is "Annexation 05-01" Reorganization, LAFCo File No. RO-05-17.

The affected territory is Uninhabited.

The change of organization was ordered without an election, and Resolution No. RO-05-17 ordering the change of organization was adopted by the Fresno Local Agency Formation Commission on June 7, 2006.

A legal description of the territory affected by the reorganization is set forth in the attached Exhibit "A".

The conditions of approval of the reorganization have been complied with as follows:

1. The City of Mendota shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.

2. Satisfactory verification that the City has accepted a final subdivision map covering 50% or more of the affected territory shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

3. Ownership of land permitting, the annexation shall include the full existing right-of-way width of adjacent streets.

4. A detachment fee in the amount of $6,432.90 shall be paid to the Westlands Water District. Evidence of such payment shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

I, Rick Ballantyne, Executive Officer of the Fresno County Local Agency Formation Commission, hereby certify that the attached legal description, map, and terms and conditions of the change of organization do comply with the Commission's resolution of approval.

Rick Ballantyne
Executive Officer

Dated: October 26, 2006

BOE-400-TA REV. 1 (2-00)

STATEMENT OF BOUNDARY CHANGE

STATE OF CALIFORNIA
BOARD OF EQUALIZATION

Please mail to the Board of Equalization, Tax Area Services Section, 450 N Street, MIC:59, P.O. Box 942879, Sacramento, California 94279-0059.

BOE USE ONLY
B.O.E. File No.:

County: Fresno	County # : 10	Acreage: 91.70	Fee: $ 1.500	Res./Ord. No.:	N/A
Conducting Authority: Waived				LAFCo. Res.:	RO-05-17
Short Form Designation: "Annexation 05-01" Reorganization				Effective Date:	October 26, 2006

1. *Type of action: (check one only)*

	01 Annexation to district		06 Consolidation of TRA's		10 Redevelopment
	02 Annexation to city		07 Detachment from district		11 Name change
	04 City incorporation		08 Dissolution of district	✓	12 Reorganization
	05 Consolidation of district		09 Formation-District		13 School district change

2. *Principal City/District(s) affected by action:*

DISTRICT NAME	DISTRICT NAME
Annexation to the City of Mendota	Silver Creek Drainage District
Detach from: Fresno County Fire Protection District	
Westlands Water District	

3. *Affected territory is legally:*

	Inhabited		Developed	***Number of Areas:*** 1
✓	Uninhabited	✓	Undeveloped	

4. *The affected territory:*

✓	**Will** be taxed for existing bonded indebtedness or contractual obligations as set forth by the terms and conditions as stated in the resolution.
	Will not be taxed for existing bonded indebtedness or contractual obligations.

5. *Election:*

	An election authorizing this action was held on _____ *date*
✓	This action is exempt from election.

6. *Enclosed are the following items required at the time of filing:*

✓	Fees	✓	Map(s) and supporting documents
✓	Legal description	✓	Assessor parcel number(s) of affected territory
✓	Resolution of conducting authority		County auditor's letter of TRA assignment (consolidated counties only)
✓	Certificate of Completion (LAFCO only)		

7. *City boundary changes only:*

✓	Map of limiting addresses (2 copies)	✓	Vicinity maps (2 copies)
✓	Alphabetical list of all streets within the affected area to include beginning and ending street numbers		
✓	***Estimated population is:*** 0		

8. *Required:* **According to section 54902 of the Government Code, copies of these documents must be filed with the county auditor and county assessor.**

Board of Equalization will acknowledge receipt of filing to:

NAME Rick Ballantyne		BOE USE ONLY
TITLE Executive Officer		chk #:
AGENCY Fresno LAFCo		
STREET 2115 Kern Street Suite 310		amt:
CITY Fresno	ZIP CODE 93720	
TELEPHONE NO. (559) 495-0604	FAX NO. (559) 495-0655	
E-MAIL ADDRESS rballantyne@co.fresno.ca.us		ltr #:
SIGNATURE OF AGENCY OFFICER Rick Ballantyne	DATE 10/26/06	

LAFCO RES. # [illegible]
June 7, 2006
DATE

"ANNEXATION 05-01" REORGANIZATION

AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

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

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 89°53'59" WEST, ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 664.35 FEET **TO THE POINT OF BEGINNING**; THENCE FROM THE POINT OF BEGINNING:

COURSE 1. SOUTH 01°35'45" WEST, A DISTANCE OF 668.98 FEET;

COURSE 2.THENCE NORTH 89°51'11" WEST, A DISTANCE OF 664.49 FEET;

COURSE 3.THENCE SOUTH 01°36'33" WEST, A DISTANCE OF 2005.32 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION;

COURSE 4.THENCE ALONG SAID SOUTH LINE NORTH 89°42'47" WEST, A DISTANCE OF 1329.83 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION;

COURSE 5.THENCE NORTH 01°38'09" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION, A DISTANCE OF 2669.47 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION;

COURSE 6. THENCE SOUTH 89°53'59" EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 1993.04 FEET TO **THE POINT OF BEGINNING**.

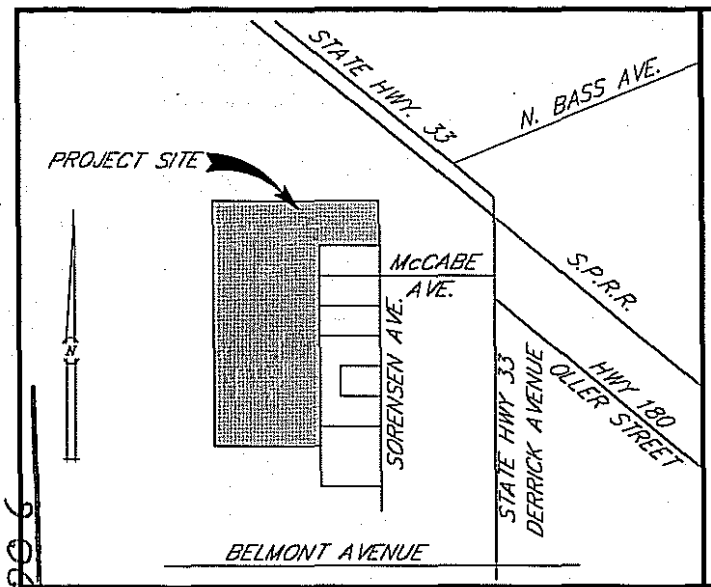
BOUNDARY CHANGE RECORDED
TIME 9:12 a.m. DATE 10/26/06
DOCUMENT # 20060228435
EFFECTIVE October 26, 2006

Total Computed Acreage: 91.70 acres more or less.

LICENSED LAND SURVEYOR
GEORGE HARCROW
No. 6494
Expires 6-30-07
STATE OF CALIFORNIA

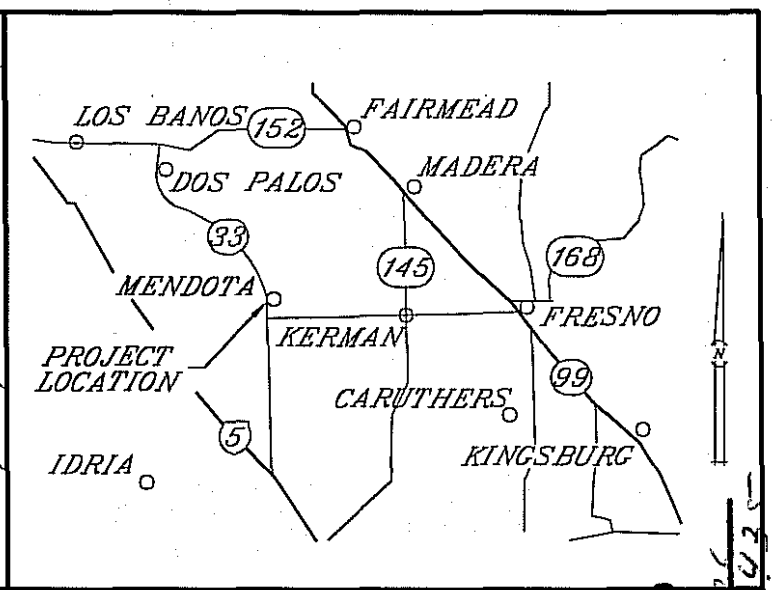
9/8/06

T:\2466\ANNEXATION\ANNEXATION DESCRIPTION.doc



VICINITY MAP

NO SCALE



LOCATION MAP

NO SCALE

LAFCO RES. # 80-05-12 DATE June 7, 2006

BOUNDARY CHANGE RECORDED

TIME 9:12 a.m. DATE 10/26/06

DOCUMENT # 2006 0625 9025

EFFECTIVE October 26, 2006

(CITY OF MENDOTA ANNEXATION NO. 05-01)

AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

LICENSED LAND SURVEYOR GEORGE HARCROW No. 6494 Expires 6-30-07 STATE OF CALIFORNIA

9-8-06

LEGAL DESCRIPTION

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

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 89°53'59" WEST, ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 664.35 FEET TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING:

COURSE 1. SOUTH 01°35'45" WEST, A DISTANCE OF 668.98 FEET;

COURSE 2. THENCE NORTH 89°51'11" WEST, A DISTANCE OF 664.49 FEET;

COURSE 3. THENCE SOUTH 01°36'33" WEST, A DISTANCE OF 2005.32 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION;

COURSE 4. THENCE ALONG SAID SOUTH LINE NORTH 89°42'47" WEST, A DISTANCE OF 1329.83 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION;

COURSE 5. THENCE NORTH 01°38'09" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION, A DISTANCE OF 2669.47 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION;

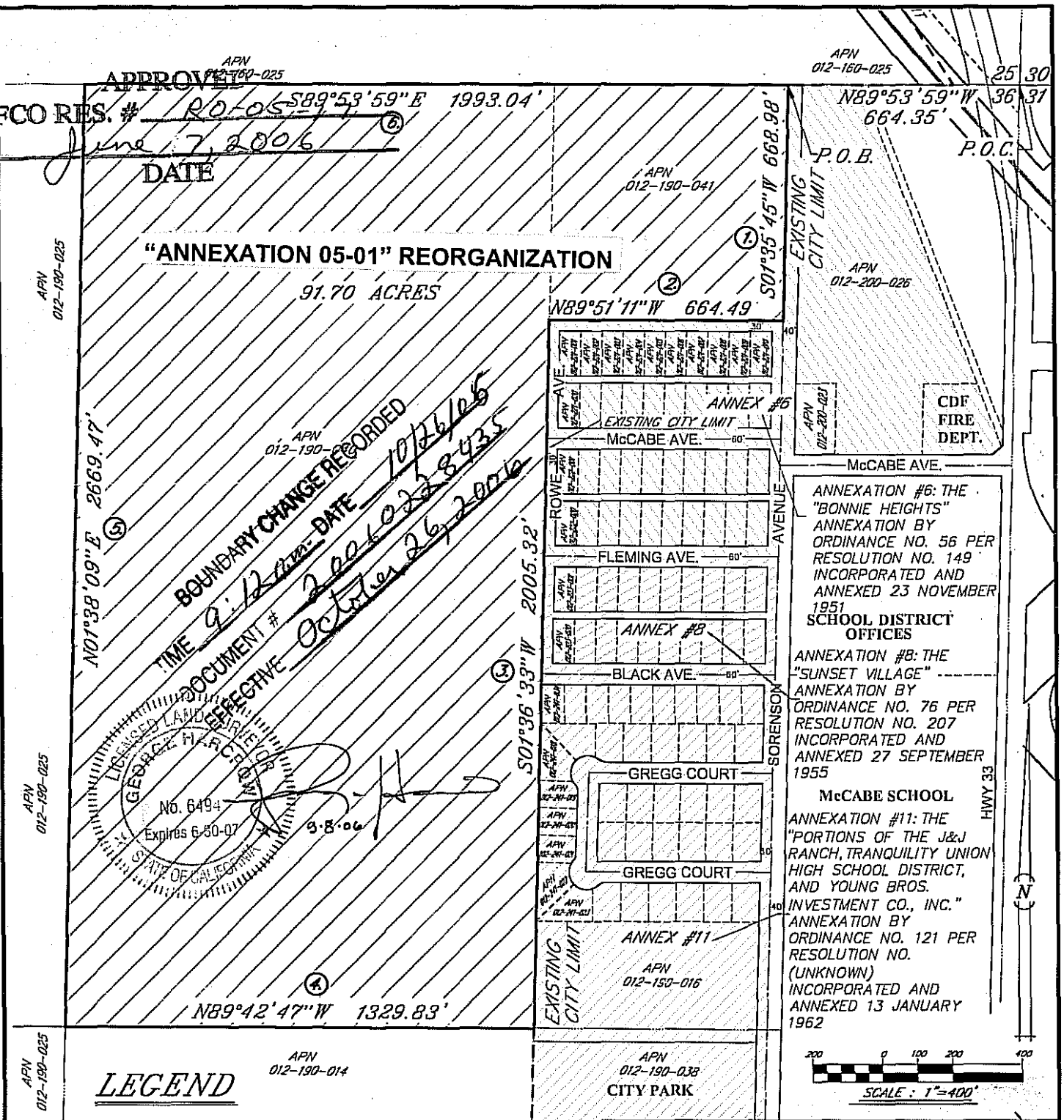
COURSE 6. THENCE SOUTH 89°53'59" EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 1993.04 FEET TO THE POINT OF BEGINNING.

TOTAL COMPUTED ACREAGE: 91.70 ACRES MORE OR LESS.

"ANNEXATION 05-01" REORGANIZATION	HAWKINS & ASSOCIATES ENGINEERING 436 MITCHELL RD. MODESTO, CA. 95354 PH: (209) 575 - 4295 FX: (209) 578 - 4295 G.H.	SHEET 1. OF 2.
H/S DEVELOPMENT CITY OF MENDOTA, CALIFORNIA		2466

E:\2466\ANNEXATION\PAGE_1\AFco_MAP_8 X 11.dwg 2/21/2006 12:01:53 PM PST

APPROVED
LAFCO RES. # RO-05-7
June 7, 2006
DATE



LEGEND

- INDICATES EXISTING CITY LIMITS
- INDICATES PROPOSED ANNEXATION BOUNDARY
- INDICATES EXISTING STREET CENTERLINE
- INDICATES EXISTING STREET RIGHT OF WAY
- INDICATES EXISTING LOT LINE
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- P.O.C. INDICATES POINT OF COMMENCEMENT
- P.O.B. INDICATES POINT OF BEGINNING
- (4) INDICATES DESCRIPTION COURSE NUMBER

H/S DEVELOPMENT
CITY OF MENDOTA, CALIFORNIA

"ANNEXATION 05-01" REORGANIZATION

AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

HAWKINS & ASSOCIATES ENGINEERING
436 MITCHELL RD.
MODESTO, CA. 95354
PH: (209) 575 - 4295
FX: (209) 578 - 4295
G.H.

SHEET 2. OF 2.

2466

ASSESSOR PARCEL NUMB ERS
"ANNEXATION 05-01" REORGANIZATION

012-190-04s

012-190-41s

CITY OF MENDOTA

Memo

Date: August 11, 2006

To: Fresno Local Agency Formation Commission LAFCo

From: Gabriel A. Gonzalez, City Manager

RE: Checklist for Completion of LAFCO Proceedings for H/S Development Annexation No. 05-01 Reorganization

---

Enclosed are the check listed items requested for H/S Development Annexation No. 05-01 Reorganization.

Included are the following checks:

Check No. 24763 made payable to the State Board of Equalization for the H/S Development Tax Revenue exchange.

Check No. 24771 made payable to Westlands Water District for H/S Development Annexation Detachment Fee.

Please contact me if you have any questions or concerns at (559) 655-3291 ext: 15

Gabriel A. Gonzalez

H/S Development
4800 Stockdale
Highway, Ste 205
Bakersfield, CA
93309-2636
(661) 327-0912 (O)
(661) 979-9187 (Steve Cell)
(661) 327-0914 (F)

JUL 17 2006

NOTIFICATION OF COMMISSION ACTION, AND CHECKLIST FOR COMPLETION OF LAFCO PROCEEDINGS

Fresno Local Agency Formation Commission (LAFCo)
2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 FAX: (559)495-0655

PROPOSAL: "ANNEXATION 05-01" REORGANIZATION"

The above proposal has been approved by the Commission. In order for us to complete the proceedings, please forward the following items.

Please forward the following items to our office so that we may complete the reorganization.

Note: The Conducting Authority (Protest Proceedings) duties previously performed by affected agencies are now the responsibility of LAFCo, and are initiated by the Commission following a 30-day period during which any person may request the Commission to reconsider its action approving a proposal.

- ■ Corrected Maps and Legal Descriptions.
- ■ Evidence of compliance with all conditions of approval, if applicable. (See attached EVIDENCE OF COMPLIANCE WITH LAFCO CONDITIONS form.)
- ■ Check made payable to State Board of Equalization for fees. A fee is required if property tax revenue is to be exchanged, or if a separate tax rate delineator is needed to collect a special assessment. The fee for your proposal is: **$1,500.00**
- ■ The following information required by the State Board of Equalization for all city annexations:

1. An alphabetical listing of all existing streets within the affected area to include beginning and ending street numbers. If a street is on the border of the affected area, indicate if the odd or even numbers are in the affected area.
2. Two copies of Maps of the city boundary change showing existing streets and limiting street address ranges.
3. Two copies of Vicinity or Location maps showing the City boundary in relation to annexation area.
4. Estimated current population of city boundary change area: 1,899 population

The city has the option of also filing a Department of Finance Housing Unit change form to inform them immediately of annexation completions involving a population change and thus obtain faster changes for population gain. Contact the State Department of Finance to obtain the appropriate form.

☐ A copy of the City's Certificate of Land Conservation Contract Termination adopted pursuant to Section 51243.5 of the Gov. Code, including a legal description of the land for which the City terminates the Contract, all to be recorded with the County Recorder at the same time as LAFCo files and records the Certificate of Completion.

■ A Master Street Address Guide Change Request form if street names or addresses will change. If you have any questions regarding this form, please contact Sheila LaPonte at 488-1614.

(Please attach a copy of this form when submitting the documents above for completion.)

SUBMITTED BY: _____

AGENCY: CITY OF MENDOTA

PHONE NUMBER: (559) 655-4298 EXT: 15

_____

Rick Ballantyne, LAFCo Interim Executive Officer

EVIDENCE OF COMPLIANCE WITH LAFCO CONDITIONS
Fresno Local Agency Formation Commission
2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 FAX: (559) 495-0655

PROPOSAL: "ANNEXATION 05-01" REORGANIZATION

1. The City of Mendota shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.

2. Satisfactory verification that the City has accepted a final subdivision map covering 50% or more of the affected territory shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

3. Ownership of land permitting, the annexation shall include the full existing right-of-way width of adjacent streets.

4. A detachment fee in the amount of $6,432.90 shall be paid to the Westlands Water District. Evidence of such payment shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

I hereby certify that all of the above actions have been taken by the City of Mendota in compliance with the terms and conditions of the Commission's approval of the above proposal.

GABRIEL A. GONZALEZ	CITY MANAGER
NAME (PLEASE PRINT OR TYPE)	(TITLE)
	8/11/06
SIGNATURE	DATE

G:\LAFCO WORKING FILES\COMPLETIONS\RO-05-17 COMPLETION CHECK & CONDITIONS.doc

EVIDENCE OF COMPLIANCE WITH LAFCO CONDITIONS
Fresno Local Agency Formation Commission
2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 FAX: (559) 495-0655

PROPOSAL: "ANNEXATION 05-01" REORGANIZATION

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Nicole Molina — Community Development Specialist
NAME (PLEASE PRINT OR TYPE) (TITLE)

Nicole Molina — 10/12/06
SIGNATURE DATE

G:\LAFCO WORKING FILES\COMPLETIONS\RO-05-17 COMPLETION CHECK & CONDITIONS.doc

The city has the option of also filing a Department of Finance Housing Unit change form to inform them immediately of annexation completions involving a population change and thus obtain faster changes for population gain. Contact the State Department of Finance to obtain the appropriate form.

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Required ■ A Master Street Address Guide Change Request form if street names or addresses will change. If you have any questions regarding this form, please contact Sheila LaPonte at 488-1614.

(Please attach a copy of this form when submitting the documents above for completion.)

SUBMITTED BY: Nicole Molina

AGENCY: City of Mendota

PHONE NUMBER: 655-4298 x 19

Rick Ballantyne

Rick Ballantyne, LAFCo Interim Executive Officer

Vendor	Vendor Name	Date 08/03/06	Ck # 024763
STA05	STATE BOARD		

CITY OF MENDOTA
643 QUINCE STREET
MENDOTA, CALIFORNIA 93640

Invoice ID	Inv Date	Invoice Description	Gross	Discount	Total
A60803-	Aug 03 2006	H/S DEVELOPMENT FEE: PROPERTY TAX REVENUE EXCHANGE	1,500.00		1,500.00
		Totals	1,500.00	.00	1,500.00

S377202-05 SPECTRUM BUSINESS FORMS (209) 438-4558

WARRANT ON THE TREASURY OF THE
CITY OF MENDOTA
643 QUINCE STREET
MENDOTA, CALIFORNIA 93640

The California Stockmen's Bank
667 Oller Street
Mendota, CA 93640
91-504
122105045

24763

CHECK DATE 08/03/06

PAY EXACTLY *****1,500.00*

PAY *********1,500*DOLLARS*AND*00*CENTS**

*One Thousand Five Hundred**********

TO THE ORDER OF

STATE BOARD
OF EQUILIZATION
P.P. BOX 942753
SACRAMENTO CA 94291-2753

CITY OF MENDOTA

MAYOR

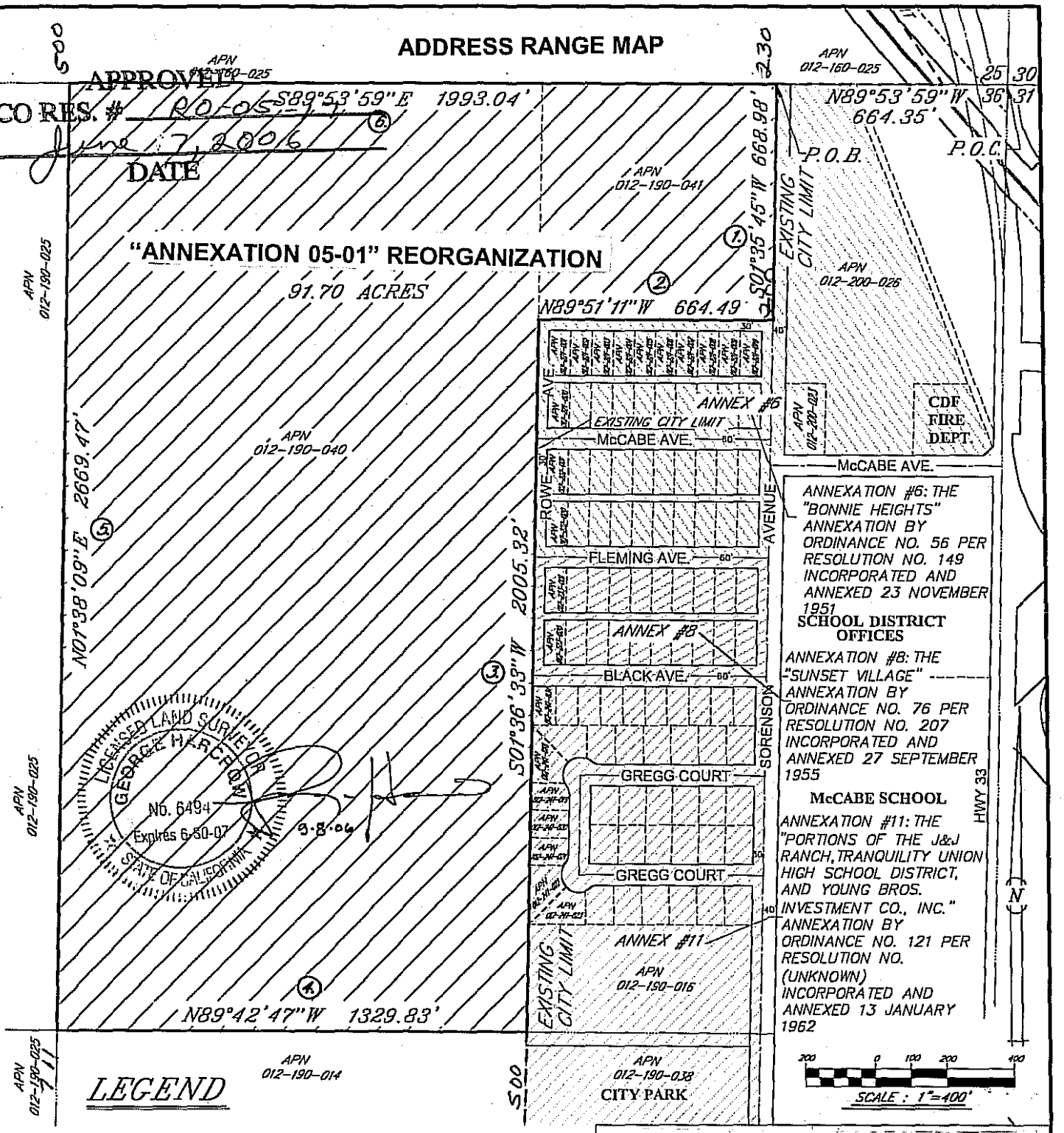
CITY MANAGER

FINANCE DIRECTOR

⑈024763⑈ ⑆122105045⑆ 5101005626⑈

ADDRESS RANGE MAP

APPROVED
LAFCO RES. # R0-05-
June 7, 2006
DATE



LEGEND

- INDICATES EXISTING CITY LIMITS
- INDICATES PROPOSED ANNEXATION BOUNDARY
- INDICATES EXISTING STREET CENTERLINE
- INDICATES EXISTING STREET RIGHT OF WAY
- INDICATES EXISTING LOT LINE
- INDICATES EXISTING SECTION LINE
- P.O.C. INDICATES POINT OF COMMENCEMENT
- P.O.B. INDICATES POINT OF BEGINNING
- (4) INDICATES DESCRIPTION COURSE NUMBER

H/S DEVELOPMENT
CITY OF MENDOTA, CALIFORNIA

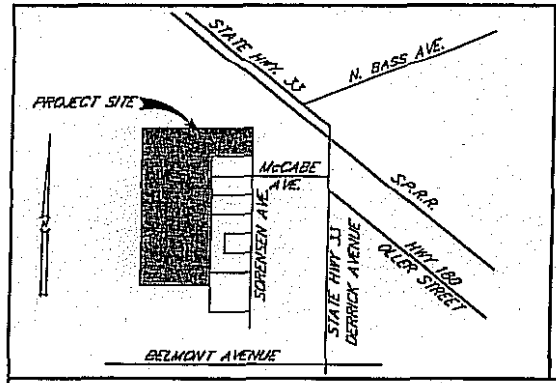
"ANNEXATION 05-01" REORGANIZATION

AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

HAWKINS & ASSOCIATES ENGINEERING
436 MITCHELL RD.
MODESTO, CA. 95354
PH: (209) 575 - 4295
FX: (209) 578 - 4295
G.H.

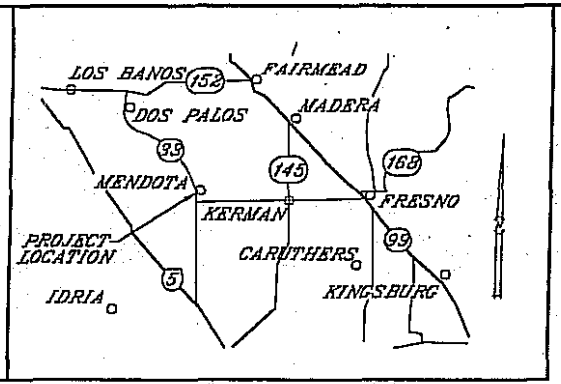
SHEET 2. OF 2.

2466



VICINITY MAP

NO SCALE



LOCATION MAP

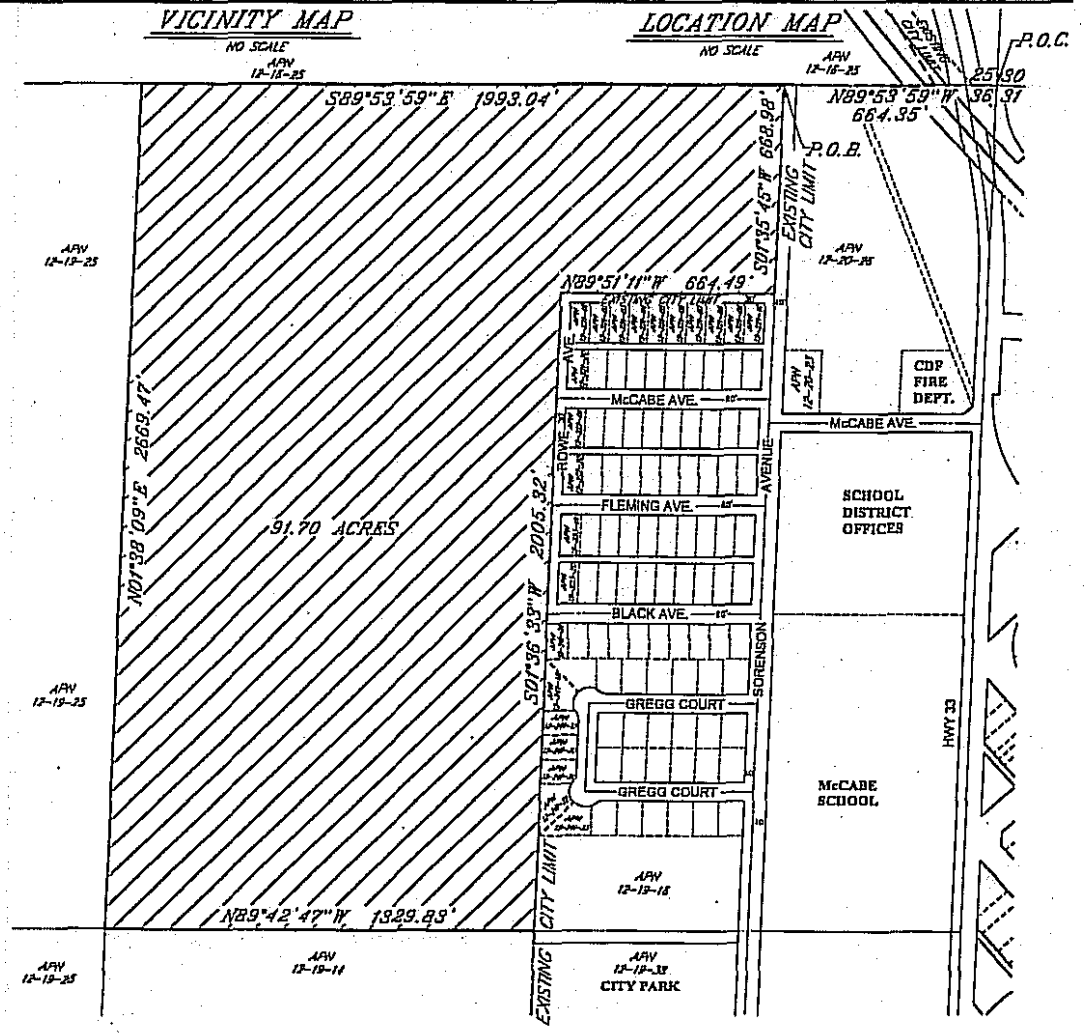
NO SCALE

LEGEND

- INDICATES EXISTING CITY LIMITS
- INDICATES PROPOSED ANNEXATION BOUNDARY
- INDICATES EXISTING STREET CENTERLINE
- INDICATES EXISTING STREET RIGHT OF WAY
- INDICATES EXISTING LOT LINE
- INDICATES EXISTING SECTION LINE
- P.O.C. INDICATES POINT OF COMMENCEMENT
- P.O.B. INDICATES POINT OF BEGINNING

N

SCALE : 1"=600'



LEGAL DESCRIPTION

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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 89°53'59" WEST, ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 664.35 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°35'45" WEST, A DISTANCE OF 668.98 FEET; THENCE NORTH 89°51'11" WEST, A DISTANCE OF 664.49 FEET; THENCE SOUTH 01°36'33" WEST, A DISTANCE OF 2005.32 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE ALONG SAID SOUTH LINE NORTH 89°42'47" WEST, A DISTANCE OF 1329.83 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01°38'09" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION, A DISTANCE OF 2669.47 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 89°53'59" EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 1993.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 91.70 ACRES MORE OR LESS.

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

SHEET 1. OF 1.

2488

ANNEXATION NO. 05-01

AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

H/S DEVELOPMENT

CITY OF MENDOTA, CALIFORNIA

Alphabetical Listing Of Existing Streets

241 Fleming
241 Gregg Ct N
241 Holmes
241 McCabe
243 Gregg Ct S
250 Black Ave
250 Fleming
250 Gregg Ct N
250 Gregg Ct S
250 McCabe
251 Black Ave
251 Fleming
251 Gregg Ct W
251 Holmes
255 Gregg Ct S
255 McCabe
260 Black Ave
260 Fleming
260 Gregg Ct W
260 McCabe
261 Black Ave
261 Holmes
261 McCabe
265 Gregg Ct W
270 Black Ave
270 Fleming
270 Gregg Ct W
270 McCabe
271 Black Ave
271 Fleming
271 Holmes
271 McCabe
272 Gregg Ct W
274 Gregg Ct W
277 Gregg Ct W
280 Black Ave
280 Fleming
280 McCabe
281 Black Ave
281 Fleming
281 Holmes
281 McCabe
284 Gregg Ct W
290 Black Ave
290 Fleming
290 McCabe
291 Black Ave
291 Fleming
291 Holmes
291 McCabe
300 Sorenson

Alphabetical Listing Of Existing Streets

102 Sorenson
190 Sorenson
200 Fleming
200 Gregg Ct N
200 McCabe
201 Black Ave
201 Fleming
201 Gregg Ct N
201 Holmes
201 McCabe
202 Gregg Ct S
210 Black Ave
210 Fleming
210 Gregg Ct N
210 McCabe
211 Black Ave
211 Fleming
211 Gregg Ct N
211 Gregg Ct S
211 Holmes
211 McCabe
213 Gregg Ct S
220 Black Ave
220 Fleming
220 Gregg Ct N
220 Gregg Ct S
220 McCabe
221 Black Ave
221 Fleming
221 Gregg Ct N
221 Holmes
221 McCabe
225 Gregg Ct S
226 Gregg Ct S
227 Gregg Ct S
230 Black Ave
230 Fleming
230 Gregg Ct N
230 McCabe
231 Black Ave
231 Fleming
231 Gregg Ct N
231 Holmes
231 McCabe
240 Black Ave
240 Fleming
240 Gregg Ct N
240 Gregg Ct S
240 McCabe
241 Black Ave

H & S Development "Las Palmas" Subdivision
Street Listing

Street Names	*Street Numbers*
Amador Avenue	
Bandoni Court	*400-487 Odd & Even*
Barajas Court	*500-569 Odd & Even*
Black Ave	*300-420 Odd & Even*
Castaneda Court	*500-569 Odd & Even*
Castro Street	*110-151 Odd & Even*
Cervantez Street	
Diaz Court	*100-145 Odd & Even*
Espinoza Street	*200-298 Odd & Even*
Gamez Court	*500-567 Odd & Even*
**Givens Street*	*230-500 Even*
**Gurrola Street*	*100-150 Even*
Maldonado Street	*200-298 Odd & Even*
Martinez Court	*400-487 Odd & Even*
Oxnard Street	*301- 411 Odd & Even*
**Petry Court*	*400-483 Odd & Even*
Quiroga Court	*100-147 Odd & Even*
San Pedro Street	*200-297 Odd & Even*
Santa Cruz Street	*201-200 Odd & Even*
Segovia Street	*100-180 Odd & Even*
Selzer Court	*100-148 Odd & Even*
Silva Court	*100-145 Odd & Even*
Valenzuela Street	*200-298 Odd & Even*

** (indicates Veteran)*

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Silva (Street Name) Ct (Suffix)

Existing Community _____ (MSAG Abreviation)

New Community Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	100	145	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-4298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Remarks _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

	Directional	Street Name	Suffix
Existing Street			
New Street		Valenzuela	St

Existing Community _____ (MSAG Abbreviation)

New Community: Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	200	298	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks: Annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-4298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Black (Street Name) Ave (Suffix)

Existing Community _____ (MSAG Abbreviation)

New Community Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)	300	420			
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks Annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-4298 Date 10/12/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: Directional _____ Street Name _____ Suffix _____

New Street: Directional _____ Street Name Oxnard Suffix ST

Existing Community _____

New Community (MSAG Abbreviation) Mendota TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)	301	411			
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks: Annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 1655-4298 Date 10/12/06

Copy to:
Pacific Bell Premise, 533 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide Insert/ Change Request

County Fresno

Sheet No.

Type Request Insert ☑ Change ☐ Delete ☐

Existing Street
Directional | Street Name | Suffix

New Street
Directional | Street Name: Santa Cruz | Suffix: ST

Existing Community
MSAG Abbreviation

New Community

TB Map/Grid

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)	200	298			
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks Annexation / Track # 5483

1. Signed Nicole Molina Agency Tel # 655-4298 Date 10/12/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd Reviewer Typed Audit

ESN Priority ALI ID

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks

Master Street Address Guide Insert/ Change Request

County Fresno

Sheet No.

Type Request Insert ☑ Change ☐ Delete ☐

Existing Street
Directional | Street Name | Suffix

New Street
Directional | Street Name: San Pedro | Suffix: ST

Existing Community
MSAG Abreviation

New Community: Mendota

TB Map/Grid

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	201	297	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks annexation / Track # 5483

1. Signed Nicie Molina Agency _____ Tel # 1055-4298 Date 10/12/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Remarks _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Bandoni (Street Name) Ct (Suffix)

Existing Community: _____ (MSAG Abreviation)

New Community: Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	400	487	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks: annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPoute

Remarks _____

Master Street Address Guide Initial/Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Barajas (Street Name) Ct (Suffix)

Existing Community _____ (MSAG Abbreviation)

New Community: Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	500	569	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks: annexation / Track # 5483

1. Signed Nicole Moline Agency _____ Tel # 655-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin ( )

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonre

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Castaneda (Street Name) G (Suffix)

Existing Community _____ (MSAG Abbreviation)

New Community Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	500	569	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks Annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Castro (Street Name) St (Suffix)

Existing Community _____ (MSAG Abbreviation)

New Community Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	110	151	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks Annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide Interim Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Diaz (Street Name) Ct (Suffix)

Existing Community _____ (MSAG Abbreviation)

New Community Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	100	145	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks Annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

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ESN Priority _____ ALI ID _____

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2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Espinoza (Street Name) St (Suffix)

Existing Community _____ (MSAG Abbreviation)

New Community Mendota TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	200	298	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: Directional _____ Street Name _____ Suffix _____

New Street: Directional _____ Street Name Gamez Suffix Ct

Existing Community _____ (MSAG Abbreviation)

New Community Mendota TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	500	567	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks Annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin

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Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Givens (Street Name) St (Suffix)

Existing Community _____ (MSAG Abbreviation)

New Community Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	230	500	even		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks Annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: Directional _____ Street Name _____ Suffix _____

New Street: Directional _____ Street Name Gurrola Suffix St

Existing Community _____ (MSAG Abbreviation)

New Community Mendota TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	100	150	even		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks annexation / track # 5483

1. Signed Nicole Molina Agency _____ Tel # 685-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request Insert ☑ Change ☐ Delete ☐

Existing Street _____ Directional _____ Street Name _____ Suffix

New Street _____ Directional Maldonado Street Name ST Suffix

Existing Community _____ MSAG Abbreviation

New Community Mendota TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	200	298	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks Annexation / Track # 5483

1. Signed Nicki Molina Agency _____ Tel # 655-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonce

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Martinez (Street Name) Ct (Suffix)

Existing Community _____ (MSAG Abreviation)

New Community Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	400	487	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-3298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Petry (Street Name) Ct (Suffix)

Existing Community _____ (MSAG Abbreviation)

New Community Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	400	483	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks Annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-3291 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: Directional _____ Street Name _____ Suffix _____

New Street: Directional _____ Street Name Quiroga Suffix Ct

Existing Community _____ (MSAG Abbreviation)

New Community Mendota TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	100	147	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 605-4298 Date _____

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide (MSAG) Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: Directional _____ Street Name _____ Suffix _____

New Street: Directional _____ Street Name Segovia Suffix St

Existing Community _____ (MSAG Abbreviation)

New Community Mendota T'B Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	100	180	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-4298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ]

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

Master Street Address Guide Insert/ Change Request

County Fresno

Sheet No. _____

Type Request: Insert ☑ Change ☐ Delete ☐

Existing Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

New Street: _____ (Directional) Selzer (Street Name) Ct (Suffix)

Existing Community _____ (MSAG Abbreviation)

New Community: Mendota

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)	100	148	both		
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks: annexation / Track # 5483

1. Signed Nicole Molina Agency _____ Tel # 655-4298 Date 10/16/06

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

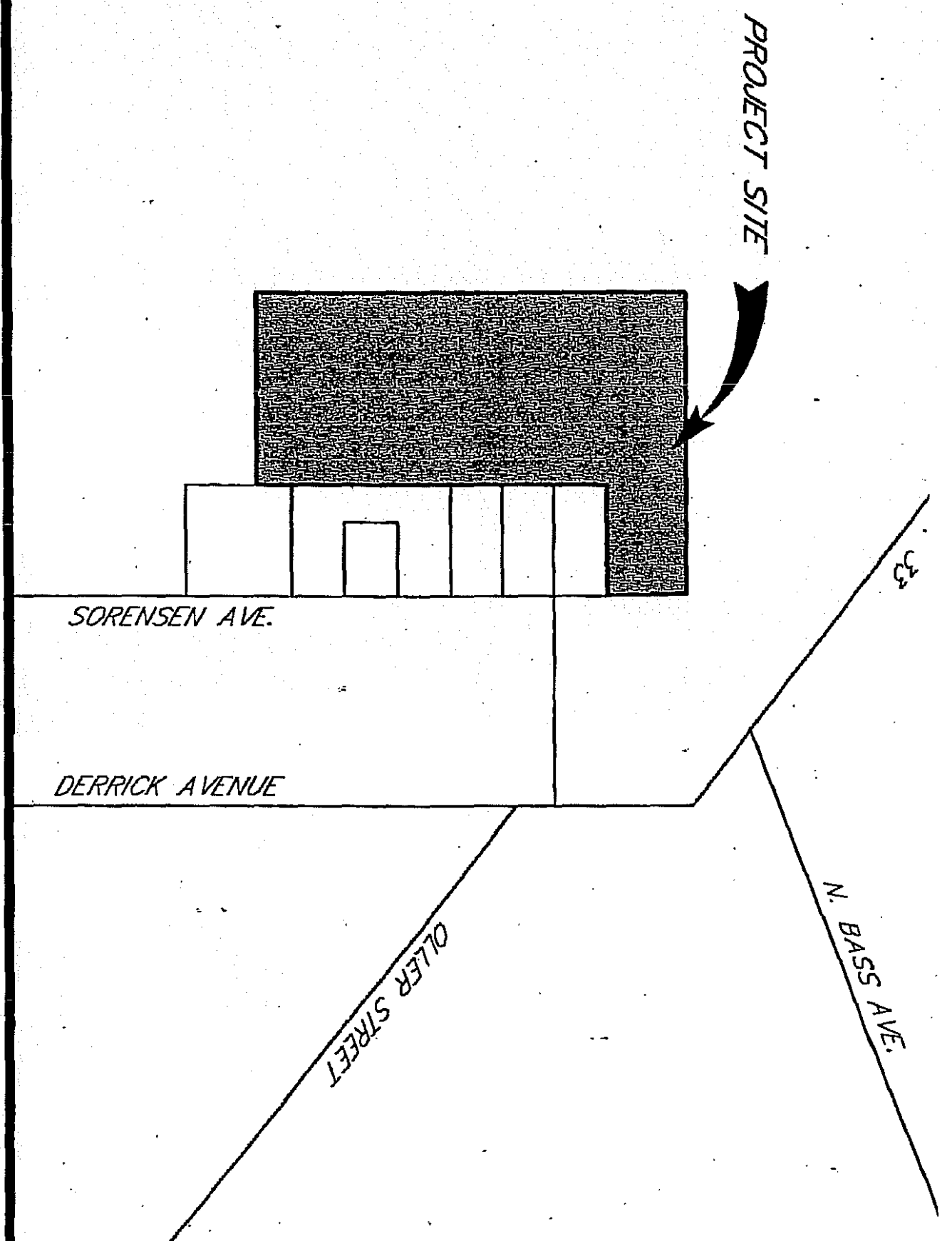
ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

FHS Development "Las Palmas"
Annexation 05-01

VICINITY MAP



RODRICK H. HAWKINS R.C.E. 501
CROLIE F. LINDSAY R.C.E. 31900

MEMORANDUM

OCT 2006
Received
FRESNO

DATE: October 6, 2006

TO: City Clerk, Ms. B.L. Carter

FROM: Community Development Director, Bill Skinner

RE: H/S Development Annexation

Based on the correspondence received on September 25, 2006 from the Fresno County Local Agency Formation Commission the following items are required to be transmitted to LACFo:

1. Copy of Certified Resolution of approval for the Tentative Subdivision Map:

   a. Please highlight the conditions specifying the adoption of a Right to Farm Covenant;

2. Copy of the Certified Resolution adopting the Final Map for H/S Development;

Please forward all transmittal to:

Fresno Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721

Please do not hesitate to contact me with questions, comments and/or concerns.

CITY OF MENDOTA

www.ci.mendota.ca.us

CLERK'S CERTIFICATE

I, Brenda L. Carter, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Resolution 06-26 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on October 6, 2006.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Brenda L. Carter

Brenda L. Carter, City Clerk

643 Quince Street Mendota, California 93640 Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)

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

IN THE MATTER OF THE CITY OF MENDOTA CITY COUNCIL APPROVING AND ACCEPTING FINAL SUBDIVISION TRACT MAP # 5483, LAS PALMAS ESTATES

RESOLUTION NO. 06-26

WHEREAS, Tentative Tract Map No. 5483 was approved with conditions by the Mendota City Council on March 22, 2005, after conducting a public hearing hereon; and

WHEREAS, the Subdivider elected to proceed with the development of Tentative Map No. 5483 in phases, of which Final Map No. 5483 is Phase No. 1; and

WHEREAS, it has been deterred with certainty that this Project will not have a significant effect on the environment and a Negative Declaration of Environmental Impact was prepared, published, reviewed, considered and approved as required by the California Environmental Quality Act and Regulations; and

WHEREAS, the Final Tract Map No. 5483 is consistent with Tentative Tract Map No. 5483 and the Mendota General Plan and Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mendota that Final Subdivision Tract Map 5483 be and it hereby is approved subject to the conditions and requirements set forth in the Tentative Tract approval, the Subdivision Agreement and the security to guarantee public improvements.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the dedications for streets, easements and ponding basin set forth in the Final Tract Map be and they are approved and accepted.

PASSED AND ADOPTED, by the City of Mendota City Council regularly scheduled meeting held on the 25th day of July 2006.

AYES:	4	Mayor Pro Temp Silva, Council Member Covarrubia, Council Member Quiroga and Council Member Flores
NOES:	0	
ABSENT:	1	Mayor Riofrio

Joseph R. Riofrio

Joseph Riofrio, Mayor

ATTEST:

Brenda L Carter

Brenda L. Carter, City Clerk

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

CITY OF MENDOTA

www.ci.mendota.ca.us

CLERK'S CERTIFICATE

I, Brenda L. Carter, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Resolution 05-15 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on October 6, 2006.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Brenda L. Carter

Brenda L. Carter, City Clerk

643 Quince Street Mendota, California 93640 Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)

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 R. Riofrio

Joseph Riofrio, Mayor

ATTEST:

Brenda L. Carter

Brenda L. Carter, City Clerk

Vendor	Vendor Name	Date 08/03/06	Ck # 024771
WES12	WESTLANDS WATER DISTRICT		

CITY OF MENDOTA
643 QUINCE STREET
MENDOTA, CALIFORNIA 93640

Invoice ID	Inv Date	Invoice Description	Gross	Discount	Total
A60803-	Aug 03 2006	DETACHMENT FEE FOR H/S DEVELOPMENT ANNEXATION	6,432.90		6,432.90
		Totals	6,432.90	.00	6,432.90

Mailed to Westlands 8/15/06

5377202-05 SPECTRUM BUSINESS FORMS (209) 498-4558

THE FACE OF THIS DOCUMENT HAS A VOID DESIGN BACKGROUND

WARRANT ON THE TREASURY OF THE
CITY OF MENDOTA
643 QUINCE STREET
MENDOTA, CALIFORNIA 93640

The California Stockmen's Bank
567 Oller Street
Mendota, CA 93640

91-504
1221

24771

CHECK DATE 08/03/06

PAY EXACTLY *****6,432.90*

PAY *********6,432*DOLLARS*AND*90*CENTS**

*Six Thousand Four Hundred Thirty-Two and 90/100**********

TO THE ORDER OF

WESTLANDS WATER DISTRICT

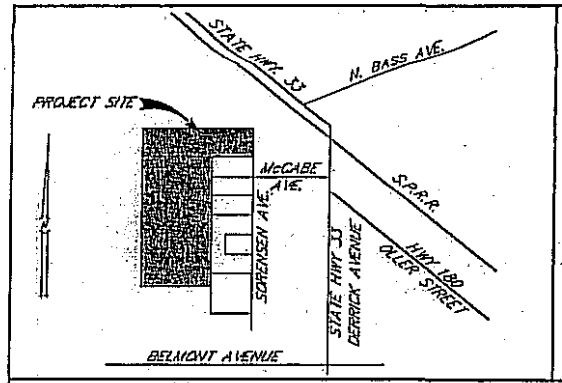
CITY OF MENDOTA

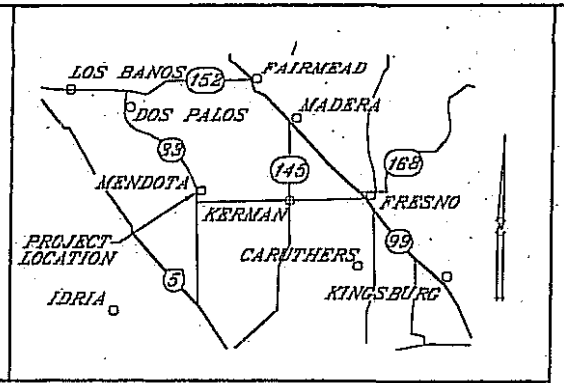
MAYOR

CITY MANAGER

FINANCE DIRECTOR

⑈024771⑈ ⑆122105045⑆ 5101005626⑈





LEGEND

- INDICATES EXISTING CITY LIMITS
- INDICATES PROPOSED ANNEXATION BOUNDARY
- INDICATES EXISTING STREET CENTERLINE
- INDICATES EXISTING STREET RIGHT OF WAY
- INDICATES EXISTING LOT LINE
- INDICATES EXISTING SECTION LINE
- P.O.C. INDICATES POINT OF COMMENCEMENT
- P.O.B. INDICATES POINT OF BEGINNING

N

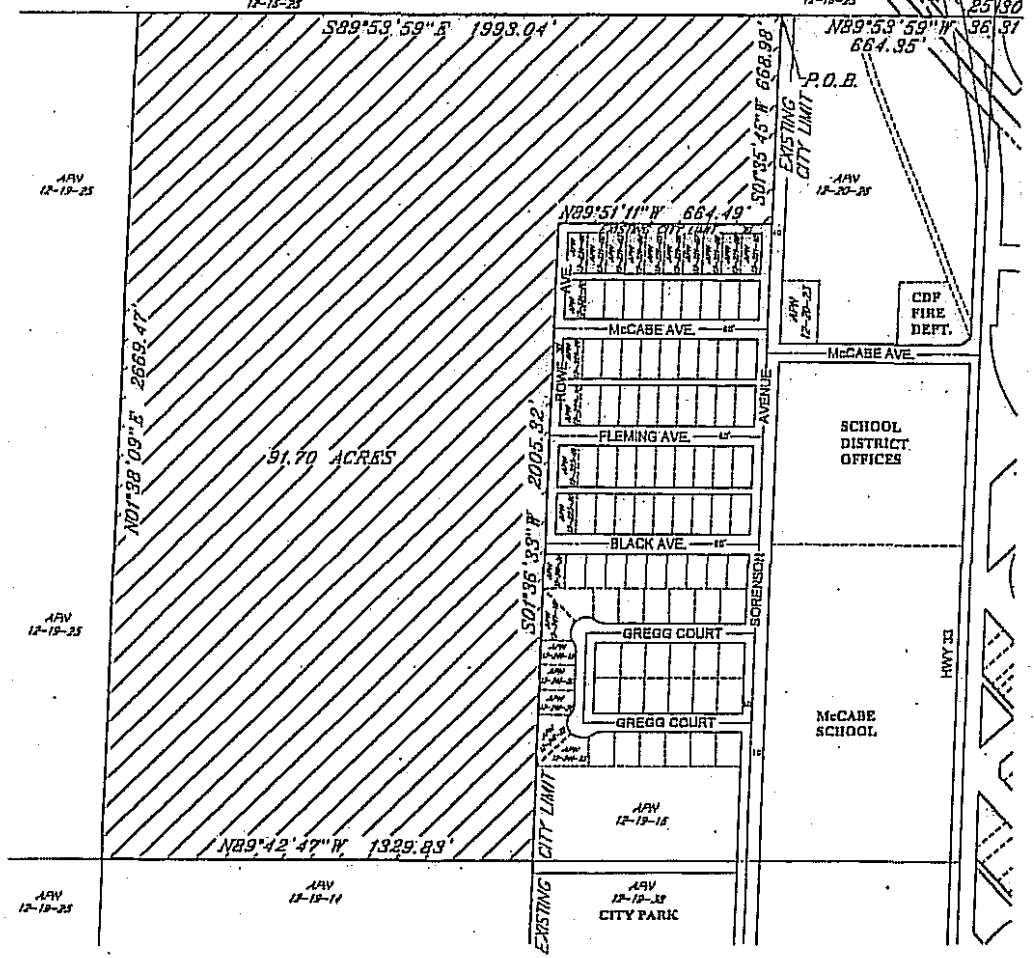
SCALE : 1"=600'

VICINITY MAP

NO SCALE

LOCATION MAP

NO SCALE



LEGAL DESCRIPTION

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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 89°53'59" WEST, ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 664.35 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°35'45" WEST, A DISTANCE OF 668.98 FEET; THENCE NORTH 89°51'11" WEST, A DISTANCE OF 664.49 FEET; THENCE SOUTH 01°36'33" WEST, A DISTANCE OF 2005.32 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE ALONG SAID SOUTH LINE NORTH 89°42'47" WEST, A DISTANCE OF 1329.83 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01°38'09" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION, A DISTANCE OF 2669.47 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 89°53'59" EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 1993.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 91.70 ACRES MORE OR LESS.

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

SHEET 1. OF 1.

2488

ANNEXATION NO. 05-01
AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

H/S DEVELOPMENT
CITY OF MENDOTA, CALIFORNIA

RESOLUTION NO. RO-05-17

FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA

A REQUEST FROM THE CITY OF MENDOTA FOR APPROVAL OF THE "ANNEXATION NO. 05-01" REORGANIZATION	))))	**APPROVE WITH CONDITIONS**

WHEREAS, reorganization proceedings were initiated by the City of Mendota to annex approximately 91.7 acres of territory generally located at the southwest corner of Bass and Sorenson Avenues, inside the City of Mendota Sphere of Influence to the City of Mendota and detachment from the Fresno County Fire Protection District, the Westlands Water District and the Silver Creek Drainage District; and

WHEREAS, an application was submitted to this Commission by the City of Mendota as required by State Law, and the application for said proposed reorganization was accepted for filing by the Executive Officer and set for hearing on the 7th day of June, 2006, at the hour of 1:30 p.m.; and

WHEREAS, notice of said hearing was given as required by State Law; and

WHEREAS, the Fresno County Fire Protection District and the City of Mendota have a transition agreement in full force and effect that applies to fire protection services within the affected territory on file with the Commission; and

WHEREAS, a Master Property Tax Transfer Agreement exists between the City of Mendota and the County of Fresno, the responsible local agencies for the exchange of property tax revenues covering this reorganization; and

WHEREAS, the County of Fresno submitted a letter to this Commission stating that the County has determined that the proposed annexation of the affected territory to the City of Mendota is consistent with the Master Property Tax Transfer Agreement; and

WHEREAS, the Executive Officer reviewed the application and prepared a report to this Commission, including a recommendation for approval upon certain conditions, said report having been mailed at least five days before the public hearing; and

WHEREAS, said report was duly considered by this Commission pursuant to State Law; and

WHEREAS, this Commission reviewed and considered the information in the Initial Study and Mitigated Negative Declaration prepared by the Lead Agency, City of Mendota, which was included in the Executive Officer's report to this Commission; and

WHEREAS, this Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on said application.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER as follows:

Section #1. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, this Commission finds that prior to approving the proposed reorganization the environmental effects of the project as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.

Section #2. This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-10), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section #3. This Commission assigns the distinctive short form designation "Annexation 05-01" Reorganization and approves the reorganization (annexation and detachments) as shown in Exhibit "A" subject to the following conditions of approval:

1. The City of Mendota shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.

2. Satisfactory verification that the City has accepted a final subdivision map covering 50% or more of the affected territory shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

3. Ownership of land permitting, the annexation shall include the full existing right-of-way width of adjacent streets.

4. A detachment fee in the amount of $6,432.90 shall be paid to the Westlands Water District. Evidence of such payment shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

Section #4. This Commission finds and determines pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:

1. The territory is uninhabited.

2. All landowners and affected agencies have consented to the annexation.

Section #5. This Commission hereby waives further Conducting Authority Proceedings and orders the annexations and detachment subject to the requirements of the Cortese-Knox-Hertzberg Government Reorganization Act of 2000, the 30 day reconsideration period, and compliance with all of the above conditions.

Section #6. This Commission's actions approving this proposal shall expire one year from the date of this Resolution unless all proceedings are complete, including compliance with all conditions of approval, terms and conditions, and the issuance of a Certificate of Completion by the Executive Officer.

Section #7. The Executive Officer is hereby authorized and directed to mail certified copies of this Resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this Proposal, as required by State law.

* *

ADOPTED THIS 7th DAY OF JUNE, 2006, BY THE FOLLOWING VOTE:

AYES: **Commissioners Fortune, Rodriguez, Anderson, Lopez and Waterston**

NOES **None**

ABSENT: **None**

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

CERTIFICATION

I, Bob Waterston, Chairman of the Fresno Local Agency Formation Commission certify that the foregoing resolution was adopted by the Commission at a regular meeting held on the 7th day of June, 2006.

Bob Waterston, Chairman

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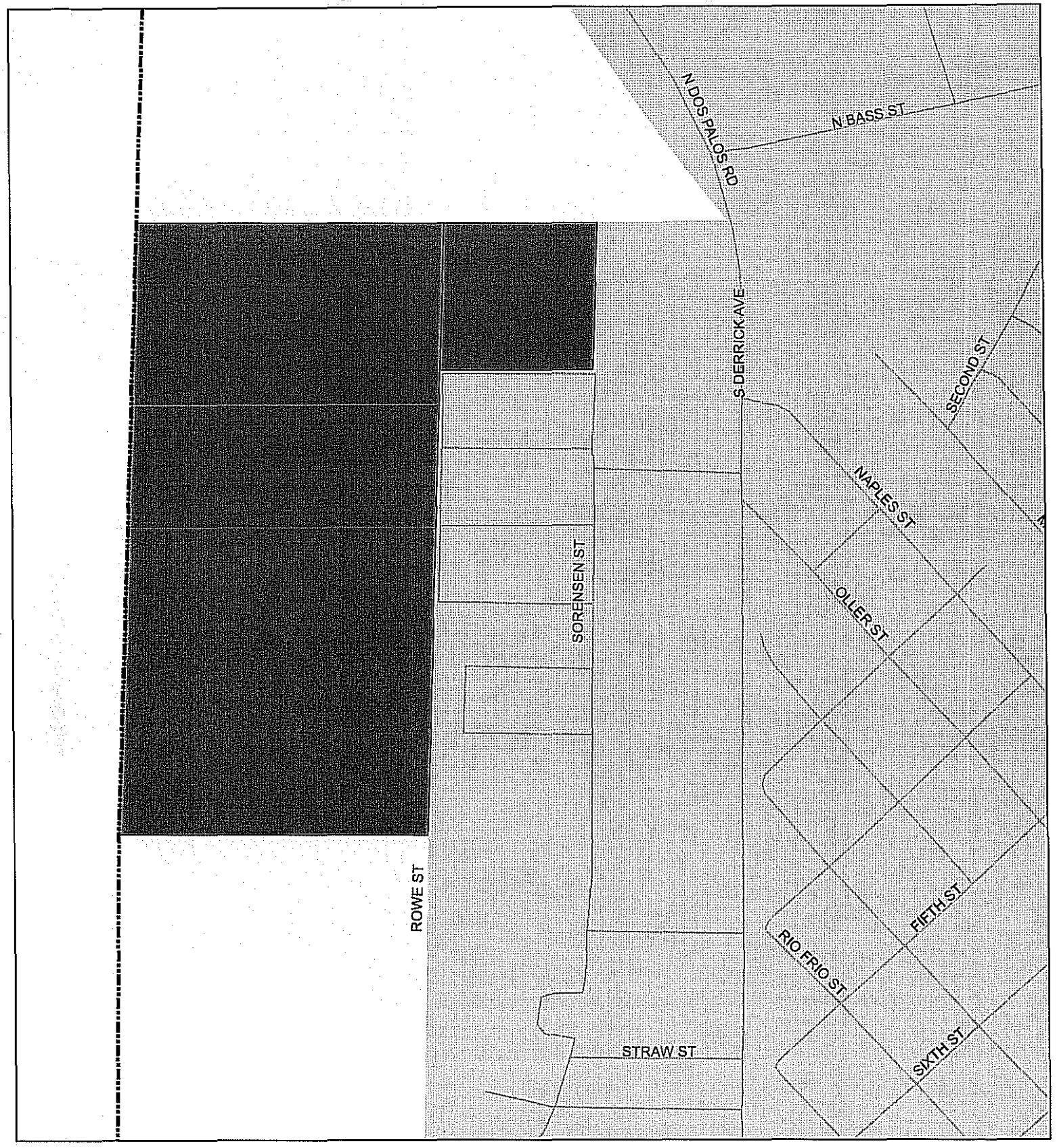
EXHIBIT "A"



Legend

- Sphere of Influence
- Mendota City Limits
- Affected Territory

City of Mendota "Annexation 05-01" Reorganization
LAFCo File No. RO-05-17

0 0.05 0.1 0.2 0.3 0.4 Miles

N W E S

City of Clovis

911 Coordinator
Stop #911

Fresno County Fire Protection District
210 South Academy avenue
Sanger, Ca 93657

ıgs River Conservation District
86 E. Jensen Avenue
esno, CA 93725

Ryan Burnett
City of Clovis
1033 Fifth Street
Clovis, CA 93612

Kathy Millison, City Manager
City of Clovis
1033 Fifth Street
Clovis, Ca 93612

John Holt, Clerk
City of Clovis
1033 Fifth Street
Clovis, Ca 93612

Dan Sparks
Assessors Office
Stop #

City of Sanger

Barbara Mergan, Clerk
City of Sanger
1700 Seventh Street
Sanger, Ca 93657

Jim Drinkhouse, City Manager
City of Sanger
1700 Seventh Street
Sanger, Ca 93657

Bruce O'Neal
286 W. Cromwell Ave
Fresno, Ca. 93711

Will Washburn
286 W. Cromwell Ave
Fresno, Ca. 93711

Luis Patlan
1531 Kamm
Kingsburg, Ca. 93631

City of Mendota

Stephen W. Hair
H/S Development Co.
4800 Stockdale Hwy # 205
Bakersfield, Ca. 93309

Bill Skinner
Valley Planning Assoc.
200 N. Gateway # 101
Madera, Ca. 93637

Brenda Carter, Clerk
City of Mendota
643 Quince Street
Mendota, Ca 93640

Gabriel Gonzalez, City Manager
City of Mendota
643 Quince Street
Mendota, Ca 93640

Westlands Water District
P.O. Box 6056
Fresno, CA 93703

Silver Creek Drainage District
P.O. Box 97
Mendota, Ca 93640

Mailed
6-16-06

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)
EXECUTIVE OFFICER'S REPORT

CONSENT AGENDA ITEM NO. 5

DATE: **June 7, 2006**

TO: **Fresno Local Agency Formation Commission**

FROM: **Rick Ballantyne, Interim Executive Officer**

SUBJECT: **Consider Approval - City of Mendota "Annexation 05-01" Reorganization.** Proposed reorganization to annex approximately 91.7 acres to the City of Mendota and detach from the Fresno County Fire Protection District, the Westlands Water District and the Silver Creek Drainage District for territory located at the southwest corner of Bass Avenue and Sorenson Avenue **(LAFCo File No. RO-05-17).**

Background:

- This proposed reorganization ("Proposal") has been placed on the consent calendar since the territory is uninhabited (0 registered voters) and all property owners and affected agencies have consented to the annexation (100% consent).
- This Proposal was initiated by the Mendota City Council on March 22, 2005 with the adoption of Resolution No. 05-16 and a Certificate of Filing has been issued by LAFCo.
- On March 22, 2005 the City of Mendota approved a General Plan Amendment to designate the affected territory to Medium Density Residential and pre-zoned the property from County AE-20 (Exclusive Agricultural-20 Acre Minimum) and AL-20 (Limited Agricultural-20 acre minimum parcel size) Districts to City R-1 (Single-Family Residential, Minimum Lot Size 6,000 Square Feet) District and approved Vesting Tentative Tract Map No. 5483 to allow a 422-lot single-family residential subdivision.

Proposal / Land Use:

- The Proposal consists of the annexation of 91.7 acres to the City of Mendota and detachment from Fresno County Fire Protection District, the Westlands Water District and the Silver Creek Drainage District.
- The affected territory is located at the southwest corner of Bass Avenue and Sorenson Avenue. The territory is located within the City of Mendota's Sphere of Influence Area and is bounded by the City Limits on the east side (see attached Maps).
- The affected territory is presently fallow land that was previously used for field crops. Surrounding land uses consist of single family residential and a school to the east and agricultural uses to the north, south and west.

Environmental Determination:

An Initial Study was prepared for the project (see Environmental Report attachment) to evaluate the project's potential environmental effects. The City made findings that no potential significant impacts to the environment would occur with implementation of the project that cannot be

mitigated to a less than significant level. The Mendota City Council adopted a Mitigated Negative Declaration (see Environmental Documents).

As Responsible Agency, the Commission is required to review and consider the City's Initial Study and Negative Declaration prior to taking its action. If the Commission determines that these documents are adequate, pursuant to CEQA it may make the required findings provided under "Recommendations" below.

Consistency with LAFCo Policies, Standards and Procedures

- The affected territory is located within the City of Mendota's Sphere of Influence (SOI) and adjacent to the existing City Limits (see Maps and Figures).
- The Proposal is consistent with the amended General Plan that designates the territory for Medium Density Residential uses.
- The Proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) Standards for Annexation between the City of Mendota and County of Fresno (See letter from Mr. Bart Bohn, Fresno County CAO, April 12, 2006 - Correspondence and Comments).
- In accordance with LAFCo Policy 102-041, a Transition Agreement between the City of Mendota and the Fresno County Fire Protection District has been entered into that covers the affected territory.
- The Proposal furthers the County's General Plan policies of directing growth to existing cities where infrastructure and a full range of municipal services are available to serve urban development.
- Substantial development is planned for the affected territory. The Service Plan submitted for this Proposal indicates that all necessary urban services (water, sewer, police, fire, etc.) are available to serve the affected territory (see Service Plan). The City of Mendota reports that an adequate water supply pursuant to California Government Code Section 65352.5 is available to serve the affected territory.
- The Westlands Water District has recommended that the proposed detachment from their District be conditioned upon the payment of a detachment fee in the amount of $6,432.90 (see District's letter under Correspondence).
- The Proposal will reasonably assist the City in achieving its fair share of the regional housing needs, as required under Government Code, Section 56668.
- The Proposal, with the recommended conditions, does not conflict with the goals and policies of LAFCo. The proposal is timely, it represents an appropriate action, and would result in orderly land use planning, efficient development patterns and service areas, and does not encourage urban sprawl.
- The Proposal, with the recommended conditions, would carry out LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

- Accordingly, the proposed reorganization, with the recommended conditions, is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code 56000 et seq.), and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

Conducting Authority

In light of the fact that the affected territory is uninhabited and that all of the property owners consented in writing to the annexation, the Commission may approve or conditionally approve the Proposal, and waive further Conducting Authority Proceedings.

Recommendation –Approve With Conditions by Taking the Following Actions:

A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed reorganization the environmental effects of the project as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.

B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-10), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

C. Assign the distinctive short form designation "Annexation 05-01" Reorganization and approve the reorganization (annexation and detachments) subject to the following conditions of approval:

   1. The City of Mendota shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.

   2. Satisfactory verification that the City has accepted a final subdivision map covering 50% or more of the affected territory shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

   3. Ownership of land permitting, the annexation shall include the full existing right-of-way width of adjacent streets.

   4. A detachment fee in the amount of $6,432.90 shall be paid to the Westlands Water District. Evidence of such payment shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.

D. Find and determine pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:

   1. The territory is uninhabited.

   2. All landowners and affected agencies have consented to the annexation.

E. Waive further Conducting Authority Proceedings and order the annexation and detachment subject to the requirements of the Cortese-Knox-Hertzberg Government Reorganization Act of 2000, the 30 day reconsideration period, and compliance with all of the above conditions.

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APPLICATION INFORMATION

1. **Affected Territory**

Acreage:	91.7 acres
Current Land Use:	Fallow Land
Number of Residences/ Population:	Residences: 0/ Population: 0
Landowners/ Registered Voters:	Landowners: 1 / Voters: 0
Previous County Zoning:	AE-20, AL-20
City Zoning Upon Annexation:	R-1
Ag. Preserves/Contracts:	None
Assessors Parcel Number:	012-190-40 and 41

2. **Proposed Development:** 422-lot single-family residential subdivision.

3. **Surrounding Territory**: Surrounding land uses consist of single family residential and a school to the east and agricultural uses to the north, south and west.

4. **Consistency with Adopted Sphere of Influence (SOI)**: The affected territory is within the City of Mendota adopted Sphere of Influence.

5. **Consistency with City and County General and Specific Plans**: The Proposal is consistent with the City of Mendota adopted long-range goals and policies. The Proposal furthers the County's General Plan policies of directing growth to existing cities where infrastructure and a full range of municipal services are available to serve urban development.

6. **Existing Service Agencies and Proposed Service Changes**

Service	Existing Service	Change
Water	N/A	City of Mendota
Sewer	N/A	City of Mendota
Fire Protection	Fresno County Fire Protect. Dist.	Fresno County Fire Protect. Dist.
Distance to Station	1 mile	1 mile

Please Note: A service plan for this Proposal is attached to the Executive Officer's report.

7. **Cities and Districts Included Wholly or Partially within the Affected Territory**.

County of Fresno	Fresno County Library District
West Hills Junior College District	Fresno County Fire Protection District
Silver Creek Drainage District	Mendota Unified School District
Westlands Water District	West Fresno Red Scale Protective District
Fresno Westside Mosquito Abatement District	

8. **Costs and Other Changes Affecting Residents or Landowners**

No costs are anticipated that will affect residents or landowners.

9. **Agencies and Individuals Submitting Comments** (see Correspondence and Comments)

- Bart Bohn, CAO, County of Fresno
- Betty Vaughn, Elections Division, County of Fresno
- Bruce Champion, Natural Resources Conservation Service
- Kathleen Boyer, REHS, Fresno County Health
- State Department of Health Services
- Mendota Unified School District
- West Hills Junior College District
- Tranquility Union High School District
- Dave Ciapponi, Westlands Water District
- Karen Bosch Cobb, Fresno County Library

10. **Territory Boundaries:** The boundaries of the proposed annexation are definite and certain, and there are no conflicts with lines of assessment ownership. The map and description are not sufficient per Daniel Sparks (Fresno County Assessor, Assessment Services Supervisor) for recordation or filing with the State Board of Equalization. **A revised map and legal description title are required per the County Assessor's specifications.**

11. **Registered Voter Data**

The County of Fresno Elections Office reported that on April 20, 2006, there were **zero** (0)-registered voters in the affected territory.

12. **Compliance with the Requirements of CEQA**

Lead Agency: City of Mendota - **Level of Analysis**: Initial Study
Finding: Mitigated Negative Declaration (see Environmental Documents).

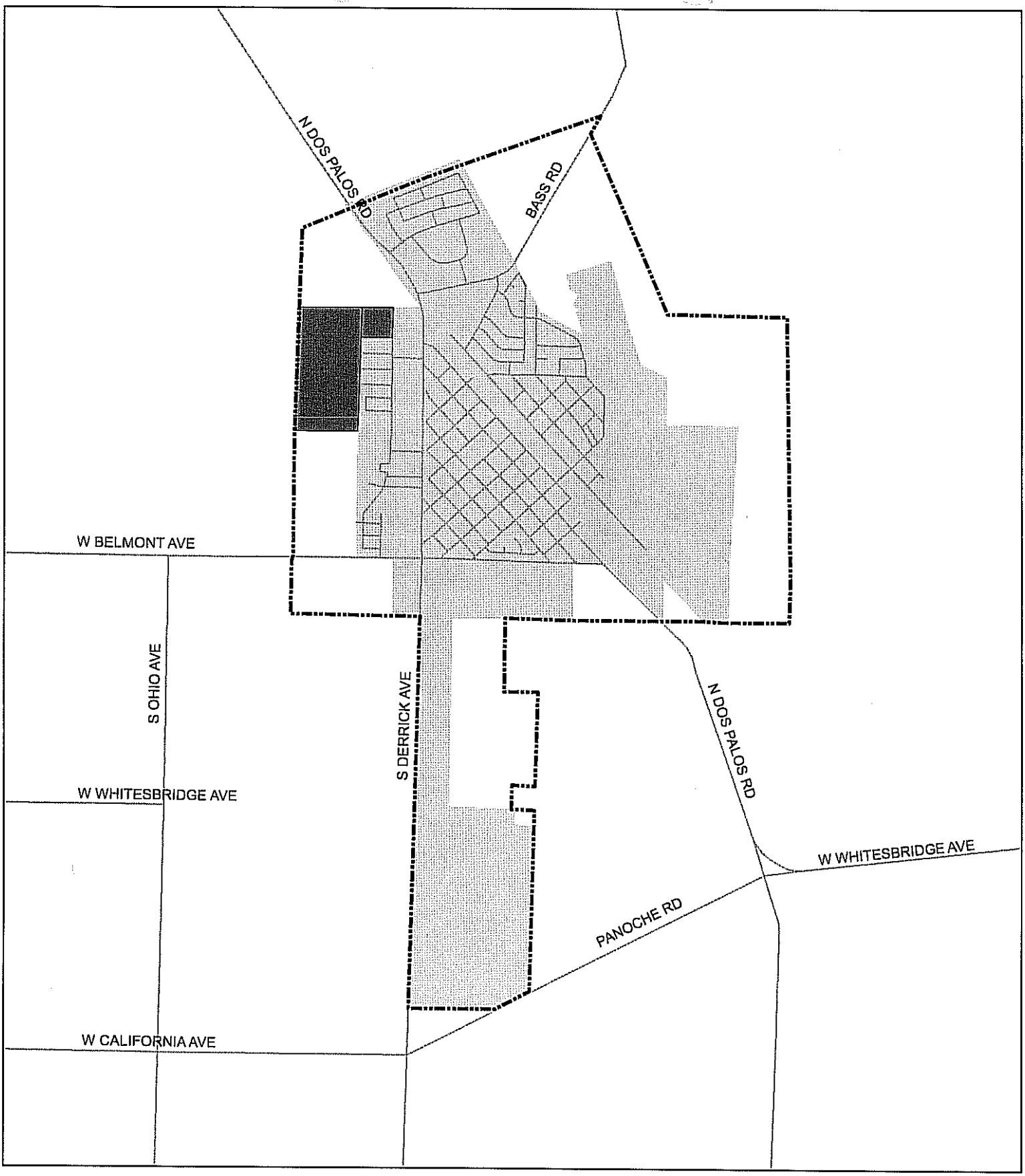
13. **Proponent**: Bruce O'Neal, Consulting Planner, City of Mendota

14. **Public Notice of Hearing** – Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.

15. **Individuals and Agencies Receiving this Report**

- LAFCo Commissioners and Alternates
- Ken Price, LAFCo Counsel, Baker, Manock & Jensen
- Gabriel Gonzalez, City Manager, City of Mendota
- Bill Skinner, Valley Planning Associates
- Stephen W. Hair, H/S Development Company
- Bruce O'Neal, Consulting Planner, City of Mendota
- Bernard Jimenez, Planning Manager, Fresno County Development Services Department
- Margie McHenry, Fresno County Public Works and Planning
- Steve Sunderland, Fresno County Fire Protection District
- Dave Ciapponi, Assistant General Manager, Westlands Water District
- Silver Creek Drainage District

FIGURE 1 - GENERAL LOCATION



Legend

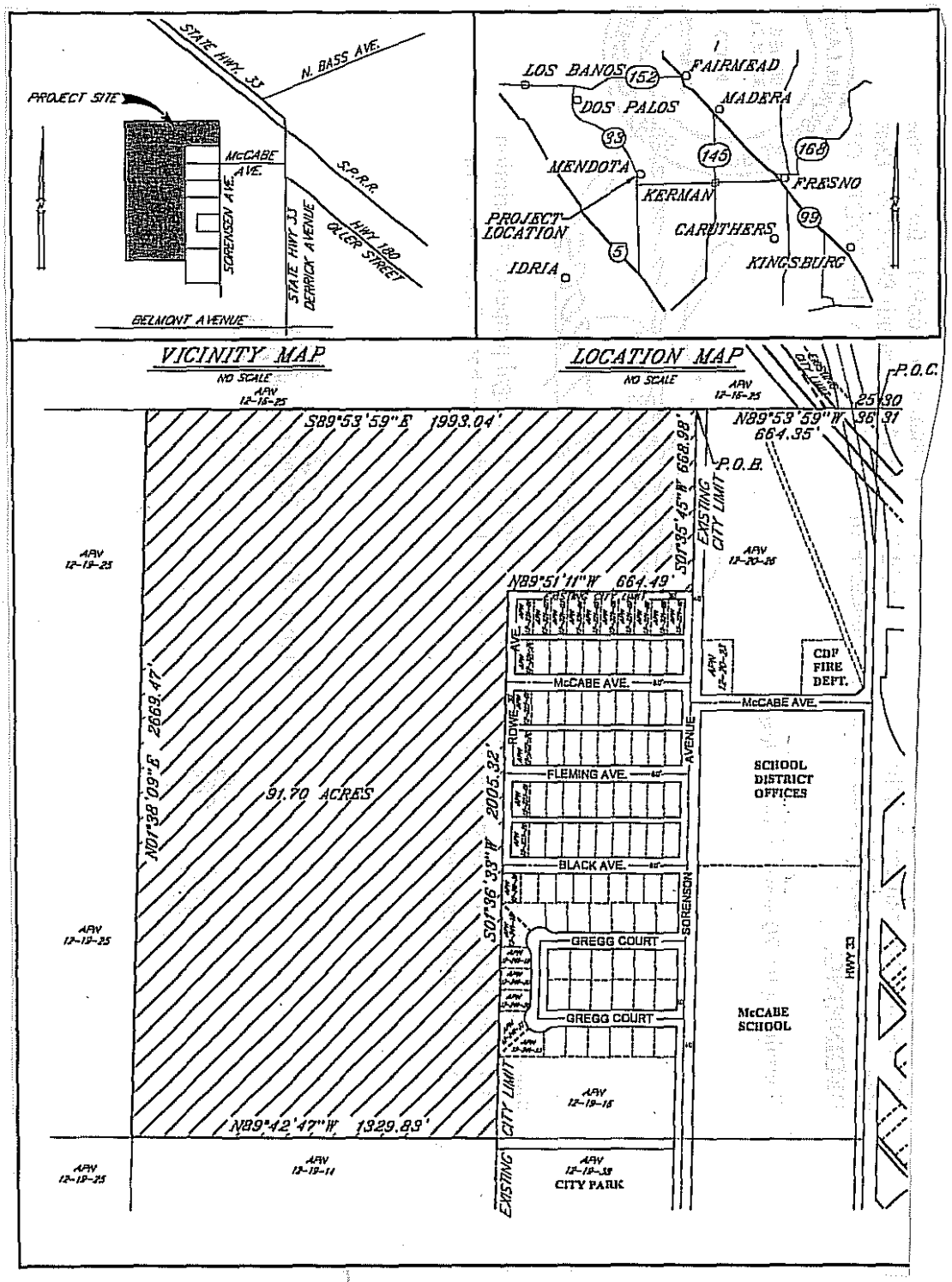
- Sphere of Influence
- Mendota City Limits
- Affected Territory

City of Mendota "Annexation 05-01" Reorganization
LAFCo File No. RO-05-17

0 0.25 0.5 1 1.5 2 Miles

N W E S

FIGURE 2 - ANNEXATION MAP



LEGEND

- - - - - - - - - - INDICATES EXISTING CITY LIMITS

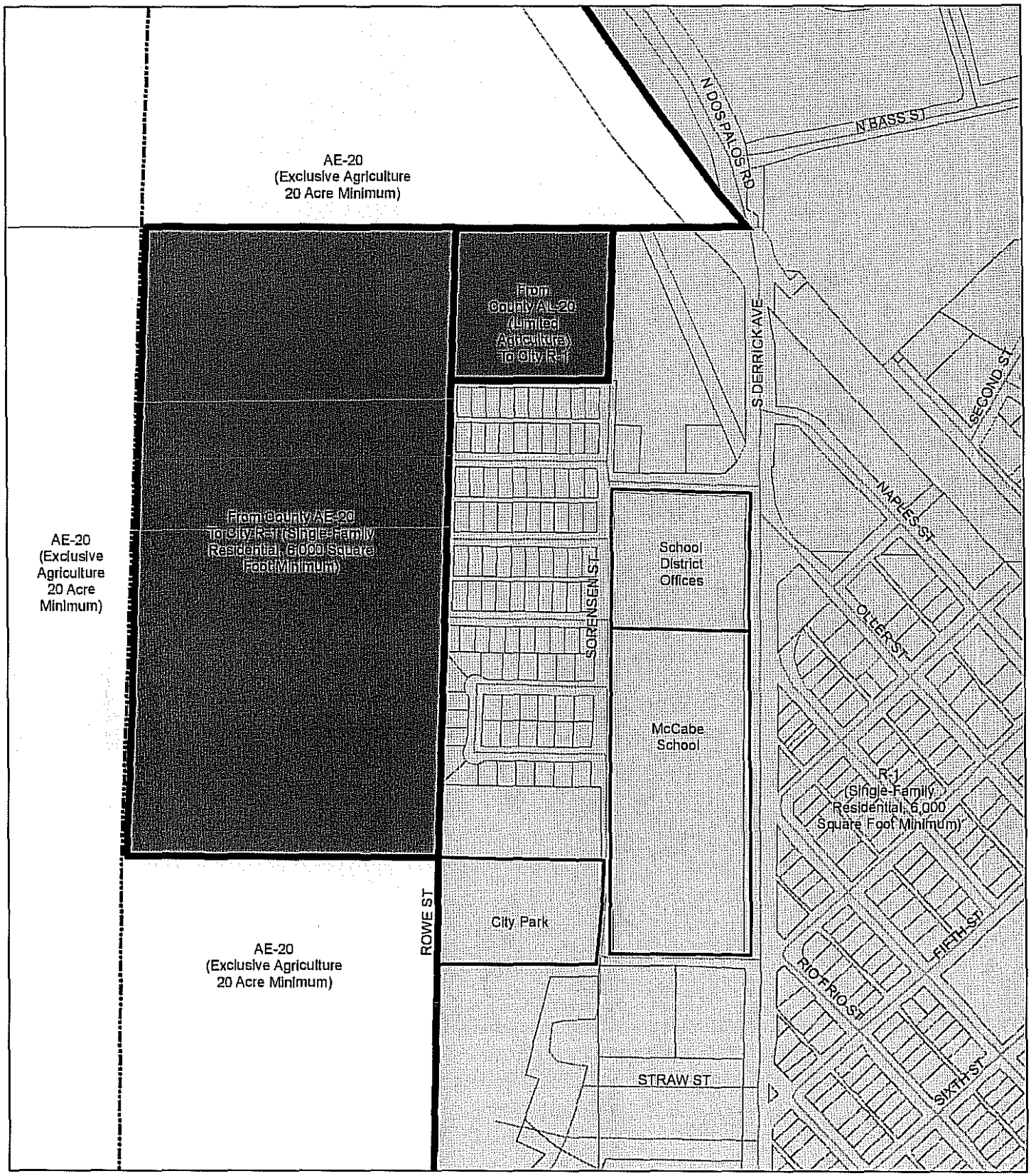
INDICATES PROPOSED ANNEXATION BOUNDARY

City of Mendota "Annexation 05-01" Reorganization
LAFCo File No. RO-05-17

SCALE : 1"=600'

N W E S

FIGURE 3 - EXISTING ZONING AND PREZONING



Legend

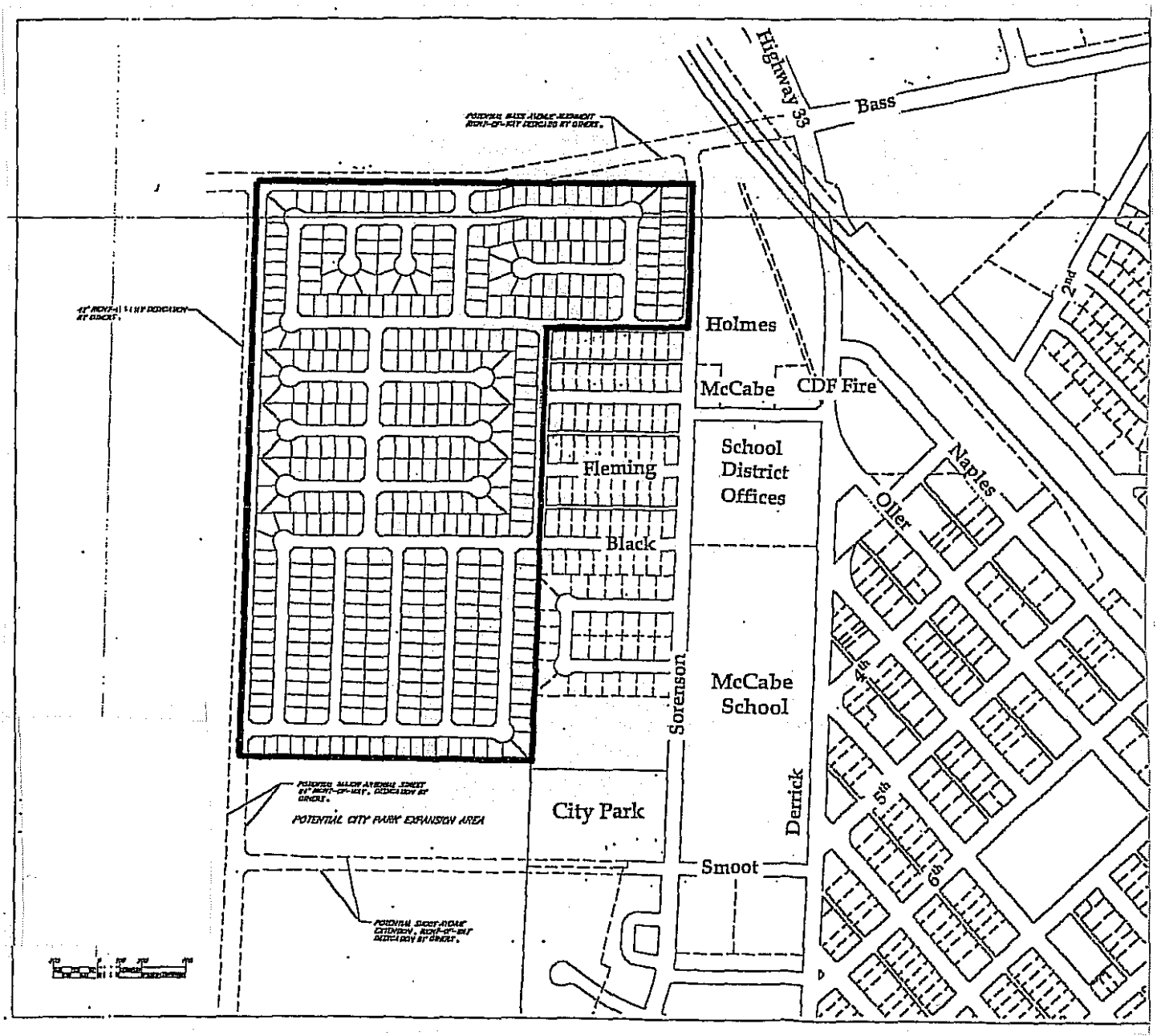
- Sphere of Influence
- Mendota City Limits
- Affected Territory

City of Mendota "Annexation
05-01" Reorganization
LAFCo File No. RO-05-17

0 0.05 0.1 0.2 0.3 0.4 Miles

N W E S

FIGURE 4 TENTATIVE TRACT MAP NO. 5483



City of Mendota "Annexation 05-01" Reorganization
LAFCo File No. RO-05-17

N
W E
S

County of Fresno

ADMINISTRATIVE OFFICE
BART BOHN
COUNTY ADMINISTRATIVE OFFICER

2006
Received
FRESNO
LAFCO

April 12, 2006

Gabriel Gonzalez, City Manager
City of Mendota
643 Quince Street
Mendota, CA 93640

Dear Mr. Gonzalez:

Subject: Notice of Intent to File Annexation No. 05-01

In accordance with Article II, Section 2.2 of the Amended and Restated Memorandum of Understanding between the County of Fresno, the City of Mendota, and the Mendota Redevelopment Agency, we have reviewed the annexation proposal described in the City of Mendota's letter dated March 27, 2006.

We have determined that the proposed annexation to the City of Mendota is consistent the Standard for Annexation contained in Exhibit I of the Memorandum of Understanding. If you have any questions, you may contact me at (559) 488-1710 or Bernard Jimenez at (559) 262-4497.

Very truly yours,

Bart Bohn
County Administrative Officer

c: Jeff Tweedie, LAFCo
Alan Weaver, Director, Department of Public Works and Planning
Lynn Gorman, Deputy Director of Planning
Bernard Jimenez, Manager, Development Services
Terri A. Harmon, Senior Staff Analyst, Policy Planning Unit

G:\4360Devs&Pln\PLANNING\ANNEXATIONS\Cities & Districts\Mendota\05-01, Rowe-McCabe\NOI Response Letter.doc

Hall of Records / 2281 Tulare Street, Room 304 / Fresno, California 93721 / Phone (559) 488-1710 / Fax (559) 488-1830

Equal Employment Opportunity • Affirmative Action • Disabled Employer

RO-05-17

CITY OF MENDOTA

www.ci.mendota.ca.us

March 27, 2006

Mr. Bart Bohn
County Administrative Officer
County of Fresno Administrative Office
2281 Tulare Street, Room 304
Fresno, CA 93721

SUBJECT: *Notice of Intent to File Annexation in the City of Mendota* (Annexation No. 05-01)

Dear Mr. Bohn:

Pursuant to the MOU between Fresno County and the City of Mendota, I am requesting review of the proposed annexation filed by H/S Development in compliance with the Standards of Annexation contained in the MOU.

On March 22, 2005, the Mendota City Council approved a general plan amendment and TTM 5483 on the project site located at the southwest corner of Bass Avenue and Sorenson Avenue. The Council also approved prezoning to the R-1 district consistent with the Mendota General Plan designation of Medium Density residential. The 91.5-acre property (APNs 12-190-40 and 41) is contiguous with the existing city limits along its eastern boundary.

The site is within the City's Sphere of Influence. Access to the site is provided by Derrick Avenue and McCabe Avenue from the east. The developer will provide water and sewer lines, street improvements, and on-site drainage.

Thank you for your assistance. If you have questions, please call Bill Skinner at Valley Planning Consultants (City Planner) at 675-8724, or myself.

Sincerely,

Gabriel A. Gonzalez,
City Manager

cc: Bill Skinner, Valley Planning Consultants
Terri Harmon, Fresno County (via facsimile #262-4166)
Leona James, Fresno County
Jeff Tweedie, Fresno LAFCo (via facsimile #495-0655)

643 Quince Street Mendota, California 93640 Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)

Fresno Local Agency Formation Commission

APR 2006 Received FRESNO LAFCO

DATE: April 12, 2006

TO: Elections Division, Stop #28

FROM: Jeff Tweedie, Interim Executive Officer

SUBJECT: City of Mendota "Annexation 05-01" Reorganization

AGENCY NO.: RO-05-17

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. At this time we are requesting the following information indicated by an "X":

A. _____ Please furnish a list of all registered voters along with their address as shown upon the most recent assessment roll being prepared by the County within 300 feet of the exterior boundary of the property.

B. __X__ Number of registered voters in the area. __0__

C. _____ Number of valid registered voter signatures _____

D. _____ What percent of the registered voters in the proposal area does the attached petition represent? _____

E. __X__ Will the proposal adversely affect precinct boundaries or the conduct of elections? __No__

F. _____ Other comments:

In order to proceed with the processing of this application, your comments need to be returned to this office by **April 29, 2006**. Your assistance is greatly appreciated. Thank you.

JT:sh

Attachments: Map, Legal description

Betty Vaughn, SPA II
Signature and Title

April 20, 2006
Date

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone (559) 495-0604 ☎ Fax (559) 495-0655 ✉ cfleming@co.fresno.ca.us

Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056, (559) 224-1523, FAX (559) 241-6277

April 20, 2006

APR 2006
Received
FRESNO
LAFCO

Jeffrey Tweedie
Interim Executive Officer
Fresno Local Agency Formation Commission
2115 Kern St., Suite 310
Fresno, California 93721

Subject: City of Mendota "Annexation 05-01" Reorganization

Dear Mr. Tweedie:

This is in response to your letter dated April 12, 2006, requesting comments regarding the proposed reorganization and the return of a consent form. This reorganization involves the detachment of approximately 91.5 +/- acres from Westlands Water District.

Westlands requests that the proposed detachment be conditional upon the following:

- Payment of a detachment fee which consists of the net present value for future payments for which the District has repayment obligation to the United States, in the amount of $6,432.90 (see schedules attached).

Please note that the detachment fee listed above updates and replaces the amount previously provided in our letter dated August 1, 2005.

Further, and as requested, attached is a signed copy of the "Agency Consent for Waiver of Protest Hearing" form. It is Westlands understanding that execution of this form will not preclude consideration of the condition regarding the detachment requested above. If that is not the case, please inform me at your earliest convenience so that Westlands may withdraw this consent form.

Please feel free to call me at (559) 241-6202 if you have any questions.

Sincerely,

Dave Ciapponi
Assistant General Manager

WESTLANDS WATER DISTRICT

Jones/Villere Farms Repayment Contract Obligations
Including Water Allocated and Water Delivered Rates
Parcel 012-190-40s
Assessed Acres 89.88 & Irrigable Acres 65
Priority Area 1– Land with System

1965 Repayment Contract Obligation:

Present Value Payoff Amount:

$	39.69	x	89.88	Acres =	$	3,566.90

Water Allocated Rate:

Present Value Payoff Amount:

$	17.64	x	65	Acres =	$	1,146.40

Water Delivered Rate:

Present Value Payoff Amount:

$	26.46	x	65	Acres =	$	1,719.60

Total **$ 6,432.90**

Westlands Water District
Present Value of 1965 Repayment Contract Obligation
Priority Area 1 With Distribution System

Payoff Date:	15-Nov-06		
Annual Interest Rate:	5 %		
		Total Payments	52.65
		PV of Payments	39.69

Payment Number	Payment Amount	Payment Date	Present Value	Cumulative Present Value
1	4.0502	15-Nov-06	4.05	4.05
2	4.0502	15-Nov-07	3.85	7.90
3	4.0502	15-Nov-08	3.66	11.57
4	4.0502	15-Nov-09	3.49	15.05
5	4.0502	15-Nov-10	3.32	18.37
6	4.0502	15-Nov-11	3.15	21.52
7	4.0502	15-Nov-12	3.00	24.52
8	4.0502	15-Nov-13	2.85	27.38
9	4.0502	15-Nov-14	2.71	30.09
10	4.0502	15-Nov-15	2.58	32.67
11	4.0502	15-Nov-16	2.46	35.13
12	4.0502	15-Nov-17	2.34	37.46
13	4.0502	15-Nov-18	2.22	39.69
	Total PV of Payments Per Acre		39.69	

1/ Total 1965 Repayment Obligation $3,982,800

Westlands Water District
Present Value of Water Allocated Rate
Priority Area 1 With Distribution System

Payoff Date:	15-Nov-06		
Annual Interest Rate:	5 %		
		Total Payments	23.40
		PV of Payments	17.64

Payment Number	Payment Amount	Payment Date	Present Value	Cumulative Present Value
1	1.80	15-Nov-06	1.80	1.80
2	1.80	15-Nov-07	1.71	3.51
3	1.80	15-Nov-08	1.63	5.14
4	1.80	15-Nov-09	1.55	6.69
5	1.80	15-Nov-10	1.47	8.16
6	1.80	15-Nov-11	1.40	9.56
7	1.80	15-Nov-12	1.33	10.90
8	1.80	15-Nov-13	1.27	12.17
9	1.80	15-Nov-14	1.21	13.37
10	1.80	15-Nov-15	1.15	14.52
11	1.80	15-Nov-16	1.09	15.61
12	1.80	15-Nov-17	1.04	16.65
13	1.80	15-Nov-18	0.99	17.64

Total PV of Payments Per Acre 17.64

Westlands Water District
Present Value of Water Delivered Rate
Priority Area 1 With Distribution System

Payoff Date:	15-Nov-06		
Annual Interest Rate:	5 %		
		Total Payments	35.10
		PV of Payments	26.46

Payment Number	Payment Amount	Payment Date	Present Value	Cumulative Present Value
1	2.70	15-Nov-06	2.70	2.70
2	2.70	15-Nov-07	2.57	5.27
3	2.70	15-Nov-08	2.44	7.71
4	2.70	15-Nov-09	2.32	10.03
5	2.70	15-Nov-10	2.21	12.24
6	2.70	15-Nov-11	2.10	14.35
7	2.70	15-Nov-12	2.00	16.35
8	2.70	15-Nov-13	1.90	18.25
9	2.70	15-Nov-14	1.81	20.06
10	2.70	15-Nov-15	1.72	21.78
11	2.70	15-Nov-16	1.64	23.42
12	2.70	15-Nov-17	1.56	24.97
13	2.70	15-Nov-18	1.48	26.46

Total PV of Payments Per Acre 26.46

WESTLANDS WATER DISTRICT

Calculations for the 2006-2018
Benefit allocation and Water Delivery Charges

Priority Area 1 - Land with System
(Based on a 70 Percent Water Supply)

2003-2018 Benefit Allocation Charges

$	796,560	/	805,000	=	$	0.99			
$	0.99	@	1.82	AF/Acre Allocation to Area 1 in 2006-2018			=	$	1.80

2003-2018 Water Delivered Charges

$	1,194,840	/	805,000	=	$	1.48			
$	1.48	@	1.82	AF/Acre Allocation to Area 1 in 2006-2018			=	$	2.70

Note: The 1965 Repayment Contract annual obligation is $3,982,800 thru July 2018.
Components:
Water Allocated - 20% ($796,560)
Water Delivered - 30% ($1,194,840)

FRESNO LOCAL AGENCY FORMATION COMMISSION

EXCHANGE PLACE • 2115 KERN STREET, SUITE 310 • FRESNO, CA 93721 ☎ (559) 495-0604 ☎ FAX (559) 495-0655

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ALTERNATES
Joe J. Chaidez, CPA,
Public Member
Phil Larson,
Board of Supervisors
Sandra Neri,
City of Sanger

EXECUTIVE OFFICER
Michael R. Waiczis, AICP

DEPUTY EXECUTIVE OFFICER
Rick Ballantyne, AICP

Date: July 1, 2005

To: Natural Resource Conservation Service

Michael R. Waiczis

From: Michael R. Waiczis, AICP, LAFCo Executive Officer

Subject: City of Mendota "Annexation 05-01" Reorganization

Agency No.: RO-05-17

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. At this time we are requesting information on the following particular factors:

1. Relationship of the proposal to prime agricultural land* in the area:
   The project is all land of statewide importance

2. Effect of the proposal on unique agricultural areas:

3. Effect of the proposal on any soil hazard or limitation:
   Very slow percolation rate

4. Other comments:

*See Government Code Section 51201 for definition.

In order to proceed with the processing of this application, your comments need to be returned to this office by **July 22, 2005**. Your assistance is greatly appreciated. Thank you.

Bruce Champion Soil Con. Tech
Signature and Title

7-5-05
Date

MRW:sh

Attachments: Application, Map, Legal Description, Resolution

JUL 2005
Received
FRESNO
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Phil Larson, *Board of Supervisors*
Sandra Neri, *City of Sanger*

EXECUTIVE OFFICER
Michael R. Waiczis, AICP

DEPUTY EXECUTIVE OFFICER
Rick Ballantyne, AICP

DATE: July 1, 2005

TO: County Committee on School District Reorganization
Mendota Unified School District
Mendota Union Elementary School District
Tranquility Union High School District
Firebaugh-Las Deltas Joint Unified School District
West Hills Joint Community College District

Michael R. Waiczis

FROM: Michael R. Waiczis, AICP, LAFCo Executive Officer

SUBJECT: City of Mendota "Annexation 05-01" Reorganization

AGENCY NO.: RO-05-17

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. At this time we are requesting information on the following particular factors:

1. Under present attendance boundaries, which schools will students from this area attend?
SCHOOLS IN THE MENDOTA UNIFIED SCHOOL DISTRICT.

2. Are any of the above schools of the District already at or near capacity? Please describe:
YES. WASHINGTON PRIMARY, McCABE ELEMENTARY AND McCABE JUNIOR HIGH.

3. Will this proposal and other pending proposals create any overcrowded conditions at any of the above schools? Please describe:
YES. WE ARE ALREADY OVERCROWDED AT THE SITES.

4. Is there any agreement, ordinance, or other arrangement of the District and/or City to provide for school facilities that would affect any resulting overcrowding from this proposal? Please describe:
NO.

5. Describe any building plans of the District that would affect this proposal:
THE DISTRICT CURRENTLY HAS PLANS SUBMITTED TO THE STATE FOR A NEW JUNIOR HIGHSCHOOL.

6. Other Comments:

JUL 2005
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FRESNO
LAFCO

In order to proceed with the processing of this application, your comments need to be returned to the office by **July 22, 2005**. Your assistance is greatly appreciated. Thank you.

MRW:sh

FRESNO LOCAL AGENCY FORMATION COMMISSION

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EXECUTIVE OFFICER
Michael R. Waiczis, AICP

DEPUTY EXECUTIVE OFFICER
Rick Ballantyne, AICP

DATE: July 1, 2005

TO: County Committee on School District Reorganization
Mendota Union Elementary School District
Tranquility Union High School District
Firebaugh-Las Deltas Joint Unified School District
West Hills Joint Community College District

FROM: Michael R. Waiczis, AICP, LAFCo Executive Officer

SUBJECT: City of Mendota "Annexation 05-01" Reorganization

AGENCY NO.: RO-05-17

JUL 2005
Received
FRESNO
LAFCO

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. At this time we are requesting information on the following particular factors:

1. Under present attendance boundaries, which schools will students from this area attend?
   WEST HILLS CCD

2. Are any of the above schools of the District already at or near capacity? Please describe:
   NO

3. Will this proposal and other pending proposals create any overcrowded conditions at any of the above schools? Please describe:
   NO

4. Is there any agreement, ordinance, or other arrangement of the District and/or City to provide for school facilities that would affect any resulting overcrowding from this proposal? Please describe:
   NO

5. Describe any building plans of the District that would affect this proposal:
   NONE CURRENTLY

6. Other Comments:

In order to proceed with the processing of this application, your comments need to be returned to this office by **July 22, 2005**. Your assistance is greatly appreciated. Thank you.

MRW:sh

Attachments: Application, Map, Legal Description, Resolution

FRESNO LOCAL AGENCY FORMATION COMMISSION

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Sandra Neri, *City of Sanger*

EXECUTIVE OFFICER
Michael R. Waiczis, AICP

DEPUTY EXECUTIVE OFFICER
Rick Ballantyne, AICP

Date: July 1, 2005

To: State Department of Health Services

From: Michael R. Waiczis, AICP, LAFCo Executive Officer

Subject: City of Mendota "Annexation 05-01" Reorganization

Agency No.: RO-05-17

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. At this time we are requesting information on the following particular factors:

1. Adequacy and availability of existing and proposed community water systems:
   Mendota has adequate capacity to meet additional demand from proposed development

2. Need for services other than those proposed:
   None

3. Effect of project on water quality:
   None

4. Related State or County plans or projects:
   None

5. Other comments:
   None

In order to proceed with the processing of this application, your comments need to be returned to this office by **July 22, 2005**. Your assistance is greatly appreciated. Thank you.

Senior Sanitary Engineer
Signature and Title

7-6-05
Date

MRW:sh

Attachment: Application, Map, Legal Description, Service Plan, Resolution

JUL 2005
Received
FRESNO
LAFCO

County of Fresno
Department of Community Health
Edward L. Moreno, M.D., M.P.H., Interim Director

JUL 2005
Received
Fresno
LAFCO

July 12, 2005

999999999
LU0010680
PE 2620

Mr. Mike Waiczis
Local Agency Formation Commission
2115 Kern St., Suite 310
Fresno, CA 93721

Dear Mr. Waiczis:

PROJECT NO: RO-05-17
SUBJECT: City of Mendota "Annexation 05-01" Reorganization

1. Adequacy and availability of existing and proposed community water and sewer systems:

2. Need for services other than those proposed:

3. Effect of project on air or water quality:

4. Related County plans or projects:

5. Other comments:

Drinking water which meets state quality standards for public water systems is a precious commodity which must be protected. Existing standards for water well construction and destruction are designed to protect groundwater quality, thereby protecting the public health. The expense associated with proper destruction of a well is infinitesimally small in comparison to the expense of cleaning up contaminated groundwater.

The Fresno County Department of Community Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served only by individual domestic and agricultural wells. Improper abandonment of such wells presents a significant

risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

Prior to destruction of any existing agricultural wells, a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. Transportation of these materials on public roadways may require special permits and licensure.

The Department of Community Health is available to provide consultation in cooperation with the City of Mendota in order to encourage the proper destruction of wells and safeguard our water quality. City staff may contact Ed Yamamoto, Water Surveillance Program, at (559) 445-3357 for more information.

This Department recommends that any existing rural residential parcel(s) be required to connect to the City of Mendota sewer system in the event of a failure of the existing sewage system(s), and that no building permits be issued for repair of such a system whether or not the mandatory three (3) year connection requirement has expired.

If I can be of more assistance, please contact me at (559) 445-3357.

Sincerely,

Kathleen Boyer, R.E.H.S.
Environmental Health Specialist III
Environmental Health Division

kb

c Ed Yamamoto, Environmental Health Division

FRESNO LOCAL AGENCY FORMATION COMMISSION

EXCHANGE PLACE • 2115 KERN STREET, SUITE 310 • FRESNO, CA 93721 ☎ (559) 495-0604 ☎ FAX (559) 495-0655

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EXECUTIVE OFFICER
Michael R. Waiczis, AICP

DEPUTY EXECUTIVE OFFICER
Rick Ballantyne, AICP

DATE: July 1, 2005

TO: County Committee on School District Reorganization
Mendota Union Elementary School District
Tranquility Union High School District
Firebaugh-Las Deltas Joint Unified School District
West Hills Joint Community College District

FROM: Michael R. Waiczis, AICP, LAFCo Executive Officer

SUBJECT: City of Mendota "Annexation 05-01" Reorganization

AGENCY NO.: RO-05-17

JUL 2005
Received
FRESNO
LAFCO

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. At this time we are requesting information on the following particular factors:

1. Under present attendance boundaries, which schools will students from this area attend?
   NA

2. Are any of the above schools of the District already at or near capacity? Please describe:
   NO

3. Will this proposal and other pending proposals create any overcrowded conditions at any of the above schools? Please describe:
   NO

4. Is there any agreement, ordinance, or other arrangement of the District and/or City to provide for school facilities that would affect any resulting overcrowding from this proposal? Please describe:
   NO

5. Describe any building plans of the District that would affect this proposal:
   N A

6. Other Comments:
   This would not Affect This school district

In order to proceed with the processing of this application, your comments need to be returned to this office by **July 22, 2005**. Your assistance is greatly appreciated. Thank you.

MRW:sh

Attachments: Application, Map, Legal Description, Resolution

INTER OFFICE MEMO

County Free Library

DATE: August 30, 2005

TO: Michael R. Waiczis, LAFCO, Executive Officer

FROM: Karen Bosch Cobb, Interim County Librarian

SUBJECT: **Mendota No. 05-01**

This proposal is to develop a 91.5 acre site with a 434 single family residential subdivision. The library presently provides library service to residents in this area from an inadequate undersized building. However, a new library is funded to serve residents in the area shown. It will open in 2007. At that time library resources will be adequate for the present and foreseeable future.

Attachment

2420 Mariposa Street / Fresno, California 93721 / (559) 488-3185/ Fax (559) 488-1971

www.ci.mendota.ca.us

CITY OF MENDOTA SERVICES PLAN

Tentative Tract Map No. 5483 – Reorganization No. 05-01

May 2005

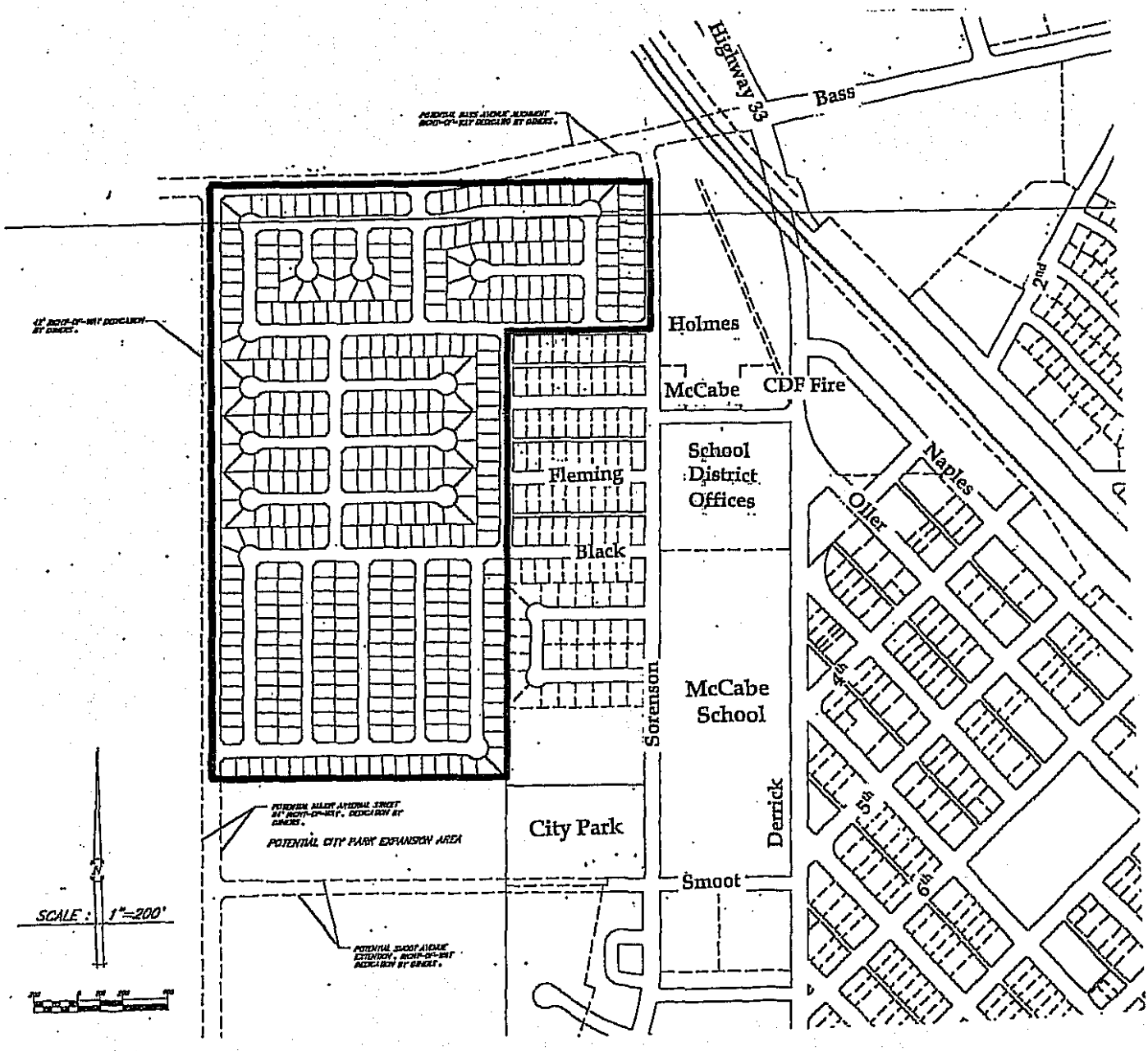
A. INTRODUCTION

A plan for providing services and improvements to land being annexed to cities is required by the Fresno County Local Agency Formation Commission (LAFCo). The services plan provides assurance to LAFCo that newly annexed territory to a City will be properly served as urban territory. The plan also provides information to property owners, districts and interested individuals who may have plans or proposals underway in the immediate vicinity of a proposed annexation. The services plan indicates the City's best intentions, assuming that no major financial crisis or disaster occurs.

The site proposed for annexation is located west of the City of Mendota at the southwest corner of Bass Avenue and Sorenson Avenue (APN 12-190-40 and 41). Prior to submitting an application for annexation, the Mendota City Council approved a general plan amendment and pre-zoning of the project site and approved Tentative Tract Map No. 5483 (Figure 1). Tentative Tract Maps are the first step in the subdivision process. Such maps are required by law and by City Ordinance to be consistent with requirements of the General Plan and the zone district in which the site is located. A Tentative Tract Map confers a vested right to proceed with a development in substantial compliance with the ordinances, policies and standards in effect at the time a local agency approves or conditionally approves a vesting tentative map.

Tentative Tract Maps must also resolve all service delivery system and infrastructure issues. Consistency with the City's Sewer, Water, Drainage, and Parks & Recreation Master Plans is an important part of the service delivery and infrastructure review process, as are site-specific comments from staff (Development Services Director, Senior Planner, City Engineer, Public Works Director, Parks & Recreation Director, Fire Chief, and Police Chief). Tentative Tract Maps must also resolve conflicts between agencies that have jurisdiction over the site so that the ability of other agencies to discharge their responsibilities is not compromised by the subdivision.

Figure 1: TTM No. 5483



B. SERVES EXISTING OR PROPOSED TO BE EXTENDED TO THE TTM NO. 5483 REORGANIZATION AREA

1. COMMUNITY WATER SERVICE

The subject territory is being served by private wells and surface irrigation at the present time. The property, however, is part of the 200,000 agricultural acres to be idled by the Westlands Water District and will no longer receive surface irrigation water. Once the property is annexed, new development will require an extension of main lines and facilities from the City for required domestic water supply and fire flow.

Groundwater for municipal purposes is extracted from wells located approximately three miles from the City. Water is piped to the City via a 24-inch transmission line. The existing system has a peak capacity of 4.5 million gallons per day (mgd) and a current peak use of 3.0 mgd, leaving an available capacity of 1.5 mgd. The proposed project of 434 units would require approximately 320,000 gpd based on the city engineer's design capacity of 5.5 persons/unit and 135 gallons per capita per day (about 7% of remaining capacity). As a result, the water system has adequate capacity for the development.

Existing water lines serving the area adjacent to the project site consist of 6-inch lines that are too small to serve the project. As required by the city engineer, the applicant will install a 12-inch water line from the project, across Highway 33 to the intersection of Naples and Second Street, to connect to an existing 12-inch transmission line. Interior water lines will all be 8-inch except the dead-end runs at the end of cul-de-sacs that may be 6-inch diameter. Water distribution lines will be installed by the developer as development occurs.

2. WASTEWATER

The project area will be served by the existing city wastewater collection and treatment system. The Mendota wastewater treatment plant has an available capacity of 180,000 gallons per day (gpd). Based on the city engineer's design criteria of 5.5 persons/unit and 127 gallons per capita per day, the existing plant has capacity to accommodate the 250 new residential units. As a condition of project approval, the City Council allocated sewer capacity for 175 units to the project pending completion of the wastewater treatment plant expansion. The expansion of the plant, however, has been anticipated with the proposed construction of the new federal prison, which the City believes is imminent. Once this expansion occurs, expected to be complete within 18 to 24 months, there will be adequate capacity for the entire development.

Existing sewer lines immediately adjacent to the project site are too small and shallow to serve the proposed development. The city engineer has directed the applicant to install a 12-inch line from the project, across Highway 33 to the alley at Second Street between Oller and Naples Streets. At that point, the line will connect to an existing 18-inch diameter line. Interior collection lines will 6 and 8-inch lines.

Collection of effluent is through a system of main trunk lines within major street rights-of-way. As development occurs, main trunks are extended through a combination of major facilities extensions funded through development fees and state and federal grants. Local extensions are constructed by developers based on project requirements.

3. ROADS

The street sytem within the proposed subdivision is designed to accommodate safe residential traffic movement and incorporate features such as a non-through streets and other traffic calming measures. These features will reduce speed and minimize traffic hazards. Additional right-of-way and landscaping improvements on major street frontages adjacent to the proposed subdivision will be installed by the developer in accordance with City standards and these roadway improvements will also mitigate potential hazards.

Roadway frontage improvements adjacent to developments are required and the developer will provide right-of-way improvements (roadway, landscaping and sidewalks) along major streeets consistent with city standards. Half street improvements are needed to provide sufficient room for clear two-way traffic movements until full roadway improvements are installed with subsequent development.

At 9.6 daily trips per unit, the project will generate approximately 4,154 trips to and from the site each weekday. Development of the site will result in increased traffic in the area. The traffic impact assessment, however, has determined that the proposed road network at the study locations is adequate to accommodate the proposed development based on opening day conditions and can be mitigated to accommodate the proposed development through the year 2025.

Caltrans concurs that traffic from the project would impact the SR 33 intersections at Bass Avenue, SR 180 (Oller), and Smoot Avenue. Previous studies have also indicated the need for traffic signals at SR 33/Bass and Derrick/Oller (SR33/SR 180). Based on design requirements and equitable share calculations, the project's share for the SR 33/Bass intersection is $129,000 and the projects share for the Derrick/Oller intersection is $35,600. Caltrans recommends that the applicant enter into a "Pro-Rata Share Agreement" with Caltrans upon these amounts being made conditions of approval of the subdivision map. The agreement should be executed prior to the issuance of a building permit.

4. SOLID WASTE COLLECTION

Solid waste collection is by franchise hauler. Expansion of the system is funded through user fees. City refuse trucks haul solid waste to Fresno County's American Avenue Landfill. The landfill is permitted to receive mixed municipal wastes, non-hazardous construction/demolition wastes, and agricultural wastes. Any hazardous waste is inventoried and labeled and then shipped to an approved Class III facility. The American Avenue Landfill has sufficient capacity for growth within the County until the year 2035.

5. FIRE PROTECTION

Fire protection for the unincorporated site is provided by the Fresno County Fire Protection District. The District also provides fire protection services to the City of Mendota by contract. As a result, there would be no change in service following annexation of the project site.

The station is located in the City of Mendota and response times average less than five minutes for most areas in Mendota. Current fire protection facilities can adequately serve the project site without need for alteration. According to Chief Rick Moore, development of the project and other cumulative growth in the community will require an increase in personnel over time. The District is proposing an annual assessment on residential development within its boundaries of between $0.19 and $0.25 per square foot to provide fire protection services. This would result in an annual fee of approximately $300 for an average residence and would reduce potential impacts on the District.

6. LAW ENFORCEMENT

The City of Mendota is provided police protection by the Fresno County Sheriff's Department. There is no station located in the city limits. The City, however, is part of a regular patrol beat based 15 miles to the south in the City of San Joaquin and there is usually an officer located in Mendota at any given time. Current police protection facilities can adequately serve the site without a need for alteration. According to the Sheriff's Department, development of the project and other cumulative growth in the community will require an increase in personnel over time. The project alone would justify the addition of 1-2 additional officers in the Mendota area. This demand for increased personnel can be mitigated by increasing the contracted amount the City pays for Sheriff's patrol. No signiciant impacts to police services are anticipated as a result of the proposed development.

7. PARKS AND RECREATION

Development of the subdivision may result in an increase in use of existing parks or recreational facilities but will not result in the physical deterioration of these facilities. The proposed project will result in changing a portion of the recreation designation to residential use. However, the City intends to provide park space in the western portion of the community and the project will pay its fair share for the provision of such space.

8. TRANSIT SERVICES

In cooperation with the Fresno County Rural Transit Agency, the City of Mendota provides intra-city transit services to the general public, seniors and disabled Monday through Friday from 8:00 am to 5:00 pm.

9. STORM DRAINAGE

The proposed project will not result in an altered drainage pattern as surface runoff will follow normal drainage patterns into an approved on-site storm water ponding system. The retention basin shall be designed as per the direction of the city engineer to have the capacity to hold run-off from a 100-year, 6-day storm. The project will not increase run-off that would result in flooding on or off-site.

10. STREET LIGHTING

Pacific Gas and Electric (PG & E) serves the area and as the area develops, new energy efficient lighting will be provided as a condition of tentative tract map approval and as determined by the City Engineer.

11. SCHOOLS

Students in the proposed project would attend schools within the Mendota Unified School District. As of 2003, approximately 2,418 students are enrolled in district schools that have a capacity for approximately 2,620 students. According to District officials, current school facilities can adequately serve the site without a need for alteration.

To mitigate impacts brought by new development, the Mendota Unified School District levies development fees for all new residential development. Any new development will be subject to development fees in place at the time fee certificates are obtained.

12. OTHER SERVICES

City of Mendota Development Services, Public Works, Fire, Police, and City utility services would be available to the project site. Additional services available include recreation and senior activities, animal control services, zoning assistance and building inspection, redevelopment and housing assistance, and neighborhood watch and D.A.R.E services.

C. FINANCING OF SERVICES AND FACILITIES

All services are financed by one, or a combination, of the following methods:

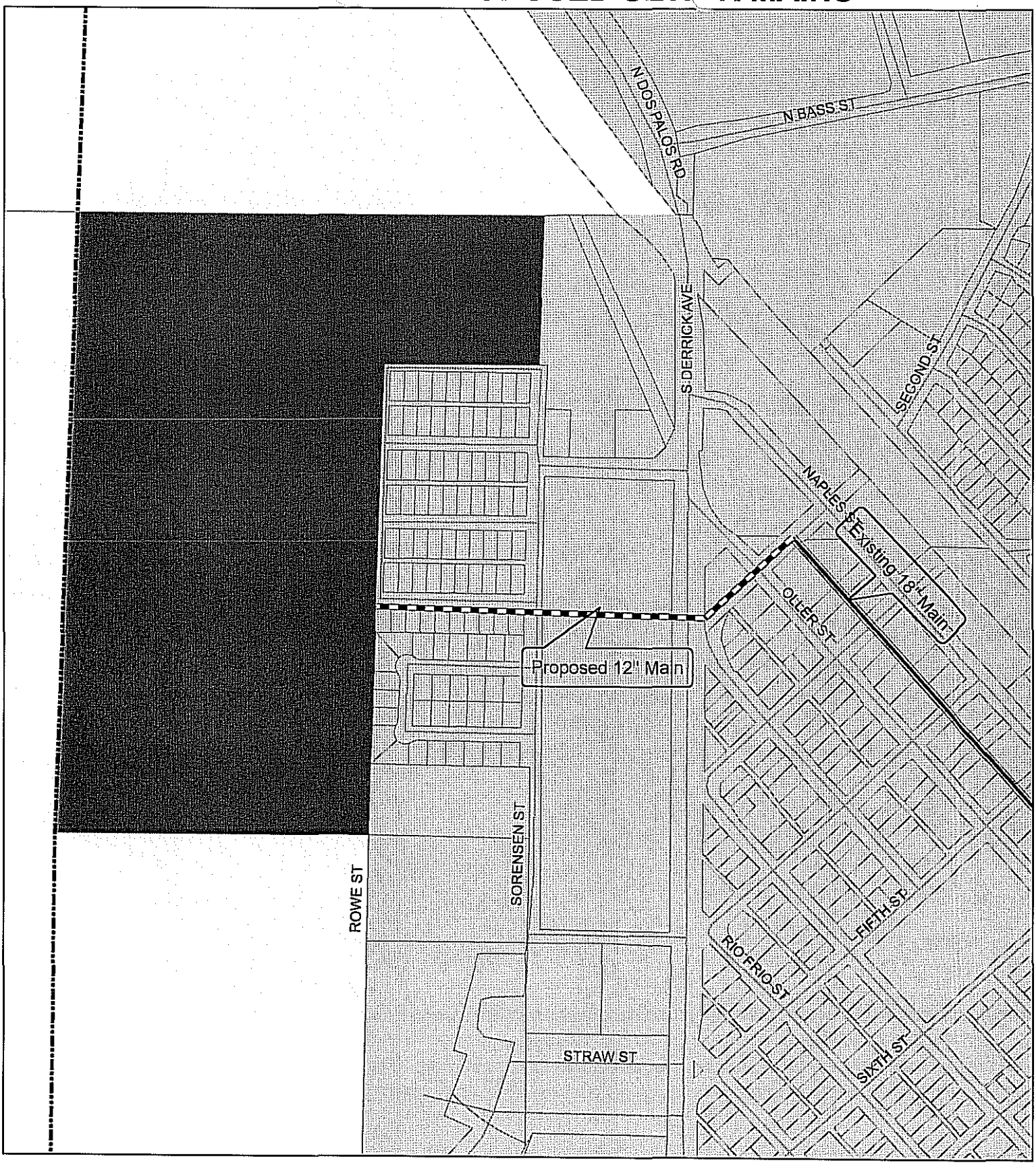
1. Property tax
2. Development fees are collected for parks, sewers, water, traffic, drainage, solid waste, and for various business licenses and activities.
3. Sales tax
4. State funds such as gas tax and motor vehicle in lieu tax are utilized by the City for street work and supporting the transit system.
5. Federal funds such as Community Development Block Grant Funds
6. Bonds and/or assessment districts as needed
7. Construction by the Developer
5. Landscape and Lighting Assessment District

Capital Improvement Plan. The City maintains and regularly updates citywide capital improvement programs addressing funding for all major construction, improvement, and repair projects in a manner that is responsive to the needs and desires of the community. The current 5-year plan provides estimates through the 2008-2009 fiscal year. The plan outlines funding sources for road improvement, road rehabilitation, bridge, drainage, parks and miscellaneous projects.

D. COMPLIANCE WITH CEQA

A negative declaration was approved for this project in compliance with CEQA. The Initial Study did not identify any potentially significant environmental effects that would result from the proposed project. In approving the Negative Declaration, the City found that the proposed project can be adequately served by City public services including public utilities (sewer and water), and police and fire protection services.

EXISTING AND PROPOSED SEWER MAINS



Sphere of Influence

Mendota City Limits

Affected Territory

Existing Sewer Main

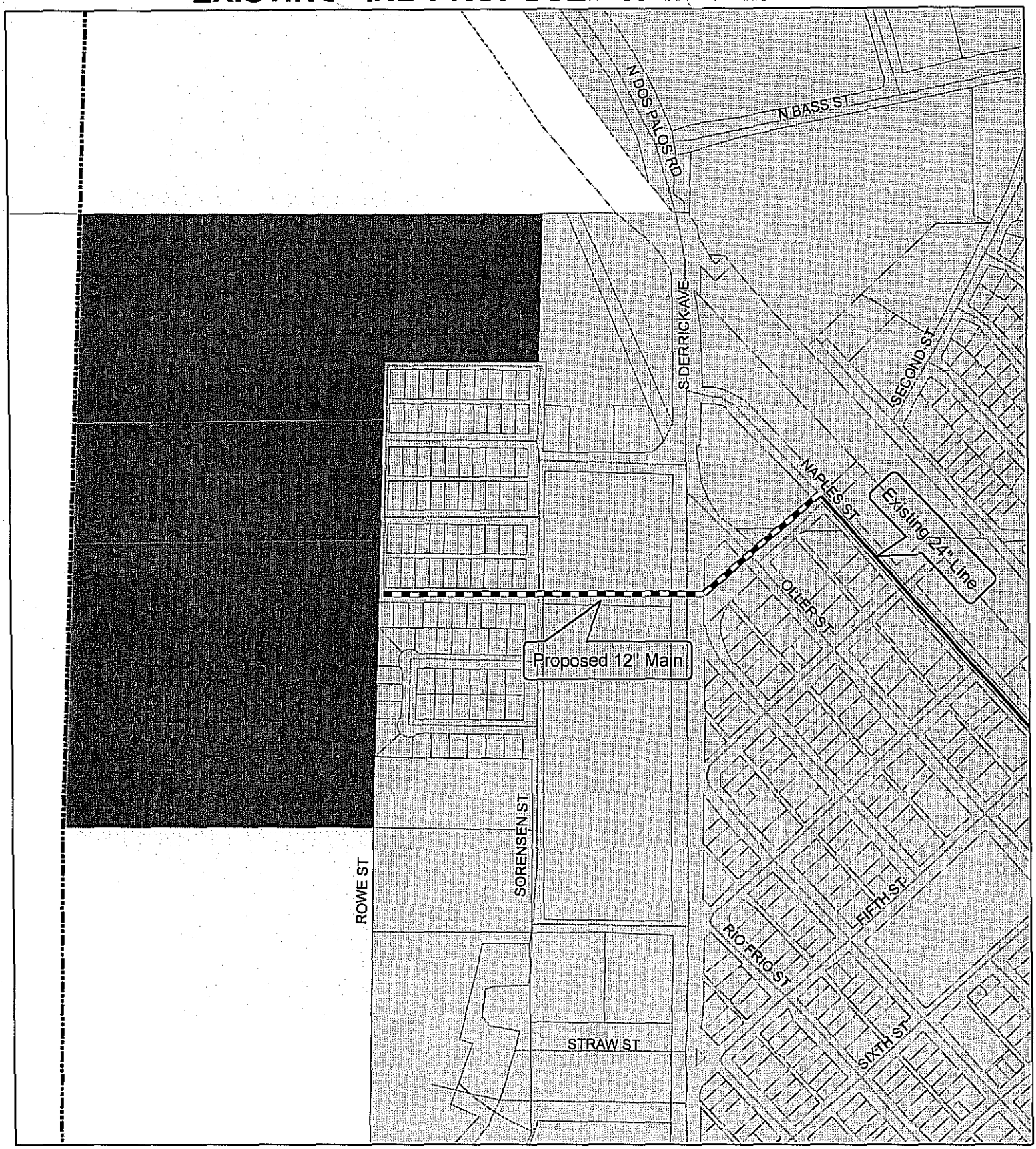
Proposed Sewer Main

City of Mendota "Annexation 05-01" Reorganization
LAFCo File No. RO-05-17

0 0.05 0.1 0.2 0.3 0.4 Miles

N W E S

EXISTING AND PROPOSED WATER MAINS



Sphere of Influence
Mendota City Limits
Affected Territory
Existing Water Line
Proposed Water Main

City of Mendota "Annexation 05-01" Reorganization
LAFCo File No. RO-05-17

0 0.05 0.1 0.2 0.3 0.4 Miles

N W E S

E200510000118

Notice of Determination

To: x Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency) City of Mendota
643 Quince Avenue
Mendota, CA 93640

x County Clerk
County of Fresno
2221 Kern Street
Fresno, CA 93721

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

H/S Development Tentative Subdivision Map/Annexation/General Plan Amendment and Pre-Zoning
Project Title

2004071067	Bill Skinner, City Planner	(559) 655-3291
State Clearing House Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/Telephone/Extension

Fresno County APN 012-190-40 and 41, City of Mendota, Fresno County
Project Location (include county)

Project Description:
Development of 422 Single Family Residential Units on 91.5 acres of land to be annexed into the City of Mendota

This is to advise that the City of Mendota has approved the above described project on
[X] Lead Agency [ ] Responsible Agency
22-Mar-05 and has made the following determinations regarding the above described project:
(date)

1 The project [ ] will [X] will not] have a significant effect on the environment
2 [ ] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3 Mitigation measures [[X] were [ ] were not] made a condition of approval of the project.
4 A statement of Overriding Considerations [ ] was [X] was not] adopted for this project.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

	23-Mar-05	City Manager
Signature (Public Agency)	*Date*	*Title*

Date received for filing and posting at OPR:

Revised March 1986

FILED

MAR 25 2005

FRESNO COUNTY CLERK
By DEPUTY

CITY OF MENDOTA
MITIGATED NEGATIVE DECLARATION

Finding: The City of Mendota has determined that the project described below will not have a significant effect on the environment; therefore, preparation of an Environmental Impact Report is not required.

Lead Agency: City of Mendota

Project Location: The 91.5-acre site is located at the southwest corner of Bass Avenue and Sorenson Avenue west of the City of Mendota, Fresno County (APN 12-190-40 and 41).

Project Description: General Plan Amendment, Rezoning (pre-zoning) and Approval of a Vesting Tentative Tract Map for Construction of Approximately 434 single-family Homes (H/S Development).

Environmental Assessment: The Initial Study for this project is available for review at the City of Mendota City Hall, 643 Quince Street, Mendota, CA 93640. Refer to the Initial Study for project facts, plans and policies, discussion of environmental effects and mitigation measures, and determination of significant effects.

DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

(a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

(b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

(c) The project does not have environmental effects that are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Mitigated Negative Declaration has been prepared by the City of Mendota in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

APPROVED

By: _____

Date Approved: March 22, 2005

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title/Location (include County):

H/S Development Tentative Subdivision Map, Annexation, General Plan Amendment and Pre-Zoning.

City of Mendota, Fresno County

Project Description:

The project is for the development of 422 single-family homes on approximately 91.5 acres of land proposed to be annexed into the City of Mendota.

Findings of Exemption (attach as necessary):

a. The project area is generally devoid and lacking of any natural terrestrial habitat and does not represent any significant habitat value. The project site is surrounded with urban level development and land in agricultural production, which provides relatively few opportunities for terrestrial vertebrates to exploit, because they are neither structurally complex nor floristically diverse.

   Based on the limited habitat available and regular disturbance of the project site, there are no impact to biological resources as a result of project approval and implementation.

   Furthermore, the project site was evaluated in the 1992 General Plan Environmental Impact Report and was determined to provide marginal habitat for native species and the impact to biological resources was determined to be less than significant. Furthermore, a biological assessment was prepared for the Initial Study and found the site devoid of any potential habitat for either endangered, threatened or listed species.

   In addition, the proposed project is the implementation of the goals, policies and objectives contained in the City of Mendota Housing Element for the construction of multi-family dwellings. Any growth in population and/or housing is considered cumulative and has been previously accounted for in the City of Mendota General Plan and Housing Element. Therefore, implementation of the proposed project would not cumulatively exceed regional or local population projections, nor would the proposed project substantially contribute to or induce any un-planned growth.

b. The proposed project would not require the displacement of housing or institutional facilities. The proposed project will be constructed on vacant land

that is available for the extension of City services and public utilities. All proposed improvements will be constructed to City Standards and Specifications.

c. According to the California Department of Fish and Game Natural Diversity Data Base for the City of Mendota General Plan 1992, there are no wildlife and/or biological habitats present on the project site or in the vicinity. Furthermore, the City is considered as urban and unsuitable for substantial native habitat. The site has been graded and there are no areas of standing water or concentrations of vegetation.

Certification:

I hereby certify that the public agency has made the above findings and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Gabriel A. Gonzalez
Title: City Manager
Lead Agency: City of Mendota
Date: March 23, 2005

CITY OF MENDOTA

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

General Plan Amendment, Prezoning, Vesting Tentative Tract Map, and Annexation
(H/S Development)

November 2004

Prepared for the City of Mendota

by

Land Use Associates
286 W. Cromwell Avenue
Fresno, CA 93711

CITY OF MENDOTA
MITIGATED NEGATIVE DECLARATION

Finding: The City of Mendota has determined that the project described below will not have a significant effect on the environment; therefore, preparation of an Environmental Impact Report is not required.

Lead Agency: City of Mendota

Project Location: The 91.5-acre site is located at the southwest corner of Bass Avenue and Sorenson Avenue west of the City of Mendota, Fresno County (APN 12-190-40 and 41).

Project Description: General Plan Amendment, Rezoning (pre-zoning) and Approval of a Vesting Tentative Tract Map for Construction of Approximately 434 single-family Homes (H/S Development).

Environmental Assessment: The Initial Study for this project is available for review at the City of Mendota City Hall, 643 Quince Street, Mendota, CA 93640. Refer to the Initial Study for project facts, plans and policies, discussion of environmental effects and mitigation measures, and determination of significant effects.

DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

(a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

(b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

(c) The project does not have environmental effects that are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Mitigated Negative Declaration has been prepared by the City of Mendota in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

APPROVED

By: _____

Date Approved: Nov. 1, 2004

CITY OF MENDOTA
INITIAL STUDY

I. PROJECT DESCRIPTION

H/S Development of Bakersfield, California, proposes to construct approximately 434 single-family homes on 91.5 acres located at the southwest corner of Bass Avenue and Sorenson Avenues west of the City of Mendota, Fresno County. Mendota is located in the northwest sector of Fresno County near the geographical center of California. The City is about 10 miles south of Firebaugh and about 35 miles west of Fresno (Section 36, Township 13 South, Range 14 East, MDBM). Exhibits 1 and 2 show the regional and specific site location. The site is located within the Sphere of Influence (SOI) of the City of Mendota but is unincorporated and will require annexation. The property is owned by Jones-Villere Farms and is described as APN 12-190-40 and 41. Photos of the site are shown on Exhibit 3.

The project includes the following entitlements:

1. General Plan Amendment for the northwest portion of the site from Agriculture to Medium Density Residential and of the southern portion of the site from Recreational to Medium Density Residential;

2. Rezoning (pre-zoning) of the site from AE-20 (Fresno County) to R-1 (single-family residential, 6,000 square foot minimum lot size);

3. A Vesting Tentative Tract Map dividing the site into 434 single-family lots with a minimum lot size of 6,000 square feet and an average lot size of approximately 6,500 square feet;

4. Annexation of the site to the City of Mendota.

Exhibit 4 shows the site on the 1991 Mendota General Plan land use map. Exhibit 5 shows the existing Mendota SOI as well as the proposed general plan amendment and rezoning. Exhibit 6 is the preliminary subdivision map.

The City of Mendota was established in 1895 following construction of the west-side railroad line from San Jose to Millerton in the late 1880's. The City's economy was associated with cattle and crop production, mainly vegetables and grain. The land surrounding Mendota is primarily used for agriculture, with important crops being alfalfa, barley, cantaloupe, cotton, rice, sugar beets, and various table vegetables. The City of Mendota was incorporated in 1942 and is a central shipping point for many of the agricultural products from the west side of the San Joaquin Valley.

This portion of the San Joaquin Valley has a Mediterranean climate with warm to hot dry summers and cool winters. Annual rainfall is approximately six to eight inches, 85% of which falls between October and March. Winter rainfall infiltrates the study area's soil through the early part of the winter. During winters of average precipitation, area soils reach saturation by February or March, at which time surface runoff may be generated by some storms.

Identification of the Environmental Setting: The project site is fallow agricultural land. Surrounding zoning and land uses are:

	Zoning	Land Use
North	AE-20 (Fresno County)	vacant (agriculture)
South	AE-20 (Fresno County)	vacant (agriculture)
East	R-1	Single-family residential
West	AE-20 (Fresno County)	agriculture

Fire and police protection, maintenance of public streets, refuse collection, water, and wastewater treatment will be provided by the City of Mendota upon annexation and development of the area.

Plans and Policies: The Mendota General Plan Land Use Element designates the site as Agriculture, Medium Density Residential, and Recreation. The site is zoned AE-20 by Fresno County (Exclusive Agricultural, minimum 20-acre parcel size). Should the proposed general plan amendment and rezoning be approved, the project will be consistent with the General Plan Land Use Element and the Zoning Ordinance.

Notice of Preparation

A notice of preparation of the Initial Study was circulated to the State Clearinghouse as well as local agencies. Responses to the notice of preparation are contained in Appendix A.

Documents Referenced

The following subcontractor reports were prepared for, and are summarized in, the Initial Study. The complete reports are available for public review at the City of Mendota:

Hawkins & Associates Engineering, *H/S Development, Municipal Service Report and Annexation, City of Mendota*, September 27, 2004.

J&R Environmental Services, *Archaeological Survey of 91.5 Acres on the Southwest Corner of Bass and Sorenson Avenues in Mendota, Fresno County California*, September 6, 2004.

Live Oak Associates, Inc., *Biological Evaluation 91.5-acre Residential Subdivision, H/S Development Mendota, California*, August 5, 2004.

Peters Engineering Group, *Traffic Impact Study, Proposed Residential Subdivision, Southwest of the Intersection of Bass Avenue and Derrick Avenue, Mendota, California*, July 8, 2004.

The following documents are included by reference in the Initial Study and are available for public review at the City of Mendota:

City of Mendota General Plan Update and EIR
City of Mendota Zoning Ordinance
City of Mendota Housing Element
Fresno County General Plan and EIR
Draft and Final EIS, *Proposed Federal Correctional Institution, Fresno County, California*, 2004
San Joaquin Valley Air Pollution Control District, *Guide for Assessing and Mitigating Air Quality Impacts*

II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project that cannot be mitigated to a less than significant level. In addition to the mitigation measures listed below, the City of Mendota General Plan and Zoning Ordinance contain objectives, policies, and standards designed to reduce/eliminate impacts.

III. MITIGATION MEASURES

The following list of mitigation measures are recommended for the proposed project:

1. As a condition of approval, a Right-To-Farm Notice shall be required on the deed of each lot of the subdivision.

2. Street trees shall be provided that will, at maturity, shade the sidewalk and portions of local streets. A minimum of one shade tree shall be provided for each lot in the planter strip or behind the sidewalk for a monolithic sidewalk, with two trees provided for corner lots.

3. Sidewalks and bikeways shall be provided within the subdivision with connections to any nearby existing or planned park, school, residential area, or commercial development.

4. The project shall incorporate as many energy conserving features as possible, including but not limited to, increased wall and ceiling insulation, energy efficient windows, cool paving, energy efficient lighting, appliances, heating and cooling systems, ceiling fans, electrical outlets around the home exterior, DSL connections, and natural gas fireplaces.

5. Should archeological or paleontological resources, or human remains be encountered during development, the proposed project shall comply with the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code Section 21083.2 and 21084.1), and all local, state and federal regulations that regulate archaeological and historical resources. These procedures shall include halting all work in the vicinity of the find until a qualified professional can evaluate the find and make necessary mitigation recommendations.

6. Construction permits for the project shall be subject to assurance of sewer capacity of the City of Mendota Wastewater Treatment Facility. Concurrance shall be obtained from the California Regional Water Quality Control Board.

7. All existing on-site water wells shall be abandoned in conformance with local and state requirements.

8. Construction permits for the project shall be subject to assurance of capacity of the City of Mendota community water system to serve the project. Concurrance shall be obtained from the State Department of Health Services, Division of Drinking Water and Environmental Management.

9. 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.

10. Construction specifications shall require that all construction equipment be maintained according to the manufacturer's specifications and noise generating construction equipment shall be equipped with mufflers.

11. Hours of grading and construction activity shall be limited to the hours of 6:00 am to 7:00 pm, Monday through Saturday.

12. 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.

13. 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.

14. 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.

15. 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. Therefore, it is likely that a median island will be required to prevent left turns from Lozano, but to allow left turns from State Route 33 to Lozano.

VI. PREPARER OF THE INITIAL STUDY

Bruce O'Neal, Consulting Planner

CITY OF MENDOTA
INITIAL STUDY
ENVIRONMENTAL CHECKLIST

Name of Proposal Construction of 434 single-family houses

NAME OF PROPONENT: H/S Development of Bakersfield

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact 2 = Less Than Significant Impact
3 = Less Than Significant Impact with Mitigation Incorporated 4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

2 a) Have a substantial adverse effect on a scenic vista?

1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

1 c) Substantially degrade the existing visual character or quality of the site and its surroundings?

2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL RESOUCRES

Would the project:

2 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?

3 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

1 c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

III. AIR QUALITY

Would the project:

2 a) Conflict with or obstruct implementation of the applicable air quality plan?

2 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

3 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

1 d) Expose sensitive receptors to substantial pollutant concentrations?

1 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

1 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

1 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

1 c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

1 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

V. CULTURAL RESOURCES

Would the project:

1 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?

3 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?

3 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?

V. CULTURAL RESOURCES (continued)

Would the project:

3 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI. GEOLOGY AND SOILS

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

2 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

2 ii) Strong seismic ground shaking?

1 iii) Seismic-related ground failure, including liquefaction?

1 iv) Landslides?

1 b) Result in substantial soil erosion or loss of topsoil?

1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

2 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

1 e) Have soils incapable of adequately supporting septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

VIII. HYDROLOGY AND WATER QUALITY

Would the project:

3 a) Violate any water quality standards of waste discharge requirements?

3 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table lever (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

1 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

2 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

1 f) Otherwise substantially degrade water quality?

3 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

3 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

1 j) Inundation by seiche, tsunami, or mudflow?

IX. LAND USE AND PLANNING

Would the project:

1 a) Physically divide an established community?

1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

X. MINERAL RESOURCES

Would the project:

1 a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

1 b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

XI. NOISE

Would the project:

2 a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

1 b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

1 c) A substantial permanent increases in ambient noise levels in the project vicinity above levels existing without the project?

3 d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

2 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working the in the project area to excessive noise levels?

XII. POPULATION AND HOUSING

Would the project:

2 a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIII. PUBLIC SERVICES

Would the project:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

2 i) Fire protection?

2 ii) Police protection?

2 iii) Schools?

2 iv) Parks?

2 v) Other public facilities?

XIV. RECREATION

Would the project:

2 a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

2 b) Does the project includes recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XV. TRANSPORTATION / TRAFFIC

Would the project:

3 a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

2 b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

2 d) Substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

1 e) Result in inadequate emergency access?

1 f) Result in inadequate parking capacity?

1 g) Conflict with programs supporting alternative transportation?

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:

1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

2 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

2 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?

2 e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

3 a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

3 b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

2 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

ENVIRONMENTAL EVALUATION: DISCUSSION OF THE INITIAL STUDY CHECKLIST

I. AESTHETICS

a. Would the project have a substantial adverse effect on a scenic vista?

FINDING - **Less Than Significant Impact:** Development of the project site will provide additional single-family residential homes for the City, but will convert the existing rural and agricultural area to an urban setting. Overall aesthetic impacts will be minor, as the project will provide architecturally compatible residential designs with street and landscaping improvements. Views to the project site will be consistent with the surrounding area, which is primarily developed with or planned for residential uses to the east. Units will back onto major streets on the north and west with a landscaped buffer, sidewalks, and masonry walls. As a result, there will be no adverse aesthetic impacts on existing residents or future residents of the subdivision. The proposed project would not significantly alter landforms, view sheds, or the overall character of the area.

b. Would the project substantially damage scenic resources, including trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING - **No Impact:** The project site does not contain scenic resources including trees, rock outcroppings, or historic buildings.

c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING - **No Impact:** The proposed residential project will not degrade the existing visual character or quality of the site and its surroundings.

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views?

FINDING - **Less Than Significant Impact:** The project will create new sources of light typical of urban development. The developer of the proposed project will be required to direct and/or shield lighting in the new residential subdivision so it does not fall upon adjacent residential properties.

II. AGRICULTURAL RESOURCES

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the Farmland Mapping and Monitoring Program Maps of the California Resources Agency, to non-agricultural use?

FINDING - **Less Than Significant Impact:** The project site and surrounding area is generally considered prime farmland. However, the site is located within the City's Sphere of Influence (SOI) and has been planned for urban development for many years. The site is adjacent to the City limits on the east. Although portions of the site are designated for non-residential uses, the majority of the site has a General Plan designation of Medium Density Residential that would allow the proposed project.

Residential development will be compatible with urban land uses already developed or approved in the site area. As a result, development on the project site will not significantly contribute to cumulative loss of prime agricultural lands.

b. Would the project conflict with agricultural zoning, or a Williamson Act contract?

FINDING - **Less Than Significant Impact With Mitigation Incorporated:** Neither the project site nor surrounding parcels are subject to a Williamson Act contract. As a result, no significant impact is anticipated to existing zoning for agriculture or to lands now under contract as a result of the proposed project.

Mitigation

1. As a condition of approval, a Right-To-Farm Notice shall be required on the deed of each lot of the subdivision.

c. Would the project involve other changes in the existing environment that could result in conversion of farmland?

FINDING - **No Impact:** The project will not involve other changes in the existing environment that could result in conversion of farmland as the site is planned for urban use that would provide long-term residential development and growth for the City.

III. AIR QUALITY

Fresno County is a non-attainment air basin for National Ambient Air Quality Standards (NAAQS) related to ozone and particulate matter (PM_{10}). Projects under consideration by the City of Mendota are referred to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for review and comment. Recommended mitigation measures provided by the Air District are typically incorporated in the project prior to approval.

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

FINDING - **Less Than Significant Impact:** Although the project will generate emissions in an air basin that is non-attainment for ozone and particulate, the project will not conflict with or obstruct implementation of the applicable air quality plan.

b. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

FINDING - **Less than Significant Impact:** Normal site grading and construction will generate emissions from construction vehicles and building activities. Construction equipment emissions can be reduced by using equipment that has catalytic converters and by preventing trucks from extensive idling. A variety of construction related sources generate PM_{10} emissions. These sources include truck trips on unpaved roads and parking areas, dirt storage piles, grading activities, and demolition.

The developer will mitigate impacts by following recommendations for dust control provided by SJVAPCD. The District considers that PM_{10} emissions are reduced to levels considered less than significant through compliance with Regulation VIII (Fugitive PM_{10} Emissions). If construction activity is especially intense or if sensitive receptors are nearby, the District recommends applying the enhanced PM_{10} control measures listed in the *Guide for Assessing and Mitigating Air Quality Impacts*. The project will also be subject to the District's rules and regulations on fireplace burning, open burning, architectural coatings, paving operations, and residential water heaters.

c. **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment (including releasing emissions that exceed quantitative thresholds for ozone precursors)?**

FINDING - Less Than Significant Impact with Mitigation Incorporated: The District has established interim thresholds of significance for ROG and NOx emissions of 10 tons per year. An URBEMIS 2002 model run resulted in the following project emissions at build out of the project, assumed to occur in 2012. The model results are shown in Appendix B.

EMISSION PROJECTIONS AT PROJECT BUILDOUT

Operational (Vehicle) Emissions (tons/year) [1]				
	Units	ROG	NO_X	PM_{10}
Proposed Project	434	4.0	5.32	9.45
Area Source Emissions (tons/year) [2]				
	Units	ROG	NO_X	PM_{10}
Proposed Project	434	4.01	1.00	0.00

[1] Mobile and Area Sources Emissions calculated using URBIMIS 2002 model.

[2] Area Source Emissions include Stationary Sources.

Analysis indicates that the proposed development will generate a total of 8.01 tons/yr of ROG and 6.32 tons/yr of NOx pollutants. Neither pollutant would exceed the District's thresholds.

The following mitigation measures are recommended to further reduce impacts to air quality:

Mitigation

1. Street trees shall be provided that will, at maturity, shade the sidewalk and portions of local streets. A minimum of one shade tree shall be provided for each lot in the planter strip or behind the sidewalk for a monolithic sidewalk, with two trees provided for corner lots.

2. Sidewalks and bikeways shall be provided within the subdivision with connections to any nearby existing or planned park, school, residential area, or commercial development.

3. The project shall incorporate as many energy conserving features as possible, including but not limited to, increased wall and ceiling insulation, energy efficient windows, cool paving, energy efficient lighting, appliances, heating and cooling systems, ceiling fans, electrical outlets around the home exterior, DSL connections, and natural gas fireplaces.

d. Would the project expose sensitive receptors to substantial pollutants?

FINDING - **No Impact:** The proposed project will not expose sensitive receptors to substantial pollutant concentrations.

e. Would the project create objectionable odors affecting a substantial number of people?

FINDING - **No Impact:** The proposed project will not create any new/permanent objectionable odors.

IV. BIOLOGICAL RESOURCES

a. Would the project have a substantial adverse effect, either directly or through habitat modification, on any candidate, sensitive, or special status species identified in local or regional plans or regulations, or by the Department of Fish and Game or U.S. Fish and Wildlife Service?

FINDING - **No Impact:** In August of 2004, Live Oak Associates, Inc., of Oakhurst, California completed a biological assessment on the subject site. The complete assessment is on file with the City of Mendota. At the time of the assessment, the majority of the site consisted of a recently disked fallow agricultural field. The only vestige of vegetation on much of the site was along the margins and scattered grasses and forbs within the disked field. Living vegetation was limited to weedy European annuals growing in scattered patches, but primarily along the margins of the site. Common species included barnyard barley, shepherd's purse, prickly lettuce, and red-stemmed filaree. A comprehensive list of vascular plants observed in the study area during the field survey is provided in Appendix A of biological assessment while Appendix B contains a list of terrestrial vertebrates using, or potentially using, the study area.

Due to the virtual absence of vegetative cover in all but the margins of the study area, there was very little suitable habitat for reptiles or amphibians at the time of the site survey. Pacific chorus frog (*Pseudacris regilla*) and western toad (*Bufo boreas*) may move onto the study area from adjacent habitats. Reptile species that may use this boundary habitat include gopher snake (*Pituophis melanoleucus*), western fence lizard (*Sceloporus occidentalis*) and common kingsnake (*Lampropeltis getulus*).

The study area possesses meager value for most bird species as well. Due to a lack of food and cover, most birds either pass over the site or stay for brief periods only. A small number of common bird species that benefit from disturbed habitats nonetheless use the site. No birds were observed on the site. Some species observed adjacent to the site include western kingbird (*Tyrannus verticalis*), northern mockingbird (*Mimus polyglottos*), loggerhead shrike (*Lanius ludovicianus*) and barn swallow (*Hirundo rustica*). Some typical resident species would include

American crow (*Corvus brachyrhinchos*), and mourning dove (*Zenaida macroura*). Other bird species that may forage in the site include European starling (*Sturnus vulgaris*), Brewer's blackbird (*Euphagus cyanocephalus*), red-winged blackbird (*Agelaius phoeniceus*), and American pipit (*Anthus rubescens*).

An American kestrel (*Falco sparverius*) was observed near the site. No other raptors were seen; however; some species may forage over the site from time to time, including red-tailed hawk (*Buteo jamaicensis*), white-tailed kite (*Elanus leucurus*), northern harrier (*Circus cyaneus*) and barn owl (*Tyto alba*). None of these raptors would be expected to use the site on a regular basis due to the low numbers of small mammals that would serve as a food base. As noted above, the site provides seasonal habitat primarily for small mammals. Winter grains would provide limited cover for California vole (*Microtus californicus*), deer mouse (*Peromyscus maniculatus*), and house mouse (*Mus musculus*), at least up to the time of harvest in May or June. Common mammalian predators attracted to these small mammals would possibly include striped skunk (*Memphitis memphitis*), coyote (*Canis latrans*), and gray fox (*Urocyon cinereoargenteus*). Various species of bat may periodically forage over the site for flying insects, but would roost elsewhere.

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans or regulations or by the Department of Fish and Game or US Fish and Wildlife Service?

<u>FINDING</u> - **No Impact:** Proposed site development would not result in significant impact to any special status plant or animal species, riparian areas, other sensitive biotic habitats, jurisdictional waters, or wildlife movement corridors. Furthermore, conversion of the agricultural field would not result in the "take" of any plant or animal species listed as threatened or endangered according to provisions of the state and federal endangered species acts. Nor would eventual site development conflict with local ordinances or general plan policies. Mitigation measures for potential impacts to sensitive resources would not be warranted. Because the project would have no effect on state or federally listed threatened and endangered species, jurisdictional waters, and other biological resources protected by federal, state, and local statutes and ordinances, federal, state, and local permits regulating activities affecting such resources would not be required.

c. Would the project have a substantial adverse effect on protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?

<u>FINDING</u> - **No Impact:** Drainage features that might be considered Waters of the United States were absent at the time of the field survey by Live Oak Associates in July 2004. Furthermore, no portion of the study area appeared to meet the vegetation, soils, or hydrology criteria of jurisdictional wetlands. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING - **No Impact:** The project site contains no watercourses or wildlife movement corridors.

e. **Would the project conflict with any local policies or ordinances protecting biological resources, such as tree preservation?**

FINDING - **No Impact:** The project will not conflict with any local policies or ordinances protecting biological resources.

f. **Would the project conflict with an approved local, regional or state habitat conservation plan?**

FINDING - **No Impact:** There are no adopted Habitat Conservation Plans in the Mendota area.

V. CULTURAL RESOURCES

a. **Would the project cause a substantial adverse change in the significance of a historical resource as defined in Sec. 15064.5 of the CEQA Guidelines?**

FINDING - **Less Than Significant Impact:** There are no known cultural resources located within the City of Mendota, according to the 1991 General Plan Update. A cultural resources survey was conducted on the proposed site for the Federal Correctional Institution, located approximately two miles south of the proposed project. During this survey, one isolated prehistoric artifact was found. The find did not constitute a significant cultural resource and no additional prehistoric or historical archaeological sites were identified. Two architectural resources, the Marchini Property and Cervantes Property were identified within the proposed Federal Correctional Institution site; however, neither resource possesses historical or architectural significance and neither has been found to be associated with a significant historical person or event. Because the project site is vacant, no impacts to historical resources are anticipated.

b. **Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Sec. 15064.5 of the CEQA Guidelines?**

FINDING - **Less Than Significant Impact with Mitigation Incorporated:** An archaeological survey of the property was undertaken by J&R Environmental Services of Clovis, California. The complete report is on file with the City of Mendota. Prior to fieldwork, a records and literature search was undertaken to determine the existence and characteristics of all previously recorded cultural resources within the general vicinity of the project area. There has been one cultural resource study previously conducted within a portion of the project boundaries (Uli 1985). There appear to be no previously recorded sites within the project study area.

More recently, several surveys have been conducted within the vicinity of the project area. Surveys conducted within one mile of the project area included those of Onchi (1980), Napton (1990), Peak and Associates (1993), and Wren (1990). The results of all these surveys were negative.

In prehistoric times, the Yokuts occupied virtually all of the valley and the surrounding foothills. Based on dialects, the Yokuts are divided into those of the southern Sierra Nevada and the valley proper groups. The Yokuts group occupying territory within the project area were the Pitkachi, a northern valley group that ranged as far north as the San Joaquin River and as far east as Fresno. One of the Pitkachi villages was known as Gewachiu. According to the ethnographic record, this village was known to be within five miles of the city of Mendota.

The history of the San Joaquin Valley is linked to exploration dating back to the eighteenth century. The first recorded visits into the southern part of the valley occurred in 1772. The first Spaniards to possibly visit the lower foothill region of the western Sierra were an exploring expedition led by Jose Joaquin Moraga. Another exploration group led by Gabriel Moraga also made a visit to the same region in the fall of 1806. During the 1840s, both Mexicans as well as Anglos would come to the area in greater numbers and their visits became more permanent.

The discovery of gold in California in 1848 would ultimately bring thousands of fortune seekers into the lower mother lode area. With the decline of placer mining, attention shifted to the fertile alluvial plains along the eastern side of the valley floor. Former miners now tuned to agriculture. The area adjacent to the project area would become a Southern Pacific railroad town with the establishment of Mendota in 1895.

On August 20, 2004, an archaeological survey of the project site was completed by Jon L. Brady of J & R Environmental Services. An on-foot inspection searched for any evidence of aboriginal utilization or habitation, soil discoloration, artifactual debris, and activity features. The survey strategy included transects spaced at 10-meter intervals. There was no evidence of cultural materials associated with either prehistoric or historic groups.

The survey results were negative. In light of these research results, no historical resources were identified within the project study area pursuant to California PRC §21084.1. No further cultural resources investigation is recommended for the project unless project plans undergo such changes as to include areas not covered by this study.

Although there are no known archaeological resources located in the study area, the project could result in disturbance of subsurface archaeological resources during excavation and/or grading. If artifacts or unusual amounts of bone or shell are observed, a qualified archaeologist should be summoned to examine the find before work continues in the area. If bone is identified which may be human, state law requires notification of the County Coroner and the Native American Heritage Commission. The developer will comply with the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code Section 21083.2 and 21084.1), and all local, state and federal regulations that regulate archaeological and historical resources.

According to the Native American Heritage Commission, the site is not contained within the Sacred Lands File maintained by the Commission.

c. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING – **Less Than Significant Impact with Mitigation Incorporated:** There are no known paleontological resources located in the study area. The project may have the potential to directly or indirectly destroy a paleontological resource. If any paleontological materials are uncovered during project activities, work in the area shall halt until professional resources evaluation and/or data recovery excavation can be planned and implemented.

d. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING – **Less Than Significant Impact with Mitigation Incorporated:** Should any human remains be discovered during grading and construction, the Fresno County Coroner must be notified immediately. The Coroner has two working days to examine the remains and 24 hours to notify the Native American Heritage Commission [NAHC] if the remains are Native American. The most likely descendants then have 24 hours to recommend proper treatment or disposition of the remains, following NAHC guidelines.

Mitigation

1. Should archeological or paleontological resources, or human remains be encountered during development, the proposed project shall comply with the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code Section 21083.2 and 21084.1), and all local, state and federal regulations that regulate archaeological and historical resources. These procedures shall include halting all work in the vicinity of the find until a qualified professional can evaluate the find and make necessary mitigation recommendations.

VI. GEOLOGYAND SOILS

a. Would the project expose people or structures to potential substantial adverse effects involving:

I) Rupture of a known earthquake fault?

FINDING – **Less Than Significant Impact:** Fresno County is bounded by active fault zones to the east and west. The active San Andreas Fault runs approximately north and south along the western border of the county along the foothills of the Coast Ranges. The Sierra Nevada Fault also runs north and south, but is well to the east of Fresno County. The project area is located near the San Andreas Fault; the potential for damage from seismic activity ranges from moderate to major. Potential seismic hazards will be addressed through compliance with *The Uniform Building Code* enforced by the City of Mendota to ensure the safe construction of all structures and facilities in the city.

ii) Strong seismic ground shaking?

FINDING – **Less Than Significant Impact:** The most likely source of potential ground shaking is the San Andreas Fault. Potential seismic hazards will be addressed through compliance with *The Uniform Building Code* enforced by the City of Mendota to ensure the safe construction of all structures and facilities in the city.

iii) **Seismic-related ground failure, including liquefaction?**

FINDING - **No Impact:** Soil types are coarse and not conducive to liquefaction. In addition, the maximum ground surface accelerations attributed to this area are too low to produce the shock necessary to initiate liquefaction.

iv) **Landslides?**

FINDING - **No Impact:** The project area and surrounding areas are basically flat. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving landslides.

b. **Would the project result in substantial soil erosion or the loss of topsoil?**

FINDING - **No Impact:** Construction of the project will require movement of topsoil. A grading plan must be submitted to the City of Mendota for review and approval prior to construction of the project. Standard required construction practices and compliance with City ordinances and regulations, *The Uniform Building Code,* and adherence to professional engineering design approved by the City will mitigate potential soil erosion impacts from the project.

c. **Would the project result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

FINDING - **No Impact:** The project site is not located on unstable soils.

d. **Would the project be located on expansive soil creating substantial risks to life or property?**

FINDING - **Less Than Significant Impact:** Soils on the west side of the San Joaquin Valley can have expansive characteristics. Standard required construction practices and compliance with City ordinances and regulations, *The Uniform Building Code,* and adherence to professional engineering design approved by the City will mitigate potential expansive soil impacts from the project.

e. **Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

FINDING - **No Impact:** The development will be served by the Mendota Wastewater Treatment Plant.

VII. HAZARDS AND HAZARDOUS MATERIALS

a. **Would the project create a significant hazard through the routine transport, use, or disposal of hazardous materials?**

FINDING - **No Impact:** The project is not expected to use or generate hazardous materials. Any transport of hazardous materials will be subject to local, state, and federal regulations.

b. **Would the project create a significant hazard through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

FINDING - **No Impact:** See above response.

c. **Would the project emit hazardous emissions or handle hazardous materials within 1/4 mile of an existing or proposed school?**

FINDING - **No Impact:** See above response.

d. **Would the project be located on a hazardous materials site as compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

FINDING - **No Impact:** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

e. **Would a project located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?**

FINDING - **No Impact:** The project is not located within an airport land use plan but is within 1 ½ mile of the Mendota Municipal Airport. The airport servces primarily light, private aircraft and the site is located outside the primary safety areas of the airport.

f. **Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?**

FINDING - **No Impact:** The project site is not located within the vicinity of a private airstrip.

g. **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

FINDING - **No Impact:** The project will not interfere with an adopted emergency response plan.

h. **Expose people or structures to wildland fires?**

FINDING - **No Impact:** The project site is not within an area subject to wildland fires.

VIII. HYDROLOGY AND WATER QUALITY

a. **Would the project violate water quality standards or waste discharge requirements?**

FINDING - **Less Than Signficant with Mitigation Incorporated:** The proposed development will comply with all City ordinances and standards to assure proper grading and drainage. Storm water will be drained into an approved storm water ponding system.

Compliance with all local, state, and federal regulations will prevent violation of water quality standards or waste discharge requirements. See also, XVI. UTILITIES AND SERVICE SYSTEMS.

The Fresno County Department of Community Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. Improper abandonment of agricultural or individual domestic wells presents a significant health risk of contaminating the City's community water supply.

Mitigation

1. Construction permits for the project shall be subject to assurance of sewer capacity of the City of Mendota Wastewater Treatment Facility. Concurrance shall be obtained from the California Regional Water Quality Control Board.

2. All existing on-site water wells shall be abandoned in conformance with local and state requirements.

b. Would the project deplete groundwater supplies or interfere with groundwater recharge (e.g., production in pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

FINDING - **Less Than Significant With Mitigation Incorporated:** The proposed project will be served by the City of Mendota water system. The project is not expected to be a high water user outside of normal residential development. The City's water system has aequate capacity to serve the project and no impacts to the water sytem or area groundwater are expected. See also, XVI. UTILITIES AND SERVICE SYSTEMS.

Mitigation

1. Construction permits for the project shall be subject to assurance of capacity of the City of Mendota community water system to serve the project. Concurrance shall be obtained from the State Department of Health Services, Division of Drinking Water and Environmental Management.

c. Would the project substantially alter existing drainage patterns in a manner which would result in substantial erosion or siltation on or off-site?

FINDING - **No Impact:** Standard required construction practices and compliance with state and federal regulations, City ordinances and regulations, *The Uniform Building Code,* and adherence to professional engineering design approved by the City of Mendota will reduce or eliminate impacts from the project.

d. **Would the project substantially alter existing drainage patterns or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site?**

FINDING - **Less Than Signficant Impact:** The proposed project will not result in an altered drainage pattern as surface runoff will follow normal drainage patterns into an approved on-site storm water ponding system. The retention basin shall be designed as per the direction of the city engineer to have the capacity to hold run-off from a 100-year, 6-day storm. The project will not increase run-off that would result in flooding on or off-site.

e. **Would the project create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?**

FINDING - **Less Than Significant Impact:** Development standards require that storm water drainage be held on-site within a drainage basin or to connect to the City storm water drainage system. The project will not create or contribute run-off water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off.

f. **Would the project otherwise substantially degrade water quality?**

FINDING - **No Impact:** The project will not otherwise degrade water quality through storm runoff or wastewater generation.

g. **Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard map?**

FINDING - **Less Than Significant Impact with Mitigation Incorporated:** The majority of the site is located within Flood Zone X and Flood Zone X (shaded), according to Panel Map No. 06019C1444 F from the Flood Insurance Rate Map, effective date July 19, 2001 (see Exhibit 7). Flood Zone X are areas outside the 500-year floodplain. Flood Zone X (shaded) are areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood. The northeast portion of the project site is located within Zone AH, a Flood Hazard Area Inundated by 100-Year Flood with flood depths of one to three feet (usual area of ponding).

Site grading would provide lots and streets elevated above the flood plain. A retaining wall is proposed at the edge of streets on the western project boundary to keep the graded area stable and to prevent erosion. Standard required construction practices and adherence to professional engineering design approved by the City of Mendota will reduce or eliminate potential flood impacts to the proposed development.

Mitigation

1. 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.

h. **Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?**

FINDING – **Less Than Significant Impact with Mitigation Incorporated:** See above responce.

i. **Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

FINDING - **No Impact:** There are no levees or dams involved with the project or site.

j. **Would the project be at risk for inundation by seiche, tsunami, or mudflow?**

FINDING - **No Impact:** The project area has no potential for seiche, tsunami, or mudflow.

IX. LAND USE AND PLANNING

a. **Would the project physically divide an established community?**

FINDING - **No Impact:** The proposed project will not physically divide the Mendota community as the proposed subdivision is within the City Sphere of Influence and adjacent to existing residential development.

b. **Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including the general plan, specific plan, or zoning ordinance) adopted to avoid or mitigate an environmental effect?**

FINDING - **No Impact:** The project site is adjacent to the Mendota city limits along its eastern boundary. Residential land uses on the site would be compatible with adjacent urban uses existing or planned to the east, north, and south.

c. **Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?**

FINDING - **No Impact:** There are no adopted habitat conservation plans in the Mendota area.

X. MINERAL RESOURCES

a. **Would the project result in the loss of availability of a mineral resource that would be of value to the region and the state?**

FINDING - **No Impact:** There are no mineral resources known to exist on or near the project site.

b. **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

FINDING - **No Impact:** The project site is not delineated on the general plan as a locally important mineral resource recovery site.

XI. NOISE

a. **Would the project result in exposure of persons to or generation of noise in excess of standards established in the general plan or noise ordinance, or applicable standards of other agencies?**

FINDING – **Less Than Significant Impact:** The project will result in noise generation typical of residential development, including noise generated by traffic along adjacent streets. The City's standards for setbacks and/or construction of walls along major streets will reduce noise levels to a level that is less than significant.

b. **Would the project result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?**

FINDING – **No Impact:** Although noise will be generated during grading and construction, the project will not result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

c. **Would the project result in a substantial permanent increase in ambient noise above levels existing without the project?**

FINDING - **No Impact:** The project has the potential to create new noise levels typical of residential areas; however, ambient noise levels within residential neighborhoods are not considered significant.

d. **Would the project result in a substantial temporary increase in ambient noise levels above levels existing without the project?**

FINDING - **Less Than Significant Impact with Mitigation Incorporated:** The project will bring about temporary increases in noise during grading and construction. Temporary construction noise could be significant to existing residents on the eastern boundary of the project site.

Mitigation

1. Construction specifications shall require that all construction equipment be maintained according to the manufacturer's specifications and noise generating construction equipment shall be equipped with mufflers.

2. Hours of grading and construction activity shall be limited to the hours of 6:00 am to 7:00 pm, Monday through Saturday.

e. **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

FINDING – **Less Than Significant Impact:** The project is not located within an airport land use plan but is within 1½ mile of the Mendota Municipal Airport. The airport servces primarily light, private aircraft and the site is located outside the 60 dB noise contour.

f. **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

FINDING - **No Impact:** The project is not located within the vicinity of a private airstrip.

XII. POPULATION AND HOUSING

a. **Would the project induce substantial population growth either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?**

FINDING – **Less Than Significant Impact:** Aaccording to the U.S. Census, the population in Mendota in 2000 was 7,890 persons. The average annual growth rate was 1.6% between 1990 and 2000. In March of 2004, the population was estimated at 8,300. Vacancy rates remain low (less than 3%) and average household size is 4.4 persons. The City's Housing Element identifies a construction need for 282 housing units between 2000 and 2007, of which 193 would be for moderate and above moderate-income households. In the last decade, nearly all construction has been for low, very low, and moderate-income housing. Until recently, demand for housing targeting above-moderate income households has not been strong because few higher income households exist in Mendota.

New housing is needed for proposed projects in the community, including the 1,000+ bed federal prison proposed for a 960-acre site south of the proposed project site. The federal prison could add up to 300 jobs to the community. Development of the proposed project will result in increased housing in the area to serve projected and existing unmet need. The project would be constructed in phases as demand warrants, and would require several years to build out. Because the project will provide new housing to serve the existing and projected population of Mendota, it is not considered growth inducing.

b. **Would the project displace substantial existing housing necessitating construction of replacement housing elsewhere?**

FINDING - **No Impact:** The project will not displace existing housing.

c. **Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

FINDING - **No Impact:** The project will not displace people.

XIII. PUBLIC SERVICES

a. **Would the project result in substantial adverse physical impacts associated with the provision of new or altered public services, the construction of which could cause significant environmental impacts, in order to maintain acceptable service , response times or other performance objectives for any of the following services:**

i) **Fire protection?**

FINDING - **Less Than Significant Impact:** Fire protection for the unincorporated site is provided by the Fresno County Fire Protection District. The District also provides fire protection services to the City of Mendota by contract. As a result, there would be no change in service following annexation of the project site.

The station is located in the City of Mendota and response times average less than five minutes for most areas in Mendota. Current fire protection facilities can adequately serve the project site without need for alteration. According to Chief Rick Moore, development of the project and other cumulative growth in the community will require an increase in personnel over time. The District is proposing an annual assessment on residential development within its boundaries of between $0.19 and $0.25 per square foot to provide fire protection services. This would result in an annual fee of approximately $300 for an average residence and would reduce potential impacts on the District to a less-than-significant level. The fee must be approved by the Board of Supervisors which is expected to consider the issue within the next several months.

ii) **Police protection?**

FINDING - **Less Than Significant Impact:** The City of Mendota is provided police protection by the Fresno County Sheriff's Department. There is no station located in the city limits. The City, however, is part of a regular patrol beat based 15 miles to the south in the City of San Joaquin and there is usually an officer located in Mendota at any given time. Current police protection facilities can adequately serve the site without a need for alteration. According to the Sheriff's Department, development of the project and other cumulative growth in the community will require an increase in personnel over time. The project alone would justify the addition of 1-2 additional officers in the Mendota area. This demand for increased personnel can be mitigated by increasing the contracted amount the City pays for Sheriff's patrol. No signiciant impacts to police services are anticipated as a result of the proposed development.

iii) **Schools?**

FINDING - **Less Than Significant Impact:** Students in the proposed project would attend schools within the Mendota Unified School District. As of 2003, approximately 2,418 students are enrolled in district schools that have a capacity for approximately 2,620 students. According to District officials, current school facilities can adequately serve the site without a need for alteration.

To mitigate impacts brought by new development, the Mendota Unified School District levies development fees for all new residential development. Any new development will be subject to development fees in place at the time fee certificates are obtained.

iv) **Parks?**

FINDING - **Less Than Signficant Impact:** The project will not adversely impact existing parks. The project applicant will dedicate park land or pay in-lieu fees for park space in accordance with City requirements. See also XIV. Recreation, b., below.

v) **Other public facilities?**

FINDING - **Less Than Signficant Impact:** The project will not have additional significant impacts on other public facilities.

XIV. RECREATION

a. **Would the project increase use of existing parks or other recreational facilities such that substantial physical deterioration of the facility would occur?**

FINDING - **Less Than Significant Impact:** Development of the subdivision may result in an increase in use of existing parks or recreational facilities but will not result in the physical deterioration of these facilities. The proposed project will result in changing a portion of the recreation designation to residential use. However, the City intends to provide park space in the western portion of the community and the project will pay its fair share for the provision of such space.

b. **Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?**

FINDING - **Less Than Significant Impact:** The State Quimby Act requires as a condition of a tentative subdivision map that the developer provide park space in proportion to the projected population. The parkland requirement will be dedicated or in-lieu fees paid in accordance with City requirements.

XV. TRANSPORTATION AND TRAFFIC

a. **Would the project result in a substantial increase in vehicle trips (volume to capacity ratios, or congestion at intersections)?**

FINDING - **Less Than Signficant Impact With Mitigation Incorporated:** A traffic impact study was completed for the project by Peters Engineering Group of Clovis, California, in July of 2004. The complete study is on file with the City of Mendota. Data provided by the Institute of Transportation Engineers was used to estimate the number of trips generated by the project. At 9.6 daily trips per unit, the project will generate approximately 4,154 trips to and from the site each weekday.

It is anticipated that 82 trips will enter the site and 245 trips will exit the site in the AM peak hour. Approximately 277 trips will enter the site and 163 trips will exit the site in the PM peak hour. Existing traffic volumes were determined by performing manual turning movement counts at the study intersections between 7:00 and 9:00 AM and between 4:00 and 6:00 PM.

Four intersections in the site vicinity were included in the analysis: McCabe and Derrick; Oller and Derrick; Smoot & Derrick; and Bass and SR 33. Intersection levels of service (LOS) were determined using the Synchro 6 computer program for unsignalized and signalized intersections, which is based on the *2000 Highway Capacity Manual* procedures for calculating levels of service. LOS is based on a scale where LOS "A" indicates little or no delay and LOS "F" indicates stop and go conditions with long delays.

The City of Mendota standard for intersections is LOC "C" indicating light congestion with occasional delays; Caltrans requires that a LOS "C" or better be maintained at major intersections with State facilities. Pending cumulative projects were considered in the traffic assessment and include a 96-unit apartment project at the northeast intersection of State Route 33 and Lozana, and the proposed federal prison located approximately two miles south of the site. Intersection LOS is summarized in the following table and discussed below.

Intersection Level of Service Summary – AM and (PM) Peak Hours

Intersection	Level of Service			
Approach	Existing	Cumulative Without Project	Cumulative With Project	Future With Project
McCabe/Derrick				
Eastbound L	B (C)	B (C)	C (D)	D (F)
Eastbound R	A (B)	A (B)	B (B)	B (C)
Northbound LT	A (A)	A (A)	A (A)	B (C)
Southbound TR	DNS	DNS	DNS	DNS
Oller/Derrick				
Southeastbound T	DNS	DNS	DNS	DNS
Northwestbound LT	A (A)	A (A)	A (A)	A (A)
Northeastbound L	B (C)	B (C)	B (C)	D (F)
Northeastbound R	A (A)	A (A)	A (A)	A (B)
Smoot/Derrick				
Eastbound LR	A (B)	A (B)	A (B)	B (C)
Northbound LT	A (A)	A (A)	A (A)	A (A)
Southbound TR	DNS	DNS	DNS	DNS
Bass/SR 33				
Westbound L	B (C)	B (C)	B (E)	E (F)
Westbound R	A (B)	A (B)	A (B)	B (B)
Northbound TR	DNS	DNS	DNS	DNS
Southbound LT	A (A)	A (A)	A (A)	A (A)

L – Left Turn R – Right Turn T – Through DNS – Does not stop
Note: PM LOS shown in parenthesis.

- The intersection of McCabe Street and Derrick Avenue is operating at acceptable LOS and is expected to continue to operate at acceptable levels with construction of the other pending projects. With construction of the project, the eastbound left-turn movement is expected to experience a LOS "D" during the PM peak hour. It is not expected, however, that the intersection would meet warrants for all-way stop control or traffic signals upon completion of the project. By the year 2025, it is anticipated that the eastbound left-turn movement will experience a LOS "F".

- The intersection of Oller Street and Derrick Avenue is operating at acceptable LOS and is expected to continue to operate at acceptable levels with construction of the proposed project and the other pending projects. By the Year 2025, the left-turn movement from northbound Derrick to Oller (which continues northbound from the intersection) is expected to experience unacceptable levels of service. The analysis indicates that all-way stop control is expected to result in a LSO "C" or better in the Year 2025.

- The intersection of Smoot Street and Derrick Avenue is operating at acceptable LOS and is expected to continue to operate at acceptable levels with construction of the proposed project and other pending project through the year 2025.

- The intersection of Bass and State Route 33 is operating at acceptable LOS and is expected to continue to operate at acceptable levels with construction of the other pending projects. With construction of the proposed project, the westbound left-turn movement is expected to experience a LOS "E" during the PM peak hour. It is not expected, however, that the intersection would meet warrants for all-way stop control or traffic signals upon completion of the project. By the year 2025, it is anticipated that the eastbound left-turn will experience a LOS "F". Therefore, the intersection should be monitored upon completion of the project and through the Year 2025.

- The intersection of Lozano Street and State Route 33 is closed. If the intersection is opened in the future, it is anticipated that traffic will have difficulty making left-turns from Lozano to State Route 33.

Development of the site will result in increased traffic in the area. The traffic impact assessment, however, has determined that the proposed road network at the study locations is adequate to accommodate the proposed development based on opening day conditions and can be mitigated to accommodate the proposed development through the year 2025.

The following table presents preliminary equitable share responsibility calculations for state facilities based on Caltrans methodologies. The calculations are presented for informational purposes only and do not indicate that the project will be required to contribute funds to future improvements.

Equitable Share Responsibility Calculations – Weekday PM Peak Hour

Location	Mitigation	Project Traffic	Existing Traffic	Future Traffic	Equitable Share
Bass/SR 33	Potential Signalization	132	858	1,727	15.2%
Derrick/McCabe	Potential Signalization	304	810	1,810	30.4%
Derrick/Oller	Potential Signalization	154	827	1,692	17.8%

Caltrans District 06 has completed a review of the traffic analysis prior to publication of the initial study. Caltrans concurs that traffic from the project would impact the SR 33 intersections at Bass Avenue, SR 180 (Oller), and Smoot Avenue. Previous studies have also indicated the need for traffic signals at SR 33/Bass and Derrick/Oller (SR33/SR 180). Based on design requirements, Caltrans has calculated the cost of the SR 33/Bass improvements at $850,000 and the Derrick/Oller improvements at $200,000. Applying the above equitable share calculations to these cost estimates, the project's share for the SR 33/Bass intersection is $129,000. The projects share for the Derrick/Oller intersection is $35,600. Caltrans recommends that the applicant enter into a "Pro-Rata Share Agreement" with Caltrans upon these amounts being made conditions of approval of the subdivision map. The agreement should be executed prior to the issuance of a building permit.

Caltrans also stipulates that an encroachment permit must be obtained for all proposed activities within, under, or over the State highway rights-of-way. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5.

Mitigation

1. 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.

2. 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.

3. 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.

4. 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.

Therefore, it is likely that a median island will be required to prevent left turns from Lozano, but to allow left turns from State Route 33 to Lozano.

b. **Would the project exceed, either individually or cumulatively, a level of service standard established for designated roads?**

FINDING – **Less Than Significant Impact:** The increased traffic would individually and cumulatively exceed the 2025 LOS standards of the area on specific intersections; proposed mitigation measures, however, will accommodate the proposed growth to 2025. See above response.

c. **Would the project change air traffic patterns resulting in substantial safety risks?**

FINDING - **No Impact:** The project will not affect air traffic.

d. **Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

FINDING – **Less than Significant Impact:** The street sytem within the proposed subdivision is designed to accommodate safe residential traffic movement and incorporate features such as a non-through streets and other traffic calming measures. These features will reduce speed and minimize traffic hazards. Additional right-of-way and landscaping improvements on major street frontages adjacent to the proposed subdivision will be installed by the developer in accordance with City standards and these roadway improvements will also mitigate potential hazards.

e. **Result in inadequate emergency access?**

FINDING - **No Impact:** The current street system in the area, the proposed street layout within the subdivision, and the right-of-way improvements along major street frontages will be adequate for emergency access.

f. **Result in inadequate parking capacity?**

FINDING - **No Impact:** Residential uses are required to provide adequate off-street parking per standards established in the Mendota Zoning Ordinance.

g. **Would the project conflict with adopted policies or programs supporting alternative transportation (e.g., buses, bicycles)?**

FINDING - **No Impact:** The project will not conflict with programs supporting alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS

a. **Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

FINDING - No Impact: The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board.

b. **Would the project require construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

FINDING - Less Than Significant Impact: The project area will be served by the existing city wastewater collection and treatment system. The Mendota wastewater treatment plant has an available capacity of 180,000 gallons per day (gpd). Based on the city engineer's design criteria of 5.5 persons/unit and 127 gallons per capita per day, the existing plant only has capacity to accommodate the first 250 residential units. The expansion of the plant, however, has been anticipated with the proposed construction of the new federal prison, which the City believes is imminent. Once this expansion occurs, expected to be complete within 18 to 24 months, there will be adequate capacity for the entire development.

Existing sewer lines immediately adjacent to the project site are too small and shallow to serve the proposed development. The city engineer has directed the applicant to install a 12-inch line from the project, across Highway 33 to the alley at Second Street between Oller and Naples Streets. At that point, the line will connect to an existing 18-inch diameter line. Interior collection lines will 6 and 8-inch lines.

The City gets its water from existing wells located approximately three miles northwest of the City. Water is piped to the City via a 24-inch transmission line. The existing system has a peak capacity of 4.5 million gallons per day (mgd) and a current peak use of 3.0 mgd, leaving an available capacity of 1.5 mgd. The proposed project of 434 units would require approximately 320,000 gpd based on the city engineer's design capacity of 5.5 persons/unit and 135 gallons per capita per day. As a result, the water system has adequate capacity for the development.

Existing water lines serving the area adjacent to the project site consist of 6-inch lines which are too small to serve the project. As required by the city engineer, the applicant will install a 12-inch water line from the project, across Highway 33 to the intersection of Naples and Second Street, to connect to an existing 12-inch transmission line. Interior water lines will all be 8-inch except the dead-end runs at the end of cul-de-sacs that may be 6-inch diameter.

c. **Would the project require construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

FINDING - Less Than Significant Impact: The project will be served by a permanent storm water retention basin within the project. No significant environmental effects as a result of the construction of the basin are anticipated.

d. **Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

FINDING - **No Impact:** See above discussion on the City's water system. There is sufficient capacity in the existing water system to support the proposed project and no new or expanded entitlements are needed.

e. **Would the project result in a determination by the wastewater treatment provider that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

FINDING – **Less Than Significant Impact:** See above discussion on the wastewater treatment plant. Completion of the improvements of Mendota's wastewater treatment plant as anticipated will allow for the necessary capacity to treat and dispose of wastewater originating from the proposed project.

f. **Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

FINDING - **No Impact:** The American Avenue landfill has sufficient capacity to serve future growth in the City of Mendota.

g. **Would the project comply with federal, state, and local statutes and regulations related to solid waste.**

FINDING - **No Impact:** The project will comply with federal, state, and local statutes and regulations related to solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

1. **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

FINDING – Less Than Significant Impact With Mitigation Incorporated.

2. **Does the project have impacts that are individually limited, but cumulatively considerable?**

FINDING – Less Than Significant Impact With Mitigation Incorporated.

3. **Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

FINDING – Less Than Significant Impact.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

___ I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**

_X_ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**

___ I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required

___ I find that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of a previous Environmental Impact Report. **THE PREVIOUS ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**

_____ _____

City of Mendota Date

APPENDIX A

Responses To The Notice Of Preparation For the Initial Study

EXHIBIT 1 - Regional Location

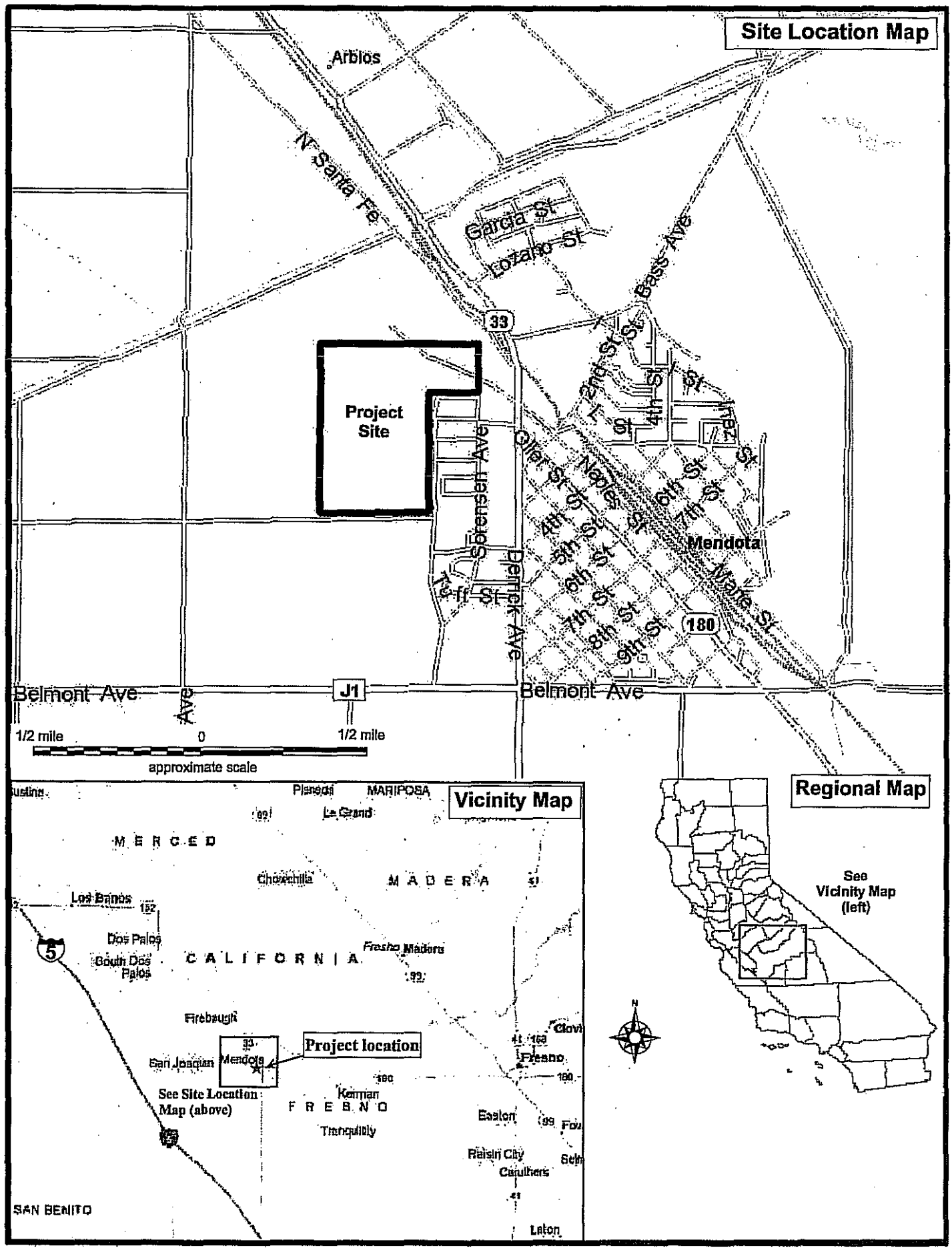
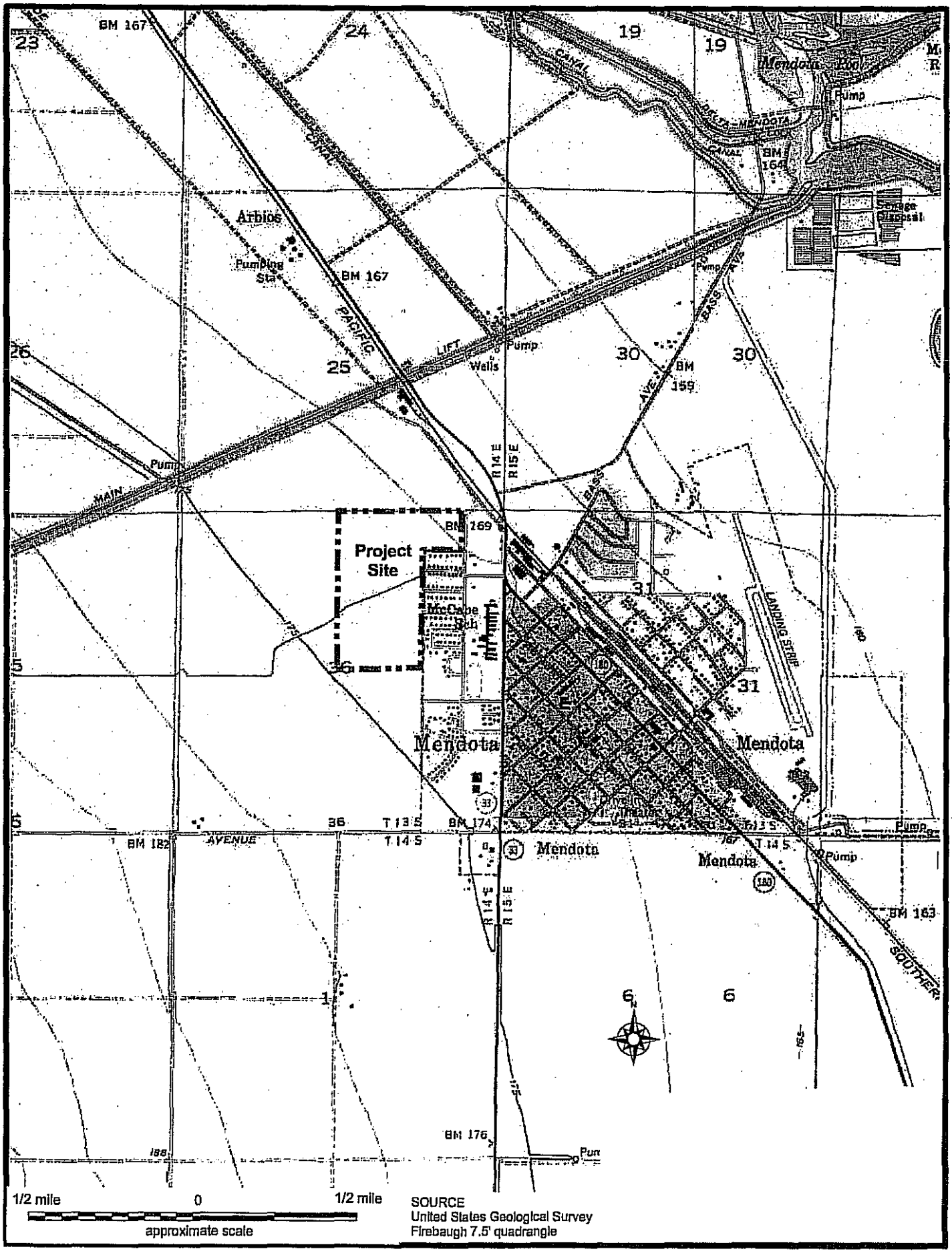


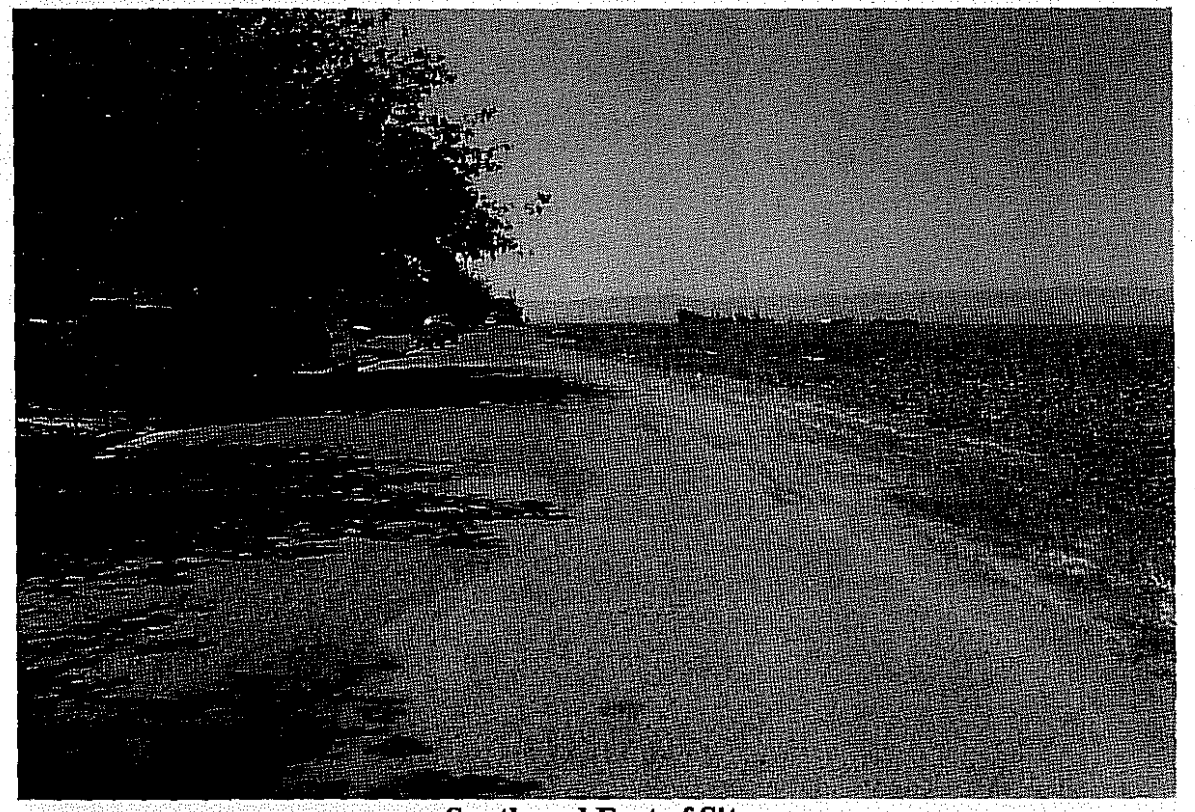
EXHIBIT 2 - Site Location



SOURCE
United States Geological Survey
Firebaugh 7.5' quadrangle

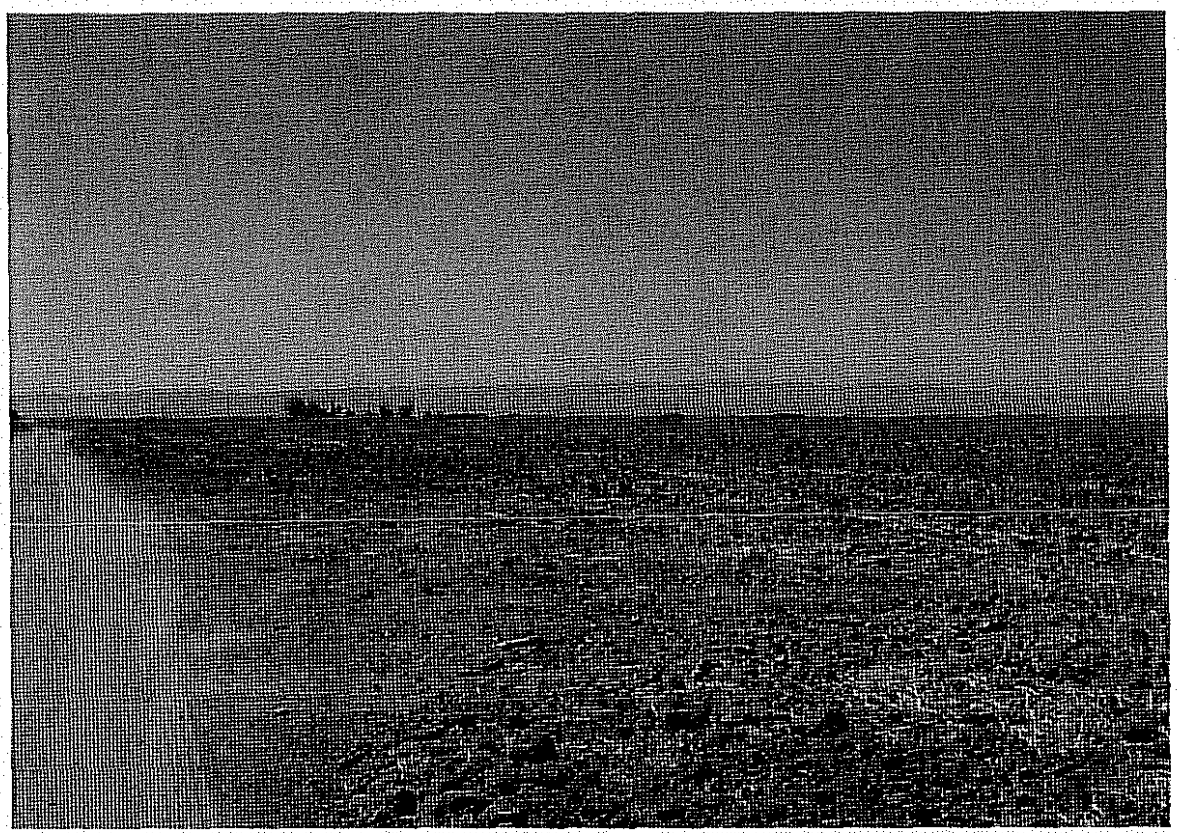
EXHIBIT 3 - Site Photos

Site

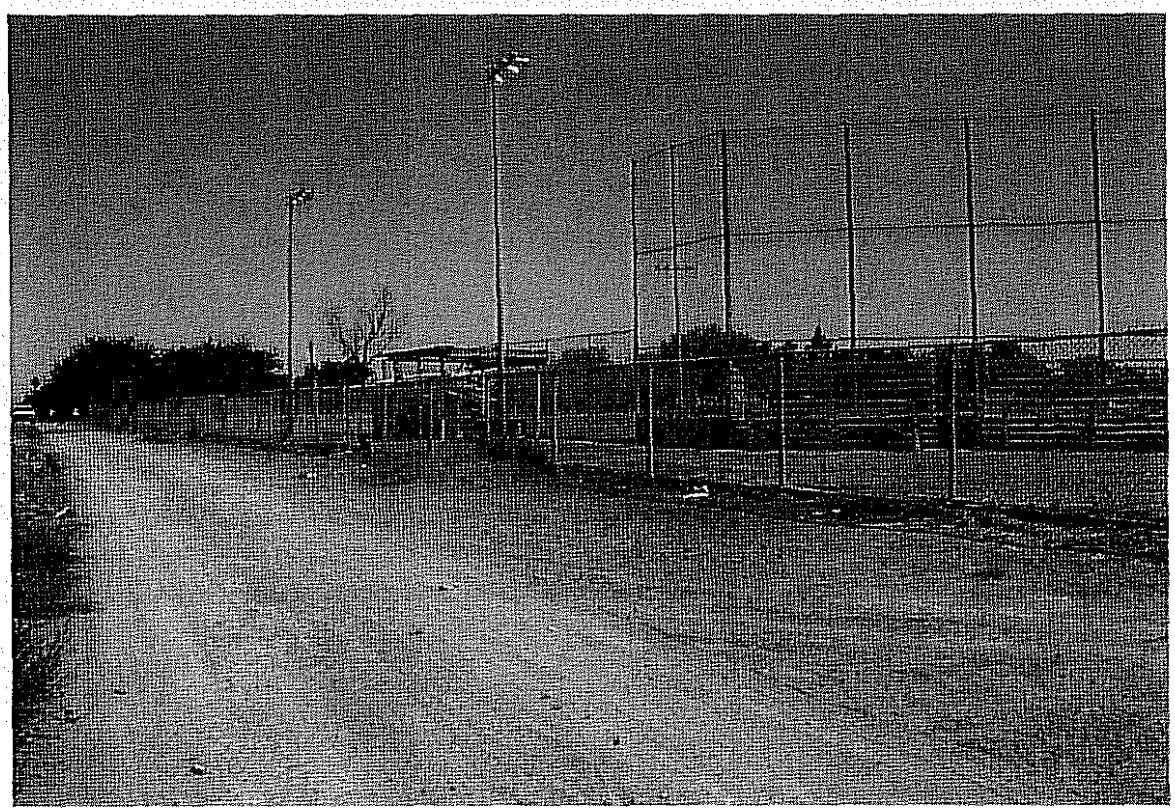


South and East of Site

EXHIBIT 3 (continued) - Site Photos

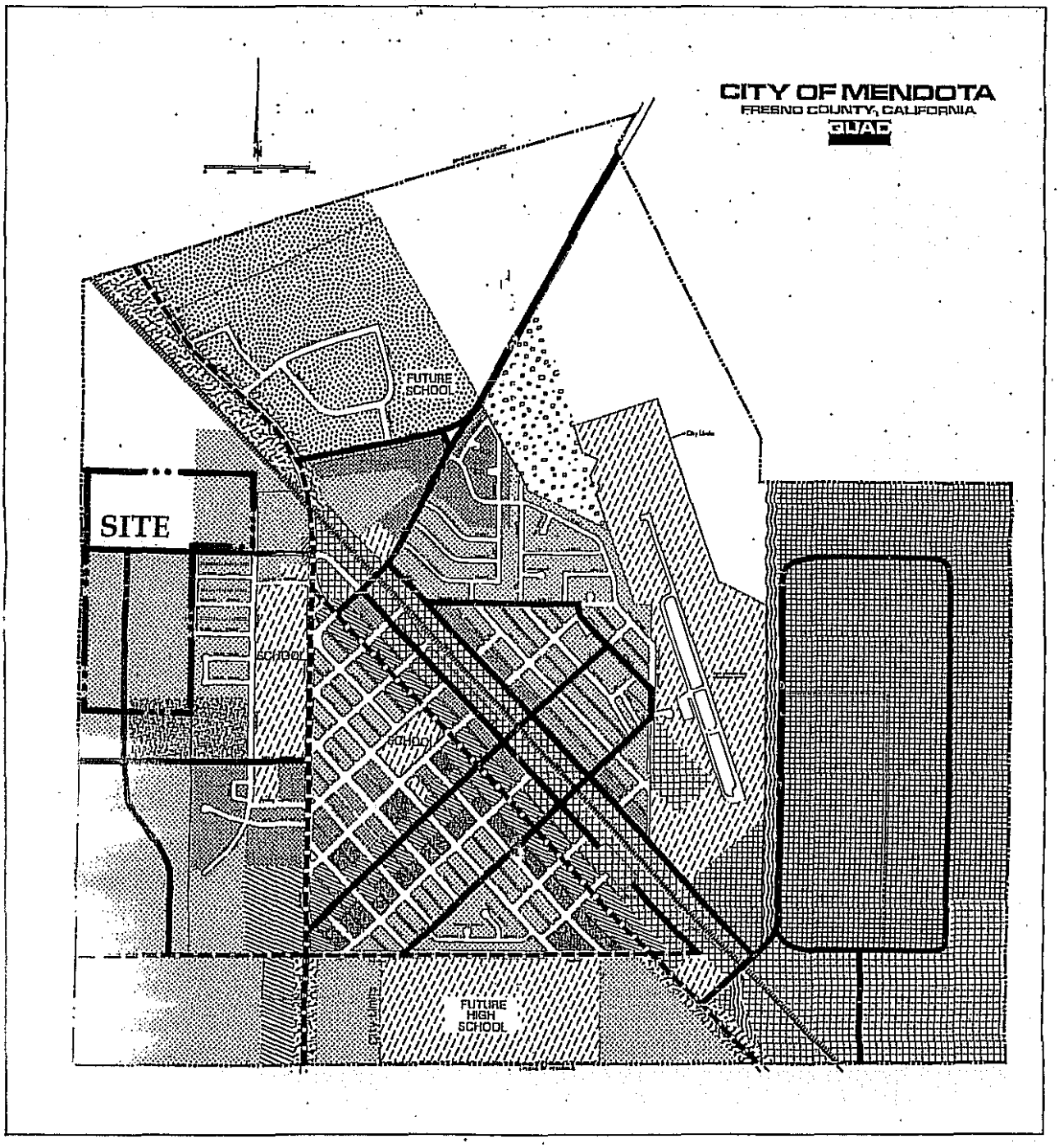


South of Site



East of Site

EXHIBIT 4 - Mendota General Plan



LEGEND

RESIDENTIAL
- Medium Density
- Medium-High Density
- High Density

PLANNED DEVELOPMENT

COMMERCIAL
- General
- Neighborhood
- Community

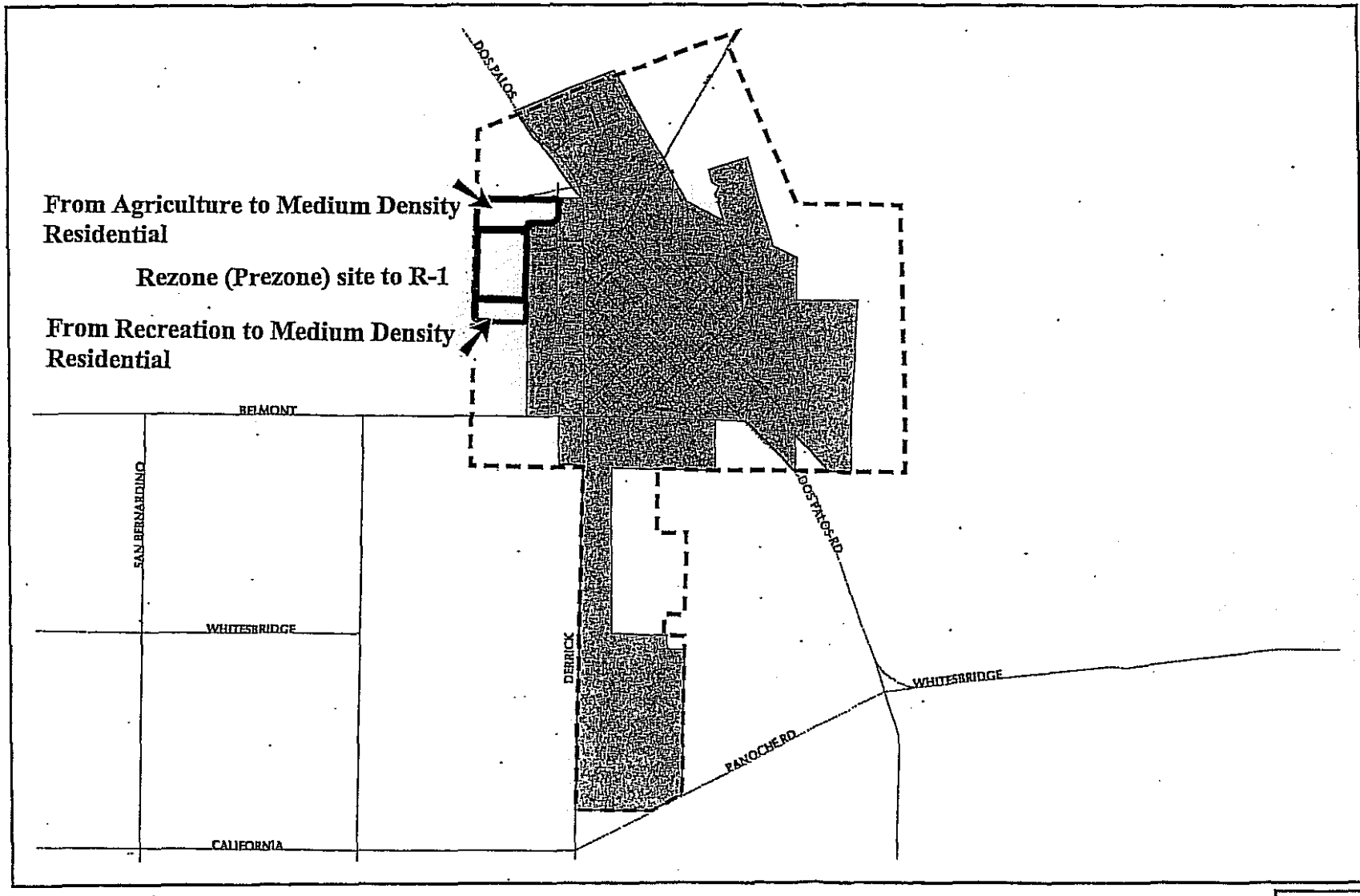
INDUSTRIAL
- Light Industrial
- Heavy Industrial

PUBLIC FACILITIES

OPEN SPACE
- Agricultural
- Recreational
- Multi-Use Open Space
- Buffers

CIRCULATION
- Arterial
- Collector
- Local
- Railroad
- Drainage

EXHIBIT 5 - Mendota SOI, General Plan Amendment and Rezoning



CITY OF MENDOTA

ADOPTED: OCTOBER 23, 1974
UPDATED: JUNE 23, 1982
MAD DATE: MAY 2004

T.13S., R.14E., M.D.B.&M.
T.13S., R.15E., M.D.B.&M.
T.14S., R.14E., M.D.B.&M.
T.14S., R.15E., M.D.B.&M.

N

0.2 0 0.2 0.4 0.6 Miles

City_Sphere_of_Influence
Streets
City Limits

City Data: (5/04)
Note: Areas are digitized acreages and do not reflect actual legal values
Sphere Area: 2,539 Acres
City Area: 1,547 Acres

EXHIBIT 6 - Preliminary Subdivision Map

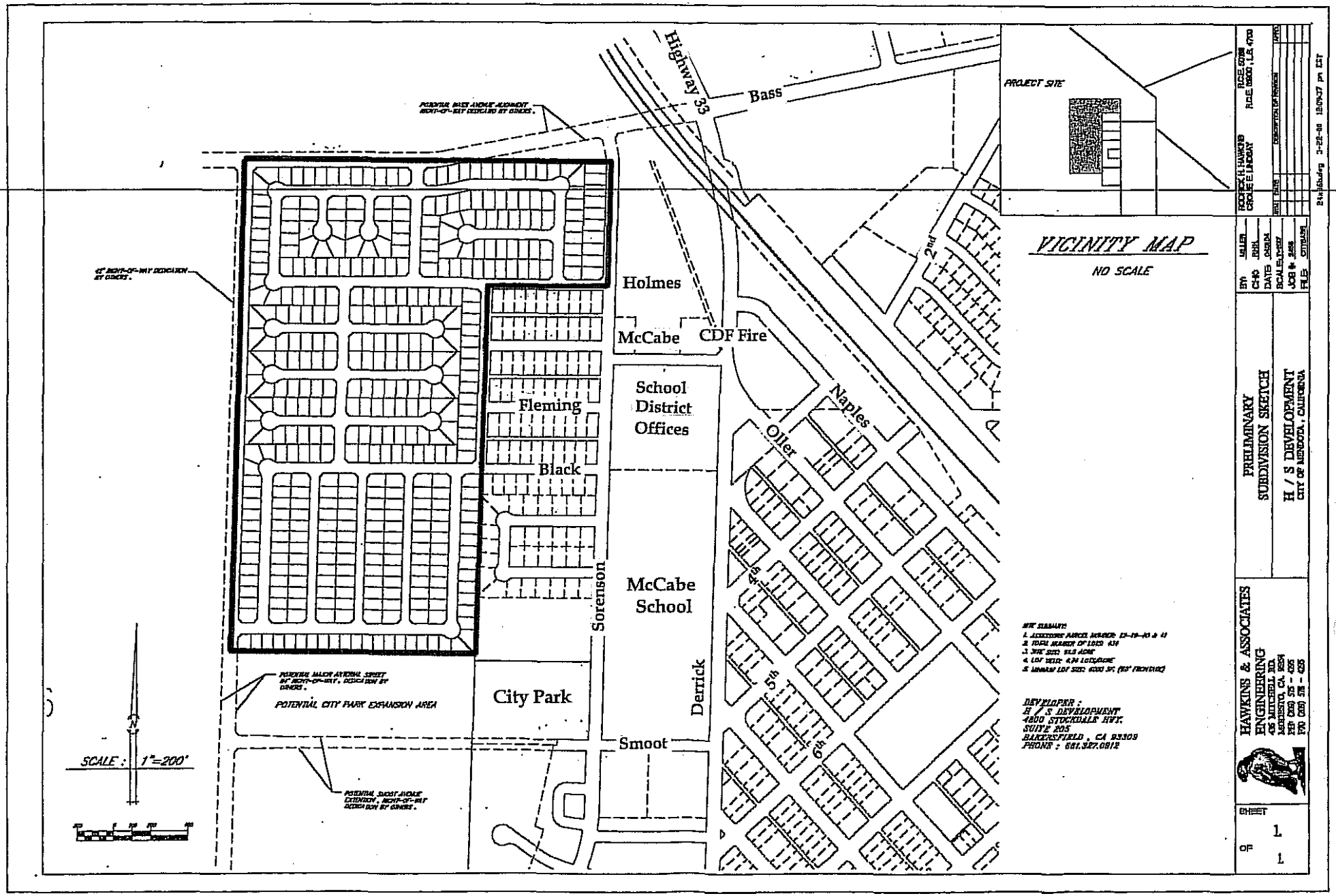
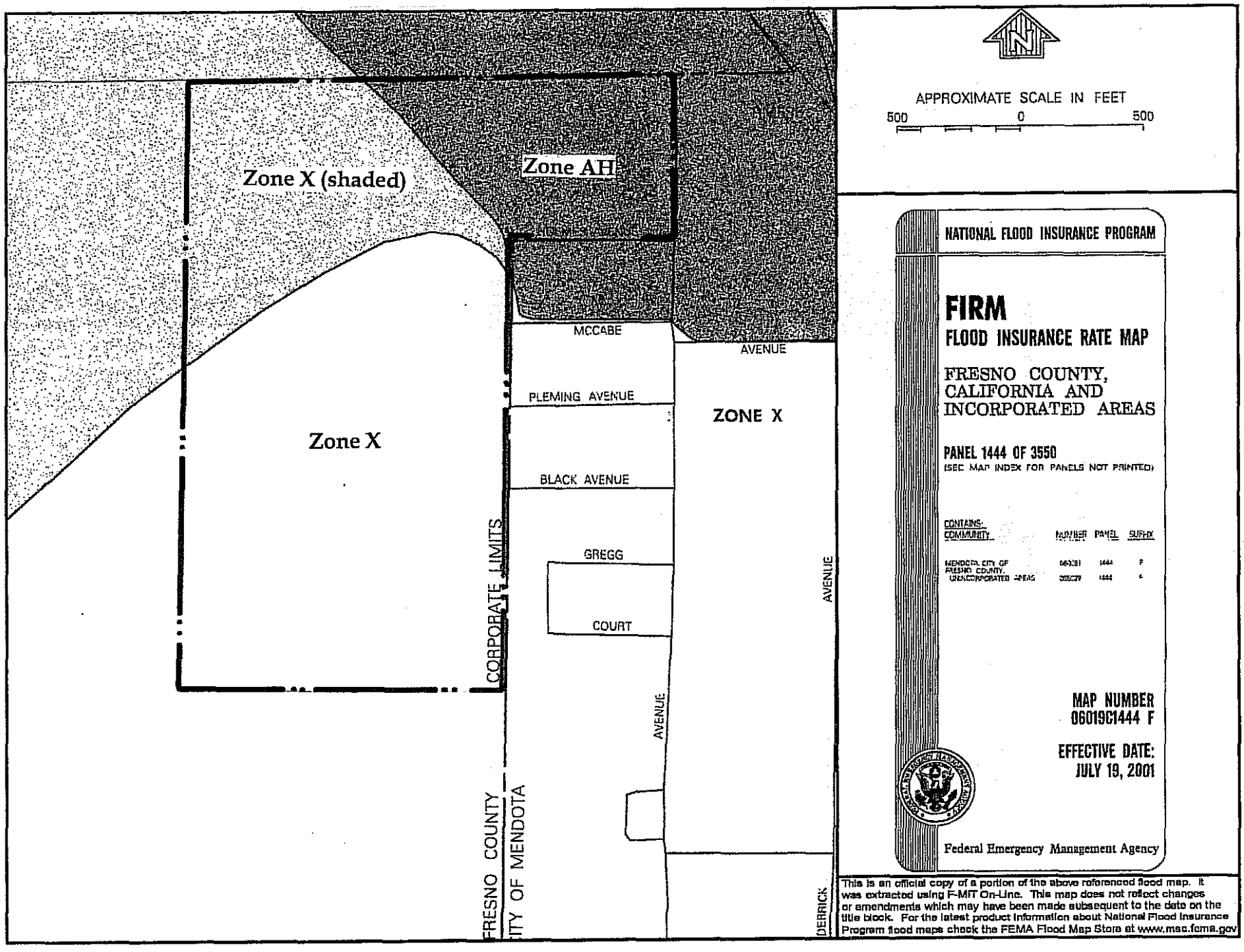


EXHIBIT 7: Flood Zone Information



NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

August 6, 2004

Bill Skinner
City of Mendota
643 Quince Street
Mendota, CA 93640

RE: SCH# 2004071067 - City of Mendota Single Family Subdivision, Mendota, Fresno County

Dear Mr. Skinner:

The Native American Heritage Commission has reviewed the Notice of Preparation (NOP) regarding the above project. To adequately assess and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

- ✓ Contact the appropriate Information Center for a record search to determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
  - A Sacred Lands File Check. **Check completed with negative results.**
  - A list of appropriate Native American Contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
  - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Rob Wood
Environmental Specialist III
(916) 653-4040

CC: State Clearinghouse

County of Fresno
Department of Community Health
Brad Maggy, Director

AUG 16 2004

August 5, 2004

999999999
LU0009443
PE 2600

Bill Skinner, Contract Director
City of Mendota
643 Quince Street
Mendota, CA 93640

Dear Mr. Skinner:

SUBJECT: Notice of Preparation/Request for Comments, H/S Development
LOCATION: APNs 012-190-40 & 41

The Fresno County Department of Community Health, Environmental Health System has reviewed the application for a residential subdivision and offers the following comments:

- Construction permits for the 434-lot residential subdivision should be subject to assurance of sewer capacity of the City of Mendota Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.

- Construction permits for the 434-lot residential subdivision should be subject to assurance that the City of Mendota community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Department of Health Services, Division of Drinking Water and Environmental Management (DDWEM). For more information call (559) 447-3300.

- The Fresno County Department of Community Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served only by individual domestic and agricultural wells. Improper abandonment of such wells presents a significant risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of <u>all</u> abandoned water wells.

  Prior to destruction of any existing agricultural well(s), a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the

well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. Transportation of these materials on public roadways may require special permits and licensure.

The Department of Community Health is available to provide consultation in cooperation with your city in order to encourage the proper destruction of wells and safeguard our water quality. City staff may contact Ed Yamamoto, Environmental Health Specialist, Water Surveillance Program, at (559) 445-3357 for more information.

- Appropriate measures should be incorporated into the project to minimize potentially significant short-term localized noise impacts to noise sensitive receivers caused by the operation of construction equipment. Construction specifications for the project should require that all construction equipment be maintained according to the manufacturers' specifications, and that noise generating construction equipment be equipped with mufflers. In addition, consideration should be given to limiting noise-generating construction activities to daytime hours as specified in your municipal code.

If I can be of further assistance, please contact me at (559) 445-3357.

Sincerely,

Kathleen Boyer

Kathleen Boyer, R.E.H.S.
Environmental Health Specialist III
Environmental Health System

kb

Mendota HS Development NOP

DEPARTMENT OF TRANSPORTATION
1352 WEST OLIVE AVENUE
P. O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 445-5868
FAX (559) 488-4088
TTY (559) 488-4066

Flex your power!
Be energy efficient!

August 4, 2004

2131-IGR/CEQA
6-FRE-33-62.5
NOTICE OF PREPARATION
H/S DEVELOPMENT
SCH 2004071067

Mr. Bill Skinner
City of Mendota
Community Development
643 Quince Street
Mendota, CA 93640

Dear Mr. Skinner:

We have completed our review of the Notice of Preparation (NOP) for a proposal to develop 434 single-family residential units to be located on a 91.5-acre site on the west side of State Route (SR) 33 at Bass Avenue. Caltrans has the following comments:

According to our Transportation Concept Report (TCR), this segment of SR 33 in the vicinity of the proposed project is planned for 110 feet. Caltrans right-of-way shows this segment existing at 100 feet. An irrevocable offer of dedication to Caltrans of 10 feet of right-of-way is needed to accommodate the ultimate configuration of SR 33. Dedications required by the Lead Agency need to be shown on a revised site plan and forwarded for our review. A summary of the requirements for right-of-way dedications is enclosed.

It is estimated that the proposed 434 unit residential development would generate 438 trips during a typical weekday P.M. peak-travel-period. It is anticipated that there will be a significant impact to both SR 33 and SR 180. Currently, traffic is controlled with stop signs at the existing "tee" intersections of SR 33 at Bass Avenue and SR 33 at SR 180. Traffic signals will be required at these intersections in the future. Of particular concern at the intersection of SR 33 and SR 180 are the closely spaced intersections. Movements may need to be restricted at certain intersections when a signal is installed.

A traffic impact study (TIS) is needed to determine impacts to State transportation facilities and any necessary mitigation improvements or pro-rata fair share fees for future improvements. This office recommends that the intersection of SR 33 at Bass Avenue and the intersection of SR 33 at SR 180 be analyzed in the TIS. Please have the preparer of the traffic study reference the Caltrans Guide for the Preparation of Traffic Impact

[illegible] dual units is by showing the English unit first then the Metric unit next to it in parenthesis. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits will be issued in [illegible]

Please be advised th any future development adjacent to tate Route, whether the entitlement is deemed by the lead agency to be discretionary or ministerial should be sent to Caltrans for review. Also, please send a response to our comments prior to staff's recommendation to the Planning Commission and/or the City Council. If you have any questions, please contact me at (559) 445-5868.

Sincerely,

MICHAEL NAVARRO
Office of Transportation Planning
District 06

Enclosure

STATE OF CALIFORNIA—BUSINESS, TRANSP... ...TION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
855 "M" STREET
SUITE 200
FRESNO, CA. 93721
PHONE (559) 445-6573
FAX (559) 445-6560

Flex your power!
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CALTRANS DISTRICT 6
CENTRAL REGION SURVEYS OFFICE

REQUIRED INFORMATION FOR R/W DEDICATIONS

1) A Copy of the vesting deed(s) for the subject property.

2) Either a copy of a Title Report, or a Lot Book Report/Guarantee of the subject property, **dated within 30 days of submittal** of submittal of the Dedication Package.

3) Copy of the Assessor's Map.

4) Assessor's Parcel Number (APN) of the property, if not stated in the Title Report.

5) State whether the property is within city limits or in an unincorporated area, if not stated in the Title Report.

6) If the property is a lot of a Tract or a parcel of a Parcel Map, provide the lot or parcel number and a copy of the recorded map(s).

7) Provide copies of any record map or deed cited in the documents provided.

8) If unsubdivided land, note the Section, Township, and Range where the property is located.

9) A Legal description of the dedication parcel signed and sealed by a Licensed Professional Land Surveyor or a Civil Engineer registered prior to 1982 on 81/2" X 11" paper. Please write EXHIBIT "A" at the top of the legal description (see attached sample legal).

10) A Platt showing pertinent survey data, such as bearings, distances, and curve data, where applicable, and the area of the dedication parcel on 81/2" X 11" paper. If the parcel is located in unsubdivided land, show ties to the nearest 2 section corner(s) and/or quarter-section corner(s). Please write EXHIBIT "B" at the top of the Plat (see attached sample plat).

11) A Copy of the traverse calculations, for the dedication parcel, that includes error of closure and area.

12) Specify if an Offer of Dedication or a dedication in which Caltrans will take title to the parcel.

13) A Copy of the **CALTRANS REQUIREMENTS** describing the location and amount of right-of-way to be dedicated.

If there are any questions, please contact Jerry Prigmore at 559-445-6573.

Mail packet of information to:

California Department of Transportation
Surveys Department
855 "M" Street.
Suite 200
Fresno, CA. 93721

Attn. Jerry Prigmore

San Joaquin Valley
Air Pollution Control District

RECEIVED
AUG 12 2004

August 11, 2004

Reference No. 20040070

City of Mendota
Community Development. Dept.
Attn: Bill Skinner
643 Quince Avenue
Mendota, CA 93640

Subject: City of Mendota Single-Family Subdivision

Dear Mr. Skinner:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above and offers the following comments:

The entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10). This project will contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions. This project may generate significant air emissions and it will reduce the air quality in the San Joaquin Valley. The project will make it more difficult to meet mandated emission reductions and air quality standards. A concerted effort should be made to reduce project-related emissions as outlined below:

Preliminary analysis indicated that the potential emissions from this project exceed the District's Thresholds of Significance for adverse air quality impacts. These thresholds are 10 tons per year for either of the following two ozone precursor emissions: reactive organic gases (ROG) or oxides of nitrogen (NOx). The District recommends the preparation of an Air Quality Impact Assessment (AQIA) and a Traffic Impact Study to determine impacts when projects are of this size, unless an analysis has been accomplished for a recent previous approval such as a general plan amendment or zone change. Please indicate to the District if the project has been analyzed and what the results were from any previous study.

The District recommends using the URBEMIS 2002 program to calculate project area and operational emissions and to identify mitigation measures that reduce impacts. URBEMIS can be downloaded from the South Coast Air Quality Management District's website at: http://www.aqmd.gov/cega/urbemis.html. If the analysis reveals that the emissions generated by this project will exceed the District's thresholds, this project may significantly impact the ambient air quality if not sufficiently mitigated. Because of the size of the project, the 'Construction' module in URBEMIS should be turned on to estimate the ROG and NOx emissions from project construction. The project applicant or consultant is encouraged to consult with District staff for assistance in determining appropriate methodology and model inputs. Questions regarding URBEMIS 2002 should be directed to Jennifer Barba or Hector Guerra at (559) 230-5800.

The District does not typically recommend quantifying PM10 emissions from construction activities. The District considers that PM10 emissions are reduced to levels considered less-than-significant through compliance with the District's Regulation VIII (Fugitive PM10 Emissions) rules. If construction activity is especially intense, or sensitive receptors are nearby, the District recommends applying the enhanced PM10 control measures listed in the *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI).

Should the City of Mendota determine an Environmental Impact Report (EIR) is appropriate, the District recommends that the air quality section of the EIR have four main components:

1. **It should provide a description of the regulatory environment and existing air quality conditions impacting the area.** The District has several sources of information available to assist with the existing air quality and regulatory environment section of the EIR. The District's *Guide for Assessing and Mitigating Air Quality Impacts, 2002 Revision* (GAMAQI) contains discussions regarding the existing air quality conditions and trends of the San Joaquin Valley Air Basin, including those pollutants of particular concern: ozone, PM10, and carbon monoxide. In addition, it provides an overview of the regulatory environment governing air quality at the federal, state, and regional levels. The GAMAQI provides air monitoring data and other relevant information for PM-10 and other pollutants. The most recent air quality data for the District is Available at the California Air Resources Board (ARB) website at http://www.arb.ca.gov/html/age&m.htm . The air quality section of EPA's Region 9 (which includes information on the San Joaquin Valley Air Basin) can be found at http://www.epa.gov/region09/air/index.html.

2. **It should provide estimates of existing emissions and projected pollutant emissions related to the increase in project source emissions and vehicle use, along with an analysis of the effects of these increases.** The EIR should include the methodology, model assumptions, inputs and results for pollutant emissions. The cumulative impact analyses should consider current existing and planned development both within the project area and in surrounding areas. The EIR needs to address the short-term and long term local and regional adverse air quality impacts associated with the operation of construction equipment (reactive organic gases, nitrogen oxides, carbon monoxide, and PM10) and emission generated from stationary and mobile sources.

3. **It should identify and discuss all existing District regulations that apply to the project.**

4. **It should identify and discuss all feasible measures that will reduce air quality impacts generated by the project.** Site design, equipment alternatives, construction and operational measures that would reduce emissions should be identified. It should identify which mitigation measures will be included in the project, and how each mitigation measure will be implemented. This section should provide an analysis of existing mass transit/bicycle access to or near the site, and discuss if additional infrastructure will be needed. It should also analyze opportunities to mitigate urban heat island effects. The reduction of air quality impacts from implementation of mitigation measures should be quantified when possible. The EIR should discuss how the project design would encourage alternative transportation (including car pool parking), pedestrian and bicycle access/infrastructure, smart growth design, energy efficient project and building design, reduce urban heat island impacts, and business programs that further reduce air pollution in the valley (such as carpooling).

Mitigation measures must be included in the EIR that reduce the emissions of ROG, NOx, and PM10 to the fullest extent possible. Site design and building construction measures that would reduce air quality impacts should be included. Mitigation measures must be enforceable. Mitigation measures included in the AQIA to reduce potential emissions must be included in the project. The Districts *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI) describes these features. The current GAMAQI can be found at http://www.valleyair.org/transportation/ceqa_guidance_documents.htm. The Local Government Commission (LGC) website, http://www.lgc.org, contains valuable information and resources on subjects from street design to energy efficiency.

Based on the information provided, the proposed project will be subject to the following District rules. The following items are rules that have been adopted by the District to reduce emissions throughout the San Joaquin Valley, and are required. This project may be subject to additional District Rules.. To identify additional rules or regulations that apply to this project, or for further information, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found at http://www.valleyair.org/rules/1ruleslist.htm.

District Regulation VIII (Fugitive PM10 Prohibitions)- Regulation VIII (Rules 8011-8081) is a series of rules designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction, road construction, bulk materials storage, landfill operations, etc. A Dust Control Plan must be submitted for the District's approval at least 30 days before construction activities begin if the project cumulatively encompasses 40 acres or more or will move more than 2,500 cubic yards per day of material on at least three days of the project. A compliance assistance bulletin has been enclosed for the applicant. **Please be advised that the District is currently amending Regulation VIII and anticipates implementing revised requirements on or about October 1, 2004. If construction were to commence on or after October 1, 2004, the applicant should contact the District to determine where requirements may have changed and how rule changes may affect the project.**

District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). In the event that any portion of an existing building will be renovated, partially demolished or removed, the project will be subject to District Rule 4002. Prior to any demolition activity, an asbestos survey of existing structures on the project site may be required to identify the presence of any asbestos containing building material (ACBM). Any identified ACBM having the potential for disturbance must be removed by a certified asbestos-contractor in accordance with CAL-OSHA requirements. If you have any questions concerning asbestos related requirements, please contact Mr. Dwayne England of this office at (559) 230-5973, or contact CAL-OSHA at (559) 454-1295. An Asbestos Requirements Bulletin has been enclosed for the applicant.

District Rule 4102 (Nuisance) applies to any source operation that emits or may emit air contaminants or other materials. In the event that the project or construction of the project creates a public nuisance, it could be in violation and be subject to District enforcement action.

District Rule 4103 (Open Burning) regulates the burning of agricultural material. Agricultural material shall not be burned when the land use is converting from agriculture to nonagricultural purposes. In the event that the project burned or burns agricultural material, it would be in violation of Rule 4103 and be subject to District enforcement action.

Rule 4601 (Architectural Coatings) limits volatile organic compounds from architectural coatings. This rules specifies architectural coatings storage, clean up and labeling requirements.

District Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). If asphalt paving will be used, then paving operations of this project will be subject to Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.

District Rules 4901 (Wood Burning Fireplaces and Wood Burning Heaters) and District Rule 4902 (Residential Water Heaters) to limit the emissions of PM10 and NOx in residential developments. Please note that on July 17, 2003, amendments to Rule 4901 were adopted by the District's Governing Board. Amendments to the rule may affect future construction plans for residential developments. Specifically:

§5.3 Limitations on Wood Burning Fireplaces or Wood Burning Heaters in New Residential Developments. Beginning January 1, 2004,

5.3.1 No person shall install a wood burning fireplace in a new residential development with a density greater than two (2) dwelling units per acre.

5.3.2 No person shall install more than two (2) EPA Phase II Certified wood burning heaters per acre in any new residential development with a density equal to or greater than three (3) dwelling units per acre.

5.3.3 No person shall install more than one (1) wood burning fireplace or wood burning heater per dwelling unit in any new residential development with a density equal to or less than two (2) dwelling units per acre.

More information about Rule 4901 can be found at our website- www.valleyair.org. For compliance assistance, please contact Mr. Wayne Clarke, Air Quality Compliance Manager, at 230-5968.

The District encourages innovation in measures to reduce air quality impacts. There are a number of measures that could be incorporated into the design/operation of this project to provide additional reductions of the overall level of emissions. (Note: Some of the measures may already exist as City development standards. Any measure selected should be implemented to the fullest extent possible.) The measures listed below should not be considered all-inclusive and remain options that the project proponent should consider:

- Trees should be carefully selected and located to protect the buildings from energy consuming environmental conditions, and to shade paved areas. Structural soil should be used under paved areas to improve tree growth. A brochure has been included for the applicant.
  For Structural Soil see http://www.hort.cornell.edu/uhi/outreach/csc/
  For Tree Selection see http://www.ufei.org/
  For Urban Forestry see http://www.coolcommunities.org http://wcufre.ucdavis.edu
  http://www.lgc.org/bookstore/energy/downloads/siv_tree_guidelines.pdf

- Sidewalks and bikeways should be installed throughout as much of the project as possible and should be connected to any nearby existing and planned open space areas, parks, schools, residential areas, commercial areas, etc., to encourage walking and bicycling. Connections to nearby public uses and commercial areas should be made as direct as possible to promote walking for some trips. Pedestrian and bike-oriented design reduces motor vehicle usage and their effects on air quality. Sidewalks and bikeways should be designed to separate pedestrian and bicycle pathways from vehicle paths. Sidewalks and bikeways should be designed to be accommodating and appropriately sized for anticipated future pedestrian and bicycle use. Such pathways should be easy to navigate, designed to facilitate pedestrian movement through the project, and create a safe environment for all potential users (pedestrian, bicycle and disabled) from obstacles and automobiles. Pathways through the project should be built in anticipation of future growth. For information on pedestrian safety measures see http://www.walkinginfo.org/ (Design & Engineering: Engineering Treatments).

  Specifically:

  Mid-block paths should be installed to facilitate pedestrian movement through long blocks (over 500' in length) and cul-de-sacs.

- As many energy-conserving features as possible should be included the project. Energy conservation measures include both energy conservation through design and operational energy conservation. Examples include (but are not limited to):
  - Increased energy efficiency (above California Title 24 Requirements)
    See http://www.energy.ca.gov/title24/.
  - Increased wall and ceiling insulation (beyond building code requirements)
  - Energy efficient widows (double pane and/or Low-E)
  - High-albedo (reflecting) roofing material. See http://eetd.lbl.gov/coolroof/
  - Cool Paving. "Heat islands" created by this and similar projects contribute to the reduced air quality in the valley by heating ozone precursors. See http://www.harc.edu/harc/Projects/CoolHouston/ , http://eande.lbl.gov/heatisland/
  - Radiant heat barrier. See http://www.eere.energy.gov/consumerinfo/refbriefs/bc7.html
  - Energy efficient lighting, appliances, heating and cooling systems. See http://www.energystar.gov/
  - Install solar water-heating system(s)
  - Install photovoltaic cells
  - Programmable thermostat(s) for all heating and cooling systems
  - Awnings or other shading mechanism for windows
  - Porch, patio and walkway overhangs
  - Ceiling fans, whole house fans
  - Orient the units to maximize passive solar cooling and heating when practicable
  - Utilize passive solar cooling and heating designs. (e.g. natural convection, thermal flywheels)
    See http://www.eere.energy.gov/RE/solar_passive.html
  - Utilize daylighting (natural lighting) systems such as skylights, light shelves, interior transom windows etc. See http://www.advancedbuildings.org
  - Electrical outlets around the exterior of the units to encourage use of electric landscape maintenance equipment
  - Pre-wire the units with high speed modem connections/DSL and extra phone lines

- Natural gas fireplaces (instead of wood-burning heaters)
- Natural gas lines (if available to this area) and electrical outlets in backyard or patio areas to encourage the use of gas and/or electric barbecues
- Low or non-polluting incentives items should be provided with each residential unit (such items could include electric lawn mowers, reel mowers, leaf vacuums, gas or electric barbecues, etc.)
- Exits to adjoining streets should be designed to reduce time to re-enter traffic from the project site

More information can be found at:
http://www.lgc.org, http://www.sustainable.doe.gov/, http://www.consumerenergycenter.org/index.html
http://www.ciwmb.ca.gov/GreenBuilding/

- The applicant should implement measures to reduce the amount of vehicle traffic to and from the project area that further reduce air pollution in the valley. This could include providing an information center for residents to coordinate carpooling. Check out the "Spare the Air" section of our website www.valleyair.org

- The project should include as many clean alternative energy features as possible to promote energy self-sufficiency. Examples include (but are not limited to): photovoltaic cells, solar thermal electricity systems, small wind turbines, etc. Rebate and incentive programs are offered for alternative energy equipment. More information can found at-
  http://www.dsireusa.org/, http://rredc.nrel.gov/, http://www.energy.ca.gov/renewables/

- Construction activity mitigation measures include:
  From Table 6-3 of the GAMAQI
  - **Limit Traffic Speeds on unpaved roads to 15 mph**
  - **Install Sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent**
  - **Install wheel washers for all exiting trucks, or was off all trucks and equipment leaving the site**
  - **Install wind breaks at windward side(s) of construction areas**
  - **Suspend excavation and grading activity when winds exceed 20 mph**
  - **Limit area subject to excavation, grading, and other construction activity at any one times**

  From Table 6-4 of the GAMAQI
  - **Use of Alternative fueled or catalyst equipped diesel construction equipment.**
    The project applicant should identify the construction equipment that can feasibly be switched from conventional to alternative-fueled or catalyst-equipped diesel equipment. The project applicant should identify a minimum of alternative fueled or catalyst-equipped diesel construction equipment that will be used for this project. As an example of alternative fuels, not all biodiesels or biodiesel blends will result in reduced NOx emissions. According to the EPA's website, biodiesel use generally results in an increase in NOx emissions. The California Air Resources Board (CARB) has certified specific biodiesels for NOx reduction. Only biodiesels that have been certified by CARB should be used. For more information on biodiesel or other types of alternative fuels, please call Mr. Chris Acree, Air Quality Specialist, at (559) 230-5829. The applicant should calculate the associated emission reductions from implementing this mitigation measure.

  - **Minimize idling time (e.g. 10 minute maximum)**
    Institute idling limits to prevent unnecessary diesel emissions. Engines should be shut off when not in use, including during breaks and lunches.

  - **Limit the hours of operation of heavy duty equipment and/or the amount of equipment in use**
    The project applicant should specify the conditions of reduced hours or reduced amount of equipment. Hours can be reduced under certain circumstances such as during levels of high ambient air pollution or during peak travel on nearby roads.

- **Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set)**
  The project applicant should determine the construction equipment that will be electrically driven.

- **Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways**
  The project applicant should state the criteria for curtailing construction activities, and the steps that will be taken to reduce emissions. For curtailment during periods of high ambient pollutant concentrations, the criteria should be set in terms of the Air Quality Index. See the table below for more information on the Air Quality Index.

Air Quality Index Levels of Health Concern	Numerical Value	Meaning
Good	0-50	Air quality is considered satisfactory, and air pollution poses little or no risk.
Moderate	51-100	Air quality is acceptable; however, for some pollutants there may be a moderate health concern for a very small number of people who are unusually sensitive to air pollution.
Unhealthy for Sensitive Groups	101-150	Members of sensitive groups may experience health effects. The general public is not likely to be affected.
Unhealthy	151-200	Everyone may begin to experience health effects; members of sensitive groups may experience more serious health effects.
Very Unhealthy	201-300	Health alert: everyone may experience more serious health effects.
Hazardous	> 300	Health warnings of emergency conditions. The entire population is more likely to be affected.

http://www.epa.gov/airnow/aqi.html#good

- **Implement activity management (e.g. rescheduling activities to reduce short-term impacts)**
  The applicant should specify what measures will be implemented.

Additional Construction Measures

- **When feasible, construction activity should occur during early morning, late evening, and night time hours.** Ozone formation is directly related to temperature and sunlight. If the project emits short-lived ozone precursors during cooler hours, the project's local impact will be reduced.

- **Pave haul roads in the project area.**

- **Construction equipment should have engines that are at least Tier I (as certified by the Air Resources Board).** Tier I and Tier II engines have a significantly less PM and NOx emissions compared to uncontrolled engines. To find engines certified by the Air Resources Board, see http://www.arb.ca.gov/msprog/offroad/cert/cert.php. This site lists engines by type, then manufacturer. The "Executive Order" shows what Tier the engine is certified as.

- **Participate in the District's Heavy Duty Engine Program.** The District has a Heavy-Duty Engine program to help engine owners reduce emissions. The Heavy Duty program provides incentives for the replacement of older diesel engines with new, cleaner, fuel-efficient diesel engines. The program also provides incentives for the re-power of older, heavy-duty trucks with cleaner diesel engines or alternative fuel engines. New alternative fuel heavy-duty trucks also qualify. For more information regarding this program, contact the District at (559) 230-5858 or visit our website at http:www.valleyair.org/transportation/heavydutyidx.htm.

- **Web Resources.**
  See the Air Resources Board's website for more information on reducing emissions from diesel engines. California's Diesel Risk Reduction Plan
  http://www.arb.ca.gov/diesel/documents/rrpapp.htm. .
  Another website for reducing construction emissions is the UC Davis-Caltrans *Air Quality Project* at http://aqp.engr.ucdavis.edu/.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call me at (559) 230-5835 or Mr. Hector Guerra, Senior Air Quality Planner, at (559) 230-8520 and please provide the reference number at the top of this letter.

Sincerely,

Chrystal Meier
CEQA Commenter
Central Region

Hector R. Guerra
Senior Air Quality Planner

Enclosures

c: file

San Joaquin Valley
Air Pollution Control District

COMPLIANCE ASSISTANCE BULLETIN

September 2002

(Update from June 2002)

Fugitive Dust Control at Construction Sites

Regulation VIII, Fugitive PM10 Prohibitions, of the District's Rules and Regulations regulates activities that generate fugitive dust. Fugitive dust is emitted to the air from open ground or caused by activities such as excavation, transporting bulk materials, or travel on unpaved surfaces. "PM10" is a term applied to small sized particulate matter - microscopic dust particles - in the air. The San Joaquin Valley currently exceeds the air quality standards for particulate matter. It is for this reason that the District adopted Regulation VIII in 1993. Significant amendments to Regulation VIII were adopted in 2001 and became effective May 15, 2002. The following dust control and administrative requirements are applicable at construction sites:

Visible Dust Emissions (VDE). Visible dust emissions may not exceed 20% opacity during periods when soil is being disturbed by equipment or wind at any time. Dust control may be achieved by means of applying water before and during earth work and on traffic areas, phasing work to limit dust, and setting up wind fences to limit wind blown dust. VDE opacity of 20% means the amount of dust that would obstruct the view of an object by 20%.

Soil stabilization. Soil stabilization is required at any construction site after normal working hours and on weekends and holidays. This requirement also applies to inactive construction areas such as phased projects where disturbed land is left unattended. Applying water to form a visible crust on the soil is an effective method for stabilizing a disturbed surface area. Long-term methods include applying dust suppressants or establishing vegetative cover. Restricting vehicle access from the area will help to maintain a stabilized surface. Information regarding stabilization standards and test methods are in Rule 8011 – *General Requirements.*

Carryout and Trackout. These requirements are found in Rule 8041 – *Carryout and Trackout.* Carryout and trackout are materials adhered to vehicle tires and transport vehicles carried from a construction site and deposited onto a paved public road. Should carryout and trackout occur, it must be cleaned up at least daily, and immediately if it extends more than 50 feet from the exit point onto a paved road. The recommended clean-up methods include manually sweeping, sufficiently wetting the area prior to mechanical sweeping to limit VDE or using a PM10-efficient street sweeper. A blower device, or dry sweeping with any mechanical device other than a PM10-efficient street sweeper is prohibited.

Northern Region Office
4230 Kiernan Avenue, Suite 130
Modesto, CA 95356-9321
(209) 557-6400 ♦ FAX (209) 557-6475

Central Region Office
1990 East Gettysburg Avenue
Fresno, CA 93726-0244
(559) 230-6000 ♦ FAX (559) 230-6062

Southern Region Office
2700 "M" Street, Suite 275
Bakersfield, CA 93301-2370
(661) 326-6900 ♦ FAX (661) 326-6985

Staking

Newly planted trees usually require some extra help before they are rooted in. Many things can be used as tree ties: pieces of old hose with a rope threaded through, strong plastic strips; canvas strips, even strips of old tires (found at hardware and nursery stores.) Stakes can be metal or wood, as long as it can support the weight of the tree in wind.

- Place stakes just outside the area that was disturbed by planting.
- For a tree that has a strong trunk, only the roots need supported. Tie the stakes to the tree about one foot above ground to support the root mass while the tree is 'rooting in'.
- For tree that has a weak trunk, tie higher up on the tree to support the trunk in wind. The roots will still be able to wiggle in the wind, it helps the trunk of the tree grow stronger.
- The ties should be examined and adjusted as needed to avoid damage to the bark. Ties should be removed when trunk growth bulges around the ties.

Pruning

Most trees require only the three D's to be pruned: Dead, Diseased, Damaged.

Consult a gardening book (such as books by Sunset or Ortho) for information on your trees.

Never 'top' a tree– reducing the height of a mature tree by cutting the trunk. This results in fast-growing tangled weak shoots. A good arborist will not top a tree.

Terms

Bare Root– Trees, usually sold in early spring, that have the soil removed from around the roots.

Deciduous– A tree that naturally looses all its leaves during dormancy.

Dormancy– The annual time when growth slows or ceases. Usually during harsh conditions such as winter or dry summer.

Evergreen– A tree that retains its leaves year-round. An evergreen tree may still have a yearly leaf drop or shed.

San Joaquin Valley
Air Pollution
Control District

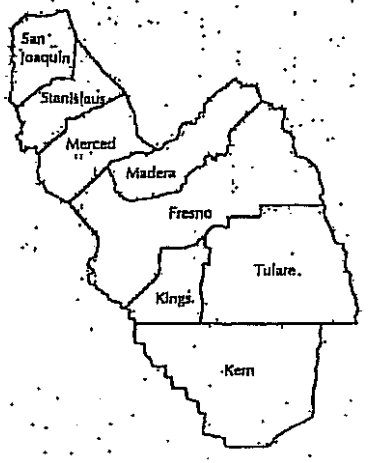
SJVAPCD

Central Office
1990 E. Gettysburg Avenue
Fresno, CA 93726
Phone (559) 230-6000
Fax (559) 230-6061
www.valleyair.org

SJVAPCD

PLANTING TREES

SPARE the AIR

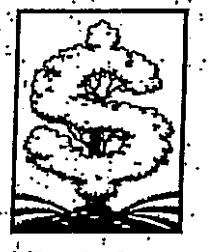


Tel: (559) 230-6000

Reasons to Plant Trees

We all know trees are important. They make oxygen and help filter particulates and carbon dioxide out of the air. But did you know that having two twenty-five foot tall trees on the west side of a home and one on the east – a person could save $100 on their energy bill each year? Computer modeling for an energy efficient home in Fresno has shown that strategic planting can result in $103 in annual energy savings.

Trees help out by:



Tree Savings

- Shading the house and 'hot-spots' such as driveways and patios.
- Shading the air conditioner to reduce its energy use.
- Cooling ambient air up to 5 degrees F.
- Absorbing pollutants.
- Reducing ozone levels.

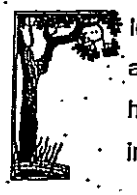
Trees are beneficial in other areas:

- Help reduce storm water runoff
- Increase property value (people are willing to pay 3-7% more for properties that have attractive large trees.)

Location Guidelines

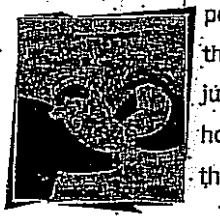
Location

- To maximize summer shade and minimize winter shade, locate deciduous trees about 10-20 ft south and west of the home.
- Keep trees at least 5-10 ft from the home to avoid foundation damage.
- Shade patios and driveways, which are heat sinks, to make the area cooler and more comfortable.
- Shade the air conditioner to reduce its energy use, but do not plant so close that it will obstruct the flow of air around the unit.
- Plant only trees with a short mature height where there are power lines. Do not plant directly above underground water or sewer lines. Contact your utility company before planting.
- Create a winter windbreak on the north side of the home by planting a row of evergreen trees perpendicular to the winter wind. The row should be longer than the building and 25-50 feet away. Trees chosen should have a mature height of at least twice as tall as the building.



Planting

Fall and winter are ideal planting times in the valley. Trees are dormant and the weather is cool. Dig a hole twice as wide and just as deep as the pot that the tree came in. Dig through hardpan and remove junk soil. Line the bottom of the hole with gravel or soil. Loosen the outer roots of the tree by hand. Place the tree into the hole and make sure that the top of the root mass is even with the ground (DON'T bury the trunk.) Mix compost in with the soil as you fill in around the roots. Use the handle of the shovel to 'poke' any air pockets that may form as the hole fills in. Firm the soil and finish with a 'moat'. Water well. Trees need water even in winter.



Planting for the future

SJVAPCD

Access and Haul Roads. Dust control is required on all unpaved access and haul roads, and unpaved vehicle and equipment traffic areas at construction sites, per Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.*

Storage Piles and Bulk Materials. The handling, storage, and transportation requirements for bulk materials are found in Rule 8031 – *Bulk Materials*. These requirements include: applying water as materials are handled, stabilizing or covering stored materials, and installing wind barriers to limit VDE: Limiting vehicle speed, loading haul trucks with a freeboard six inches or greater, covering haul trucks, or applying water to the top of the load are options for reducing VDE from vehicle transportation of bulk materials.

Demolition. Wetting of the exterior of a building to be demolished is required. Demolition debris and the area around the demolition must also be controlled to limit VDE. Cleaning up carryout and trackout must be completed according to Rule 8041. Demolition activities are also subject to the District's asbestos rule, Rule 4002 – *National Emission Standards for Hazardous Air Pollutants.*

Dust Control Plans. For large construction projects, Rule 8021 requires the owner or contractor to submit a Dust Control Plan to the District for approval at least 30 days prior to commencing construction activities. This requirement applies to projects that include 40 or more acres of disturbed surface area or will involve moving more than 2,500 cubic yards per day of material on at least three days during the project.

Record keeping. All sites subject to the regulation that employ dust control measures must keep records for each day any dust controls are used. The District has developed record keeping forms for water application, street sweeping, and for "permanent" controls such as applying long term dust palliatives, vegetation, ground cover materials, paving, or other durable materials. Pursuant to Rule 8011, records must be kept for one year after the end of dust generating activities.

Exemptions. Activities in areas above 3,000 feet elevation are exempt from all Regulation VIII requirements. The following exemptions in Rule 8021 apply to construction activities:

- Blasting activities
- Maintenance and remodeling of existing buildings if the addition is less than 50% of the size of the existing building or 10,000 square feet. These activities, however, are subject to the District's asbestos rule, Rule 4002.
- Additions to single family dwellings
- Mowing, disking or other weed control on sites less than ½ acre.

Nuisance. Whether or not the construction activity is exempt from the Regulation VIII requirements, any activity that creates fugitive dust must not cause a nuisance, per Rule 4102 - *Nuisance*. Therefore, it is important to monitor the dust generating activities and, if necessary, plan for and implement the appropriate dust control measures to limit the public's exposure to fugitive dust.

This is a basic summary of Regulation VIII as it applies to the construction industry. For more information contact the Compliance Division of the District office nearest to you.

APPENDIX B

URBEMIS 2002 Model Results

URBEMIS 2002 For Windows 7.4.2

File Name: <Not Saved>
Project Name: Mendota Residential Subdivision - 2012 - 434 Units
Project Location: San Joaquin Valley
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
(Tons/Year)

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (tpy, unmitigated)	4.01	1.00	0.90	0.01	0.00

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (tpy, unmitigated)	4.00	5.32	47.97	0.05	9.45
TOTALS (tpy, mitigated)	4.00	5.32	47.97	0.05	9.45

SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (tpy, unmitigated)	8.01	6.32	48.87	0.07	9.45

Both Area and Operational Mitigation must be turned on to get a combined mitigated total.

URBEMIS 2002 For Windows 7.4.2

File Name: <Not Saved>
Project Name: Mendota Residential Subdivision - 2012 - 434 Units
Project Location: San Joaquin Valley
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

DETAIL REPORT
(Tons/Year)

AREA SOURCE EMISSION ESTIMATES

Source	ROG	NOx	CO	SO2	PM10
Natural Gas	0.08	0.99	0.42	-	0.00
Wood Stoves	0.00	0.00	0.00	0.00	0.00
Fireplaces	0.00	0.00	0.00	0.00	0.00
Landscaping	0.06	0.01	0.48	0.01	0.00
Consumer Prdcts	3.87	-	-	-	-
TOTALS (tpy, unmitigated)	4.01	1.00	0.90	0.01	0.00

THIS IS A LEGAL NOTICE

NOTICE OF PUBLIC HEARING

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
FRESNO COUNTY, CALIFORNIA

PLEASE BE ADVISED THAT the Local Agency Formation Commission (LAFCo) will hold a public hearing to consider the proposed reorganization (annexation and detachments) described below. Your property may be affected by the proposed annexation.

> **City of Mendota "Annexation No. 05-01".** Proposed reorganization to annex approximately 91.5 acres to the City of Mendota and detach from the Fresno County Fire Protection District, the Westlands Water District and the Silver Creek Drainage District for territory located southwest corner of Bass Avenue and Sorenson Avenue **(LAFCo File No. RO-05-17).**

THE PUBLIC HEARING will be held on Wednesday, June 7, 2006 at 1:30 p.m., or as soon thereafter, in the Fresno County Board of Supervisors' Chamber, Room 301, Hall of Records, Tulare and "M" Streets, in downtown Fresno. Interested agencies and individuals are invited to attend this meeting and give public testimony on this item. For information, please contact Rick Ballantyne, Interim Executive Officer at Fresno LAFCo, 2115 Kern Street, Suite 310, Fresno, CA 93721, phone: (559) 495-0604, e-mail address: rballantyne@co.fresno.ca.us.

Rick Ballantyne
Interim Executive Officer

Dated: **May 17, 2006**
File: **RO-05-17**

Please Note: 1) Note: If you are an applicant for, or a participant in any proceeding on the agenda for a land use entitlement and have made a **campaign contribution** of more than $250 to or for any of the Commission members or alternate Commission members within 12 months prior to the Commission hearing, State law disqualifies such members from participating and voting in such a proceeding. State law also prohibits applicants and participants from making such campaign contributions, depending on their timing and circumstances. All of these restrictions also apply to agents of applicants or participants. Please consult with Commission staff at (559) 495-0604 as to the requirements of the **Political Reform Act** (Government Code Section 84308); 2) In compliance with the Americans with Disabilities Act (**ADA**), if you need special assistance to participate at this meeting, please contact Ms. Candie Fleming, Clerk to the Commission at 559-495-0604. Notification 48 hours prior to the meeting will enable the Clerk to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically disabled.

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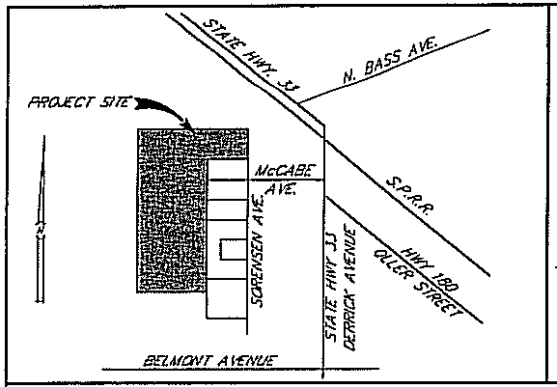

VICINITY MAP

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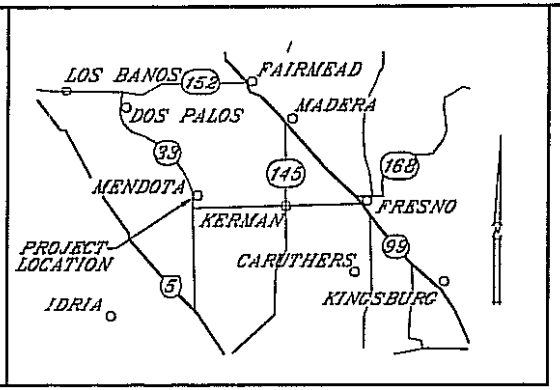


LOCATION MAP

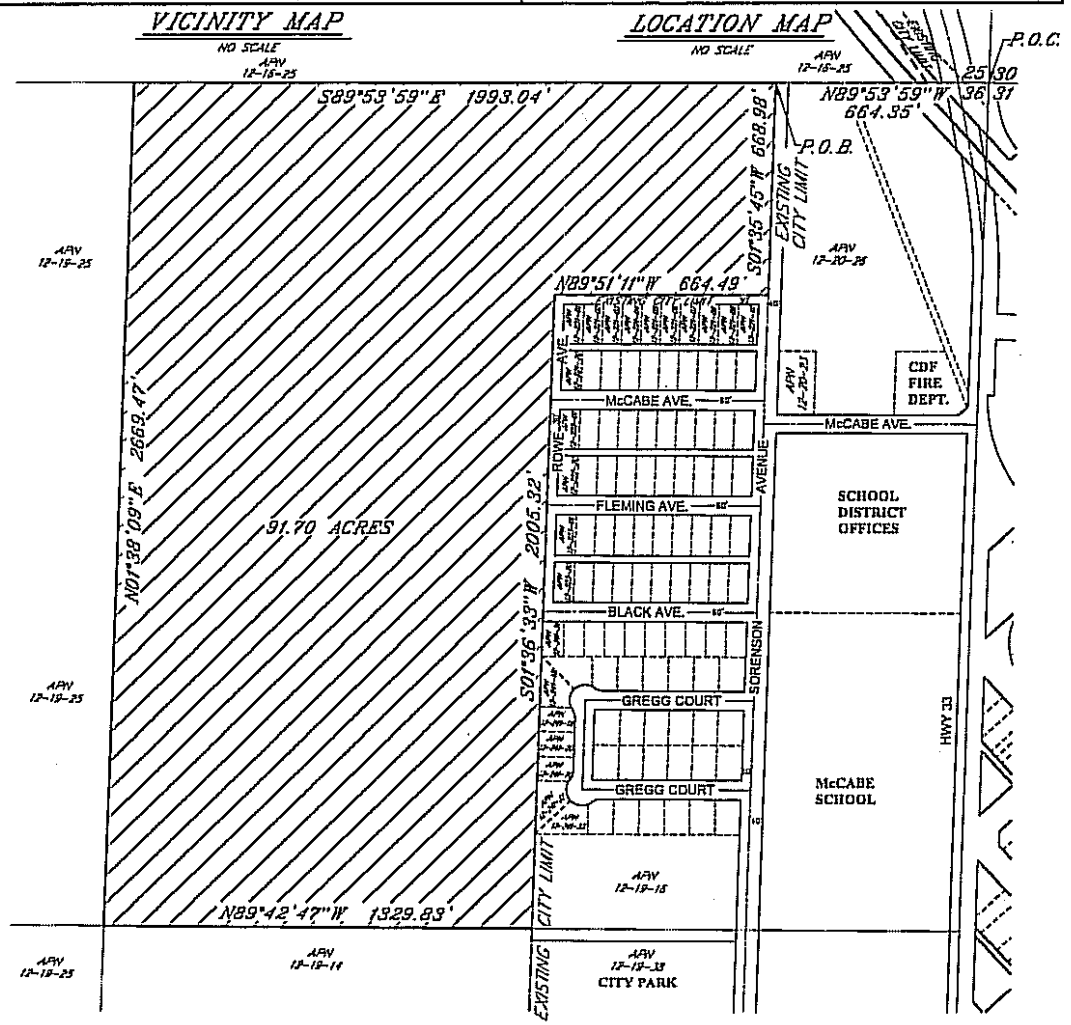
NO SCALE

LEGEND

- - - - - - - -	INDICATES EXISTING CITY LIMITS
	INDICATES PROPOSED ANNEXATION BOUNDARY
	INDICATES EXISTING STREET CENTERLINE
	INDICATES EXISTING STREET RIGHT OF WAY
	INDICATES EXISTING LOT LINE
	INDICATES EXISTING SECTION LINE
P.O.C.	INDICATES POINT OF COMMENCEMENT
P.O.B.	INDICATES POINT OF BEGINNING

N

SCALE : 1"=600'



LEGAL DESCRIPTION

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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 89°53'59" WEST, ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 664.35 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°35'45" WEST, A DISTANCE OF 668.98 FEET; THENCE NORTH 89°51'11" WEST, A DISTANCE OF 664.49 FEET; THENCE SOUTH 01°36'33" WEST, A DISTANCE OF 2005.32 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE ALONG SAID SOUTH LINE NORTH 89°42'47" WEST, A DISTANCE OF 1329.83 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01°38'09" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION, A DISTANCE OF 2669.47 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 89°53'59" EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 1993.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 91.70 ACRES MORE OR LESS.

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

SHEET 1. OF 1.

ANNEXATION NO. 05-01
AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

H/S DEVELOPMENT
CITY OF MENDOTA, CALIFORNIA

Bernard Jimenez
Public Works
Stop # 214

Stop #187
County Committee on School
District Organizations

Fresno County Fire Protection District
210 S. Academy Avenue
Sanger, CA 93657

Silver Creek Drainage District
P.O. Box 97
Mendota, CA 93640

Dave Ciapponi
Westlands Water District
P.O. Box 6056
Fresno, CA 93703

Fresno-Westside Mosquito
Abatement District
P.O. Box 125
Firebaugh, CA 93622

Mendota Unified School District
115 McCabe Avenue
Mendota, Ca 93640

West Hills Joint
Community College District
300 Cherry Lane
Coalinga, Ca93210

West Fresno County Red Scale
Protective District
21136 Trimmer Springs Road
Sanger, CA 93657

Landowner

H/S DEVELOPMENT CO LLC
4800 STOCKDALE HWY 205
BAKERSFIELD CA 93309

Buffer

ANDRADE MARIA T
281 BLACK
MENDOTA CA 93640

ARCHILA JULIAN G
BOTEO MERCEDES CASTILLO
291 MC CABE
MENDODTA CA 93662

AMAYA JOSE E & MARIA E
290 FLEMING
MENDOTA CA 93640

AYALA LETICIA
230 FLEMING
MENDOTA CA 93640

BONILLA DOMITILA MELIDA
200 DERRICK
MENDOTA CA 93640

ARGUETA SALVADOR & REYNA
GOMEZ
251 GREGG CT W
MENDOTA CA 93640

CARRILLO MANUEL Y &
CARMEN R
271 HOLMES
MENDOTA CA 93640

CERVANTES JOSE Q & MARIA
TERESA T
270 MC CABE ST
MENDOTA CA 93640

CAMPOS JOSE CRUZ & MARIA
ELDA
251 BLACK AVE
MENDOTA CA 93640

CUELLAR ISIDRO M & MARY
LILLIAN
P O BOX 636
MENDOTA CA 93640

DANIEL DAVID & NANCY
P O BOX 237
MENDOTA CA 93640

CORRAL MARIA LUISA
2581 E CENTRAL #7
FRESNO CA 93725

GARCIA JOSE ISAAC & MARIA REYNA
ESCOBAR
ESCOBAR JUAN ANTONIO & TOMASA O
261 HOLMES
MENDOTA CA 93640

GIL CONSUELO S
GARCIA MELISSA G (MINOR)
240 GREGG CT S
MENDOTA CA 93640

FLIPPO FARRELL F & LUPE
250 GREGG CT N
MENDOTA CA 93640

GOMEZ GILBERT G & AURORA L
TRS
250 MC CABE AVE
MENDOTA CA 93640

GOMEZ JOE M
1958 SEVENTH ST
MENDOTA CA 93640

GIVENS DANIEL J & SHIRLEY D
290 BLACK AVE
MENDOTA CA 93640

GONZALEZ MIGUEL
CALDERON OLIVIA
211 HOLMES AVE
MENDOTA CA 93640

GONZALEZ RAUL A & JUANITA
261 BLACK AVE
MENDOTA CA 93640

GONZALEZ DANIEL J & JULIA R
4195 W SAGINAW WAY
FRESNO CA 93722

MARTINEZ JEAN PIERRE &
MARIA A
243 GREGG CT S
MENDOTA CA 93640

HATCH KENNETH P & JUDITH A
1521 W ASHCROFT
FRESNO CA 93705

GUEVARA JOSE O & MARINA
271 BLACK
MENDOTA CA 93640

LARA LUPE CHAVEZ
ZAMORA MARIO L
261 FLEMING
MENDOTA CA 93640

LARIOS IGNACIO & ANGELITA
240 MC CABE
MENDOTA CA 93640

LANE NORMA TRUSTEE
6097 W ASHLAN
FRESNO CA 93722

LOZANO ADELINE TRUSTEE
P O BOX 34
MENDOTA CA 93640

LOZANO DONALD N & HELEN R
271 MC CABE
MENDOTA CA 93640

LEYVA MICHAEL C & ALICE C/F
DVA
255 GREGG COURT S
MENDOTA CA 93640

LUNA PEDRO A
LUNA JENNIFER
265 GREGG CT S
MENDOTA CA 93640

MACIAS ROBERT A JR & LILY C
280 MC CABE
MENDOTA CA 93640

LOZANO VICTOR
200 MCCABE
MENDOTA CA 93640

MARTINEZ EFREN BALANDRAN &
CARMEN S
201 HOLMES
MENDOTA CA 93640

MARTINEZ MANUEL
284 GREGG CT W
MENDOTA CA 93640

MC GINNIS RICHARD DAVID &
MARGUERITE M
260 MC CABE AVE
MENDOTA CA 93640

MEJIA BENITO & VICTORIA
SANDOVAL SALVADOR
260 BLACK
MENDOTA CA 93640

MENDOTA CITY OF
643 Quince St.
Mendota Ca. 93640

MIRANDA VICTOR V & JENNIE G
4150 VAUGHN
MERCED CA 95340

NAVARRO INOCENCIA G
260 GREGG CT N
MENDOTA CA 93640

NOEL DANIEL RAY & LISA
DIANE
290 MC CABE AVE
MENDOTA CA 93640

OWENS BILL D & ROBERTA
270 GREGG COURT N
MENDOTA CA 93640

PENA JESUS & CAROLINA
271 FLEMING
MENDOTA CA 93640

PERINONI RONALD E & LYDIA S
557 WALNUT CT
KERMAN CA 93630

PETRY EDWARD E & LUPE C
GRAHAM BOOKKEEPING
P O BOX 74
FIREBAUGH CA 93622

PG&E
P.O. Box 770000
San Francisco Ca. 94177

RAMOS RALPH M & DELORES
240 GREGG COURT N
MENDOTA CA 93640

RASMUSSEN ROBERT &
BARBARA M C/F DVA
230 MC CABE AVE
MENDOTA CA 93640

REYES JOSE ANGEL & TERESA D
291 BLACK
MENDOTA CA 93640

ROBLES MARIA LUA
277 GREGG CT S
MENDOTA CA 93640

RODRIGUEZ JOSE RAYMUNDO &
VICTORIA
250 FLEMING
MENDOTA CA 93640

VICTORIA A
LOZANO ADELINE N
101 SORENSEN
MENDOTA CA 93640

ROSALES GILBERTO J
251 MC CABE
MENDOTA CA 93640

SEGOVIA RUBEN & MARGARITA
272 GREGG CT W
MENDOTA CA 93640

SELZER DAVID A & CAROLYN F
TRUSTEES
281 HOLMES
MENDOTA CA 93640

SORENSEN DORA TRUSTEE
191 SORENSEN
MENDOTA CA 93640

VELASCO JOSE R
GONZALEZ VALERIA S
260 FLEMING
MENDOTA CA 93640

YANEZ ESTEBAN & DORA
251 HOLMES
MENDOTA CA 93640

YOUNG CHAI & MARY
697 DERRICK
MENDOTA CA 93640

ZAVALA JOSE LUIS & CELIA C
291 HOLMES
MENDOTA CA 93640

ZERMENO JUAN CARLOS &
LAURA
274 GREGG CT W
MENDOTA CA 93640

Mailed
5-16-06

The Business Journal
Serving Fresno and the Central San Joaquin Valley

P.O. Box 126
Fresno, CA 93707
Telephone (559) 490-3400

(Space Below for use of County Clerk only)

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

PUBLIC HEARING

RO-06-16 RO-06-18 RO-05-17 RO-06-19

Misc. Notice

STATE OF CALIFORNIA

COUNTY OF FRESNO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the City of Fresno, County of Fresno, State of California, Monday, Wednesday and Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No. 14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

May 17, 2006

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

ON May 17, 2006

DECLARATION OF PUBLICATION
(2015.5 C.C.P.)

NOTICE OF PUBLIC HEARING
FRESNO LOCAL AGENCY FORMATION COMMISSION

NOTICE IS HEREBY GIVEN that the Fresno Local Agency Formation Commission (LAFCo) will consider the following "Proposals" at a public hearing on June 7, 2006.

1. City of Sanger "Reorganization No. 05-02" (Sierra Vista Annexation). Proposed annexation of 81.14 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District and the Consolidated Irrigation District for territory located on the east side of Indianola Avenue between Annadale and North Avenues (LAFCo File No. RO-06-16).

2. City of Sanger "California-Bethel No. 1 Reorganization". Proposed annexation of approximately 176 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District and the Fresno Irrigation District for territory generally located both east and west of Bethel Avenue extending from the Hansen Canal on the north to a point approximately 200 feet south of E. California Avenue to the south (LAFCo File No. RO-06-18).

3. City of Mendota "Annexation No. 05-01". Proposed reorganization to annex approximately 99.8 acres to the City of Mendota and detach from the Fresno County Fire Protection District, the Westlands Water District and the Silver Creek Drainage District for territory located southwest of intersection of Sorenson Avenue and the Bass Avenue Alignment (LAFCo File No. RO-05-17).

4. City of Clovis "Bullard-Locan Southeast Reorganization". Proposed reorganization to annex approximately 78.73 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located east of N. Locan Avenue between E. Bullard and E. Barstow Avenues (LAFCo File No. RO-06-19).

PLEASE BE INFORMED THAT the public hearing to consider these Proposals will be held at 1:30 p.m., or soon thereafter, on June 7, 2006, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno. All interested parties are invited to attend this hearing and present testimony on these matters. For additional information contact the Commission Office at 2115 Kern Street, Suite 310, Fresno, CA 93721 (Telephone: 559-495-0604,
e-mail:shendricks@co.fresno.ca.us).

DATED: May 17, 2006
(May 17)

Fresno Local Agency Formation Commission

May 9, 2006

CERTIFICATE OF FILING

Mr. Gabriel Gonzalez, City Manager
City of Mendota
643 Quince Street
Mendota, CA 93640

Dear Mr. Gonzalez:

Subject: "Annexation No. 05-01" Reorganization

Please be advised that pursuant to California Government Code Section 56658(g) that on May 9, 2006, the proposed "Annexation No. 05-01" Reorganization application submitted by the City of Mendota was determined to be complete by the Executive Officer and has been accepted for filing with the Fresno Local Agency Formation Commission.

The Commission will consider this proposed reorganization and make determinations at a public hearing to be held on Wednesday, June 7, 2006, at 1:30 p.m., or as soon thereafter, in the Fresno County Board of Supervisors' Chamber, Room 301, Hall of Records, Tulare and "M" Streets, in downtown Fresno. A representative from your agency should attend this hearing and be prepared to provide information about your Proposal to the Commission.

Sincerely,

Rick Ballantyne
Interim Executive Officer

RB:cf

Cc: LAFCo Commissioners and Alternate Commissioners
Bruce O'Neal, Land Use Associates
Stephen W. Hair, H/S Development Co.
Bill Skinner, Valley Planning Assoc.

Names of landowners or parties of real interest (Asterisk indicates consent):

Jones-Villere Farms* H/S Development, Co.

G:\LAFCO WORKING FILES\JUNE 7, 2006 HEARING\CERT OF FILING RO-05-17.doc

LAFCO Office: 2115 Kern Street, Suite 310, Fresno CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fleming, Candace Lynn

From: Brenda L. Carter [bcarter@ci.mendota.ca.us]
Sent: Wednesday, May 10, 2006 4:33 PM
To: Fleming, Candace Lynn
Cc: bill_vpc@sbcglobal.net; 'Gabriel A. Gonzalez'
Subject: Consent for Waiver

Candie: I just received a telephone call regarding the Silver Creek Drainage District Waiver. The party authorized to sign is at a conference in Monterey, Mr. Jeff Bryant. He will return on Monday and sign the Waiver and they will forward directly to you. If you have any questions, do not hesitate to contact me.

Brenda L. Carter, CMC
City Clerk
City of Mendota
643 Quince Street
Mendota, CA 93640
Tel: 559-655-3291 ext. 16
Fax: 559-655-4064

PETITION
FOR PROCEEDINGS PURSUANT TO
THE CORTESE-KNOX –HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

The undersigned hereby petitions the Local Agency Formation Commission of Fresno County for approval of a proposed change of organization and stipulates as follows:

1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).

2. The specific changes of organization proposed are to _____

provide Residential Development. ..

3. The boundaries of the territory included in the proposal are as described in exhibits attached hereto and by this reference incorporated herein.

4. The territory included in the proposal is inhabited/uninhabited.

5. This proposal is/is not consistent with the sphere of influence of _____

City of Mendota ..

6. The reasons for the proposed reorganization at this time are to _____
Provide Residential Housing
_____.

7. The reason for the proposed boundary is to _____
Provide Residential Housing
_____.

8. The proposed reorganization is requested to be made subject to the following terms and conditions:

9. The persons signing this petition have signed as registered voters/owners of land.

Wherefore, petitioners requests that proceedings be taken in accordance with the provisions of Section 56000, et seq. of the Government Code and herewith affix signatures as follows:

DATE	PRINTED NAME	SIGNATURE	RESIDENCE ADDRESS
1.			
2.			
3.			

Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721

AGENCY CONSENT FOR WAIVER OF PROTEST HEARING
City of Mendota "Annexation 05-01" Reorganization
LAFCo Agency No. RO-05-17

PLEASE BE ADVISED that all affected local agencies that will gain or lose territory as a result of this proposed annexation or reorganization must consent in writing to a waiver of protest proceedings or this proposal will automatically be scheduled for a protest hearing (Gov Code Sec 56663(d)).

The written signature of an authorized official of your agency is necessary to preclude the scheduling and holding of a protest hearing. If you sign this waiver now and circumstances change, you may rescind this waiver and request protest proceedings at any time prior to and/or at the public hearing for this item.

If you are unable to sign this waiver we would appreciate an explanation outlining your reasons and/or a written statement summarizing the reasons your agency wishes LAFCo to hold a protest hearing for this proposal. In either case, **if you do not sign this waiver your presence at its tentatively scheduled LAFCo hearing on June 7, 2006 and following protest hearing is requested.**

As representative of the **Silver Creek Drainage District**, an affected agency, the signature below serves as consent for the Fresno Local Agency Formation Commission to waive Protest Proceedings for this reorganization pursuant to Section 56663 (If *100% of the landowners have consented to the proposed annexation)*.

Please return this form and any comments as soon as possible, thank you.

Jeff Bryant 5-26-06
Signature Waiving Protest Proceedings by JS — Date

P.O. Box 97, Mendota, CA 93640
Address

APR 2006
Received
FRESNO
LAFCO

Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721

AGENCY CONSENT FOR WAIVER OF PROTEST HEARING
City of Mendota "Annexation 05-01" Reorganization
LAFCo Agency No. RO-05-17

PLEASE BE ADVISED that all affected local agencies that will gain or lose territory as a result of this proposed annexation or reorganization must consent in writing to a waiver of protest proceedings or this proposal will automatically be scheduled for a protest hearing (Gov Code Sec 56663(d)).

The written signature of an authorized official of your agency is necessary to preclude the scheduling and holding of a protest hearing. If you sign this waiver now and circumstances change, you may rescind this waiver and request protest proceedings at any time prior to and/or at the public hearing for this item.

If you are unable to sign this waiver we would appreciate an explanation outlining your reasons and/or a written statement summarizing the reasons your agency wishes LAFCo to hold a protest hearing for this proposal. In either case, **if you do not sign this waiver your presence at its tentatively scheduled LAFCo hearing on May 10, 2006 and following protest hearing is requested.**

As representative of the **Fresno County Fire Protection District**, an affected agency, the signature below serves as consent for the Fresno Local Agency Formation Commission to waive Protest Proceedings for this reorganization pursuant to Section 56663 (If *100% of the landowners have consented to the proposed annexation)*.

Please return this form and any comments by **April 29, 2006**, thank you.

Jan Sandelin — April 18, 2006
Signature Waiving Protest Proceedings — Date

210 S Academy Ave, Sanger, CA 93657
Address

Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721

AGENCY CONSENT FOR WAIVER OF PROTEST HEARING
City of Mendota "Annexation 05-01" Reorganization
LAFCo Agency No. RO-05-17

PLEASE BE ADVISED that all affected local agencies that will gain or lose territory as a result of this proposed annexation or reorganization must consent in writing to a waiver of protest proceedings or this proposal will automatically be scheduled for a protest hearing (Gov Code Sec 56663(d)).

The written signature of an authorized official of your agency is necessary to preclude the scheduling and holding of a protest hearing. If you sign this waiver now and circumstances change, you may rescind this waiver and request protest proceedings at any time prior to and/or at the public hearing for this item.

If you are unable to sign this waiver we would appreciate an explanation outlining your reasons and/or a written statement summarizing the reasons your agency wishes LAFCo to hold a protest hearing for this proposal. In either case, **if you do not sign this waiver your presence at its tentatively scheduled LAFCo hearing on May 10, 2006 and following protest hearing is requested.**

As representative of the **Westlands Water District**, an affected agency, the signature below serves as consent for the Fresno Local Agency Formation Commission to waive Protest Proceedings for this reorganization pursuant to Section 56663 (If *100% of the landowners have consented to the proposed annexation)*.

Please return this form and any comments by **April 29, 2006**, thank you.

Anne Ghiggeri 4/20/06

Signature Waiving Protest Proceedings Date

WESTLANDS WATER DISTRICT

Address

Fresno Local Agency Formation Commission
Landowner Consent Form

Name of Proposal Annexation - 05-01

Description of Proposal: S.W. CORNER OF BASS AVE AND SORENSON

Annex to City of MENDOTA.

Detach from FRESNO CO. FIRE, WESTLANDS WATER DISTRICT AND SILVER CREEK DRAINAGE DISTRICT.

Each of the undersigned represents that they are the owner of the property described opposite their name and located within the territory described in the attached legal description, and hereby consents to the change of organization or reorganization described above of said property to the above named city and or district.

Date	Name	Address	Property Description or County Assessor's Parcel#
5/26/06	H/S DEVELOPMENT CO LLC		APN 012 190 405
		4800 STOCKDALE HWY # 205	APN 012 190 415
		BAKERSFIELD CA 93309	
		[signature]	
		Managing Member.	

The legal description of the territory proposed for change of organization or reorganization must be attached at the time consent is signed.

Each individual listed on the equalized assessment roll of the county must sign for the subject parcel(s).

Note: If you are an applicant for, or a participant in any proceeding on the agenda and have made a campaign contribution of $250 or more to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applications or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (Government Code Section 84308).

Reference: Section 56837, Govt. Code.
Revised 1/87

FRESNO LOCAL AGENCY FORMATION COMMISSION
LANDOWNER CONSENT FORM

Name of Proposal: Annexation No. 05-01 (City of Mendota)

Description of Proposal:

Annex to: The City of Mendota

Detach from: The Westlands Water District, the Silver Creek Drainage District, and the Fresno County Fire Protection District

Each of the undersigned represents that they are the owner of the property described opposite their name and located within the territory described in the attached legal description, and hereby consents to the change of organization or reorganization described above of said property to the above named city and/or district.

DATE	NAME	SIGNATURE	ADDRESS	COUNTY ASSESSOR'S PARCEL NUMBER
	Jones-Villere Farms Partners (Type or Print Name)			APN# 12-190-40&4
x 4-20-05	Ronald C. Jones (Type or Print Name)	Ronald C. Jones	P.O. Box 155 Firebaugh, Ca 93622	" "
4-21-05	Kathryn Ortega Jones (Type or Print Name)	Kathryn Ortega Jones	P.O. Box 155 Firebaugh 93622	" "
4-21	William L Jones (Type or Print Name)	William L Jones	2254 W Dovewood Fresno 93	" "
x	Maurine A. Jones (Type or Print Name)	Maurine A. Jones	2254 W Dovewood Fresno 937	" "
	(Type or Print Name)			" "

Each individual listed on the last equalized assessment roll of the County must sign for the subject parcel(s).

Note: If you are an applicant for, or a participant in any proceeding on the agenda and have made a campaign contribution of more than $250 to or for any of the Commission members, State law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (Government Code Section 84308).

Reference: Section 56837, Govt. Code.

(10/99)
D:\ adta candie\word\miscellaneous\CONSENT FORM.doc

5

RECORDING REQUESTED BY:
Fidelity National Title Company of California
Escrow No.: 04-189375-RM
Locate No.: CAFNT0924-0924-0001-0000189375
Title No.: 04-124719

When Recorded Mail Document and Tax Statement To:
H/S Development Co.
4800 Stockdale Hwy #205
Bakersfield, CA 93309

FRESNO County Recorder
Robert C. Werner
DOC- 2005-0180537
Acct 4-Fidelity National Title Company
Tuesday, AUG 09, 2005 14:11:33
Ttl Pd $1,280.15 Nbr-0001912483
APR/R1/1-5

APN: 012 190 40s & 012 190 41s

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s)
Documentary transfer tax is $1,261.15
[X] computed on full value of property conveyed, or
[ ] computed on full value less value of liens or encumbrances remaining at time of sale,
[ ] Unincorporated Area / City of **Mendota**,

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Jones-Villere Farms, a California General Partnership

hereby GRANT(S) to H/S Development Co. LLC, a Washington Limited Liability Company

the following described real property in the City of **Mendota**, County of **Fresno**, State of **California**:
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

DATED: July 26, 2005

Jones-Villere Farms, a California General Partnership

By: William L. Jones
William L. Jones

By: Maurine Jones
Maurine Jones

By: Ronald C. Jones
Ronald C. Jones

By: Kathryn Jones
Kathryn Jones

STATE OF CALIFORNIA
COUNTY OF Fresno
ON July 26, 2005 before me, the undersigned Notary Public personally appeared Ronald C. Jones and Kathryn Jones
personally known to me (or 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.

Witness my hand and official seal.

Signature Juanita Patino

JUANITA PATINO
COMM. #1449896
NOTARY PUBLIC-CALIFORNIA
FRESNO COUNTY
My Comm. Exp. Dec. 5, 2007

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Escrow No.: 04-189375-RM
Locate No.: CAFNT0924-0924-0001-0000189375
Title No.: 04-124719

EXHIBIT "A"

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

The Northeast quarter of Section 36, Township 13 South, Range 14 East, Mount Diablo Base and Meridian, according to the Official Plat thereof;

Excepting therefrom the following described property:

Beginning at a point 458.0 feet due West from the Northeast section corner of Section 36; thence East 458.0 feet to the Northeast section corner; thence South 1109.5 feet; thence Northwesterly in a straight line to the point of beginning.

Also excepting therefrom the following described property:

The East half of the North half of the North half of the Southeast quarter of the Northeast quarter and the East half of the South 229.1 feet of the Northeast quarter of the Northeast quarter of said Section 36.

Also excepting therefrom the South half of the Southeast quarter of the Southeast quarter of the Northeast quarter and the North half of the Southeast quarter of the Southeast quarter of the Northeast quarter of Section 36.

Also excepting therefrom the following described property:

The South half of the Southeast quarter of the Southeast quarter of the Northeast quarter of Section 36, Township 13 South, Range 14 East, Mount Diablo Base and Meridian.

Also excepting therefrom the following described property:

Beginning at a point 458.0 feet due West from the Northeast section corner of said Section 36, said point being the Northwesterly corner of the property conveyed to Ray P. Middleton, et al, by deed recorded December 23, 1940, as Document No. 37837, in Book 1879 Page 287 of Official Records; thence Southeasterly along the Southwesterly line of said Middleton property to the most Southerly point thereof, said point being 1109.5 feet South from the Northeast corner of said Section 36, and also being the Northeast corner of the property conveyed to Mendota Union School District in deed recorded September 8, 1947, as Document No. 46623, in Book 2563 Page 13, Official Records; thence West along the North line of said School District's property and the continuance thereof to a point on the West line of the East half of the Northeast quarter of the Northeast quarter of said Section 36; thence North along said West line to the Northwest corner thereof; thence East along the North line of said quarter section to the point of beginning, except the South 60 feet thereof.

Also excepting therefrom the North 60 feet of the South 289.1 feet of the East half of the Northeast quarter of the Northeast quarter of said Section 36.

Also excepting therefrom the Southwest quarter of the Northeast quarter of the Northeast quarter of said Section 36.

Also excepting the North half of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 36.

Also excepting therefrom any portion of the following described parcel:

Commencing at the Southwest corner of the North half of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 36; thence South 0° 01' 20" West 3678.62 feet to the Southwest corner of the East half of the East half of said Section 36; thence North 88° 53' East 665.36 feet, a little more or less, to the Southwest corner of the East half of the East half of the Southeast quarter of said Section 36; thence North 0° 40' West 668.84 feet along the West line of the East half of the East half of said Section to the Northwest corner of the Southeast quarter of the Southeast quarter of the Southeast quarter of said Section; thence North 88° 45' East, along the North line of the Southeast quarter of the

Initials:

Southeast quarter of the Southeast quarter of said Section 665.00 feet, a little more or less to the Northeast quarter of the Southeast quarter of the Southeast quarter of the Southeast quarter of said Section; thence North along the East line of said Section, 1195.20 feet to a point which is 1765.00 feet North of the Southeast corner of Section 36; thence South 88° 32' West 663.46 feet to a point on the West line of the East half of the East half of the East half of said Section; thence North 0° 0' 40" East 1863.62 feet, a little more or less, to the Southeast corner of the North half of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section; thence South 88° 36' 50" West 664.60 feet to the point of commencement.

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

3

Initials:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Fresno } ss.

On July 26, 2005 (Date) before me, Julia Mitchell Notary Public, (Name and Title of Officer (e.g., "Jane Doe, Notary Public")) personally appeared William L. Jones (Name(s) of Signer(s))

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

JULIA MITCHELL
Commission # 1439509
Notary Public - California
Fresno County
My Comm. Expires Oct 12, 2007

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.

WITNESS my hand and official seal.

Julia Mitchell
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Grant Deed

Document Date: July 26, 2005 Number of Pages: Three

Signer(s) Other Than Named Above: Maurine Jones, Ronald C. Jones & Kathryn Jones

Capacity(ies) Claimed by Signer

Signer's Name: William L. Jones

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

J.M. Individual
☐ Corporate Officer — Title(s): _____
☒ Partner — ☐ Limited ☒ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: Jones-Villere Farms a CA Genl. Partnership

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4

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Fresno } ss.

On July 26, 2005 (Date) before me, Julia Mitchell, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")) personally appeared Maurine Jones (Name(s) of Signer(s))

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

JULIA MITCHELL
Commission # 1439509
Notary Public - California
Fresno County
My Comm. Expires Oct 12, 2007

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.

WITNESS my hand and official seal.

Julia Mitchell
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Grant Deed

Document Date: July 26, 2005 Number of Pages: three

Signer(s) Other Than Named Above: William L. Jones, Ronald C. Jones + Kathryn Jones

Capacity(ies) Claimed by Signer

Signer's Name: Maurine Jones

J.M. Individual
☐ Corporate Officer — Title(s): _____
☒ Partner — ☐ Limited ☒ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: Jones - Villere Farms a CA Gen. Partnership

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

© 1999 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.nationalnotary.org Prod. No. 5907 Reorder: Call Toll-Free 1-800-876-6827

NOTICE OF INCOMPLETE APPLICATIONS

DATE: March 22, 2006

TO: Gabriel Gonzalez, City Manager, City of Mendota

FROM: Jeff Tweedie, Interim Executive Officer

SUBJECT: "HS Development – Los Palmas Annexation" Reorganization

Please be informed that the Fresno Local Agency Formation Commission (LAFCo) received your application materials for the Proposal listed above on March 22, 2006. Following a review of your application materials we find this application to be incomplete. We have provided a list of the items that are needed to complete your applications (see marked items below).

After receiving an application the Executive Officer is allowed 30 days to determine whether the application is complete and acceptable for filing or whether the application is incomplete. A "complete" application is one that has been submitted in the form prescribed by the Commission and containing all of the information and data required pursuant to State law.

When an application is accepted for filing, the Executive Officer issues a Certificate of Filing to the applicant. From the date of issuance of a Certificate of Filing an application shall be deemed filed. If an application is determined not to be complete, the Executive Officer is required to transmit that determination to the applicant specifying those parts of the application which are incomplete and the manner in which they can be made complete.

Following the issuance of the Certificate of Filing, the Executive Officer will proceed to set the Proposal for hearing and give published notice. The hearing must take place within 90 days after issuance of the Certificate of Filing. Gov. Code sections 56652, 56653, 56654, 56700 *et seq.*

- [ ] Application information is insufficient.
- [ ] Environmental initial study and/or environmental documents not submitted or are incomplete (see comments).
- [x] Letter from Bart Bohn, County Administrative Officer stating the proposal is consistent with the City/County MOU.
- [ ] Resolution of initiation or petition does not comply with State law.
- [ ] Map and legal description.
- [ ] Property owner consent forms are not included or are not complete.
- [ ] Williamson Act Contracts.
- [ ] Required supplemental maps not submitted or are not sufficient.
- [ ] Application fee not submitted.

☐ Required Service Plan is not included or insufficient.

☐ Request is inconsistent with sphere of influence of agency.

☐ Other:

■ Comments:

All agencies gaining or losing territory must provide a waiver of protest proceedings in writing. While this office will notify these agencies and request each agency to sign a waiver of protest proceedings with regard to this proposal, if such signed statement is not received by this office prior to the scheduled hearing a Protest Hearing will be required (if approved). Proponents may wish to request such a statement from each affected agency and submit an original copy to this office. Please remember that the Fresno County Fire Protection District, Westlands Water District, and Silver Creek Drainage District are affected agencies and must submit signed written waivers of protest proceedings.

You have indicated that the affected territory is uninhabited (under 12 registered voters). How this proposal is legally noticed and the statutes regulating Conducting Authority Proceedings (protests) may change should the Elections Division determine the territory to be inhabited.

Your application materials will be returned if we do not receive the necessary items listed above to complete your application in 30 days **(April 22, 2006)**. The items needed to complete your application may change depending on comments from affected agencies and responses to requests for information from County departments, responsible and interested agencies. Regardless of the date of submission, this proposal will not be scheduled for public hearing until the Executive Officer issues a Certificate of Filing. In order to have your request considered by the Commission, your application must be determined to be complete before the date necessary for submission of the legal notice to the publisher. You will be scheduled for the next LAFCo hearing available following the issuance of a Certificate of Filing and required legal noticing.

Thank you.

JT:cf

G:\LAFCO WORKING FILES\APP MAILING & COMPLETIONS\RO-06-15 INSUFFICIENT APPLICATION.doc

ASSESSOR'S BOUNDARY REPORT

Date 07/07/2005
Proposal No. RO 05-17/2776

"City of Mendota "Annexation 05-01" Reorganization"

Report

1. **Proposal:**
Annexation to the City of Mendota and Detachment from the Fresno County Fire Protection District, the Westlands Water District and the Silver Creek Drainage District.

2. **Acreage:** 91.70 +/-

3. **Location Description:** Northwest of West Belmont Avenue and Derrick Avenue.

4. **Cities and Districts included wholly or partially within proposal area:**
   a. County of Fresno
   b. Fresno County Library District
   c. Fresno County Fire Protection District
   d. Silver Creek Drainage District
   e. Westlands Water District
   f. Fresno Westside Mosquito Abatement District
   g. Mendota Unified School District
   h. West Hills Junior College District
   i. West Fresno Red Scale District

JUL 2005
Received
FRESNO
LAFCO

5. **Agricultural Preserves and Land Conservation Contracts within proposal area:** None

Agricultural Preserves and Land Conservation Contracts within adjoining territory: None

6. **Comments of legal description and map received on:** 07-05-2005

Correction Needed?	Comment a, b
Indefinite & uncertain boundaries?	No
Conflicts with lines of assessment?	No
Divides ownership?	No
Additional territory recommended?	No
Deletion of territory recommended?	No
Proposal will create: Island?	No
Corridor?	No
Non-contiguous boundary?	No
Is map insufficient for filing?	No

7. **Comments:**
   a. The legal description must specify where the proposal boundary joins, follows along, and leaves the existing city limit of Mendota. Example, "Said point also being on the existing city limit of Mendota, thence following the existing city limit of Mendota, thence leaving the existing city limits of Mendota. "
   b. If the legal description or map is revised for any reason, the date revised must be shown on the same.

~~Sent to Bruce O'Neal~~ 7/11/05
Sent to City of Mendota 5/11/05

David King

David King, Supervising Cadastral Technician

ANNEXATION NO. 05-01
AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT
LEGAL DESCRIPTION

ALL that certain real property 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;

COMMENCING at the Northeast Corner of Section 36; Thence North 89°53'59" West, along the north line of said Section, a distance of 664.35 feet to the **POINT OF BEGINNING**; Thence South 01°35'45" West, a distance of 668.98 feet; Thence North 89°51'11" West, a distance of 664.49 feet; Thence South 01°36'33" West, a distance of 2005.32 feet to a point on the south line of the Northeast Quarter of said Section; Thence along said south line North 89°42'47" West, a distance of 1329.83 feet to the Southwest Corner of the Northeast Quarter of said Section; Thence North 01°38'09" East along the west line of the Northeast Quarter of said Section, a distance of 2669.47 feet to the Northwest Corner of the Northeast Quarter of said Section; Thence South 89°53'59" East along the north line of said Section, a distance of 1993.04 feet to the **POINT OF BEGINNING.**

Containing 91.70 acres, more or less.

* Also Being a Point on the existing city limit of Mendota

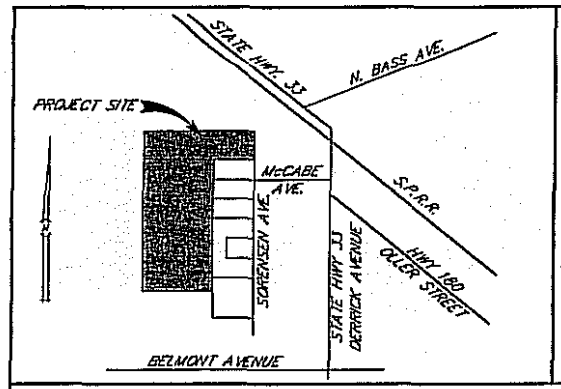
Crolie Lindsay, PLS 4709

Date April 7, 2005

PROFESSIONAL LAND SURVEYOR
CROLIE E. LINDSAY, JR.
No. 4709
EXP. 03/30/05
STATE OF CALIFORNIA

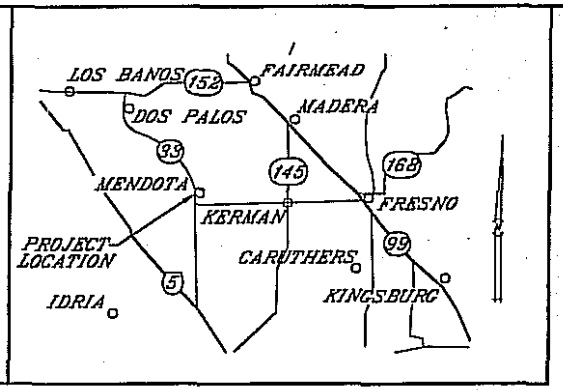
For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

(1) ALONG
(2) " existing boundary of Mendota
(3) " " " " " " " " " " " " " "
(4) Leaving the existing boundary of Mendota city



VICINITY MAP

NO SCALE



LOCATION MAP

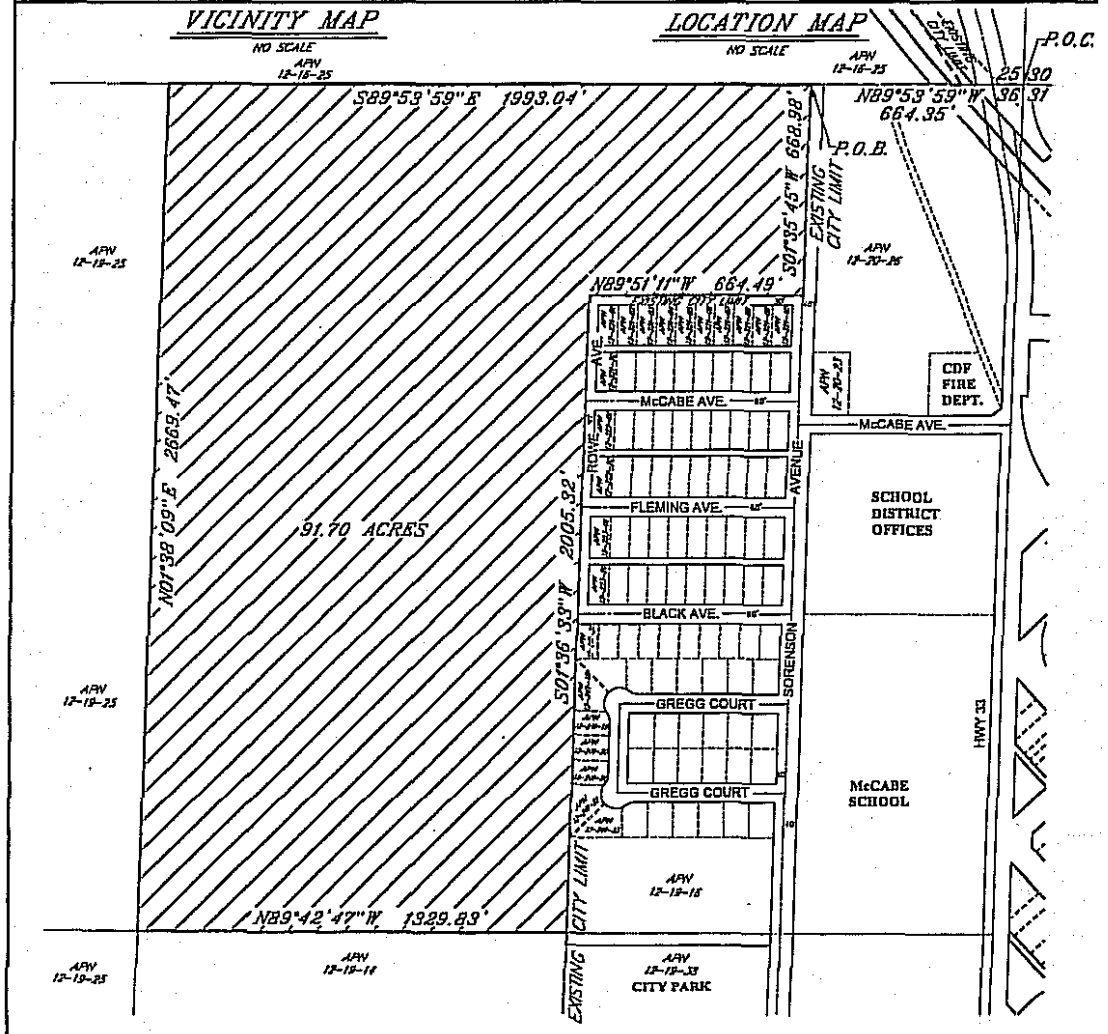
NO SCALE

LEGEND

- INDICATES EXISTING CITY LIMITS
- INDICATES PROPOSED ANNEXATION BOUNDARY
- INDICATES EXISTING STREET CENTERLINE
- INDICATES EXISTING STREET RIGHT OF WAY
- INDICATES EXISTING LOT LINE
- INDICATES EXISTING SECTION LINE
- P.O.C. INDICATES POINT OF COMMENCEMENT
- P.O.B. INDICATES POINT OF BEGINNING

N

SCALE : 1"=600'



LEGAL DESCRIPTION

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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 89°53'59" WEST, ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 664.35 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°35'45" WEST, A DISTANCE OF 668.98 FEET; THENCE NORTH 89°51'11" WEST, A DISTANCE OF 664.49 FEET; THENCE SOUTH 01°36'33" WEST, A DISTANCE OF 2005.32 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE ALONG SAID SOUTH LINE NORTH 89°42'47" WEST, A DISTANCE OF 1329.83 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01°38'09" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION, A DISTANCE OF 2669.47 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 89°53'59" EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 1993.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 91.70 ACRES MORE OR LESS.

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

SHEET 1. OF 1.

2488

ANNEXATION NO. 05-01

AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

H/S DEVELOPMENT
CITY OF MENDOTA, CALIFORNIA

ASSESSOR'S BOUNDARY REPORT

Date 07/07/2005
Proposal No. RO 05-17/2776

"City of Mendota "Annexation 05-01" Reorganization"

```
APN: 012-190-40S-5      INT:                    TRA: 140-013  TAX RATE:  1.0801680
   ORIG APN:                                                   TAX       REDEEMED
ASSESSEE: JONES-VILLERE FARMS                        -        DFLT DT      DATE
                                                     -        06/30/04    12/10/04
MAILNAME:
                                                          CORTAC:
MAILADDR:  P O BOX 155                 FIREBAUGH CA 93622        SUP PEND  : NO
                                                                 SUP BILLED: NO
LOCATION: SUR RT 89.88 AC W1/2 OF NE1/4 SEC 36 T13R14
 FULL VALUE
LAND:      117000                  |        1ST INSTAL..2ND INSTAL.....TOTAL TAX
IMPS:           0                  |   TAX: $    644.76 $    644.76 $    1289.52
(TFI:           0)                 |   PEN:       64.46       74.46       138.92
 P/P:           0   MH:          0 |   TOT:      709.22      719.22      1428.44
 REG:           0                  |   PD:     04/11/05
 SUB:      117000 **               |   COL#:     543431
EX HOX:         0                  |   AMT:      709.22         .00       709.22
EX BI:          0                  |
 NET:      117000 **               |
PEST:           0                  |
R/C: NO                             EXT DEL DATE 1.          2.
ESCAPES: NO        CONDEMNATION:                 BOND/WEED: $     25.76
```

```
APN: 012-190-41S-6      INT:                    TRA: 140-000  TAX RATE:  1.1245140
   ORIG APN:                                                   TAX       REDEEMED
ASSESSEE: JONES-VILLERE FARMS                        -        DFLT DT      DATE
                                                     -        06/30/04    12/10/04
MAILNAME:
                                                          CORTAC:
MAILADDR:  P O BOX 155                 FIREBAUGH CA 93622        SUP PEND  : NO
                                                                 SUP BILLED: NO
LOCATION: SUR RT 10 AC NW1/4 OF NE1/4 OF NE1/4 SEC 36 T13R14
 FULL VALUE
LAND:       15431                  |        1ST INSTAL..2ND INSTAL.....TOTAL TAX
IMPS:           0                  |   TAX: $     99.61 $     99.61 $     199.22
(TFI:           0)                 |   PEN:        9.95       19.95        29.90
 P/P:           0   MH:          0 |   TOT:      109.56      119.56       229.12
 REG:           0                  |   PD:     04/11/05
 SUB:       15431 **               |   COL#:     543431
EX HOX:         0                  |   AMT:      109.56         .00       109.56
EX BI:          0                  |
 NET:       15431 **               |
PEST:           0                  |
R/C: NO                             EXT DEL DATE 1.          2.
ESCAPES: NO        CONDEMNATION:                 BOND/WEED: $     25.76
```

2776/RO-05-17
300 FT. Buffer Area

NO_APN	TX_NM_OWNR	TX_NM_OWNR	TX_ADDR_M_	TX_ADDR_M_
01216025ST	Westlands Water District		3130 N. Fresno St.	Fresno Ca.
01219025ST	Westlands Water District		3130 N. Fresno St.	Fresno Ca.
01220006	BONILLA DOMITILA MELIDA		200 DERRICK	MENDOTA CA 93640
01220005U	PG&E		P.O. Box 770000	San Francisco Ca. 94177
01220026	SORENSEN DORA TRUSTEE -	-	191 SORENSEN	MENDOTA CA 93640
01222102	SELZER DAVID A & CAROLYN F TRUSTEES -	-	281 HOLMES	MENDOTA CA 93640
01222103	CARRILLO MANUEL Y & CARMEN R		271 HOLMES	MENDOTA CA 93640
01222104	GARCIA JOSE ISAAC & MARIA REYNA ESCOBAR	ESCOBAR JUAN ANTONIO & TOMASA O	261 HOLMES	MENDOTA CA 93640
01222105	YANEZ ESTEBAN & DORA		251 HOLMES	MENDOTA CA 93640
01222107	LANE NORMA TRUSTEE -	-	6097 W ASHLAN	FRESNO CA 93722
01222106	MIRANDA VICTOR V & JENNIE G		4150 VAUGHN	MERCED CA 95340
01222108	DANIEL DAVID & NANCY -	-	P O BOX 237	MENDOTA CA 93640
01222109	GONZALEZ MIGUEL	CALDERON OLIVIA	211 HOLMES AVE	MENDOTA CA 93640
01222101	ZAVALA JOSE LUIS & CELIA C		291 HOLMES	MENDOTA CA 93640
01222110	MARTINEZ EFREN BALANDRAN & CARMEN S		201 HOLMES	MENDOTA CA 93640
01222118	CERVANTES JOSE Q & MARIA TERESA T		270 MC CABE ST	MENDOTA CA 93640
01222119	MACIAS ROBERT A JR & LILY C		280 MC CABE	MENDOTA CA 93640
01222116	GOMEZ GILBERT G & AURORA L TRS -	-	250 MC CABE AVE	MENDOTA CA 93640
01222117	MC GINNIS RICHARD DAVID & MARGUERITE M		260 MC CABE AVE	MENDOTA CA 93640
01222115	LARIOS IGNACIO & ANGELITA		240 MC CABE	MENDOTA CA 93640
01222114	RASMUSSEN ROBERT & BARBARA M C/F DVA		230 MC CABE AVE	MENDOTA CA 93640
01222113	LOZANO ADELINE TRUSTEE -	-	P O BOX 34	MENDOTA CA 93640
01222112	RODRIGUEZ MICHAEL A SR & VICTORIA A		101 SORENSEN	MENDOTA CA 93640
01222120	NOEL DANIEL RAY & LISA DIANE		290 MC CABE AVE	MENDOTA CA 93640
01222111	LOZANO VICTOR		200 MCCABE	MENDOTA CA 93640
01222202	MIRANDA VICTOR V & JENNIE G		4150 VAUGHN	MERCED CA 95340
01222203	LOZANO DONALD N & HELEN R		271 MC CABE	MENDOTA CA 93640
01222204	GOMEZ JOE M		1958 SEVENTH ST	MENDOTA CA 93640
01222205	ROSALES GILBERTO J		251 MC CABE	MENDOTA CA 93640
01220023	RODRIGUEZ MICHAEL A & VICTORIA A	LOZANO ADELINE N	101 SORENSEN	MENDOTA CA 93640
01222201	ARCHILA JULIAN G	BOTEO MERCEDES CASTILLO	291 MC CABE	MENDODTA CA 93662
01222219	GONZALEZ DANIEL J & JULIA R		4195 W SAGINAW WAY	FRESNO CA 93722
01222218	CORRAL MARIA LUISA		2581 E CENTRAL #7	FRESNO CA 93725
01222216	RODRIGUEZ JOSE RAYMUNDO & VICTORIA		250 FLEMING	MENDOTA CA 93640
01222217	VELASCO JOSE R	GONZALEZ VALERIA S	260 FLEMING	MENDOTA CA 93640
01222220	AMAYA JOSE E & MARIA E		290 FLEMING	MENDOTA CA 93640
01222302	MIRANDA VICTOR V & JENNIE G		4150 VAUGHN	MERCED CA 95340
01222304	LARA LUPE CHAVEZ	ZAMORA MARIO L	261 FLEMING	MENDOTA CA 93640
01222303	PENA JESUS & CAROLINA		271 FLEMING	MENDOTA CA 93640
01222305	AYALA LETICIA	AYALA LETICIA	230 FLEMING	MENDOTA CA 93640
01222301	PETRY EDWARD E & LUPE C	GRAHAM BOOKKEEPING	P O BOX 74	FIREBAUGH CA 93622
01222319	PERINONI RONALD E & LYDIA S		557 WALNUT CT	KERMAN CA 93630
01222318	PERINONI RONALD E & LYDIA S		557 WALNUT CT	KERMAN CA 93630
01222317	MEJIA BENITO & VICTORIA	SANDOVAL SALVADOR	260 BLACK	MENDOTA CA 93640
01222316	HATCH KENNETH P & JUDITH A		1521 W ASHCROFT	FRESNO CA 93705

01222320	GIVENS DANIEL J & SHIRLEY D		290 BLACK AVE	MENDOTA CA 93640
01224134	REYES JOSE ANGEL & TERESA D		291 BLACK	MENDOTA CA 93640
01224135	ANDRADE MARIA T		281 BLACK	MENDOTA CA 93640
01224103S	GUEVARA JOSE O & MARINA		271 BLACK	MENDOTA CA 93640
01224133	GONZALEZ RAUL A & JUANITA O		261 BLACK AVE	MENDOTA CA 93640
01224105S	CAMPOS JOSE CRUZ & MARIA ELDA		251 BLACK AVE	MENDOTA CA 93640
01224117S	NAVARRO INOCENCIA G		260 GREGG CT N	MENDOTA CA 93640
01224136S	FLIPPO FARRELL F & LUPE		250 GREGG CT N	MENDOTA CA 93640
01224130S	RAMOS RALPH M & DELORES		240 GREGG COURT N	MENDOTA CA 93640
01224118S	OWENS BILL D & ROBERTA		270 GREGG COURT N	MENDOTA CA 93640
01224119S	SEGOVIA RUBEN & MARGARITA		272 GREGG CT W	MENDOTA CA 93640
01224202S	CUELLAR ISIDRO M & MARY LILLIAN		P O BOX 636	MENDOTA CA 93640
01224120S	ZERMENO JUAN CARLOS & LAURA		274 GREGG CT W	MENDOTA CA 93640
01224201S	ARGUETA SALVADOR & REYNA GOMEZ		251 GREGG CT W	MENDOTA CA 93640
01224212S	YOUNG CHAI & MARY -	-	697 DERRICK	MENDOTA CA 93640
01224211S	GIL CONSUELO S	GARCIA MELISSA G (MINOR)	240 GREGG CT S	MENDOTA CA 93640
01224121S	MARTINEZ MANUEL		284 GREGG CT W	MENDOTA CA 93640
01224122S	ROBLES MARIA LUA		277 GREGG CT S	MENDOTA CA 93640
01224125S	HARITZALDE JEAN PIERRE & MARIA A		243 GREGG CT S	MENDOTA CA 93640
01224124S	LEYVA MICHAEL C & ALICE C/F DVA		255 GREGG COURT S	MENDOTA CA 93640
01224123S	LUNA PEDRO A	LUNA JENNIFER	265 GREGG CT S	MENDOTA CA 93640
01219016T	MENDOTA CITY OF		643 Quince St.	Mendota Ca. 93640
01219014S	Westlands Water District		3130 N. Fresno St.	Fresno Ca.
01219038ST	MENDOTA CITY OF		643 Quince St.	Mendota Ca. 93640

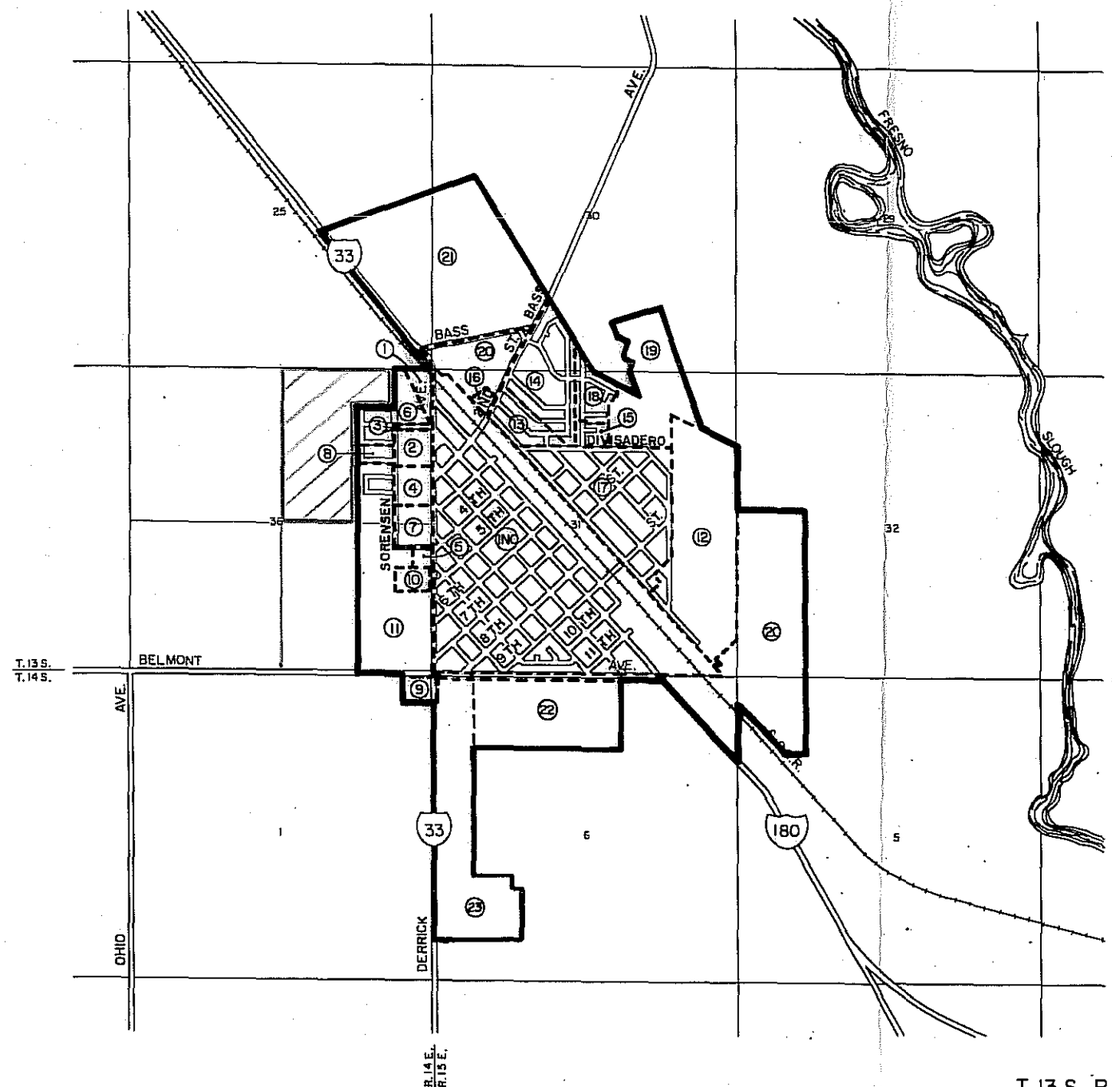
City of Mendota

ANNEXATION MAP

INCORPORATED JUNE 17, 1942

ANNEX. NO.	EFF. ROLL YEAR	DOCUMENT NO.
1	1948	ORD - 24 & 36
2	1948	ORD - 34
3	1949	ORD. - 40
4	1949	ORD. - 41
5	1953	ORD. - 55
6	1952	ORD. - 56
7	1954	ORD. - 67
8	1956	ORD. - 76
9	1957	ORD. - 79
10	1961	ORD. - 115
11	1962	ORD. - 121
12	1966	ORD. - 136
13	1972	ORD. - 176
14	1973	ORD. - 183
15	1973	RESO.-529
16	1978	ORD. - 234
17	1978	RESO.-1744
18	1980	ORD. - 273
19	1981	RESO-946
20	1983	RESO-1051
21	1987	R.85- 27
22	1993	R.92-07
23	2003	R.98-33

FRESNO COUNTY ASSESSOR'S OFFICE



T. 13 S., R. 14 E., M.D.B.& M.
T. 13 S., R. 15 E., M.D.B.& M.
T. 14 S., R. 14 E., M.D.B.& M.
T. 14 S., R. 15 E., M.D.B.& M.

N

SCALE

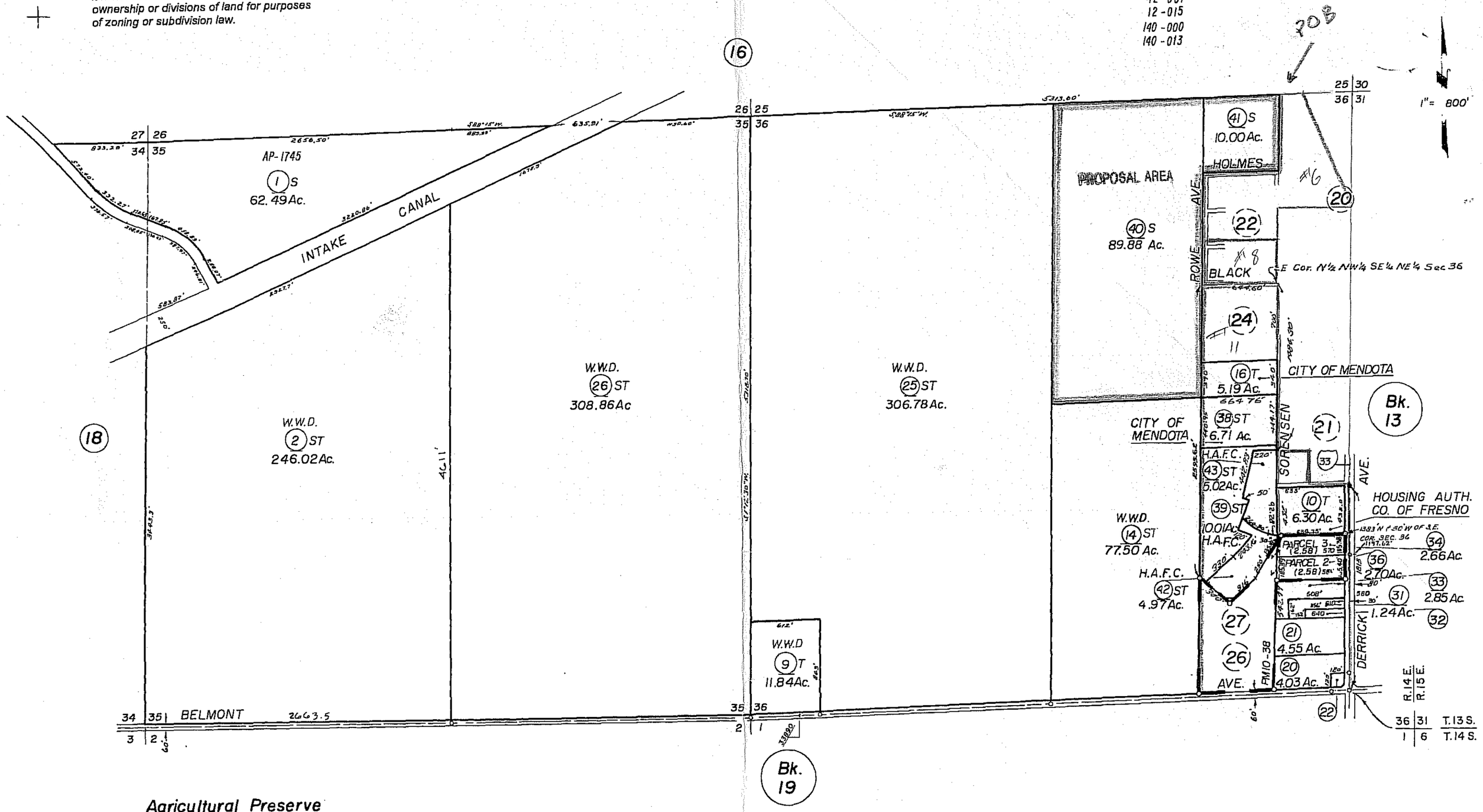
0 MI. .25 MI. .5 MI. .75 MI. 1 MI.

— NOTE —
This map is for Assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.

S. C. 36 & POR. SEC.'S 34 & 35, T. 13 S., R. 14 E., M.D.B.&M.

Tax Area
12-001
12-015
140-000
140-013

12-19

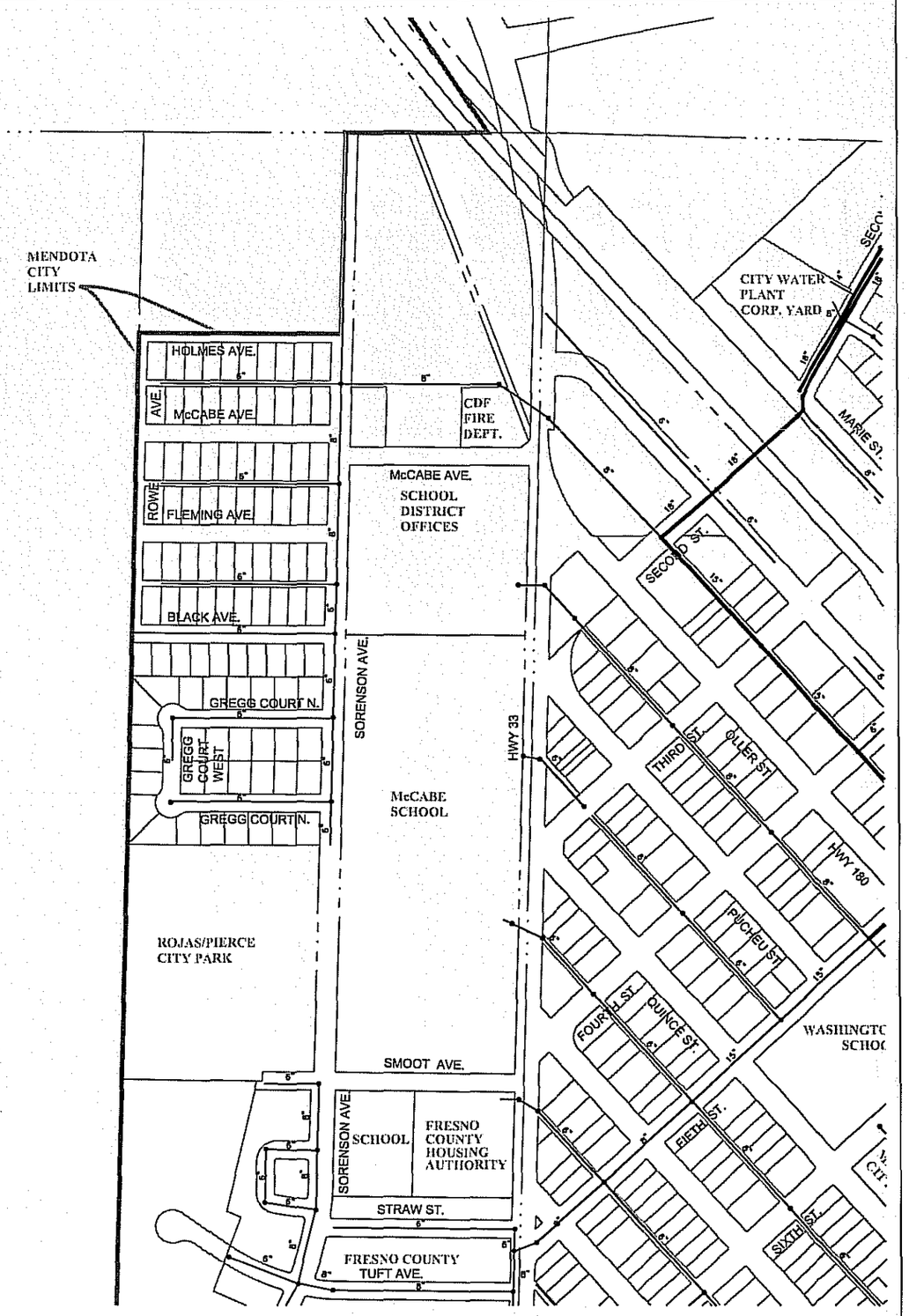


Agricultural Preserve
Parcel Map No. — Bk. 10, Pg. 38

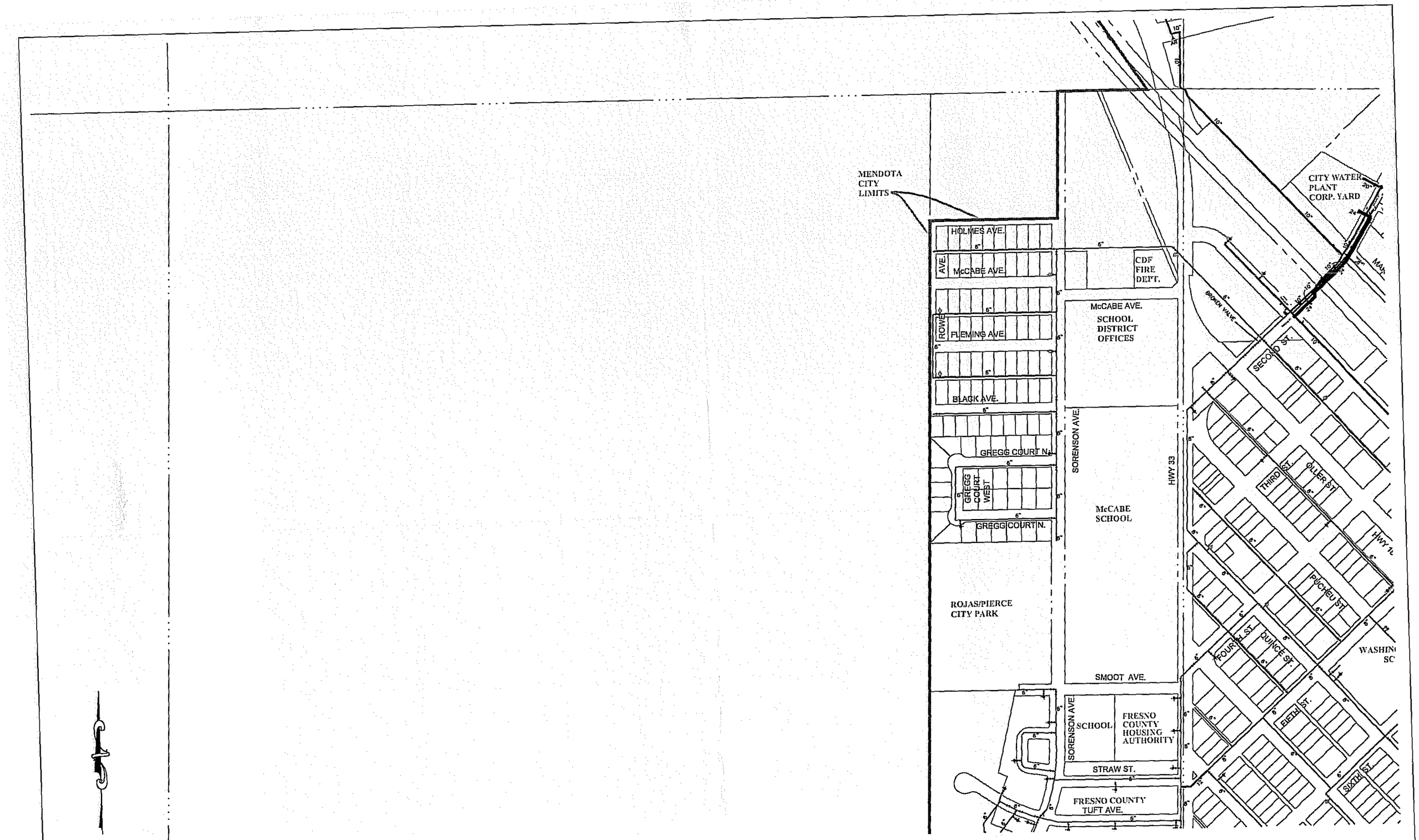
Assessor's Map Bk. 12 — Pg. 19
County of Fresno, Calif.

1961

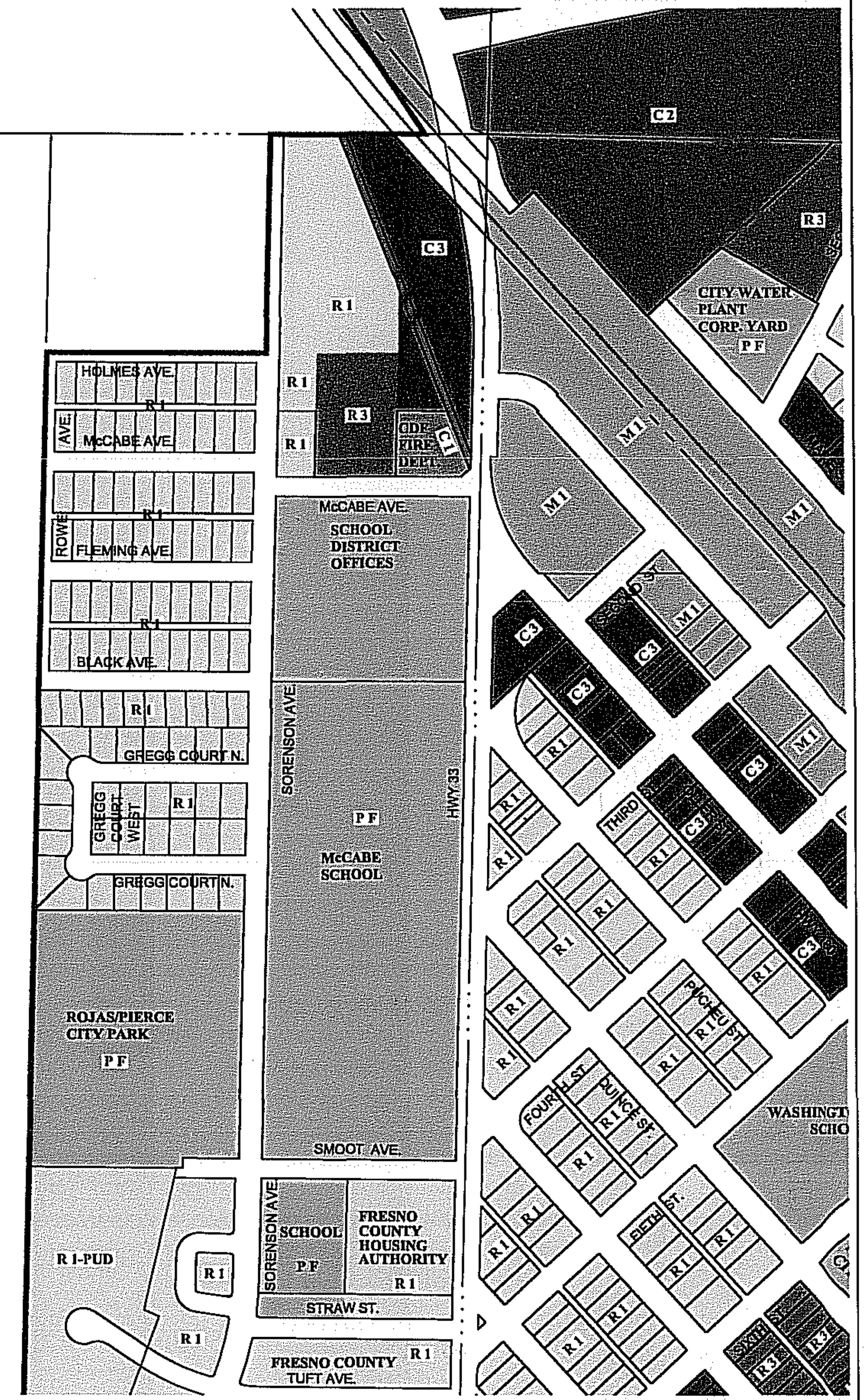
NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles



MENDOTA SANITARY SEWER SYSTEM



MENDOTA WATER SYSTEM



ZONE DISTRICTS:

SPECIAL USE DISTRICTS

- SC — SPECIAL COMMERCIAL
- O — OPEN SPACE/RECREATION
- P — OFF-STREET PARKING
- AD — AIRPORT DEVELOPMENT
- PF — PUBLIC FACILITIES

OVERLAY DISTRICTS

- UR — URBAN RESERVE
- PUD — PLANNED UNIT DEVELOPMENT

AGRICULTURAL DISTRICTS

- R A — SINGLE FAMILY RESIDENTIAL / AGRICULTURAL

SINGLE FAMILY RESIDENTIAL

- R1 A — SINGLE FAMILY LOW DENSITY RESIDENTIAL–MIN. 12,000 SQ. FT. PER LOT
- R 1 — SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL–MIN. 6,000 SQ. FT. PER LOT

MULTIPLE FAMILY RESIDENTIAL

- R 2 — MULTIPLE FAMILY MEDIUM HIGH DENSITY RESIDENTIAL–MIN. 3,000 SQ. FT. LOT AREA PER DWELLING UNIT
- R 3 — MULTIPLE FAMILY HIGH DENSITY RESIDENTIAL RESIDENTIAL–MIN. 1,500 SQ. FT. LOT AREA PER DWELLING UNIT
- R3 A — MULTIPLE FAMILY HIGH DENSITY RESIDENTIAL ONE STORY–MIN. 1,500 SQ. FT. LOT AREA PER DWELLING UNIT
- MH — MOBILE HOME PARK

COMMERCIAL DISTRICTS

- C-1 — NEIGHBORHOOD SHOPPING CENTER
- C-2 — COMMUNITY SHOPPING CENTER
- C-3 — CENTRAL BUSINESS AND SHOPPING

INDUSTRIAL DISTRICTS

- M 1 — LIGHT MANUFACTURING INDUSTRIAL
- M 2 — HEAVY MANUFACTURING INDUSTRIAL

MENDOTA ZONING MAP

CHANGE OF ORGANIZATION OR REORGANIZATION
CORTESE-KNOX LOCAL GOVERNMENT REORGANIZATION
(Government Code Sec. 56000, et seq.)

CITY ANNEXATION APPLICATION
Proposals Initiated by Resolution or Petition

FRESNO LOCAL AGENCY FORMATION COMMISSION
2100 TULARE STREET, SUITE 502
Fresno, CA 93721 PHONE: (559) 495-0604

Mike Waiczis, Executive Officer
Candie Fleming, Secretary

OFFICE USE ONLY:

LAFCo File No.

Date Received

MAR 2006
Received
FRESNO
LAFCO

Name of Proposal H/S Development Las Palmas Annexation

Changes of Organization listed in Resolution or Petition Annexation to the City of Mendota

Detachment from Fresno County Fire Protection Dist., Westlands Water District, and Silver Creek Drainage District.

Signature of Chief Petitioner or Representative of Initiating Agency

3/16/06
Date

Name Gabriel Gonzalez Address 643 Quince St. Mendota CA 93640

Title City Manager Phone 559-655-3291

This application and attached documents are complete and are in all respects true and correct to the best of my knowledge.

List the name and address of officers or persons, not to exceed three in number, who are to receive the notice of hearing and the Executive officer's Report.

Name	Address and Zip Code
Gabriel Gonzalez	643 Quince St. Mendota CA 93640
H/S Development	4800 Stockdale Hwy. Bakersfield CA 93309

1. Reasons for Proposal

A. State the reasons for this change, and why the change is proposed at this time.

To provide housing opportunities for the City of Mendota in accordance with the Adopted Housing Element

B. Describe in detail any proposed development:

Development location and acreage 91.70 Acres/Adjacent to Western City Limits

Types of uses and number of units SFR 422 units

Project file numbers and status GPA/Pre-Zone/Annex/Enviro/TSM #05-01

Other details: Project approved by City Council-Pending Annexation

If already developed, describe in detail any added service and greater frequency or range of services to be provided to residents of this area.

Currently undeveloped land

11/14/00

C. What is the reason for the proposal boundaries? Describe the city plan to annex any remaining substantially surrounded area created.

Annexation boundaries were adopted by the City Council-Please see attached Staff Report Resolution and Maps

D. Amount of vacant land in acres in the community plan area already in the City that could accommodate the proposed development.

None. All residential land is developed or us under construction

Comment on why the proposed annexation is justified given the amount of vacant land in the City already.

There is no vacant land available for single family development within the city limits.

2. Information on Proposal Area and Vicinity

A. Acreage 91.70 No. of Registered Voters 0

No. of Residences 0 No. of Landowners 1

Population Est. 0 County Zoning Ag

City Zoning Upon Annexation R-1 (SFR) 6,000 sq. ft. minimum

B. List the uses of land in the affected area and give acreage for each. If in agricultural use, list crops produced over the past three years.

Retire land-Westlands Water District

C. If annexation/development is adjacent to agricultural parcels, how has the city buffered the developing area or mitigated the impact of development on agricultural parcels.

Adoption of a Right to Farm Condition on the map

D. Is any of the affected territory in an agricultural preserve or under Land Conservation Contract? No
If so give date of Contract Execution N/A

Does the resolution of application state the City's intention to succeed or not to succeed to the contract? N/A If not to succeed, include copy of City Protest to Board of Supervisors or LAFCo.

E. Does the proposed development and change of organization conform to the City General and Specific Plans (explain if not conforming)?

Yes

What is the City plan designation?

Low Density Residential

What is the County plan designation?

Agriculture

3. Information on Services

A. List below the names of agencies or companies now providing services and which agency will provide service after annexation completion. Include estimated date new service will begin (use "UA", if upon annexation, "UD" if upon development).

	Existing	Proposed Change	Date
Domestic Water	N/A	City of Mendota	DBA
Sewer Collection	N/A	City of Mendota	DBA
Solid Waste Collection	N/A	City of Mendota	DBA
Street Lighting	N/A	City of Mendota	DBA
Parks and Recreation	N/A	City of Mendota	DBA
Fire Protection (station distance)	Fresno Co. Fire Protection Dist. 1,000	N/A	On-Going
Paramedic (station distance)	Fresno Co.	None	On-Going
Police	Fresno Co. Sheriff	None	On-Going
Storm Drainage	N/A	City of Mendota	DBA
Elementary School	Mendota Unified	None	On-Going
High School	Mendota Unified	None	On-Going

B. Comment on the municipal or other public service facilities or improvements which will serve the affected territory after annexation listed above (including water or sewer lines or facilities, fire stations, school facilities). Are any of these services or facilities near or beyond their capacity to adequately serve the area? Yes Are there any notices or orders to the city from any agency including state or federal agencies, related to these services or facilities and their capacities that would affect services to the proposal?

astewater treatment is approaching its permitted capacity. The RWQCB used a cease nd desist order in 2002 requiring improvements over a 7 year period. The City is omplying with the order and there is sufficient capacity for development.

If yes, explain which public service agency is affected, i.e. city or district, how these improvements/facilities will be upgraded, when and how financed, or how any deficiencies are being met. The City of Mendota is in the process of upgrading the WWTP per the C&D time schedule. The project will be financed by developer impact fees, state grant, FBOP buy in fees, and a USDA loan to the City of Mendota.

4. Information on Costs and Revenue

A. Is there any outstanding general bonded indebtedness for any of the agencies whose boundaries are changed by this proposal?
No

B. If so, give information listed below:

Name of Agency	Bond Tax Rate for Affected Territory	Date of Maturity	General Purpose of Bond

C. Is the affected territory to be subject to all of the above general bonded indebtedness upon annexation? N/A

D. If any costs of services to be or already being received by residents within the affected territory will change as a result of this proposal, give breakdown of change for a typical residential landowner or resident in the affected territory for comparison purposes.
N/A-Vacant land-Uninhabited

E. If any resident or landowner in the affected area will be required to connect to sewer or water lines as a result of annexation or construct any other improvements (other than as a requirement for a proposed development), list requirements, when required, and any other special circumstances related. (A letter from City to residents and landowners should also indicate these requirements.)
N/A

5. Information on Processing Change of Organization or Reorganization

A. [X] Letter from the County confirming consistency with the MOU.

B. Property Tax Exchange (Revenue & Tax Code 99 & 99.1) Check either:

[X] Master Tax Agreement should apply to the change. If so, provide letter indicating consistency with the master agreement.

[ ] Other agreement for change is to be negotiated (Explain other agreement).

C. Compliance with California Environmental Quality Act. Check either:

[ ] Project is Exempt and a Notice of Exemption, prepared in consultation with LAFCo, is included.

[X] An initial study is complete and a Negative Declaration prepared for the annexation in consultation with LAFCo and other affected agencies and is included.

[ ] An EIR has been prepared for the annexation project and 10 copies are included.

D. Initiation of Application. **A clear and reproducible legal description and map meeting Commission standards must be included,** and a copy also attached to the resolution or petition. Check either:

[X] A certified resolution of application is included.

[ ] A petition of landowners or registered voters is included.

E. Landowner Consent or Notice. Check either:

[ ] Signed LAFCo property owner consent forms for all landowners are included as shown on Assessor's roll.

or

[ ] Letter of Notification to Landowner and Residents (if no consent of all landowners).

a. All property owners and residents must be notified of the change and how to receive notice of LAFCo hearing.

b. For inhabited proposals, a City response to a neighborhood meeting, held for the annexation listing the issues and the City response.

F. Municipal Service Plan. Check either:

[X] A Service Plan for the change is included.

[ ] A Master Service Plan is filed with LAFCo and is current (updated in 1993 or later).

G. Waiver of Conducting Authority proceeding.

[X] Check if all landowners have consented in writing and there are less than twelve registered voters, all annexing agencies have consented in writing to waive further Conducting Authority proceeding, and City is requesting waiver of Conducting Authority proceedings.

6. Supplementary Maps

A map(s) showing land use, water and sewer service lines, and City and County zoning for the affected area and vicinity. Please see attached.

7. Application Fees

A fee must accompany the application in accordance with the LAFCo fee schedule. Attached

8. Political Reform Act Compliance

List of Affected Landowners and Financial Interests. None

For all uninhabited proposals, or proposals where land use entitlements have been or may be filed with the city, the names of all landowners, lessees, options to purchase or lease the property, or any other having any ownership or financial interest in the property, must be furnished with the applications. If the interest is a corporation or partnership, list all persons owning more than 10% of the corporation shares or interest in partnership. If a trust or non-profit organization, list any directors or trustees, trustors, or beneficiaries.

If an applicant for or participant of any proceeding has made a campaign contribution of more than $250 to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (government Code Section 84308).

CITY OF MENDOTA
CITY COUNCIL

RESOLUTION NO. 05-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENDOTA APPROVING THE ADOPTION OF A RESOLUTION OF APPLICATION FOR ANNEXATION NO. 05-01, AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

WHEREAS, at a regularly held meeting on March 22, 2005, the Mendota City Council did consider Annexation No. 05-01 for Vesting Tentative Tract Map No. 5483 proposed pursuant to the Local Government Reorganization Act of 2000 for the purpose of annexation to the City of Mendota and detachment from the Westlands Water District, the Silver Creek Drainage District, and the Fresno County Fire Protection District; and

WHEREAS, the City Council determined that the proposal is consistent with the Mendota General Plan, as amended. The General Plan designates the area of reorganization for urban uses as Medium Density Residential and the territory has been prezoned R-1, Single-Family Residential, consistent with the land use designation; and

WHEREAS, the boundaries of the territory proposed for reorganization are set forth in Exhibit 'A' attached hereto and by this reference incorporated herein (APN 12-190-40 and 41); and

WHEREAS, this proposal is within the adopted Sphere of Influence of the City of Mendota and is adjacent to the City Limits of the City of Mendota; and

WHEREAS, the City has conducted an Initial Study and has determined that the proposal will not have an adverse effect on the environment and, therefore, a Negative Declaration has been prepared for the project; and

WHEREAS, the Initial Study contains no evidence that the proposal will individually or cumulatively have an adverse effect on wildlife resources as defined by Section 711.2 of the Fish and Game Code; and

WHEREAS, said proposal is made to facilitate urban development as planned by the Mendota General Plan and to achieve stated community goals and objectives for providing residential locations within the City to foster and promote needed housing while assuring that growth occurs in an orderly manner.

NOW, THEREFORE, BE IT RESOLVED that the Mendota City Council hereby adopts the Resolution of Application, to be forwarded to the Fresno Local Agency Formation Commission, requesting that proceedings be conducted pursuant to the Local Government Reorganization Act of 2000 for Annexation No. 05-01.

* * * * * *

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted and passed by the City Council of the City of Mendota, California, at a meeting held on the 22nd day of March, 2005, by the following vote:

AYES: 4 COUNCILMEMBERS: John Flores, Yvette Quiroga, Rene Covarrubia, and Joseph Riofrio

NOES: COUNCILMEMBERS: None

ABSTAIN: 1 COUNCILMEMBERS: Robert Silva

ABSENT: COUNCILMEMBERS: None

Dated: March 22, 2005

Brenda L Carter

Brenda L. Carter, City Clerk

ATTACHMENT:
Exhibit 'A' – Territory Location Map

Exhibit 'A' – Territory Location Map

ANNEXATION NO. 05-01
AN ANNEXATION TO THE CITY OF MENDOTAAND DETACHMENT FROM
THE KINGS RIVER CONSERVATION DISTRICT, THE CONSOLIDATED IRRIGATION DISTRICT,
AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

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

RESOLUTION NO. 05-18

A RESOLUTION OF THE CITY OF MENDOTA CITY COUNCIL CERTIFYING THE INITIAL STUDY, ADOPTING A MITIGATED NEGATIVE DECLARATION

WHEREAS, the Initial Study/Proposed Mitigated Negative Declaration prepared and distributed by the City of Mendota for a thirty (30) day review period on December 6, 2004, and;

WHEREAS, the comment period of the Initial Study terminated on January 6, 2005, and;

WHEREAS, the Planning Commission held the noticed Public Hearing on January 24, 2005 to take testimony with regard to the proposed Initial Study/Mitigated Negative Declaration; and

WHEREAS, the Planning Commission voted to adopt Resolution Number PC 05-01, recommending the certification of the Initial Study and adoption of the Mitigated Negative Declaration, and;

WHEREAS, the City Council completed its review of the proposed Initial Study/Mitigated Negative Declaration and information contained in the Staff Report and has considered the testimony received during the public hearing process, and;

WHEREAS, the City Council has determined that based on all the information contained in the public record that the adoption of a Mitigated Negative Declaration will address all environmental impacts to a level of less than significant;

NOW THEREFORE BE IT RESOLVED, that the City Council hereby certifies the Initial Study and adopts the Mitigated Negative Declaration and directs the City Manager to file a Notice of Determination with the Fresno County Clerk and the State of California Office of Planning and Research.

NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council adopts the required Mitigation Monitoring and Reporting Programs and directs the City Manager to initiate the implementation of the program at time improvement and construction plans are submitted for review and approval.

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 R. Riofrio

Joseph Riofrio, Mayor

ATTEST:

Brenda L. Carter, City Clerk

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 R. Riofrio

Joseph Riofrio, Mayor

ATTEST:

Brenda L. Carter

Brenda L. Carter, City Clerk

CITY OF MENDOTA

www.ci.mendota.ca.us

MINUTE ORDER

The City Council of the City of Mendota, at its regularly scheduled meeting held on Tuesday, January 24, 2006, on a motion duly made, seconded and carried on a unanimous vote, approved the Amended and Restated Memorandum of Understanding between the County of Fresno, the City of Mendota and the Mendota Redevelopment Agency.

ATTEST:

Dated: March 21, 2006

Brenda L. Carter

Brenda L. Carter, City Clerk

643 Quince Street Mendota, California 93640 Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)

24216

Vendor	Vendor Name	Date 03/21/06	Ck # 02421
FRE38	FRESNO LOCAL AGENCY		

CITY OF MENDOTA
643 QUINCE STREET
MENDOTA, CALIFORNIA 93640

Invoice ID	Inv Date	Invoice Description	Gross	Discount	Total
A60321-	Mar 21 2006	CITY OF MENDOTA H/S DEV. ANNEXATION APPLICATION	9,000.00		9,000.00
Id With Vendor -> LAFCO		Totals	9,000.00	.00	9,000.00

Returned to the City 3/23/06

S377202-05 SPECTRUM BUSINESS FORMS (209) 438-4558

24216

WARRANT ON THE TREASURY OF THE
CITY OF MENDOTA
643 QUINCE STREET
MENDOTA, CALIFORNIA 93640

The California Stockmen's Bank
567 Oller Street
Mendota, CA 93640

91-504
1221

CHECK DATE 03/21/06

PAY EXACTLY ******9,000.00*

PAY *********9,000*DOLLARS*AND*00*CENTS**

*Nine Thousand**********

TO THE ORDER OF

FRESNO LOCAL AGENCY
FORMATION COMMISSSION
2115 KERN STREET, SUITE 310
FRESNO, CA 93721

CITY OF MENDOTA

MAYOR

CITY MANAGER

FINANCE DIRECTOR

⑈024216⑈ ⑆122105045⑆ 5101005626⑈

JONES-VILLERE FARMS PARTNERSHIP AGREEMENT

THIS PARTNERSHIP AGREEMENT is made and effective as of October 30, 1985, by and between WILLIAM L. JONES and MAURINE JONES, husband and wife; PLAUCHE F. VILLERE, JR. and SUSAN JONES VILLERE, husband and wife; and RONALD C. JONES and KATHRYN JONES, husband and wife.

ARTICLE I

FORMATION OF PARTNERSHIP

1.1 Formation. The parties to this Agreement agree to become Partners and to form a general partnership under the laws of the State of California and specifically, the California Uniform Partnership Act for the purposes and on the terms and conditions stated herein.

1.2 Type of Business; Name. The purposes of the Partnership are to engage in the business of farming and to do all things related, incidental to, or in furtherance of that business. The name of the Partnership shall be Jones-Villere Farms.

1.3 Place of Business. The Partnership's principal place of business shall be 36245 West Ashlan, Firebaugh, California. The principal place of business may be changed from time to time and other places of business may be established by actions taken in accordance with the provisions of this Agreement that govern the management of the Partnership's business and affairs.

1.4 Partnership Term. The Partnership shall begin as of the date of this Agreement and shall continue for one year. At the end of that period the Partnership shall continue from year to year unless one or more of the Partners shall give the Partnership and the other Partners at least sixty (60) days written notice of that Partner's election to dissolve the Partnership as of the next anniversary of the Partnership's commencement. If this notice is given, the Partnership shall dissolve on that anniversary and its affairs shall be wound up, unless it has dissolved or terminated earlier as provided in this Agreement.

1.5 Fictitious Business Name Statement. The Partners, or any of them, on the Partnership's behalf, shall cause to be filed and published an appropriate fictitious business name statement under the California Business and Professions Code immediately, and, in addition, within forty (40) days after any subsequent change in membership, or principal place of business, and before the expiration of any previously filed statement.

1.6 Statement for Partnership Real Estate. Promptly following the commencement of the Partnership and any subsequent change in its membership, the Partners, or any two of them, shall sign, acknowledge, and verify a statement as provided in California Corporations Code § 15010.5, and cause it to be recorded in each county in California in which the Partnership owns or contemplates owning real property or any interest in real property.

ARTICLE II

FINANCIAL

2.1 Capital. The Partnership's initial capital shall consist of the properties and the improvements thereon shown in Exhibit 1 to this Agreement. That exhibit sets forth the amounts that the Partners agree are the market values of the respective items of property and improvements and identifies the Partners who shall contribute the respective properties and improvements to the Partnership. Those market values shall be deemed to be the amounts of the initial capital contributions of the Partners contributing the respective properties and improvements. Each Partner shall convey his or her contribution to the Partnership upon execution of this Agreement.

2.2 Additional Contributions to Capital. No Partner shall be required to make additional contributions to the capital of this Partnership and no Partner shall be allowed to make a voluntary contribution to capital unless agreed to by each of the other Partners.

2.3 Withdrawal of Capital. No portion of the capital of the Partnership may be withdrawn at any time without the express written consent of all other Partners except as provided in this Agreement.

2.4 Interest on Capital. No Partner shall be entitled to interest on that Partner's contributions to the capital of the Partnership or on that Partner's capital account.

2.5 Future Loans. No Partner shall lend or advance money to or for the Partnership's benefit without the approval of all of the Partners. The loan shall not be regarded as an increase of the lending Partner's capital and it shall not entitle that Partner to any increased share of the Partnership's profits.

2.6 Capital Accounts. An individual capital account shall be maintained for each Partner consisting of that Partner's contribution to the initial capital of the Partnership and shall be:

(a) Increased by:

(i) Any additional contributions to Partnership capital made by a Partner pursuant to this Agreement

(ii) Any amounts transferred from a Partner's income account to that Partner's capital account pursuant to this Agreement.

(b) Decreased by:

(i) Any distributions made to a Partner in reduction of Partnership capital;

(ii) The Partner's share of any Partnership losses charged to the capital accounts of the Partners pursuant to this Agreement.

2.7 Income Accounts. An individual income account shall be maintained for each Partner. The share of each in the net profits of the Partnership shall be credited to the income account of each, and the share of each in any net loss suffered b

the Partnership shall be charged to the income account of each, unless the Partners agree to charge such loss to their capital accounts. All withdrawals of a Partner shall be charged to that Partner's income account. The Partners may at any time by unanimous agreement, transfer all or any part of the credit balance in their respective income accounts to their capital accounts.

2.8 Balance in Partners' Income Account Not Capital. A credit balance in a Partner's income account shall constitute a liability of the Partnership to that Partner, and shall not constitute capital interest in the Partnership, unless transferred to the capital account by agreement of all of the Partners pursuant to paragraph 2.7 above. A debit balance in a Partner's income account, resulting from the charge of its income account for its share of a Partnership net loss, shall constitute an obligation of such Partner to the Partnership, payable without interest on demand, and shall not reduce that Partner's interest in the capital of the Partnership unless otherwise agreed to by the other Partners.

2.9 Division of Profits and Losses. The Partnership's profits and losses shall be shared by the Partners in the same proportions as their capital accounts bear to each other.

2.10 Withdrawals. Each Partner shall be entitled to draw against profits such amounts as from time to time shall be agreed upon by a majority in capital interest of the Partners.

Such withdrawals shall be charged to the Partners' income accounts as they are drawn.

2.11 Excessive Withdrawals. Notwithstanding the provisions of this Agreement governing drawing accounts of Partners, to the extent any Partner's withdrawals under those provisions during any fiscal year of the Partnership exceed that Partner's distributable share in the Partnership's profits, the excess shall be regarded as a loan from the Partnership to the Partner that the Partner is obligated to repay within one-hundred twenty (120) days after the end of that fiscal year, with interest on the unpaid balance at the rate of ten percent (10%) per annum from the end of that fiscal year to the date of repayment.

2.12 Limitation on Distributions. The aggregate amount distributed to the Partners from the Partnership's profits shall not, in any event, exceed the amount of cash available for distribution, taking into account the Partnership's reasonable working capital needs as determined by a majority in capital interest of the Partners.

2.13 Special Allocation of Depreciation. In the event that one or more Partners should ever contribute property to the Partnership in exchange for a capital interest, the income tax basis of which property to the Partnership differs from the agreed market value of such property, then for income tax purposes, the depreciation expense attributable thereto shall be allocated among the Partners in such a manner that the tax treatment of the

Partners, other than the contributing Partner, shall be the same as it would have been if the contributing Partner had instead contributed cash equal to the agreed market value of such property followed by a purchase of such property by the Partnership.

ARTICLE III

ACCOUNTING

3.1 Fiscal Year. The fiscal year of the Partnership shall be January 1 to December 31.

3.2 Bookkeeping. The Partnership's books shall be maintained on the cash basis.

3.3 Determination of Profit and Loss. The Partnership's net profit or net loss for each fiscal year shall be determined as soon as practicable after the close of that fiscal year in accordance with the accounting principles employed in the preparation of the federal income tax return filed by the Partnership for that year, without any special provisions for tax exempt or partially tax exempt income.

3.4 Records and Reports. Proper and complete books of account of the Partnership's business shall be kept at the Partnership's principal place of business and shall be open to inspection and copying by any of the Partners or their authorized representatives at any reasonable time during business hours. The accounting records shall be maintained in accordance with generally accepted accounting practices for the type of business in which the Partnership shall be engaged.

ARTICLE IV

RIGHTS AND DUTIES OF PARTNERS; OPERATION

4.1 Time devoted to Partnership. Each Partner shall devote the time and attention to the Partnership business as may be necessary in the judgment of all Partners to perform that Partner's respective duties.

4.2 Salaries. No Partner shall be entitled to a salary nor may any Partner receive compensation for services provided to the Partnership without the consent of all the Partners.

4.3 Draws. Unless all of the Partners agree otherwise, no Partner shall be entitled to withdraw any amounts from the funds of the Partnership as an advance against that Partner's share of the net profits of the Partnership.

4.4 Management and Control. Each Partner shall participate in the management and control of the business of the Partnership in proportion to that Partner's capital interest.

4.5 Acts Requiring Majority Consent. The following acts may be done only with the consent of a majority in capital interest of the Partners:

(a) Acquiring real property or capital equipment, borrowing money or incurring obligations in the Partnership's name, other than in the ordinary course of the Partnership's business;

(b) Transferring, hypothecating, compromising, or releasing any Partnership claim except on payment in full;

(c) Selling, leasing, hypothecating or loaning any Partnership property or entering into any contract for any such purpose, other than in the ordinary course of the Partnership's business and the sale, lease or hypothecation of any Partnership real property;

(d) Knowingly suffering or causing anything to be done whereby Partnership property may be seized or attached or taken in execution, or its ownership or possession otherwise jeopardized.

4.6 Reimbursement of Expenses. The Partnership shall indemnify a Partner for non-prohibited payments made and liabilities reasonably incurred in the ordinary and proper conduct of the Partnership business or for the preservation of the Partnership business or property.

4.7 Personal Debts. Each Partner shall pay and discharge, as they become due, that Partner's separate obligations and protect the other Partners and the Partnership from all costs, claims and demands in relation thereto.

4.8 Assignment of Interest. No Partner shall sell, assign, mortgage, hypothecate or encumber that Partner's interest in the Partnership without the express written consent of all the Partners.

4.9 Addition of New Partners. A new Partner may be admitted to the Partnership only with the express written consent of all the Partners. Each new Partner shall be admitted only if

he shall have executed this Agreement and any applicable supplement to it, in which he agrees to be bound by the terms and provisions of this Agreement and any such supplement. Admission of a new Partner shall not cause dissolution of the Partnership. Such newly admitted Partner's capital contribution and share of the Partnership's profits and losses shall be as set forth in the written consents of the Partners consenting to the admission of such Partner.

4.10 Outside Activities of Partners. Any Partner may be engaged in one or more businesses, other than the business of the Partnership, but only to the extent that this activity does not compete or materially interfere with the business of the Partnership while the Partnership is actively engaged in business and does not conflict with the obligations of that Partner under this Agreement. Neither the Partnership nor any other Partner shall have any right to any income or profit derived by a Partner from any business activity permitted under this section.

4.11 Deposit of Funds. All Partnership Funds shall be deposited in the Partnership's name and shall be subject to withdrawal on the signature of at least one Partner.

ARTICLE V

TRANSFERS OF PARTNERSHIP INTERESTS AND TERMINATION OF PARTNERSHIP

5.1 Partnership Interest. The "Partnership Interest" as used in this Agreement shall mean the interest of a Partner in

the Partnership including that Partner's capital account and the real property contributed to the Partnership by that Partner.

5.2 Withdrawal of a Partner. Any Partner may voluntarily withdraw from the Partnership by giving the other Partners at least six (6) months written notice of intention to withdraw.

5.3 Death of a Partner. In the event of a Partner's death, the Partnership may continue under the terms of this Agreement without interruption or break in continuity with any successor transferee of the deceased Partner, provided such successor or transferee and all remaining Partners so consent. In the absence of such consent, the Partnership shall nevertheless continue without dissolution or termination if any remaining Partner or Partners, or the Partnership, elects to purchase the deceased Partner's interest, in accordance with paragraph 5.4.

5.4 Option to Purchase a Partner's Interest Terminated by Death or Withdrawal. Upon termination of an interest of a Partner in the Partnership by reason of the death or voluntary withdrawal of the Partner, the remaining Partner or Partners or the Partnership (hereinafter "Purchasing Party") shall have the option to purchase the Partnership Interest of the deceased or withdrawing Partner (hereinafter collectively referred to as the "Terminating Partner") subject to the provisions of paragraph 5.17 below at the price determined in accordance with the provisions set forth in paragraph 5.5 below. In the event the Partnership exercises this option, the Partnership shall be entitled to

purchase the entire Partnership Interest of the Terminating Partner. In the event the Partnership does not, but more than one remaining Partner does exercise the option, then such Partnership Interest will be divided between such Partners in pro rata proportion to their respective Partnership Interests as a percentage of the Partnership Interest of the Partners electing to purchase. The Purchasing Party shall exercise such option by serving written notice of such exercise as follows:

(a) In the case of death of a Partner, by serving such notice on the executor, administrator, or other personal representative of the estate or if none the deceased Partner's surviving spouse, hereinafter "personal representative", within ninety (90) days after the Partnership has received notice of the death of such Partner;

(b) In the case of voluntary withdrawal of a Partner, by serving such notice on such Partner within six (6) months following the service of the notice of withdrawal provided for in paragraph 5.2.

5.5 Purchase Price of Partnership Interest. On exercise of the option to purchase the Partnership Interest of the Terminating Partner, the Purchasing Party shall pay to the person legally entitled thereto in the manner specified in paragraph 5.6 an amount equal to the value of such Interest as determined by a complete inventory and accounting of the assets and liabilities of the Partnership and an appraisal of the real property included in

the Partnership Interest as set forth in Paragraph 5.15 as of the close of the Partnership business on the Appraisal Date. The Appraisal Date shall be the date of death in the case of the purchase of a deceased Partner's interest; otherwise it shall be the date of service of the notice of exercise of option as set forth in paragraph 5.4.

On such inventory and accounting:

(a) All items of Partnership inventory shall be valued at their actual cost to the Partnership.

(b) All tangible assets of the Partnership, including buildings, fixtures, machinery, vehicles, and equipment shall be valued at their book value then appearing on the books of the Partnership.

(c) All accounts receivable due the Partnership that are six (6) months or older and not barred by the statute of limitations shall be valued at one-half (1/2) of their full face value.

(d) All accounts receivable due the Partnership that are less than six (6) months old shall be valued at their full face value.

(e) The real property shall be valued at its fair market value.

(f) No value shall be attributed to the goodwill of the Partnership.

5.6 Payment of Purchase Price. Upon exercise of the option to purchase the interest of the Terminating Partner, the Purchasing Party shall pay to the person or persons legally entitled thereto the value of such interest as determined in accordance with paragraph 5.5 above. Such amount shall be paid, at the option of such person or persons, in cash or partly in cash and partly by promissory note. If paid partly by promissory note, at least ten percent (10%) of such amount shall be paid in cash. Any promissory note shall be dated as of the effective date of the purchase, shall mature in not more than ten years, shall be payable in installments that come due not less frequently than annually and shall bear interest at the rate of ten percent (10%) per annum. If the Partnership is the payor, the note may, at the Partnership's option, be subordinated to existing and future debts to banks and other institutional lenders for money borrowed.

5.7 Option to Purchase a Terminating Partner's Interest Not Exercised. If neither the Partnership nor any of the remaining Partners exercise the option to purchase the Partnership Interest of a Terminating Partner in accordance with Paragraph 5.4, that Terminating Partner or that Terminating Partner's successor in interest may elect to have the distribution of the interest of the Terminating Partner in the Partnership include an in kind distribution of all or part of the real property which was contributed to the Partnership by the Terminating Partner provided such real property is Partnership property at the time of either the

death of the Terminating Partner or the service of the notice of withdrawal provided for in Paragraph 5.2. Any real property distributed to a Terminating Partner or a Terminating Partner's successor in interest shall be subject to all leases, encumbrances, and liabilities of the Partnership relating to such real property as of the date of either death or withdrawal in accordance with the California Uniform Partnership Act.

5.8 Liability for Federal Estate Taxes. The Purchasing Party shall not be liable for any portion of the federal estate tax imposed on the Terminating Partner's estate, whether or not the purchase price established under the provisions of this Agreement is accepted as the valuation of the partnership interest for federal estate tax purposes.

5.9 Right of First Refusal. If any Partner receives a bona fide offer whether or not solicited by the Partner, from a person not then a Partner to purchase all or any portion of such Partner's interest in the Partnership, and if the Partner receiving such offer is willing to accept it, the Partnership interest may be transferred only after such Partner has afforded the following rights of first refusal:

(a) The Partner desiring to make the transfer must first notify the Partnership and all the other Partners in writing of the proposed transfer, the price and terms on which it is proposed to be transferred and the identity of the proposed transferee.

(b) Upon receiving such notice, the Partnership shall have the option to purchase such notifying Partner's interest. The price for such interest shall be the lesser of (i) the value of such interest as of the date of the notice of proposed transfer determined in accordance with paragraph 5.5 hereof or (ii) the price and on the terms of the proposed sale as set forth in the notice of proposed transfer. Such option shall be exercised in writing within thirty (30) days of the date on which the notice of proposed transfer is received by the Partnership.

(c) If the Partnership shall fail to elect to purchase such notifying Partner's interest, then the remaining Partners shall have the option to purchase a pro rata share of such interest equal to the interest of the notifying Partner multiplied by a fraction, the numerator of which is the capital account balance of the Partner so electing to purchase and the denominator of which is the total of the capital account balances of all the Partners so electing to purchase. The Partners electing to purchase shall notify the Partner wishing to transfer the interest within fifteen (15) days of the last day of the Partnership's option as set forth above. Payment by the electing Partners shall be made within fifteen (15) days of the determination of their pro rata share of the interest of the transferring Partner.

The price paid by such electing Partners shall be the lesser of (i) the value of such notifying Partner's interest as of the date the notice of proposed transfer is given to the Partnership determined in accordance with paragraph 5.5 hereof, or (ii) the price and on the terms as set forth in the notice of proposed transfer.

(d) Payment for any interest purchased hereunder shall be made in accordance with paragraph 5.6 hereof.

(e) If the Partnership and electing Partners shall fail to elect to purchase all of the interest of the notifying Partner within the time period set forth above, such Partner shall be free to make the transfer to the transferee on the price and terms set forth in the Notice of Intended Transfer.

(f) Notwithstanding anything in the foregoing to the contrary, a Partnership interest may be transferred to a corporation of which the owner of that interest is and remains the majority shareholder without giving the notice provided for hereinabove nor shall any rights of first refusal arise thereby, provided that such corporation is eligible under federal reclamation law to the same extent as the owner of that interest. However, should such Partner thereafter cease to be a majority shareholder of such corporation, the notice of withdrawal from the Partnership shall be deemed to have

been given as of the date such majority stockholder's interest becomes less than a majority and the successor in interest to such shares shall be deemed to be subject to this Agreement.

5.10 Duties of Purchasing Partners. Upon any purchase and sale made pursuant to the provisions of paragraphs 5.4, 5.5 and 5.6 of this Agreement, the remaining Partner or Partners shall assume all obligations of the Partnership and shall hold the Terminating Partner, and the personal representative, estate, and heirs of a deceased Partner, free and harmless from all liability for such obligations. Further, the remaining Partners, at their own cost and expense, shall immediately cause to be prepared, filed, and served and published all notices as may be required by law to protect the Terminating Partner or the personal representative, estate, and heirs of a deceased Partner from liability for the future obligations of the Partnership business. Any person or entity who acquires an interest in this Partnership and is not then already a Partner hereof, shall execute this Agreement together with any amendments thereto and agrees to be bound by all of the terms and conditions thereof.

5.11 Specific Performance. In the event that any Partner, or personal representative of a deceased Partner, fails or refuses to perform any of the terms, conditions or covenants described in paragraphs 5.2 through 5.10, or any of them, the parties hereto agree that the remedy at law for such failure or refusal

will be inadequate, and that in addition to any other remedies which the aggrieved party may have, the aggrieved party shall be entitled to the relief of specific performance without the necessity of proving actual damage.

5.12 Continuation of Partnership. In the case of a Partner's death or voluntary withdrawal from the Partnership, the Partnership shall not dissolve or terminate except with the consent of all remaining Partners.

5.13 Bankruptcy or Insolvency of a Partner. A Partner shall cease to be a Partner and shall have no interest in common with the remaining Partner or in Partnership property when the Partner does any of the following:

(a) Obtains or becomes subject to an order for relief under the Bankruptcy Code;

(b) Obtains or becomes subject to an order or decree of insolvency under state law; or

(c) Makes an assignment for the benefit of creditors.

From the date of that event, such Partner shall be considered in equity as a vendor to the Partnership of such Partner's share of the Partnership's assets at a price equal to the credit balance of such Partner's capital account at that date, as increased by such Partner's share of any Partnership net profit, and decreased by such Partner's share of any Partnership net loss, not yet reflected in such Partner's capital account. That amount shall be considered

a debt owed by the Partnership to that Partner or that Partner's assignee or trustee. Such Partner may elect to have the payment of this debt include an in kind distribution of all or part of the real property which was contributed to the Partnership by such Partner provided such real property is then Partnership property. Any real property so distributed shall be subject to all leases, encumbrances, and liabilities of the Partnership relating to such real property as of the date of the event in accordance with the California Uniform Partnership Act.

5.14 Dissolution. On dissolution of the Partnership, the affairs of the Partnership shall be wound up, the assets of the Partnership liquidated, the debts paid, and the surplus divided among the Partners according to their then interests in the Partnership.

5.15 Valuation of Real Property. When appraisal of the real property is required under this Agreement, the real property shall be valued by agreement of the parties. If the parties cannot agree on the fair market value of the real property within thirty (30) days after the event requiring appraisal, or in the case of a Partner's death, within thirty (30) days after appointment of the personal representative, the Purchasing Party and the Terminating Partner or the Terminating Partner's successor in interest shall, within an additional fifteen (15) days, either (a) jointly appoint an MAI appraiser for this purpose, or (b) failing this joint action, each separately designate an MAI appraiser

and, within fifteen (15) days after their appointment, the two designated appraisers shall jointly designate a third MAI appraiser. The failure of either the Purchasing Party or the Terminating Partner or the Terminating Partner's successor in interest to appoint an MAI appraiser within the time allowed shall be deemed equivalent to appointing the MAI appraiser appointed by the other party.

If within thirty (30) days after the appointment of all appraisers, a majority of the appraisers concur on the value of the property being appraised, that appraisal shall be binding and conclusive. If a majority of the appraisers do not concur within that period, the determination of the appraiser whose appraisal is neither highest nor lowest shall be binding and conclusive. The Purchasing Party and the Terminating Partner, or the Terminating Partner's successor in interest, shall share the appraisal expenses equally.

5.16 Conveyance of Partnership Property. A conveyance of title to real property standing in the Partnership name requires the signatures of two Partners. If such real property was part of the initial capital contribution to the Partnership, one such signature must be that of the Partner who contributed that real property to the Partnership if that Partner is then living.

5.17 Family Ownership. Notwithstanding any other provision in this Agreement to the contrary, if a Partner's spouse who

is also a Partner dies, and the surviving spouse exercises the option to purchase the Partnership Interest of the deceased spouse under Paragraph 5.4 above, the surviving spouse shall have priority over both the Partnership and the other remaining Partners and shall be entitled to purchase the entire Partnership Interest of the deceased spouse.

Notwithstanding any other provision in this Agreement to the contrary the following persons shall be entitled to purchase the Partnership Interest of their ex-spouse in the event of a dissolution of their marriage in accordance with the provisions set forth in Paragraph 5.5 above: WILLIAM L. JONES may purchase the Partnership Interest of MAURINE JONES; SUSAN JONES VILLERE may purchase the Partnership Interest of PLAUCHE F. VILLERE, JR.; and RONALD C. JONES may purchase the Partnership Interest of KATHRYN JONES.

ARTICLE VI

MISCELLANEOUS PROVISIONS

6.1 Indemnification. Each Partner shall indemnify and hold harmless the Partnership and each of the other Partners from any and all expense and liability resulting from or arising out of the negligence or misconduct of that Partner.

6.2 Amendments. This Agreement may be amended at any time and from time to time in a writing signed by all of the Partners.

6.3 Notices. Any written notice to any of the Partners required or permitted under this Agreement shall be deemed to have been given when personally served, or two (2) days following deposit in the United States mail, first class postage prepaid, and addressed as set forth below.

6.4 Governing Law. This Agreement is executed and intended to be performed in the State of California and the laws of that state shall govern its interpretation and effect.

6.5 Inurement. This Agreement shall be binding on and inure to the benefit of the respective successors, assigns, and personal representatives of the parties hereto.

6.6 Attorneys' Fees. Should any litigation be commenced between the parties hereto or their personal representative concerning the provisions of this Agreement or the rights and duties of any person in relation thereto, the party or parties prevailing in such litigation shall be entitled, in addition to such other relief as may be granted, to a reasonable sum as and for their attorneys' fees in such litigation or in a separate action brought for that purpose.

6.7 Counterparts. The parties may execute this Agreement in two or more counterparts, which shall, in the aggregate, be signed by all the parties; each counterpart shall be deemed an original instrument as against any party who has signed it.

6.8 Severability. If any term, provision, covenant, or condition of this Agreement is held by a court of competent

jurisdiction to be invalid, void, or unenforceable, the rest of the Agreement shall remain in full force and effect.

6.9 Sole and Only Agreement. This instrument contains the sole and only agreement of the parties hereto relating to the Partnership and correctly sets forth the rights, duties and obligations of each to the other as of its date. Any prior agreements, promises, negotiations or representations not expressly set forth in this Agreement are of no force and effect.

6.10 Non-Public Offering. Each Partner hereby represents, warrants, and covenants to and with the Partnership and each of the other Partners that the interest in the Partnership being acquired is being acquired for that Partner's personal account and with no present intention of reselling or otherwise transferring such interest or any portion thereof; and that there are no contracts, undertakings, or arrangements with any person to sell or transfer to such person or to have any person sell all or any portion of any Partner's interest in the Partnership, or to afford or allow any participation therein by any other person.

6.11 Potential Conflicts of Interest. The parties hereby acknowledge that the law firm of Baker, Manock & Jensen has represented all parties in connection with the preparation of this Agreement, and all documents collateral thereto. The parties mutually consent to the multiple representation by said law firm. The parties do hereby acknowledge that in the event of a dispute between them concerning any transaction related to this Agreement,

said law firm will not represent any party, but that separate, independent legal representation will be necessary by all parties concerned.

6.12 Amendment to Conform with Federal Reclamation Law. The parties hereby agree that this Agreement shall be amended to comply with federal reclamation law as required by the United States Department of Interior, Bureau of Reclamation.

IN WITNESS WHEREOF, the Partners have executed this Agreement to be effective as of the date first shown above.

WILLIAM L. JONES
Address: [illegible] W Minaret
Fresno CA 93711

MAURINE JONES
Address: 3262 W. Minaret
Fresno, Ca. 93711

PLAUCHE F. VILLERE, JR.
Address: 5919 Chevy Chase St
New Orleans, LA 70115

SUSAN JONES VILLERE
Address: 5919 Chevy Chase
New Orleans, La. 70115

Ronald C. Jones
RONALD C. JONES
Address: 3005 Cardella
Firebaugh, Ca 936

Kathryn Jones
KATHRYN JONES
Address: 3005 Cardella
Firebaugh Ca 93622

County of Fresno

ADMINISTRATIVE OFFICE
BART BOHN
COUNTY ADMINISTRATIVE OFFICER

4 AUG 2005 Received FRESNO LAFCO

August 12, 2005

Gabriel Gonzalez, City Manager
City of Mendota
643 Quince Street
Mendota, CA 93640

Subject: Your letter of July 19, 2005 pertaining to Annexations and the Tax Sharing Agreement between the City of Mendota and the County of Fresno

Dear Mr. Gonzalez:

Thank you for your letter again expressing the interest of the City of Mendota in pursuing work on the Memorandum of Understanding (MOU) or other means that would enable the City to proceed with annexation on two and possibly three annexations.

We have confirmed with LAFCo that annexations can not be processed until a tax sharing agreement is in place under the provisions of the State Government Code. Therefore LAFCo cannot honor a request that the annexation process be commenced for Mendota prior to the City and County reaching agreement on tax sharing.

Our staff is looking at the options to facilitate the process while considering the fact that your MOU and those of several other cities have expired. Since we are quite concerned about equity among the cities in the tax sharing agreements we hesitate to focus solely on your request. We are however moving forward and will have a Board agenda item to address the matter of expired MOUs next Tuesday, at the August 16, 2005 Board meeting. In addition, a meeting has been scheduled for 4:30 p.m. on August 15, 2005 with city managers to discuss the August 16th Board of Supervisors agenda item. The meeting will be held at the County Plaza, Conference Room 8A, 2220 Tulare Street, Fresno.

Based on the direction provided by the Board of Supervisors we will pursue preparation of a draft MOU with a tax sharing agreement so that negotiations can begin within the month. If you have any questions, please call me at (559) 488-1710 or Bernard Jimenez at (559) 262-4497.

Sincerely,

Bart Bohn

Bart Bohn
County Administrative Officer

c: Supervisor Phil Larson, District 1
Severo Esquival, Interim Director, Public Works & Planning
Jose Barraza, Economic Development Coordinator
Mike Waiczis, LAFCo
Bernard Jimenez, Manager, Development Services

Local Agency Formation Commission of Fresno Coun

Rowell Building • 2115 Kern Street, Suite 310 • Fresno, CA 93721 ☎ (559) 495-0604 Fax (559) 495-0655

COMMISSION MEMBERS
Victor Lopez, Chairman
City of Orange Cove
Susan Anderson, Chairman Pro Tem
Board of Supervisors
Larry Fortune
Public
Trinidad Rodriguez
City of Kerman
Bob Waterston
Board of Supervisors

ALTERNATES
Joe Chaidez
Public
Phil Larson
Board of Supervisors
Sandra Neri
City of Sanger

EXECUTIVE OFFICER
Michael R. Walczis, AICP

AUG 2005
Received
FRESNO
LAFCO

RECEIVED
JUL 29 2005
ASSESSOR
FRESNO COUNTY

DATE: July 28, 2005

TO: Dan Sparks, Assessor's Office

FROM: Candie Fleming, LAFCo

SUBJECT: "Annexation 05-01" #2766
RO-05-17

Please review the attached revised map and/or legal description, and approve or notify us as to how it is insufficient. We would appreciate your comments as soon as possible.

Thank you.

cf

Attachment: Map/Legal Description

Legal Description on Map has not been revised.
Please remove Legal Description from Map.
8-2-05 Garrick Y. Horvath

Sent to Bruce O'Neal. 8/2/05

ANNEXATION NO. 05-01
AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT
LEGAL DESCRIPTION

ALL that certain real property 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;

COMMENCING at the Northeast Corner of Section 36; Thence North 89°53'59" West, along the north line of said Section, a distance of 664.35 feet to the **POINT OF BEGINNING,** also being a point on the existing city limit of Mendota; Thence South 01°35'45" West, along the existing boundary of the City of Mendota a distance of 668.98 feet; Thence North 89°51'11" West along the existing boundary of the City of Mendota, a distance of 664.49 feet; Thence South 01°36'33" West along the existing boundary of the City of Mendota, a distance of 2005.32 feet to a point on the south line of the Northeast Quarter of said Section; Thence leaving the existing boundary of the City of Mendota along said south line North 89°42'47" West, a distance of 1329.83 feet to the Southwest Corner of the Northeast Quarter of said Section; Thence North 01°38'09" East along the west line of the Northeast Quarter of said Section, a distance of 2669.47 feet to the Northwest Corner of the Northeast Quarter of said Section; Thence South 89°53'59" East along the north line of said Section, a distance of 1993.04 feet to the **POINT OF BEGINNING.**

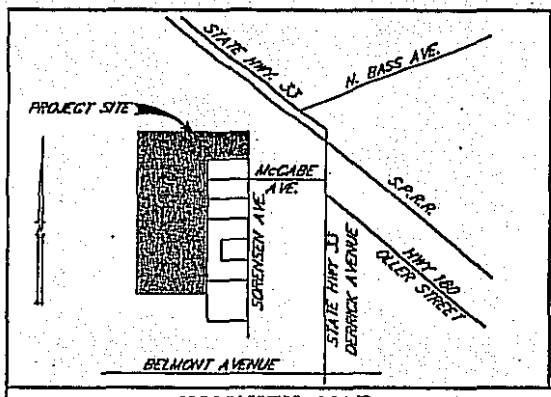
Containing 91.70 acres, more or less.

PROFESSIONAL LAND SURVEYOR
CROLIE E. LINDSAY, JR.
No. 4709
EXP. 09/30/05
STATE OF CALIFORNIA

Crolie Lindsay P.L.S. 4709 Date 7/22/05

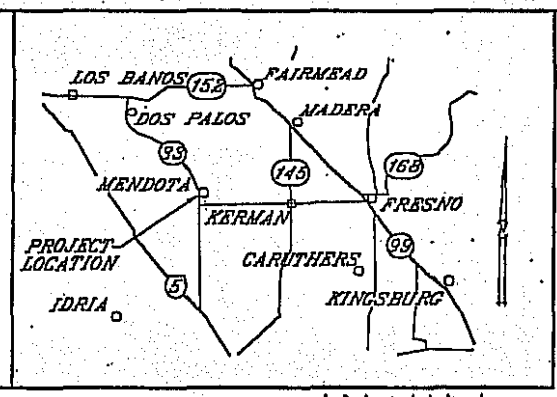
For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

T: 2466 Mapping Tentative Map CITY OF MENDOTA ANNEXATION #05-01.Doc



VICINITY MAP

NO SCALE



LOCATION MAP

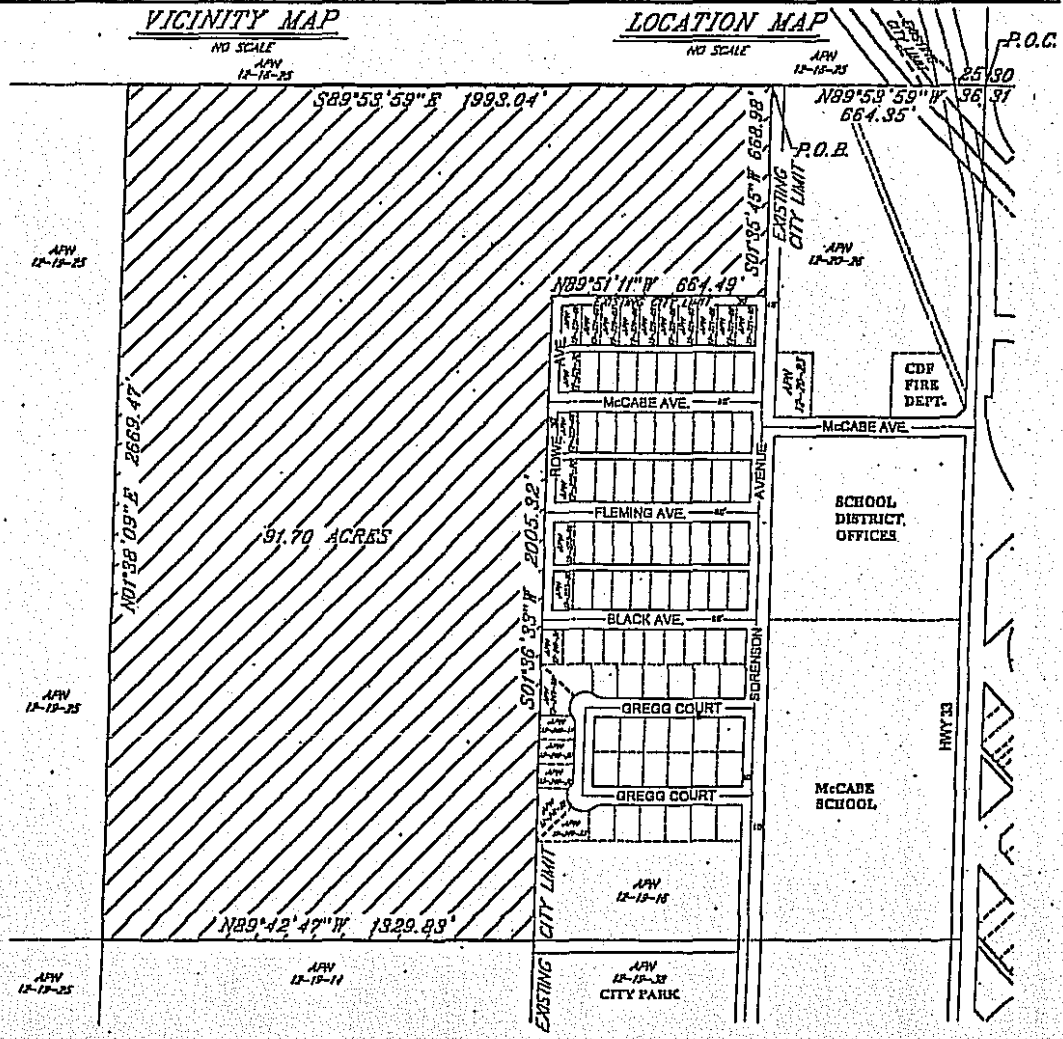
NO SCALE

LEGEND

- - - - - - - -	INDICATES EXISTING CITY LIMITS
▨	INDICATES PROPOSED ANNEXATION BOUNDARY
———	INDICATES EXISTING STREET CENTERLINE
———	INDICATES EXISTING STREET RIGHT OF WAY
———	INDICATES EXISTING LOT LINE
———	INDICATES EXISTING SECTION LINE
P.O.C.	INDICATES POINT OF COMMENCEMENT
P.O.B.	INDICATES POINT OF BEGINNING

N

SCALE : 1"=600'



LEGAL DESCRIPTION

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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 89°53'59" WEST, ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 664.35 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°35'45" WEST, A DISTANCE OF 668.98 FEET; THENCE NORTH 89°51'11" WEST, A DISTANCE OF 664.49 FEET; THENCE SOUTH 01°36'33" WEST, A DISTANCE OF 2005.32 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE ALONG SAID SOUTH LINE NORTH 89°42'47" WEST, A DISTANCE OF 1329.83 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01°38'09" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION, A DISTANCE OF 2669.47 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 89°53'59" EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 1993.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 91.70 ACRES MORE OR LESS.

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

SHEET 1. OF 1.

2468

ANNEXATION NO. 05-01

AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

H/S DEVELOPMENT
CITY OF MENDOTA, CALIFORNIA

Local Agency Formation Commission of Fresno County

Rowell Building • 2115 Kern Street, Suite 310 • Fresno, CA 93721 ☎ (559) 495-0604 Fax (559) 495-0655

COMMISSION MEMBERS
Victor Lopez, Chairman
City of Orange Cove
Susan Anderson, Chairman Pro Tem
Board of Supervisors
Larry Fortune
Public
Trinidad Rodriguez
City of Kerman
Bob Waterston
Board of Supervisors

ALTERNATES
Joe Chaidez
Public
Phil Larson
Board of Supervisors
Sandra Neri
City of Sanger

EXECUTIVE OFFICER
Michael R. Waiczis, AICP

DATE: July 28, 2005

TO: Dan Sparks, Assessor's Office

FROM: Candie Fleming, LAFCo

SUBJECT: "Annexation 05-01"

Please review the attached revised map and/or legal description, and approve or notify us as to how it is insufficient. We would appreciate your comments as soon as possible.

Thank you.

cf

Attachment: Map/Legal Description

ANNEXATION NO. 05-01
AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT
LEGAL DESCRIPTION

ALL that certain real property 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;

COMMENCING at the Northeast Corner of Section 36; Thence North 89°53'59" West, along the north line of said Section, a distance of 664.35 feet to the **POINT OF BEGINNING,** also being a point on the existing city limit of Mendota; Thence South 01°35'45" West, along the existing boundary of the City of Mendota a distance of 668.98 feet; Thence North 89°51'11" West along the existing boundary of the City of Mendota, a distance of 664.49 feet; Thence South 01°36'33" West along the existing boundary of the City of Mendota, a distance of 2005.32 feet to a point on the south line of the Northeast Quarter of said Section; Thence leaving the existing boundary of the City of Mendota along said south line North 89°42'47" West, a distance of 1329.83 feet to the Southwest Corner of the Northeast Quarter of said Section; Thence North 01°38'09" East along the west line of the Northeast Quarter of said Section, a distance of 2669.47 feet to the Northwest Corner of the Northeast Quarter of said Section; Thence South 89°53'59" East along the north line of said Section, a distance of 1993.04 feet to the **POINT OF BEGINNING.**

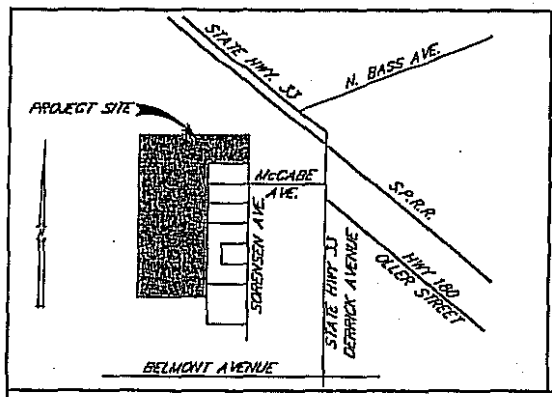
Containing 91.70 acres, more or less.

PROFESSIONAL LAND SURVEYOR
CROLIE E. LINDSAY, JR.
No. 4709
EXP. 09/30/05
STATE OF CALIFORNIA

Crolie Lindsay P.L.S. 4709 Date 7/12/05

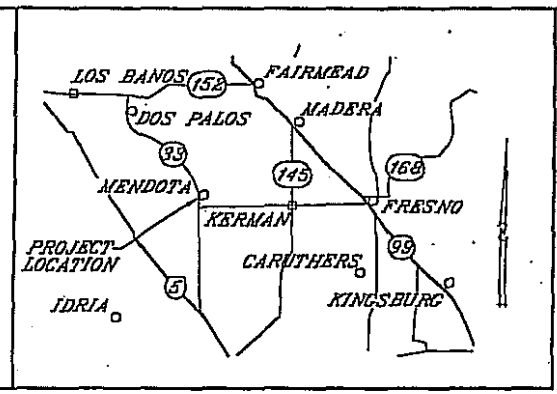
For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

T:\2466\Mapping\Tentative Map\CITY OF MENDOTA ANNEXATION #05-01.Doc



VICINITY MAP

NO SCALE



LEGEND

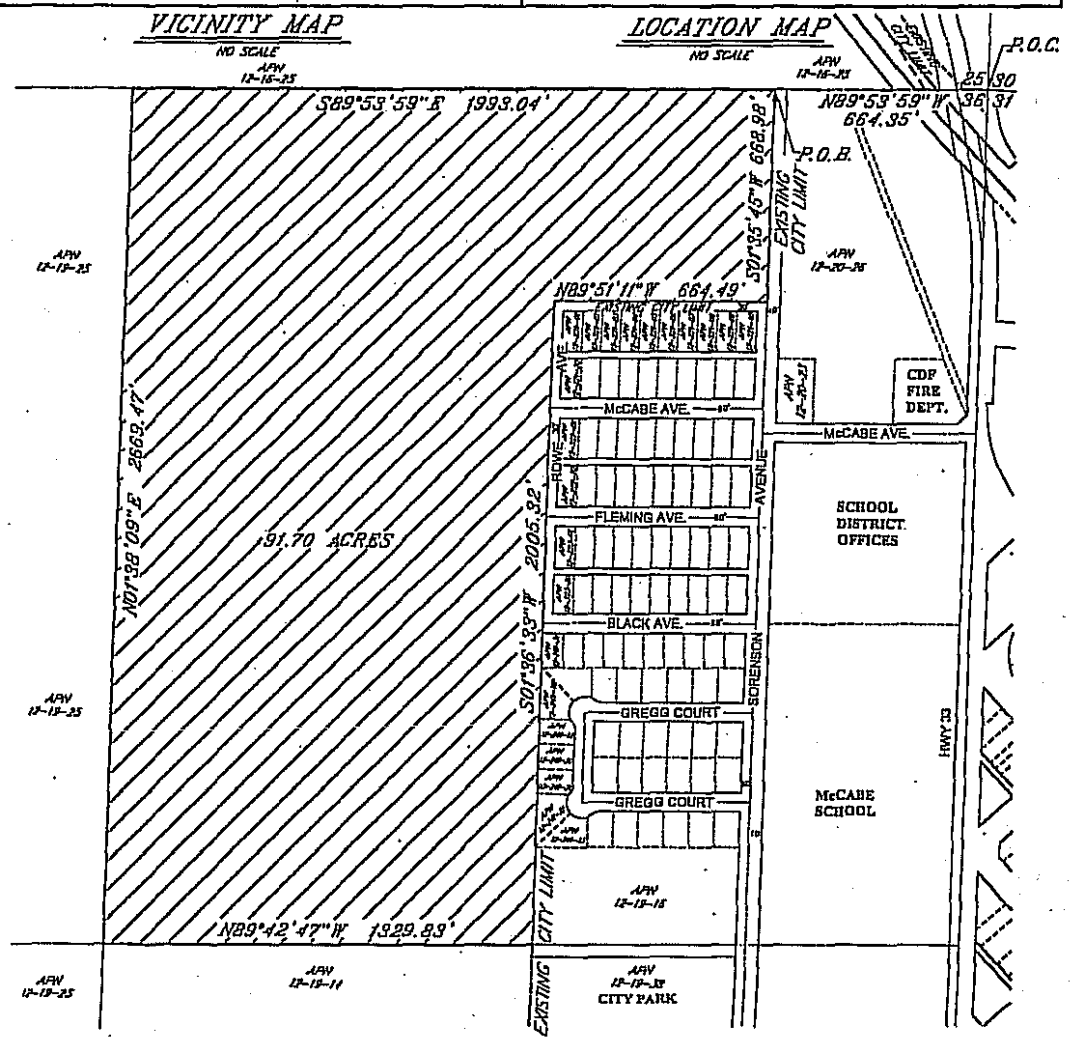
- INDICATES EXISTING CITY LIMITS
- INDICATES PROPOSED ANNEXATION BOUNDARY
- INDICATES EXISTING STREET CENTERLINE
- INDICATES EXISTING STREET RIGHT OF WAY
- INDICATES EXISTING LOT LINE
- INDICATES EXISTING SECTION LINE
- P.O.C. INDICATES POINT OF COMMENCEMENT
- P.O.B. INDICATES POINT OF BEGINNING

N

SCALE : 1"=600'

LOCATION MAP

NO SCALE



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SHEET 1. OF 1.

2488

ANNEXATION NO. 05-01

AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

H/S DEVELOPMENT

CITY OF MENDOTA, CALIFORNIA

LAND USE ASSOCIATES

Bruce O'Neal, AICP
Principal

JUL 2005
Received
FRESNO
LAFCO

July 26, 2005

Candie Fleming
Fresno LAFCO
2115 Kern Street, Suite 310
Fresno, CA 93721

SUBJECT: Revised Legal Description - City of Mendota Annexation 05-01

Candie:

Please find attached the revised legal description for the above annexation as directed by the Fresno County Assessor.

After your review, please call with any questions.

Sincerely,
Land Use Associates

Bruce O'Neal, AICP

attachment

286 W. Cromwell Avenue, Fresno, CA 93711 559/256-4250 559/449-2715 fax boneal@pesc.com

ASSESSOR'S BOUNDARY REPORT

Date 07/07/2005
Proposal No. RO 05-17/2776

"City of Mendota "Annexation 05-01" Reorganization"

Report

1. **Proposal:**
Annexation to the City of Mendota and Detachment from the Fresno County Fire Protection District, the Westlands Water District and the Silver Creek Drainage District.

2. **Acreage:** 91.70 +/-

3. **Location Description:** Northwest of West Belmont Avenue and Derrick Avenue.

4. **Cities and Districts included wholly or partially within proposal area:**
   a. County of Fresno
   b. Fresno County Library District
   c. Fresno County Fire Protection District
   d. Silver Creek Drainage District
   e. Westlands Water District
   f. Fresno Westside Mosquito Abatement District
   g. Mendota Unified School District
   h. West Hills Junior College District
   i. West Fresno Red Scale District

JUL 2005
Received
FRESNO
LAFCO

5. **Agricultural Preserves and Land Conservation Contracts within proposal area:** None

Agricultural Preserves and Land Conservation Contracts within adjoining territory: None

6. **Comments of legal description and map received on:** 07-05-2005

Correction Needed?	Comment a, b
Indefinite & uncertain boundaries?	No
Conflicts with lines of assessment?	No
Divides ownership?	No
Additional territory recommended?	No
Deletion of territory recommended?	No
Proposal will create: Island?	No
Corridor?	No
Non-contiguous boundary?	No
Is map insufficient for filing?	No

7. **Comments:**
   a. The legal description must specify where the proposal boundary joins, follows along, and leaves the existing city limit of Mendota. Example, "Said point also being on the existing city limit of Mendota, thence following the existing city limit of Mendota, thence leaving the existing city limits of Mendota."
   b. If the legal description or map is revised for any reason, the date revised must be shown on the same.

Sent to Bruce O'Neal
7/11/05

David King

David King, Supervising Cadastral Technician

ANNEXATION NO. 05-01
AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE WESTLANDS WATER DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT
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Containing 91.70 acres, more or less.

* Also Being a point in the existing city limit of Mendota

PROFESSIONAL LAND SURVEYOR
CROLIE E. LINDSAY, JR.
No. 4709
EXP. 09/30/05
STATE OF CALIFORNIA

Crolie Lindsay, PLS 4709

Date April 7, 2005

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

(1) Along existing boundary of Mendota
(2) " " " " "
(3) " " " " "
(4) Leaving the existing boundary of city of Mendota

LAND USE ASSOCIATES

Bruce O'Neal, AICP
Principal

May 16, 2005

Mr. Michael Waiczis, Executive Officer
Fresno LAFCo
2115 Kern Street, Suite 310
Fresno, CA 93721

SUBJECT: Mendota Annexation No. 05-01

Mr. Waiczis:

As we have discussed, the City of Mendota has approved prezoning and a tentative tract map for approximately 91.5 acres on the western boundary of the City. The Council also adopted a resolution of initiation for annexation of the site. On March 30, we requested review of the project by Fresno County for consistency with the conditions of the MOU between the City and County. I was informed last week by County staff that the MOU has expired. Last Tuesday night, the Mendota City Council requested that the provisions of the MOU be extended for one year while the City and County negotiate a new agreement.

I expect this issue to be quickly resolved and request that you accept the annexation application without the MOU letter from the County with the understanding that the existing MOU will be extended or that a stand-alone agreement will be negotiated for the subject parcel.

Thank you for your cooperation. Please call if you have questions.

Sincerely,
Land Use Associates

Bruce O'Neal, AICP

286 W. Cromwell Avenue, Fresno, CA 93711 559/256-4250 559/449-2715 fax boneal@pesc.com

CITY OF MENDOTA

www.ci.mendota.ca.us

March 30, 2005

Mr. Bart Bohn, County Administrative Officer
County of Fresno Administrative Office
2281 Tulare Street, Room 304
Fresno, CA 93721

SUBJECT: *Notice of Intent to File Annexation in the City of Mendota* (Annexation No. 05-01)

Dear Mr. Bohn:

Pursuant to the MOU between Fresno County and the City of Mendota, I am requesting review of the proposed annexation filed by H/S Development in compliance with the Standards of Annexation contained in the MOU. On March 22, 2004, the Mendota City Council approved a general plan amendment and TTM 5483 on the project site located at the southwest corner of Bass Avenue and Sorenson Avenue. The Council also approved prezoning to the R-1 district consistent with the Mendota General Plan designation of Medium Density residential. The 91.5-acre property (APNs 12-190-40 and 41) is contiguous with the existing city limits along its eastern boundary.

The site is within the City's Sphere of Influence. Access to the site is provided by Derrick Avenue and McCabe Avenue from the east. The developer will provide water and sewer lines, street improvements, and on-site drainage.

Thank you for your assistance. If you have questions, please call me at 256-4250, Bill Skinner, City Planner, at 675-8724, or Gabriel Gonzalez, City Manager, at 655-3291.

Sincerely,
City of Mendota

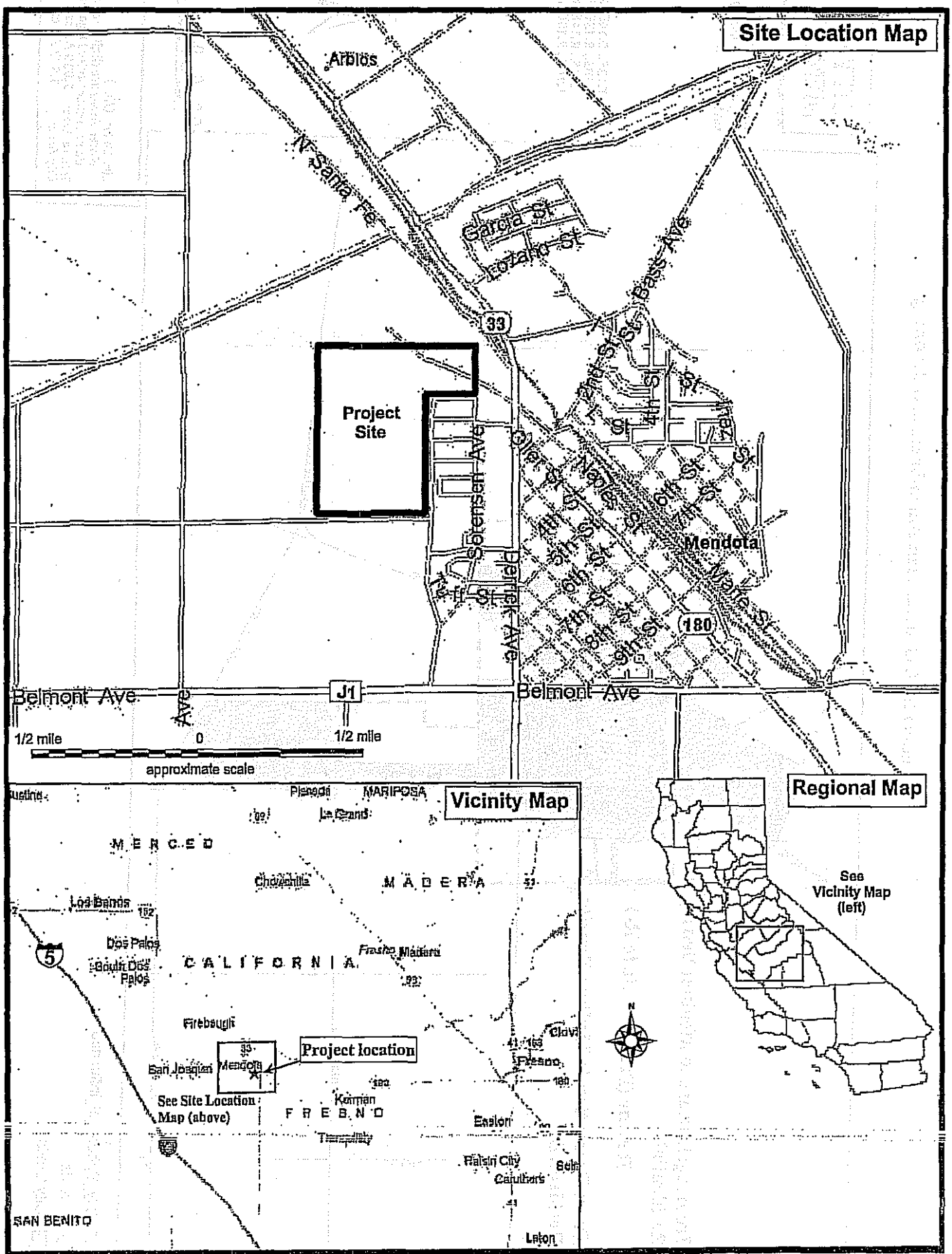
Bruce O'Neal, AICP,
Consultant

cc Gabriel Gonzalez, City Manager
Bill Skinner
Leona James, Fresno County
Mike Waiczis, Fresno LAFCo

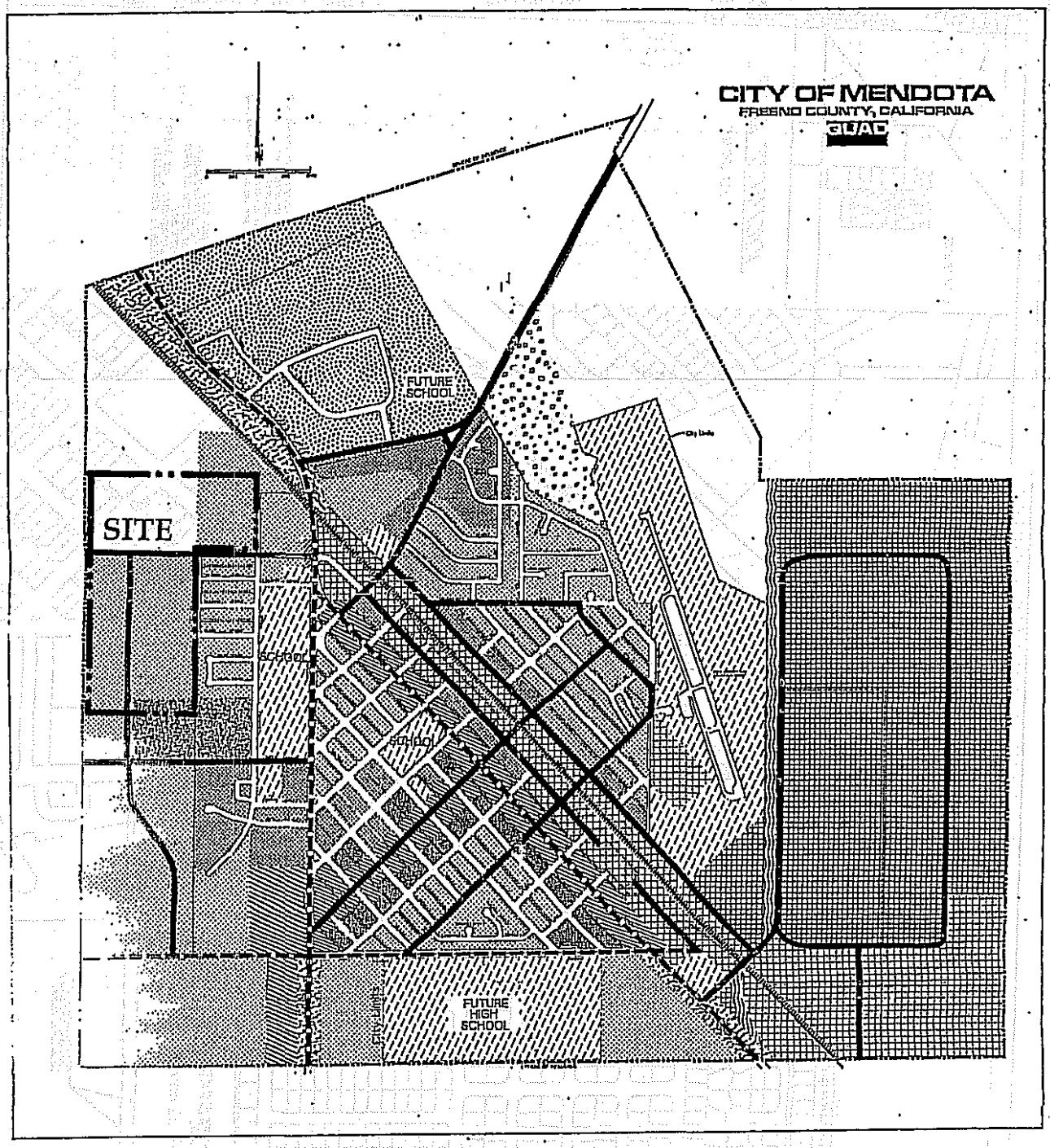
APR 2005
Received
FRESNO
LAFCO

643 Quince Street Mendota, California 93640 Telephone: 559-655-3291 Fresno: 559-266-6456 Fax: 559-655-4064
TDD/TYY 866-735-2929 (English) TDD/TYY 866-833-4703 (Spanish)

Regional Location



Mendota General Plan



LEGEND

RESIDENTIAL
- Medium Density
- Medium-High Density
- High Density

PLANNED DEVELOPMENT

COMMERCIAL
- General
- Neighborhood
- Community

INDUSTRIAL
- Light Industrial
- Heavy Industrial

PUBLIC FACILITIES

OPEN SPACE
- Agricultural
- Recreational
- [illegible]
- Buffers

CIRCULATION
- Arterial
- Collector
- Local
- Railroad
- Drainage

MEMORANDUM

DATE: March 22, 2005

TO: City of Mendota City Council

FROM: Valley Planning Consultants

RE: Vesting Tentative Subdivision Map Application #04-01 (H/S Development)

Recommendation

Staff is recommending that the City Council take the following actions pertaining to the application present this evening:

1. Certification of the Initial Study;
2. Adoption of the Mitigated Negative Declaration;
3. General Plan Amendment;
4. Pre-Zoning of the property;
5. Adoption of the Tentative Parcel Map with conditions;
6. Approval with condition of Vesting Tentative Subdivision Map;
7. Direction to staff to proceed with filing of applications for Annexation and initiate the proceedings with Fresno County LAFCo.

Furthermore, the City Council should direct staff to complete the following:

1. Prepare the required CEQA Mitigation Monitoring and Reporting Program for the project;

2. File a Notice of Determination for the Initial Study and Mitigated Negative Declaration with the Fresno County Clerk and State of California Office of Planning and Research State Clearinghouse.

3. File a State of California Department of Fish and Game Notice of Fee Exemption for the Initial Study with the Fresno County Clerk.

Background

The Community Development Department accepted Tentative Subdivision Map application H/S Development on 91.5 acres for processing on June 21, 2004. The proposed construction of 422 single-family residential dwelling units on City standard lots as a permitted use in the R-1 District.

The proposed project is consistent with the City of Mendota's Housing Element Goals, Policies and Objectives for providing a wide range of housing opportunities for the citizens of Mendota.

The project includes the following entitlements:

1. General Plan Amendment for the northwest portion of the site from Agriculture to Medium Density Residential and of the southern portion of the site from Recreational to Medium Density Residential;

2. Rezoning (pre-zoning) of the site from AE-20 (Fresno County) to R-1 (single-family residential, 6,000 square foot minimum lot size);

3. Tentative Parcel Map to divide the existing 91.5-acre parcel into two separate parcel comprising 47.21 acres and 44.49 acres.

4. A Vesting Tentative Tract Map dividing the site into 422 single-family lots with a minimum lot size of 6,000 square feet and an average lot size of approximately 6,500 square feet;

5. Annexation of the site to the City of Mendota.

Planning Commission Action

On February 23, 2005 the Planning Commission conducted a noticed and scheduled continued public hearing from their January 24, 2005 meeting to consider the project. Following the public hearing, the Planning Commission adopted Resolution PC 05-01 recommending approval to the City Council.

Environmental Review

The project area was evaluated by a City of Mendota prepared Initial Study/Proposed Negative Declaration on November 30, 2004.

The environmental document was prepared under the provisions and guidelines of the California Environmental Quality Act and was circulated for the local review period of thirty day days beginning on December 6, 2004 and terminated on January 6, 2005 @ 5:00 p.m.

Comments were received from any responsible and/or trustee agency turning the required comment period. Comments received have been attached to this staff report.

Based on the review of the prepared Initial Study, staff is recommending the adoption of a Mitigated Negative Declaration for this subdivision map application.

Zoning

According to the City of Mendota Zoning Map, the project site is designated an R-1 (Pre-Zoned) Single Family Residential District. The permitted uses in this district include single-family dwellings with a minimum lot size of 6,000 square feet constructed in accordance with the provisions of the District requirements.

Street Naming

The City Council will require the approval of all street names at the time of Final Map submittal. The street-naming plan must be presented to the City Manager for review and approval prior to presentation to the City Council.

Surrounding Land Uses and Setting:

North:	Vacant land (Fresno County) zoned Agriculture
South:	Vacant land (Fresno County) zoned Agriculture
East:	Existing single family residential (City)
West:	Vacant land (Fresno County) zoned Agriculture

Description of Project:

The proposed project is for the construction of 422 single-family units on approximately 91.5 acres adjacent to the westerly City Limits. According to the submitted Tentative Map, lots are proposed to have an average lot size of 6,500 square feet, which exceeds the R-1 District requirement of 6,000 square feet.

Phasing Plan:

Phase 1:	67 lots
Phase 2:	103 lots
Phase 3:	45 lots
Phase 4:	51 lots
Phase 5:	42 lots
Phase 6:	62 lots
Phase 7:	52 lots
Total:	422 lots

Discussion

Air Quality

Standard development conditions required as part of the land use entitlement process by the City, include the San Joaquin Valley Air Pollution Control District PM_{10} measures, as well as, the inclusion of the provisions of Rule 8020. The proposed project is also required to obtain an authority to construct permit and a demolition permit from the SJVAPCD. The construction of the proposed project shall also use the "Best Available Control Techniques" as established by the SJVAPCD.

In addition, the City requires that the project applicant and/or land developer adhere to the San Joaquin Valley Air Pollution Control District Regulation VIII and the through the implementation of the following measures to reduce air pollutant emissions generated during the construction phase of the project:

1. On-site vehicle speed on unpaved roads shall be limited to 15 miles per hour;

2. 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;

3. Water trucks shall be used regularly to reduce dust and particulates generated during construction and along non-paved surfaces;

4. Construction shall be restricted or banned on days of high winds (exceeding 30 miles per hour).

The City of Mendota continues to work with the SJVAPCD to develop and implement strategies and programs for reducing air quality impacts from stationary sources. Mobile sources are subject to state and federal controls for reducing emissions. A continuing issue is the inter-regional transfer of pollutants from northerly parts of the San Joaquin Valley which make it impossible for the City and the County to meet state and federal standards for ozone and particulate at current levels.

The following are project level measures recommended by the SJVAPCD, but are not required. Some of these measures may already exist as City development standards. The recommendations should be considered for inclusion as conditions of development as they will reduce the amount of ozone precursors:

1. 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.

2. Housing units should be oriented to maximize passive solar cooling and heating when practicable.

3. Buildings to use central water heating systems.

4. As many energy saving features as possible.

5. Provide electric *outlets for exterior* maintenance equipment.

6. Any gas fired appliances should be low nitrogen oxide (NOx) emitting appliances complying with California NOx Emissions Rule #1121.

7. Limit the amount or type of wood-burning devices installed (i.e. EPA certified wood-stoves instead of open hearth).

8. Pedestrian enhancing infrastructure that includes sidewalks and pedestrian paths; direct pedestrian connections; street tree to shade sidewalks; pedestrian safety designs/infrastructure.

9. Provide transit-enhancing infrastructure that includes: transit shelters, benches, etc.; street lighting, route signs and displays; and/or bus turnouts.

Biological Resources

A Biological Study of the project area was conducted in August by Live Oak Associates and resulted in a finding that no impacts to biological or natural resources would result with the implementation of the proposed project.

Traffic/Circulation:

A traffic impact study was completed for the project by Peters Engineering Group of Clovis, California, in July of 2004. The complete study is on file with the City of Mendota. Data provided by the Institute of Transportation Engineers was used to estimate the number of trips generated by the project. At 9.6 daily trips per unit, the project will generate approximately 4,154 trips to and from the site each weekday. It is anticipated that 82 trips will enter the site and 245 trips will exit the site in the AM peak hour. Approximately 277 trips will enter the site and 163 trips will exit the site in the PM peak hour. Existing traffic volumes were determined by performing manual turning movement counts at the study intersections between 7:00 and 9:00 AM and between 4:00 and 6:00 PM.

Four intersections in the site vicinity were included in the analysis: McCabe and Derrick; Oller and Derrick; Smoot & Derrick; and Bass and SR 33. Intersection levels of service (LOS) were determined using the Synchro 6 computer program for unsignalized and signalized intersections, which is based on the *2000 Highway Capacity Manual* procedures for calculating levels of service. LOS is based on a scale where LOS "A" indicates little or no delay and LOS "F" indicates stop and go conditions with long delays.

The City of Mendota standard for intersections is LOC "C" indicating light congestion with occasional delays; Caltrans requires that a LOS "C" or better be maintained at major intersections with State facilities. Pending cumulative projects were considered in the traffic assessment and include a 96-unit apartment project at the northeast intersection of State Route 33 and Lozano, and the proposed federal prison located approximately two miles south of the site. Intersection LOS is summarized in the following table and discussed below.

Intersection Level of Service Summary – AM and (PM) Peak Hours

Intersection Approach	Level of Service			
	Existing	Cumulative Without Project	Cumulative With Project	Future With Project
McCabe/Derrick				
Eastbound L	B (C)	B (C)	C (D)	D (F)
Eastbound R	A (B)	A (B)	B (B)	B (C)
Northbound LT	A (A)	A (A)	A (A)	B (C)
Southbound TR	DNS	DNS	DNS	DNS
Oller/Derrick				
Southeastbound T	DNS	DNS	DNS	DNS
Northwestbound LT	A (A)	A (A)	A (A)	A (A)
Northeastbound L	B (C)	B (C)	B (C)	D (F)

Northeastbound R	A (A)	A (A)	A (A)	A (B)
Smoot/Derrick				
Eastbound LR	A (B)	A (B)	A (B)	B (C)
Northbound LT	A (A)	A (A)	A (A)	A (A)
Southbound TR	DNS	DNS	DNS	DNS
Bass/SR 33				
Westbound L	B (C)	B (C)	B (E)	E (F)
Westbound R	A (B)	A (B)	A (B)	B (B)
Northbound TR	DNS	DNS	DNS	DNS
Southbound LT	A (A)	A (A)	A (A)	A (A)

L – Left Turn R – Right Turn T – Through DNS – Does not stop
Note: PM LOS shown in parenthesis.

- The intersection of McCabe Street and Derrick Avenue is operating at acceptable LOS and is expected to continue to operate at acceptable levels with construction of the other pending projects. With construction of the project, the eastbound left-turn movement is expected to experience a LOS "D" during the PM peak hour. It is not expected, however, that the intersection would meet warrants for all-way stop control or traffic signals upon completion of the project. By the year 2025, it is anticipated that the eastbound left-turn movement will experience a LOS "F".

- The intersection of Oller Street and Derrick Avenue is operating at acceptable LOS and is expected to continue to operate at acceptable levels with construction of the proposed project and the other pending projects. By the Year 2025, the left-turn movement from northbound Derrick to Oller (which continues northbound from the intersection) is expected to experience unacceptable levels of service. The analysis indicates that all-way stop control is expected to result in a LSO "C" or better in the Year 2025.

- The intersection of Smoot Street and Derrick Avenue is operating at acceptable LOS and is expected to continue to operate at acceptable levels with construction of the proposed project and other pending project through the year 2025.

- The intersection of Bass and State Route 33 is operating at acceptable LOS and is expected to continue to operate at acceptable levels with construction of the other pending projects. With construction of the proposed project, the westbound left-turn movement is expected to experience a LOS "E" during the PM peak hour. It is not expected, however, that the intersection would meet warrants for all-way stop control or traffic signals upon completion of the project. By the year 2025, it is anticipated that the eastbound left-turn will experience a LOS "F". Therefore, the intersection should be monitored upon completion of the project and through the Year 2025.

- The intersection of Lozano Street and State Route 33 is closed. If the intersection is opened in the future, it is anticipated that traffic will have difficulty making left-turns from Lozano to State Route 33.

Development of the site will result in increased traffic in the area. The traffic impact assessment, however, has determined that the proposed road network at the study locations is adequate to accommodate the proposed development based on opening day conditions and can be mitigated to accommodate the proposed development through the year 2025.

The following table presents preliminary equitable share responsibility calculations for state facilities based on Caltrans methodologies. The calculations are presented for informational purposes only and do not indicate that the project will be required to contribute funds to future improvements.

Equitable Share Responsibility Calculations – Weekday PM Peak Hour

Location	Mitigation	Project Traffic	Existing Traffic	Future Traffic	Equitable Share
Bass/SR 33	Potential Signalization	132	858	1,727	15.2%
Derrick/McCabe	Potential Signalization	304	810	1,810	30.4%
Derrick/Oller	Potential Signalization	154	827	1,692	17.8%

Caltrans District 06 has completed a review of the traffic analysis prior to publication of the initial study. Caltrans concurs that traffic from the project would impact the SR 33 intersections at Bass Avenue, SR 180 (Oller), and Smoot Avenue. Previous studies have also indicated the need for traffic signals at SR 33/Bass and Derrick/Oller (SR33/SR 180). Based on design requirements, Caltrans has calculated the cost of the SR 33/Bass improvements at $850,000 and the Derrick/Oller improvements at $200,000. Applying the above equitable share calculations to these cost estimates, the project's share for the SR 33/Bass intersection is $129,000. The projects share for the Derrick/Oller intersection is $35,600. Caltrans recommends that the applicant enter into a "Pro-Rata Share Agreement" with Caltrans upon these amounts being made conditions of approval of the subdivision map. The agreement should be executed prior to the issuance of a building permit.

Caltrans also stipulates that an encroachment permit must be obtained for all proposed activities within, under, or over the State highway rights-of-way. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5.

Mitigation

1. 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 is 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.

2. 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.

3. 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.

4. 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.

Therefore, it is likely that a median island will be required to prevent left turns from Lozano, but to allow left turns from State Route 33 to Lozano.

Future Streets (City)

Based on meetings with City staff and the developer, the future extension of Holmes Avenue will be required to be undertaken. This future extension will require the City to acquire the necessary right-of-way and coordinate with Caltrans on the future intersection alignment and interconnection with Derrick (Highway 33).

The developer has agreed to revise the development plan to provide that project phasing will ensure that the last phase of the development to be constructed will be the area impacting Holmes Avenue.

This agreement and condition of approval should be adequate to allow the City sufficient time to initiate the acquisition of the necessary right-of-way and coordination with Caltrans.

Utilities:

The project area will be served by the existing city wastewater collection and treatment system. The Mendota wastewater treatment plant has an available capacity of 180,000 gallons per day (gpd). Based on the city engineer's design criteria of 5.5 persons/unit and 127 gallons per capita per day, the existing plant only has capacity to accommodate the first 250 residential units. The expansion of the plant, however, has been anticipated with the proposed construction of the new federal prison, which the City believes is imminent. Once this expansion occurs, expected to be complete within 18 to 24 months, there will be adequate capacity for the entire development.

Existing sewer lines immediately adjacent to the project site are too small and shallow to serve the proposed development. The city engineer has directed the applicant to install a 12-inch line from the project, across Highway 33 to the alley at Second Street between Oller and Naples Streets. At that point, the line will connect to an existing 18-inch diameter line. Interior collection lines will 6 and 8-inch lines.

The City gets its water from existing wells located approximately three miles northwest of the City. Water is piped to the City via a 24-inch transmission line. The existing system has a peak capacity of 4.5 million gallons per day (mgd) and a current peak use of 3.0 mgd, leaving an available capacity of 1.5 mgd. The proposed project of 434 units would require approximately 320,000 gpd based on the city engineer's design capacity of 5.5 persons/unit and 135 gallons per capita per day. As a result, the water system has adequate capacity for the development.

Existing water lines serving the area adjacent to the project site consist of 6-inch lines, which are too small to serve the project. As required by the city engineer, the applicant will install a 12-inch water line from the project, across Highway 33 to the intersection of Naples and Second Street, to connect to an existing 12-inch transmission line. Interior water lines will all be 8-inch except the dead-end runs at the end of cul-de-sacs that may be 6-inch diameter.

Infrastructure and Public Services

Wastewater:

The developer will connect to the existing wastewater collection system at the 18-inch sewer collector in Second Street. This pipe has a capacity of approximately 2.5 million gallons per day (MGD) and carries about 1/2 of the total daily flow. The total peak daily summer flows are approximately 0.95 MGD. The pipe would currently carry 0.475 MGD average, with a peak hour of 0.95 MGD (assuming a 2x peak factor). The development will add an average daily flow of 0.3 MGD and a peak hour flow of 0.6 MGD at total build out of 422 units. The required capacity of 1.55 MGD at the peak hour is well below the pipe capacity.

The sewer collection system is capable of handling the new development. The City is in the process of expanding the wastewater treatment facility to accommodate the Federal Prison and new development. The new facilities will be in place before the phased H/S development would exceed the allowable treatment/disposal capacity.

Water:

The built out project will use approximately 320,000 gallons per day. The recently expanded water system has sufficient supply and distribution pumping capacity to accommodate the entire development.

The water system is capable of an additional 1000 homes before some conservation measures would have to be imposed in the peak summer month. This is in addition to the Federal Prison demand. The normal peak summer day is 2.5 million gallons. Last year, a peak day of 3 million gallons was observed. The 1000 additional homes are based upon the 3 MG peak day. If water conservation measures were applied during the peak usage summer month, additional homes could be served without expanding the existing well supply.

Stormwater Drainage:

Drainage from storm water will be maintained on site in a storm water basin designed to handle a 100-year, 6-day storm.

The project will not increase the storm water flow that is currently handled by Second Street because the development is required to maintain their storm water onsite. A side benefit to the project will be the diversion of storm water that previously traveled through Bonnie Heights from the west. This water will be diverted to existing drainage channels north of Bonnie Heights.

Municipal Services Plan:

The municipal services plan has been prepared in cooperation with the City Engineers office. The developer has complied with City requirements for services. Please refer to discuss above under Infrastructure.

School Impacts

On January 7, 2005 the Mendota Unified School District issued comments regarding the proposed development.

The District concludes that the construction of the project will result in a significant impact to the School District (student generation) and that mitigation measures should be considered to enable the District to obtain the necessary financial resources to support the proposed growth.

The findings that were made in the Initial Study supporting the determinations of a Mitigated Negative Declaration as they related to the impact of the project to school facilities are as follows:

1. The Leroy F. Green School Facilities Act of 1998 (SB 50) amended Government Code Section 65995(a) prohibits state or local agencies from imposing school impact mitigation fees, dedications or other requirements in excess of those provided in the statute in connection with any legislative or adjudicative act by any state or local agency involving the planning, use or development of real property.

2. Under Section 17620 of the Education Code, school districts also may impose only the school impact fees authorized by statute.

3. SB 50 also amended Government Code Section 65996(b) prohibiting local agencies from using the inadequacy of school facilities as a basis for denying or conditioning approval of any legislative or adjudicative act involving the planning, use or development of real property.

4. The maximum amount of school impact fees for residential development was established by the State Allocation Board under Government Code Section 69995(b) at $2.24 per square foot.

5. The Mendota Elementary School District adopted such fees, commonly referred to as "Level 1" in the Districts Impact Fee Justification Study of August 2002.

6. Included in the referenced Impact Fee Justification Study, the District did note that the maximum amount of Level 1 fees of $2.24 per square foot of residential development did not adequately address the districts need to provide for future facilities, the District did not meet the eligibility requirements as specified in Government Code Section 65995.5 for Level 2 fees that would impose fees in excess of the Level 1 fees.

While the City recognizes the dilemma that the District faces because of the above citied Government Code Section and legislative constraints that affect the ability of most school districts in the Central Valley to mitigate the increased enrollment generated by new residential development, the City is bound by those statutes, as is the School District and therefore can not condition and/or impose additional requirements as they relate to school impacts. Based on the provisions contained in Government Code Sections citied above, the City is not able to accept the recommendation for school impact mitigation measures as the state as addressed the issue through legislation.

Comments from other Departments

Comments received have been reviewed and recommendations are included as proposed conditions of approval.

Comments from Local, State, Federal Agencies and public

Comments received from regarding the application, environmental review and project are included at the conclusion of the staff report. Pursuant to the direction of the Planning Commission written comments and responses have been completed. Please see the response to comments section also at the conclusion of the staff report.

Comments from the applicant

Comments from the applicant pertaining to the recommended conditions of approval were received on February 18, 2005 and subsequent addressed by the Planning Commission at the February 23, 2005 public hearing.

The applicant's comments and staff's initial responses are attached at the conclusion of the staff report.

The Planning Commission directed staff to forward several of the comments for revisions to the conditions recommended to the City Council for their consideration. The following are staff's discussions and recommendations pertaining to those revisions requested by the applicant:

Condition #7:

All heating and air conditioning units shall be ground/surfaced mounted and approved for location by the Building Official.

Applicant's response:

This will add approximately $2,000.00 to the cost of each house. If included, we will need to redesign all nine of our house plans. Is this standard of the City of Mendota that has been required of other projects?

Staff's response:

Staff has recommended to the City Council in the included conditions of approval that all air conditioning and heating units be surface mounted and no roof mounting is permitted.

Condition 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.

Applicant's response:

Crews will be traveling a great distance. Normally our crews work ten to twelve hours a day. In summer, we sometimes ask them to begin at sunrise such that they may quit for the day by 3 p.m. and avoid exposure to the highest temperatures and most penetrating sunlight. We would like to be able to work from sunrise to sunset, six days a week. In the interest of clarity, let's specify whether we mean state or federal holidays.

Staff's response:

Staff is recommending the following revised working hours:

Winter hours of work shall be from 7 a.m. to 5 p.m. (Monday through Saturday)
Summer hours of work shall be from 6 a.m. to 6 p.m. (Monday through Saturday)
No work is to be allowed on Sundays or the following holidays:

> Memorial Day
> 4th of July
> Labor Day
> Thanksgiving
> Christmas

Caltrans Conditions (#37 &38)

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.

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).

Applicant's response:

We would like this cost to be paid in equal installments spread across the first one hundred building permits.

Staff's response:

The conditions included are a verbatim recommendation received by Caltrans. Any modification to the condition must be approved by Caltrans under separate negotiation.

Staff has no opposition to modifying the condition to allow for acceptable payment of traffic mitigation fees subject to the agreement of Caltrans.

Condition 41:

Construction permits for the project shall be subject to assurance of sewer capacity of the City of Mendota Wastewater Treatment Facility

Applicant's response:

The municipal services report submitted in the course of the annexation process recites availability of 180,000 GPD capacity or 250 connections for our project. We would like the capacity document as a commitment to the project at this time.

Staff's response:

Essentially, the developer/project applicant is requesting a "Will Serve Letter" to reserve the wastewater treatment capacity for 250 residential connections and requests a commitment of the City to provide said capacity in reserve.

Staff is recommending a will serve letter for Phases 1 and 2 of this project, totaling 170 residential unit wastewater connections.

Condition 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.

Applicant's response:

The municipal service report submitted in the course of the annexation process recites availability of 1.5 MM GPD of which 320,000 GPD would be necessary for all the water connections included in this project. We would like the capacity documented as a committtment to the project at this time.

Staff's response:

It is the City's policy that water (and all utility services connections) are based on capacity available are on a first come first serve basis at time of construction (building permit issuance).

According to the City Engineer the recently expanded water system has sufficient supply and distribution pumping capacity to accommodate the entire development.

City Council action:

The Council may take the following actions regarding the applicant's request for revisions to the recommended conditions:

1. Accept the project applicants requests for condition modification;
2. Deny the applicants requests for condition modification;
3. Direct staff to prepare alternative conditions as specified by the City Council.

Required Findings

The City Council is required to make the following findings regarding the Application:

1. The proposal complies with all applicable provisions of the Zoning Ordinance.

2. The proposal is designed so that it will not have an adverse effect on surrounding property or improvements.

3. The proposal can be adequately and efficiently be provided with public utilities and services.

4. The proposal will not create or unsafe vehicular or pedestrian circulation or access conditions on or off-site.

In staff's review of the application and site plan, the following determinations were made:

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.

Recommendation:

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 City Council. 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.

Winter hours of work shall be from 7 a.m. to 5 p.m. (Monday through Saturday)
Summer hours of work shall be from 6 a.m. to 6 p.m. (Monday through Saturday)

No work is to be allowed on Sundays or the following holidays:

Memorial Day
4th of July
Labor Day
Thanksgiving
Christmas

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

    a. Phases 1 and 2 of the project totalling 170 residential unit wastewater connections are hereby granted and issued a will serve letter by the City with the adoption of this project.

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.

Staff further recommends that the City Council consider the following:

1. The Mayor should request a staff report, and ask for any clarification from staff needed by the Council members.

2. The Mayor should open the Public Hearing, asking for any public comments in favor of, in opposition to, or any comments regarding the proposed project. Upon conclusion of testimony, ask the Council for a consensus that sufficient information has been obtained to close the public portion of the Hearing. The Mayor should close the Public Hearing.

PROJECT LOCATION MAP

PLEASE REFER TO THE INITIAL STUDY AND SUBDIVISION MAPS

TENTATIVE SUBDIVISION MAP

PLEASE REFER TO THE ATTACHED SUBDIVISION MAP

COMMENTS RECEIVED ON APPLICATION

RESPONSE TO COMMENTS RECEIVED

APPLICANTS COMMENTS AND STAFF'S RESPONSE

CITY ENGINEER'S COMMENTS

DATE: February 24, 2005
DEPT: Planning

CITY OF MENDOTA

COMBINED NOTICE OF PUBLIC HEARING, AND
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN THAT, March 22, 2005 at 6:00 p.m., or as soon thereafter as possible, the City Council of the City of Mendota will hold a public hearing at a special meeting at Mendota City Hall, City Council Chambers, 643 Quince Avenue, Mendota, CA 93640 for the following purpose:

H/S Development of Bakersfield, CA, proposes to construct approximately 422 single-family homes on 91.5 acres located at the southwest corner of Bass Avenue and Sorenson Avenues west of the City of Mendota, Fresno County. The site is located within the Sphere of Influence of the City of Mendota but is unincorporated and will require annexation to the City. The property is owned by Jones-Villere Farms and is described as APNs 12-190-40 and 41.

In order to develop the project, the following entitlements are requested:

1. General Plan Amendment for the northwest portion of the site from Agriculture to Medium Density Residential and of the southern portion of the site from Recreational to Medium Density Residential.
2. Pre-zoning of the site from AE-20 (Fresno County) to R-1 (single-family residential, 6,000 square foot minimum lot size);
3. A Vesting Tentative Tract Map dividing the site into 422 single-family lots with a minimum lot size of 6,000 square feet and an average lot size of approximately 6,500 square feet.
4. Annexation of the site to the City of Mendota.

An Initial Study and Proposed Negative Declaration has been prepared for the project in accordance with Sections 15222, 15072 and 15073 of the California Environmental Quality Act. The mandated thirty (30) day public review period terminated on January 22, 2005. The Initial Study Proposed Negative Declaration may be reviewed at Mendota City Hall, Community Development Department, Mendota City Hall, 643 Quince Avenue, Mendota, California, Monday through Friday (8:00 a.m. to 5:00 p.m.).

All interested persons are invited to appear at the time and place specified above to give testimony regarding the proposed actions listed above. Written Comments may be forwarded to the City of Mendota Community Development Department, at the address listed above.

If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing, or in written correspondence delivered to the Planning Commission of the City of Mendota at, or prior to, the Public Hearing or any comments received during the public review period of the Initial Study/Proposed Negative Declaration

To be published in the 3/2/05 edition of the Firebaugh/Mendota Journal.
Please furnish "Proof of Publication".
cc: City Hall Bulletin window
City Manager
Mayor and City Council
City Clerk

DATE/TIME POSTED: 2/24/05 VERIFIED BY: Brenda L. Carter, City Clerk

ITEMS NECESSARY FOR A COMPLETE APPLICATION

LAFCo Agency No. _____

Application Name __Annexation 05-01__ (No.)

☐ Pre Application Meeting With Mike and the County (**Required**)

■ Complete and Signed LAFCo Application Form (**Required**)

■ **CEQA Documents** (When LAFCo is Responsible Agency)

- _X_ Initial Study or Draft and Final EIR (10 copies) (**Required**)
- ___ Statement of Overriding Considerations
- ___ Notice of Determination (**Required**)
- ___ Resolution of Findings if Separate from Resolution of Application
- _X_ Mitigated Negative Declaration
- ___ Notice of Exemption
- ___ Finding of Conformity with MEIR (Fresno Only)

☐ Letter from Bart Bohn stating the proposal is consistent with the City/County MOU (City Applications Only) (**Required**)

Resolution or Petition Initiating the Proposal (**Required**)

■ Resolution of Application Initiating the Proposal

☐ Petition Signed by Landowner(s) or Registered Voter(s)

■ **Maps**

- _X_ Map & Legal Description (These Will have to be Approved by the County Assessor Before the Proposal can be Completed) (**Required**)
- _X_ Land Use Map
- ___ Vicinity Map
- _X_ Water Map
- _X_ Sewer Map
- _X_ Zoning Map
- _X_ Tract Map/Site Plan map

■ Landowner Consent Forms with Original Signatures (if not 100% Consent, our Policies, Standards, and Procedures require an Informational Meeting to be Held and Require us to Notice all Affected Property Owners)

☐ Signed Affected Agency Protest Waiver Forms with Original Signatures (Application is not 100% without all Affected Agencies Waiving Protest Rights

21 Day Notice _____

■ Application Fee (**Required**)

■ Service Plan (1 copy) (**Required**) 11 More needed

☐ **Williamson Act Contracts**

___ Protest Information
___ Resolution
___ Copy of Contract
___
___

☐ **Other**

___ Prezoning Ordinance (**Required**)
___ Tract Map Resolution (if applicable)
___

☐ **Districts Only**

___ Budget
___ Assessment Information
___ Services Provided
___ Operations Statement
___ Engineers Report
___ 218 Information
___ Findings per State Law
___
___
___

CHANGE OF ORGANIZATION OR REORGANIZATION
CORTESE-KNOX LOCAL GOVERNMENT REORGANIZATION
(Government Code Sec. 56000, et seq.)

CITY ANNEXATION APPLICATION
Proposals Initiated by Resolution or Petition

FRESNO LOCAL AGENCY FORMATION COMMISSION
2100 TULARE STREET, SUITE 502
Fresno, CA 93721 PHONE: (559) 495-0604

Mike Waiczis, Executive Officer
Candie Fleming, Secretary

OFFICE USE ONLY:

LAFCo File No. RO-05-17

Date Received 5-17-05

Name of Proposal Annexation No. 05-01

Changes of Organization listed in Resolution or Petition Annexation to the City of Mendota Detachment from West Lands Water District, Silver Creek Drainage District, and Fresno Co. Fire Protection District

Signature of Chief Petitioner or Representative of Initiating Agency — Date

Name Bruce O'Neal Address 286 W. Cromwell

Title Consulting Planner Phone 559/256-4250

This application and attached documents are complete and are in all respects true and correct to the best of my knowledge.

List the name and address of officers or persons, not to exceed three in number, who are to receive the notice of hearing and the Executive officer's Report.

Name	Address and Zip Code
Stephen W. Hair / H/S DEVELOPMENT CO	4800 STOCKDALE HWY #205 Bakersfield Ca 93309
Bill Skinner, Valley Planning Assoc.	200 N. Gateway #101 Madera, CA 93637
Gabriel Gonzalez, City Manager	643 Quince Street Mendota, CA 93640

1. Reasons for Proposal

A. State the reasons for this change, and why the change is proposed at this time.

Additional land is needed for residential development.

B. Describe in detail any proposed development:

Development location and acreage Approximately 91.5 acres west of City APNs 12-190-40 & 41

Types of uses and number of units Single family residential 434 units

Project file numbers and status Projects approved by City Council on March 22, 2005

Other details: General Plan Amendment; prezoning to R-1; TTM 5483

If already developed, describe in detail any added service and greater frequency or range of services to be provided to residents of this area.

11/14/00

C. What is the reason for the proposal boundaries? Describe the city plan to annex any remaining substantially surrounded area created.

No additional land will be annexed. The boundaries are contiguous with parcel.

D. Amount of vacant land in acres in the community plan area already in the City that could accommodate the proposed development.

The are no 90+ acre parcels in the existing city.

Comment on why the proposed annexation is justified given the amount of vacant land in the City already.

See above response.

2. Information on Proposal Area and Vicinity

A. Acreage 91.5 No. of Registered Voters 0

No. of Residences 0 No. of Landowners 1

Population Est. 0 County Zoning AE-20

City Zoning Upon Annexation R-1

B. List the uses of land in the affected area and give acreage for each. If in agricultural use, list crops produced over the past three years.

Fallow land previously used for field crops. Land is portion of 200,000 acres to be "retired" by the Westlands Water District

C. If annexation/development is adjacent to agricultural parcels, how has the city buffered the developing area or mitigated the impact of development on agricultural parcels.

A right to farm notice will be filed. Adjacent lands, however, will also be retired by Westlands.

D. Is any of the affected territory in an agricultural preserve or under Land Conservation Contract?

No

If so give date of Contract Execution _____

Does the resolution of application state the City's intention to succeed or not to succeed to the contract? N.A. If not to succeed, include copy of City Protest to Board of Supervisors or LAFCo.

E. Does the proposed development and change of organization conform to the City General and Specific Plans (explain if not conforming)?

Yes. General Plan was amended to accommodate project.

What is the City plan designation?

Medium Density Residential

What is the County plan designation?

Agriculture

3. Information on Services

A. List below the names of agencies or companies now providing services and which agency will provide service after annexation completion. Include estimated date new service will begin (use "UA", if upon annexation, "UD" if upon development).

	Existing	Proposed Change	Date
Domestic Water	NA	City of Mendota	Upon development
Sewer Collection	NA	City of Mendota	Upon development
Solid Waste Collection	Franchise Hauler	Franchise Hauler	Upon Annexation
Street Lighting	NA	City of Mendota	Upon development
Parks and Recreation	NA	City of Mendota	Upon development
Fire Protection (station distance)	Fresno Co. Fire / mile ± five minutes	No change	
Paramedic (station distance)	Fresno Co. Fire / mile ± five minutes	No change	
Police	Fresno Co. Sheriff	No change	
Storm Drainage	NA	City of Mendota	Upon development
Elementary School	Mendota Unified	No Change	
High School	Mendota Unified	No change	

B. Comment on the municipal or other public service facilities or improvements which will serve the affected territory after annexation listed above (including water or sewer lines or facilities, fire stations, school facilities). Are any of these services or facilities near or beyond their capacity to adequately serve the area? yes Are there any notices or orders to the city from any agency including state or federal agencies, related to these services or facilities and their capacities that would affect services to the proposal?

No. WWTP is being expanded to serve Federal Prison and Community growth. Expansion will occur concurrent with project.

If yes, explain which public service agency is affected, i.e. city or district, how these improvements/facilities will be upgraded, when and how financed, or how any deficiencies are being met.

see above.

4. Information on Costs and Revenue

A. Is there any outstanding general bonded indebtedness for any of the agencies whose boundaries are changed by this proposal?

No

B. If so, give information listed below:

Name of Agency	Bond Tax Rate for Affected Territory	Date of Maturity	General Purpose of Bond

C. Is the affected territory to be subject to all of the above general bonded indebtedness upon annexation? N.A.

D. If any costs of services to be or already being received by residents within the affected territory will change as a result of this proposal, give breakdown of change for a typical residential landowner or resident in the affected territory for comparison purposes.

There are no current residents in territory.

E. If any resident or landowner in the affected area will be required to connect to sewer or water lines as a result of annexation or construct any other improvements (other than as a requirement for a proposed development), list requirements, when required, and any other special circumstances related. (A letter from City to residents and landowners should also indicate these requirements.)

N.A.

5. Information on Processing Change of Organization or Reorganization

A. ☑ Letter from the County confirming consistency with the MOU.

B. Property Tax Exchange (Revenue & Tax Code 99 & 99.1) Check either:

☑ Master Tax Agreement should apply to the change. If so, provide letter indicating consistency with the master agreement.

☐ Other agreement for change is to be negotiated (Explain other agreement).

C. Compliance with California Environmental Quality Act. Check either:

☐ Project is Exempt and a Notice of Exemption, prepared in consultation with LAFCo, is included.

☑ An initial study is complete and a Negative Declaration prepared for the annexation in consultation with LAFCo and other affected agencies and is included.

☐ An EIR has been prepared for the annexation project and 10 copies are included.

D. Initiation of Application. **A clear and reproducible legal description and map meeting Commission standards must be included,** and a copy also attached to the resolution or petition. Check either:

☑ A certified resolution of application is included.

☐ A petition of landowners or registered voters is included.

E. Landowner Consent or Notice. Check either:

☑ Signed LAFCo property owner consent forms for all landowners are included as shown on Assessor's roll.

or

☐ Letter of Notification to Landowner and Residents (if no consent of all landowners).

a. All property owners and residents must be notified of the change and how to receive notice of LAFCo hearing.

b. For inhabited proposals, a City response to a neighborhood meeting, held for the annexation listing the issues and the City response.

F. Municipal Service Plan. Check either:

☑ A Service Plan for the change is included.

☐ A Master Service Plan is filed with LAFCo and is current (updated in 1993 or later).

G. Waiver of Conducting Authority proceeding.

☑ Check if all landowners have consented in writing and there are less than twelve registered voters, all annexing agencies have consented in writing to waive further Conducting Authority proceeding, and City is requesting waiver of Conducting Authority proceedings.

6. Supplementary Maps

A map(s) showing land use, water and sewer service lines, and City and County zoning for the affected area and vicinity.

7. Application Fees

A fee must accompany the application in accordance with the LAFCo fee schedule.

8. Political Reform Act Compliance

List of Affected Landowners and Financial Interests.

For all uninhabited proposals, or proposals where land use entitlements have been or may be filed with the city, the names of all landowners, lessees, options to purchase or lease the property, or any other having any ownership or financial interest in the property, must be furnished with the applications. If the interest is a corporation or partnership, list all persons owning more than 10% of the corporation shares or interest in partnership. If a trust or non-profit organization, list any directors or trustees, trustors, or beneficiaries.

Jones Villere Farms	Ronald C. Jones	John T. Sessions
William L. Jones	Kathryn Jones	
Maurine Jones	Britz, Inc.	
Plauche F. Villere, JR.	H&S Development	
Susan Jones Villere	Steve Hair	

If an applicant for or participant of any proceeding has made a campaign contribution of more than $250 to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (government Code Section 84308).

Notre -
FYI

Bart Bohn
County Administrative Officer
Administrative Office

February 21, 2002

Michael R. Waiczis, Executive Officer
Local Agency Formation Commission
Rowell Building
2100 Tulare Street, Suite 502
Fresno, CA 93721

Dear Mr. Waiczis:

Attached are the law enforcement agency agreements for the cities of Mendota, Orange Cove and San Joaquin. Please note that Sheriff Richard Pierce has indicated that he plans to recommend to the Board of Supervisors that hence forth all law enforcement agreement updates and new agreements include all direct and indirect overhead charges as authorized by State law.

Please contact me at 488-1710 if you have any questions.

Sincerely,

Ghobbs for

Jose Leon-Barraza
Principal Administrative Analyst

cc: Bart Bohn, CAO
Ruben Castillo, Deputy County Counsel
Sheriff Richard Pierce
Dan Miller, Rosenow, Spevacek Group, Inc.

Attachments

JLB:gah
G:\ghobbs\Jose\Lafco Sheriff Info Transmit LTR.doc

Agt 01-041

AMENDMENT II TO AGREEMENT

THIS AMENDMENT II to Agreement amends that Agreement, identified as County Agreement No. A-97-025, entered into January 28, 1997, effective January 1, 1997, (hereinafter referred to as "Agreement"), by and between the COUNTY OF FRESNO, a political subdivision of the State of California, hereinafter referred to as "COUNTY", City of Mendota, a general law city, hereinafter referred to as "CITY".

WHEREAS, the CITY is the recipient of funds from the State of California for provision of front line law enforcement services pursuant to the Schiff-Cardenas Crime Prevention Act of 2000; and

WHEREAS, the CITY has determined to appropriate these funds for narcotics enforcement in and around the CITY's corporate limits; and

WHEREAS, the COUNTY through COUNTY's Sheriff's Department provides law enforcement services to the CITY pursuant to the terms of the Agreement; and

WHEREAS, the parties wish to modify the Agreement to provide for narcotics enforcement in and around the CITY's corporate limits to be paid for by monies received by the CITY under the Schiff-Cardenas Crime Prevention Act of 2000.

NOW, THEREFORE, in consideration of their mutual promises, the parties hereto agree to amend the Agreement as follows:

1. That the existing section A, COUNTY'S DUTIES, be amended to include the following additional services:

a. The COUNTY agrees to provide CITY narcotic enforcement in and around the surrounding corporate limits of the CITY pursuant to the AB 1913 Local Law Enforcement Grant.

2. That the existing section B, COMPENSATION/INVOICING be amended to include the following compensation provisions for the additional narcotic enforcement services set forth above:

CITY agrees to pay COUNTY and COUNTY agrees to receive additional compensation at an annual rate of $99,500, which shall be paid at the rate of $8,291.67 per month. COUNTY shall invoice in triplicate to the CITY, City of Mendota, 643 Quince, Mendota, California, 93640. In addition to the original Agreement amount of compensation of $180,000.00 annually, in no event shall services performed under this Amendment II to Agreement be in excess of $99,500.00 during the term of this Agreement.

3. It is intent of the parties that this Amendment II to Agreement as it pertains to modified sections shall become effective on the 1st day of February, 2001 and remain in effect for a period of one year. It is further the intent of the parties that all other provisions of the Agreement not herein amended remain in full force and effect.

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IN WITNESS WHEREOF, the parties hereto have executed this Amendment II to Agreement at Fresno County, California.

CITY OF MENDOTA

Baldev Josan
City Manager

TAXPAYER FEDERAL I.D. #:

94-6000369

APPROVED AS TO LEGAL FORM:
Phillip S. Cronin, County Counsel

FOR ACCOUNTING USE ONLY:

Fund No.	0001
Subclass	10000
Org. No.	31101201
Account No.	4975

FEB 06 2001
COUNTY OF FRESNO

Chairman, Board of Supervisors

REVIEWED & RECOMMENDED FOR APPROVAL

Richard Pierce, Sheriff

APPROVED AS TO ACCOUNTING FORM: Gary W. Peterson, Auditor-Controller/Treasurer-Tax Collector

ATTEST:

SHARI GREENWOOD, Clerk
Board of Supervisors

By Yvonne Nutter
Deputy