



Tuesday, February 28, 2023 / 6:30 PM / City Hall / 405 East El Monte Way, Dinuba

District 1	District 2	District 3	District 4	District 5
Rachel Nerio-Guerrero Vice Mayor	Maribel Reynosa Mayor	Benjamin Prado Council Member	Kuldip Thusu Council Member	Linda Launer Council Member

All attendees are advised that electronic devices should be placed on silent upon entering the Council Chambers.

The City Council will take action on all items listed on the agenda.

1. OPENING CEREMONIES

- 1.1. Welcome and Call to Order
- 1.2. Invocation
- 1.3. Pledge of Allegiance

2. AGENDA CHANGES OR DELETIONS

To better accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed. Additions to Agenda may be added only pursuant to California Government Code section 54954.2(b).

3. PRESENTATIONS/CEREMONIAL MATTERS

- 3.1. Police Community Volunteers In-Kind Service Check Presentation to City Council (AI)

4. REQUEST TO ADDRESS COUNCIL

This portion of the meeting is reserved for any person who would like to address the Council on any item that is not on the agenda. Please be advised that State law does not allow the City Council to discuss or take any action on any issue not on the agenda. The City Council may direct staff to follow up on such item(s). Speakers are limited to three (3) minutes. If there is any person wishing to address the City Council at this time please approach the podium and state your name and nature of the request.

5. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Council Member may request an item be removed from the Consent Calendar and it will be considered separately.

5.1. SUBJECT

Resolution No. 2023-11 Acquisition of Right of Way for the Kamm/Alta Avenue Roundabout (JW)

RECOMMENDATION

Council adopt Resolution No. 2023-11 by one motion for the following action:

1. Approves the Right-of-Way agreement with Edward A. Davidian and Georgia A. Davidian, Trustees of the Davidian Family Revocable Trust; and,
2. Authorizes the City Manager or designee to sign agreement on behalf of the City for acquisition of property in fee and for a temporary construction easement for public street purposes; and,
3. Accepts the Right-of-Way dedication for Public Street Purposes and Temporary Construction Easement.

5.2. SUBJECT

Approval of City Council Meeting Minutes (MA)

RECOMMENDATION

Council to review and approve City Council meeting minutes of February 14, 2023 as presented.

5.3. SUBJECT

Resolution No. 2023-12 Authorization to Approve Final Map, Subdivision Development Agreement, and Reimbursement Agreement for Vineyard Estates Subdivision (JW)

RECOMMENDATION

Council by one motion take the following actions:

1. Adopt Resolution No. 2023-12 approving the Final Map for the Vineyard Estates Subdivision consisting of 63 residential lots and authorize City staff to record said map; and,
2. Approve the Subdivision Development and Reimbursement Agreement for Vineyard Estates Subdivision and authorize the City Manager or designee to execute the agreement.

5.4. SUBJECT

Request for Excused Absence for Council Member Kuldip Thusu (MA)

RECOMMENDATION

Council to excuse the absence of Council Member Kuldip Thusu from the City Council meeting of February 14, 2023.

5.5. SUBJECT

Request for Excused Absence for Council Member Linda Launer (MA)

RECOMMENDATION

Council to excuse the absence of Council Member Linda Launer from the City Council meeting of February 14, 2023.

6. WARRANT REGISTER

6.1. SUBJECT

Warrant Register February 17 & 24 2023 (KS)

RECOMMENDATION

Council to review and approve the Warrant Register as presented.

7. PUBLIC HEARING

7.1. SUBJECT

Public Hearing to Consider Adopting Resolution No. 2023-10 Approving the Final Negative Declaration (SCH 2023010340) for the Alta Avenue (Road 80) and Kamm Avenue (Avenue 408) Roundabout Project (JW)

RECOMMENDATION

Council to conduct a public hearing and adopt Resolution No. 2023-10 adopting a Mitigated Negative Declaration (State Clearing House No. 2023010340) for the Alta Avenue and Kamm Avenue Roundabout Project.

8. DEPARTMENT REPORTS

8.1. SUBJECT

Mid-year Budget Report and Budget Amendments for Fiscal Year 2022/2023 (KS)

RECOMMENDATION

Council to take the following action by one motion:

1. Accept the Fiscal Year 2022/23 Mid-Year Financial Report and Second Quarter Financials; and,
2. Adopt Resolution No. 2023-09 approving budget amendments for Fiscal Year 2022/23.

8.2. SUBJECT

Mid-year Cash and Investment Report for Fiscal Year 2022/23 (KS)

RECOMMENDATION

Council accept the City of Dinuba Mid-year Cash and Investment report for fiscal year 2022/23.

8.3. SUBJECT

Dinuba Housing Element Update (KSch)

RECOMMENDATION

Council to receive information on the status of the Dinuba Housing Element update.

9. MAYOR/COUNCIL REPORTS

10. CITY MANAGER COMMUNICATIONS

11. CITY STAFF COMMUNICATIONS

12. CLOSED SESSION

12.1. Liability Claim (MA)

Pursuant to Government Code Section 54956.95; Claimant(s) Edit Valero-Rodriguez. Agency Claimed Against: City of Dinuba.

12.2. Liability Claim (MA)

Pursuant to Government Code Section 54956.95; Claimant(s) Joseph Curiel. Agency Claimed Against: City of Dinuba.

13. ADJOURNMENT

This agenda was posted at least 72 hours prior to the regular meeting per GC Section 54954.2(a). A Citizens' Packet regarding this meeting is available at the City Clerk's Office located at City Hall, 405 East El Monte Way, Dinuba CA 93618.

In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in the meeting, please contact the City Clerk's Office at 559-591-5900. Please provide at least 48 hours notification prior to the meeting to allow staff to make reasonable arrangements. (28 CFR 35.102-35.104 ADA Title II)

559.591.5900 / FAX 559.591.5902 . e-mail address: info@dinuba.ca.gov. www.dinuba.org



City Council Staff Report

Department: CITY CLERK

February 28, 2023

To: Mayor and City Council

From: Abel Iriarte, Police Chief

Subject: Police Community Volunteers In-Kind Service Check Presentation to City Council (AI)

RECOMMENDATION

EXECUTIVE SUMMARY

OUTSTANDING ISSUES

DISCUSSION

FISCAL IMPACT

PUBLIC HEARING



City Council Staff Report

Department: ENGINEER/PLANNING

February 28, 2023

To: Mayor and City Council

From: Jason Watts, City Engineer

Subject: Resolution No. 2023-11 Acquisition of Right of Way for the Kamm/Alta Avenue Roundabout (JW)

RECOMMENDATION

Council adopt Resolution No. 2023-11 by one motion for the following action:

1. Approves the Right-of-Way agreement with Edward A. Davidian and Georgia A. Davidian, Trustees of the Davidian Family Revocable Trust; and,
2. Authorizes the City Manager or designee to sign agreement on behalf of the City for acquisition of property in fee and for a temporary construction easement for public street purposes; and,
3. Accepts the Right-of-Way dedication for Public Street Purposes and Temporary Construction Easement.

EXECUTIVE SUMMARY

On December 8, 2020, Council adopted Resolutions 2020-75 approving Budget Amendment Number 2021-13 for FY 20/21 to fund the design expenses for the Alta and Kamm Avenue Roundabout. Additionally, on the same day, Council adopted Resolution 2020-76 authorizing a Program Supplement of \$150,000 for the use of Measure R funds for a portion of the design for the Alta and Kamm Avenue Roundabout Project. Staff has reached an agreement with the final property owner for the purchase of Right-of-Way needed for the project. The City Council must approve the purchase and accept the dedication for public street purposes and the construction easement by adopting Resolution No. 2023-11.

OUTSTANDING ISSUES

None.

DISCUSSION

The City of Dinuba is almost complete with the engineering design for the roundabout at Alta and Kamm Avenue. The project consists of the construction of a two-lane roundabout which includes a reconstructed pavement structural section, curb and gutter, curb ramps, sidewalk, median islands, landscape and irrigation, enhanced crosswalks, and other miscellaneous street improvements. The roundabout will improve mobility and safety for the future Dinuba High School.

In order to accommodate the improvements necessary to construct the roundabout, the City needs to obtain right-of-way from three (3) affected property owners. Staff retained a right of way consultant to meet with affected property owners to negotiate the purchase of the needed right of way. The consultant has met with all affected property owners and the remaining property owner has agreed to sell.

The purchase price for the right of way was based on an initial appraisal completed by Keith J. Hopper from Hopper Company. Each appraisal was then reviewed by a third-party appraiser (Kern Appraisal Company) before a final purchase price was determined and accepted by both parties.

The information on the property is listed below.

Alta and Kamm Avenue Roundabout Project

Property Owner	APN	Compensation
Edward A. Davidian and Georgia A. Davidian, Trustees of the Davidian Family Revocable Trust	017-020-059	\$286,515.00

The City Council must adopt Resolution No. 2023-11 enclosed herein as Attachment 'A' approving the Right-of-Way Purchase, accepting the Grant Deed for public street purposes, and accepting the temporary construction easement. A copy of the agreement is attached.

FISCAL IMPACT

The budget for the Alta and Kamm Avenue Roundabout Project includes funds for property acquisition. The acquisition of the properties will be paid for with local funds.

PUBLIC HEARING

None

ATTACHMENTS:

A. Resolution 2023-11

- B. Right-of-Way Agreement - Davidian
- C. Grant Deed - Davidian
- D. Temporary Construction Easement - Davidian

RESOLUTION 2023-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DINUBA APPROVING THE PURCHASE OF PROPERTY IN FEE AND ACCEPTING THE TEMPORARY CONSTRUCTION EASEMENT FOR THE ALTA AND KAMM AVENUE ROUNDABOUT PROJECT: EDWARD A. DAVIDIAN AND GEORGIA A. DAVIDIAN, TRUSTEES OF THE DAVIDIAN FAMILY REVOCABLE TRUST

WHEREAS, the City of Dinuba is proposing a Roundabout at Alta and Kamm Avenue;
and

WHEREAS, the Alta and Kamm Avenue Roundabout requires the acquisition of property
in fee, as shown on the attached Deeds; and

WHEREAS, the City has allocated local funds to the Alta and Kamm Avenue Roundabout
Project for Right-of-Way acquisition; and

WHEREAS, the use of Congested Mitigation Air Quality (CMAQ) funds for construction
required the City to follow federal guidelines and requirements for the acquisition of Right-of-Way;
and

WHEREAS, a formal offer has been made to the property owners for the acquisition of
rights of way and the owners have agreed to the sale per the value amount shown below:

Property Owner	APN	Compensation
Edward A. Davidian and Georgia A. Davidian, Trustees of the Davidian Family Revocable Trust	017-020-059	\$286,515.00

WHEREAS, the City accepts a Temporary Construction Easement for construction
purposes; and

WHEREAS, the City enlisted the services of a qualified appraiser and review appraiser to
establish the fair market value of the required properties in accordance with Federal guidelines;
and

WHEREAS, on the properties affected by the dedication, the owners have consented to
sell and grant the property to the City through a Grant Deed; and

WHEREAS, the City Engineer recommends the approval of the purchase of one property
via a grant deed from the property owners listed above, for the sale value listed;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Dinuba hereby takes the following actions:

1. Approving the Right-of-Way Agreements with Edward A. Davidian and Georgia A. Davidian, Trustees of the Davidian Family Revocable Trust
2. Accepts the Right-of-Way dedication for Public Street Purposes and a Temporary Construction Easement.
3. The above recitals are true and correct and are adopted as the findings of the City Council.
4. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.
5. That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

IN WITNESS THEREOF, I, Maribel Reynosa, Mayor of the City of Dinuba have hereunto set my hand and caused the great seal of the City of Dinuba to be affixed, on this ____ day of _____ two-thousand-twenty-three.

PASSED AND ADOPTED this ____ day of _____, 20____ by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Mayor

ATTEST:

Maria Alaniz, City Clerk

ASSESSOR PARCEL NO.: 017-020-059
PROJECT: City of Dinuba-Kamm Ave. & Alta Ave. Roundabout
OWNER: Davidian Family Revocable Trust

**RIGHT OF WAY AGREEMENT
(WITH ESCROW INSTRUCTIONS)**

THIS AGREEMENT is made and entered into by and between

Edward A. Davidian and Georgia A. Davidian, as Trustees of the Davidian Family Revocable Trust of June 8, 2000 (hereinafter collectively called "Grantor"), and

The City of Dinuba, a California municipal corporation (hereinafter called "City").

Instruments in the form of a Grant Deed ("Deed") and Temporary Construction Easement Deed (collectively "Deeds") covering the property particularly described therein ("Property"), have been executed concurrently with this Agreement and delivered to City representatives.

In consideration of which, and other considerations hereinafter set forth, it is mutually agreed as follows:

1. The parties have herein set forth the whole of their agreement. The performance of this Agreement constitutes the entire consideration for said document and shall relieve the City of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed public improvement, except as stated in Paragraphs 2.E. and 2.F. below.

2. The City shall:

A. PAYMENT - Pay to the order of the Grantor the sum of **TWO HUNDRED EIGHTY SIX THOUSAND FIVE HUNDRED FIFTEEN DOLLARS (\$286,515)** as consideration in full for the Property, for the loss, replacement and moving of any improvements, and for entering into this Agreement. Said sum shall be paid at the Closing, when title to the Property has vested in City free and clear of all liens, encumbrances, assessments, easements and leases recorded or unrecorded, except for recorded public utility easements and public right of way.

B. RECORDATION OF INSTRUMENT - Accept the Deed and cause the same to be recorded in the office of the Tulare County Recorder at such time as when clear title can be conveyed.

C. MISCELLANEOUS COSTS - Pay any escrow, title insurance, and recording fees incurred in this transaction.

D. CLEARANCE OF BONDS, ASSESSMENTS, OR DELINQUENT TAXES - Have the authority to deduct and pay from the amount shown in Clause 2.A., above, any amount necessary to satisfy any delinquent bonds and delinquent taxes due in any year except the year in

which the Deed records, together with penalties and interest thereon, and/or delinquent assessments which have become a lien as of the date of recordation of the Grant Deed. Notwithstanding the foregoing, any lien that does not appear on the Preliminary Title Report (as defined below) shall not be paid without Grantor's prior written consent, at Grantor's sole discretion.

E. CONSTRUCTION AND RESTORATION – Shall, upon completion of construction, generally restore Grantor's remaining real property ("Remaining Property") to a comparable or better condition than that which existed prior to City's project construction, to the extent reasonably practical except for 4 redwood trees within the fee area to be removed as part of construction. Total payment described in clause 2.A. includes compensation for Grantor's removal of 0.21 net acres of grape vines or 17 vineyard rows including removal of existing vineyard end posts, cutting of trellis wire, installation of new end posts, removal and disposal of pulled vines and scraping the underlying land for a new farm road. The payment also includes compensation for installing new irrigation pipeline along the end of the vineyard row, installing valves in the pipeline for irrigating the rows, and connecting the pipeline to existing standpipe and pipeline. Payment is also inclusive of work to move and adjusting drip line to the remaining redwood tree. Payment includes compensation to drill new 400 foot well, including the cost to abandon and demolish the current agricultural well, cost of well pump and associated electrical work as well as all parts and labor for new well. Payment includes an entrepreneurial factor to cover any overruns and to compensate owner for time and effort to coordinate work. City shall provide Grantor with 90 days of notice of commencement of construction. Grantor shall remove grapevines within the acquisition areas prior to construction commencement. The domestic well will be protected in place. The existing agricultural well will be protected in place until a replacement well has been completed, including connections to power and irrigation pipelines, and the existing agricultural well has been abandoned.

F. INDEMNIFICATION - Indemnify and hold harmless Grantor from any and all claims, damages, costs, judgments, or liability proximately caused by City or its officers, employees, or agents specifically arising from City construction and restoration work on the Property, regardless of whether such damage occurs at the Property or on Grantor's Remaining Property.

G. DRIVEWAY ACCESS – Shall not, without Grantor's prior written consent, at Grantor's sole discretion, construct or maintain any barrier or other impediment which would prohibit or restrict access to Grantor's driveway located approximately 300 feet north of the project intersection. Such driveway shall be accessible from both northbound and southbound travel. A legal barrier, even if not a physical barrier (for example, a double yellow line, no turning sign, or similar road marking), shall be prohibited under this section.

H. OWNER'S ACCESS TO REMAINING PROPERTY – Represents that Kamm Avenue is a city street fully incorporated into the City of Dinuba and that City is the only governmental entity with the power to grant or deny the right to ingress and egress from said right-of-way. City hereby agrees that, after the Closing, Owner shall have the right to ingress and egress over and across Kamm Avenue at all areas West of the subject Property transferred hereunder to enter or exit Grantor's Remaining Property. City further agrees that it shall not, without Grantor's prior written consent, at Grantor's sole discretion, directly or indirectly,

through any agent, employee, or contractor, construct or install any curbs, gutters, sidewalks, fences, barriers, or other improvements on the Kamm Avenue frontage West of the Property transferred hereunder, that will in any way impede or limit Grantor's ability to drive vehicles and equipment onto the Remaining Property from Kamm Avenue. The representations of this Section 2.H. shall survive the Closing and shall be, for the benefit of the Remaining Property and as a burden on Kamm Avenue, a servitude that runs with the land and is binding on all successors and assigns.

3. The Grantor:

A. PAYMENT ON MORTGAGE OR DEED OF TRUST - Agrees that any or all monies payable under this Agreement up to and including the total amount of the unpaid principal and interest on the note(s) secured by mortgage(s) or deed(s) of trust, if any, and all other amounts due and payable in accordance with the terms and conditions of said mortgage(s) or deed(s) of trust, shall upon demand(s) be made payable to the mortgagee(s) or beneficiary(s) entitled thereunder. Grantor shall cooperate with the Escrow Officer in obtaining lien clearance documents from any and all creditors holding liens against the Property.

B. LEASE INDEMNIFICATION - Warrants there are no oral or written leases on all or any portion of the Property, or if there are such leases, Grantor agrees to hold the City harmless and reimburse City for any and all of its losses and expenses occasioned by reason of any lease of said Property held by tenant of Grantor.

C. TEMPORARY CONSTRUCTION EASEMENT - Shall have use of the temporary construction easement area until City takes physical possession. The temporary construction easement granted in the Temporary Construction Easement Deed shall commence on April 1, 2023, and shall automatically terminate upon completion of City's construction or April 1, 2026, whichever occurs first.

D. TITLE INDEMNITY AND WARRANTY - To the actual knowledge of Grantor, without investigation, hereby represents and warrants that he/she/they are the sole vested owners of the Property, holding all ownership and possessory rights, and are the authorized signatories to grant the rights referenced in this Agreement without conflict or claims from other parties.

E. HAZARDOUS SUBSTANCES - Represents and warrants, to the actual knowledge of Grantor, without investigation, the following:

During Grantor's ownership of the Property, Grantor knows of no disposal, releases, or threatened releases of hazardous substances on, from, or under the Property or Grantor's Remaining Property and that Grantor has no knowledge of disposal, release, or threatened release of hazardous substances on, from, or under the Property, or Grantor's Remaining Property, which may have occurred prior to Grantor's ownership.

There is no pending claim, lawsuit, agency proceeding, or any administrative challenge concerning the presence or use of hazardous substances on or within the Property or Grantor's Remaining Property.

Grantor has not used the Property, or Grantor's Remaining Property, for any industrial operations that use hazardous substances. Grantor is not aware of any prior use of such property. Grantor has not installed any underground storage tanks, above ground storage tanks, barrels, sumps, impoundments or other containers used to contain hazardous substances on any part of the Property or Grantor's Remaining Property. Grantors are not aware of any such prior installations. The purchase price of the Property being acquired reflects the fair market value of the Property without the presence of contamination. If the Property is found to be contaminated by the presence of hazardous substances which require mitigation under Federal or State law, City may elect to recover its cleanup costs from those who caused or contributed to the contamination.

Notwithstanding anything else in this Section 3.E. to the contrary, City acknowledges that the Property and Grantor's Remaining Property have been used for agricultural purposes for many years and are currently being used as a raisin vineyard. City specifically acknowledges that pesticides and herbicides have been used on and around the Property in connection with customary farming practices.

F. TAX REPORTING AND WITHHOLDING – Acknowledges that the Foreign Investment in Real Property Tax Act of 1980 ("FIRPTA"), as amended, places special requirements for tax reporting and withholding on the parties to a real estate transaction where the transferor (Grantor) is a non-resident alien or non-domestic corporation or partnership, or is a domestic corporation or partnership controlled by a non-resident or non-resident corporation or partnership. In accordance with the provisions of Section 1445 of the Internal Revenue Code of 1986, as amended, and any regulations promulgated thereunder, Grantor shall execute an affidavit under penalty of perjury setting forth Grantor's name, address, federal tax identification number, and certifying whether Grantor is a "foreign person" in accordance with the provisions of the Internal Revenue Code. Further, tax withholding may be required in accordance with the California Revenue and Taxation Code Section 18662. It is specifically understood and agreed by Grantor that closing of this escrow is subject to, and contingent upon, deposit into escrow of a FIRPTA Affidavit of Non-Foreign Status and a California Form 593-C, Real Estate Withholding Certificate and associated required paperwork, completed and signed by Grantor, and Escrow Agent is hereby authorized and instructed to withhold from Grantor's proceeds amounts so required by these laws and to forward any amounts withheld to the appropriate taxing authority.

4. The Parties agree:

A. CONDITION OF PROPERTY –City has had the opportunity to investigate all physical and economic aspects of the Property and its proposed project and to make all inspections and investigations of the Property that City deems necessary or desirable to protect its interests in acquiring the Property, and except as otherwise expressly set forth in this Agreement, City is not relying on any representation, warranty, promise, or statement, express or implied, of Grantor or anyone acting for or on behalf of Grantor. The parties further acknowledge and agree that City is purchasing the Property on City's own prior investigation and examination of the Property (or City's election not to do so), AND THAT, AS A MATERIAL INDUCEMENT TO THE EXECUTION AND DELIVERY OF THIS AGREEMENT BY GRANTOR, CITY IS PURCHASING THE SUBJECT PROPERTY IN AN

“AS IS” PHYSICAL CONDITION AND IN AN “AS IS” STATE OF REPAIR, WITH ALL FAULTS. Except as may be expressly set forth in this Agreement, City waives and Grantor disclaims all warranties of any type or kind whatsoever with respect to the Property, whether express or implied, including, but not limited to, those of fitness for a particular purpose and use. Notwithstanding anything to the contrary in this Agreement, City and Grantor acknowledge and agree that any written disclosures made by Grantor prior to the Closing will constitute notice to City of the matter disclosed, and Grantor will have not further liability thereafter if City thereafter consummates the transaction contemplated hereby.

B. ESCROW - At City’s option, to open an escrow in accordance with this Agreement at an escrow company of City’s choice. Opening an escrow shall be at City’s sole discretion and City may decide to process this transaction without the use of an escrow agent. However, if an escrow agent is utilized, this Agreement constitutes the joint escrow instructions of City and Grantor, and the escrow agent to whom these instructions are delivered is hereby empowered to act under this Agreement. The parties hereto agree to do all acts necessary to close this escrow in the shortest possible time.

If an escrow is utilized, as soon as possible after opening of escrow, City will deposit the executed Deeds by Grantor, with Certificate of Acceptance attached, with the escrow agent on Grantor's behalf. City agrees to deposit the purchase price upon demand of escrow agent. City and Grantor agree to deposit with escrow agent all additional instruments as may be necessary to complete this transaction. All funds received in this escrow shall be deposited with other escrow funds in a general escrow fund account(s) and may be transferred to any other such escrow trust account in any State or National Bank doing business in the State of California. All disbursements shall be made by check or wire transfer from such account.

Any taxes which have been paid by Grantor, prior to opening of this escrow, shall not be pro-rated between City and Grantor, but Grantor shall have the sole right after close of escrow, to apply to the County Tax Collector of said County for any refund of such taxes which may be due Grantor for the period after City's acquisition.

- i) ESCROW AGENT DIRECTIVES - Escrow Agent is authorized to, and shall:
 - a) Consistent with Section 2.D., above, pay and charge Grantor for any unpaid delinquent taxes and/or any penalties and interest thereon, and for any delinquent assessments or bonds against that portion of Grantor’s property subject to this transaction as required to convey clear title.
 - b) Pay and charge City for any escrow fees, charges and costs payable under Paragraph 2.C. of this Agreement;
 - c) Disburse funds and deliver Deeds when conditions of this escrow have been fulfilled by City and Grantor.

d) Following recording of Deed from Grantor, if requested by City, provide City with a CLTA Standard Coverage Policy of Title Insurance in the amount of \$286,515 issued by a Title Company of City's choice showing that title to the Property is vested in City, subject only to the following exceptions, and the printed exceptions and stipulations in said policy:

- 1) Real Property Taxes for the fiscal year in which escrow closes;
- 2) Public utility easements and public rights of way;
- 3) Item Nos. 4, 5, 6, 8, 9, 10, 11, 12, and 13 of the preliminary title report issued by Placer Title Company, dated March 4, 2022, referenced as Order No. P-545426 (the "Preliminary Title Report"); and
- 4) Other items that may be approved in writing by City in advance of the close of escrow.

ii) CLOSE OF ESCROW - The term "close of escrow" or "Closing", if and where written in these instructions, shall mean the date necessary instruments of conveyance are recorded in the office of the County Recorder. Recordation of instruments delivered through this escrow is hereby authorized.

B. ARTICLE HEADINGS - Article headings in this Agreement are for convenience only and are not intended to be used in interpreting or construing the terms, covenants and conditions of this Agreement.

C. COMPLETE UNDERSTANDING - This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof, superseding all negotiations, prior discussions, and preliminary agreements or understandings, written or oral. This Agreement may not be amended except in writing by the parties hereto or their successors or assigns.

D. CITY COUNCIL APPROVAL - This Agreement is subject to and conditioned upon approval by the Dinuba City Council. This Agreement is not binding upon the City until executed by the appropriate City official(s) acting in their authorized capacity.

E. COUNTERPARTS - This Agreement may be executed in counterparts, each of which so executed shall irrespective of the date of its execution and delivery be deemed an original, and all such counterparts together shall constitute one and the same document.

F. ELECTRONIC AND FACSIMILE SIGNATURES - In the event that the parties hereto utilize electronic or facsimile documents which include signatures, such documents shall be accepted as if they bore original signatures provided that documents bearing ORIGINAL SIGNATURES are provided following transmittal of the electronic or facsimile signature. Documents for recordation by the Clerk Recorder must contain original signatures.

G. NON-DISCRIMINATION - The parties to this Agreement shall, pursuant to Section 21.7(a) of Title 49, Code of Federal Regulations, comply with all elements of Title VI of the

Civil Rights Act of 1964. This requirement under Title VI and the Code of Federal Regulations is to complete the USDOT Non-Discrimination Assurance requiring compliance with Title VI of the Civil Rights Act of 1964, 49 C.F.R. Parts 21 and 28 C.F.R. Section 50.3.

Further, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that is the subject of this Agreement.

H. SETTLEMENT PROPOSAL This Agreement represents Grantor's settlement proposal and is expressly subject to and contingent upon City acceptance and approval. Deposit into escrow of a fully executed copy of this Agreement constitutes acceptance and approval by City. City shall not be bound to the terms and conditions herein unless and until this Agreement has been approved and ratified by the City Council and has been executed by the appropriate City official(s) acting in their authorized capacity.

No Obligation Other Than Those Set Forth Herein Will Be Recognized.

[Signatures on following page]

GRANTOR:

Edward A. Davidian and Georgia A. Davidian, as Trustees of the Davidian Family Revocable Trust of June 8, 2000

By: Edward A. Davidian Date: 2-23-2023
Edward A. Davidian
Trustee

By: Georgia A. Davidian Date: 2-23-2023
Georgia A. Davidian
Trustee

GRANTOR'S MAILING ADDRESS:

Edward and Georgia Davidian
1593 S. Alta Avenue
Dinuba, CA 93618

CITY OF DINUBA

By: _____ Date: _____
Luis Paltan
City Manager

MAILING ADDRESS OF CITY:

City of Dinuba
1088 E. Kamm Avenue
Dinuba, CA 93618

Recording requested by:
Hamner, Jewell & Associates
Government Real Estate Services

When recorded, mail to:
City of Dinuba
Attn: City Clerk
1088 E. Kamm Avenue
Dinuba, CA 93618

APN: 017-020-059

Exempt from the \$75 Building and Jobs Act Fee per Gov't Code §27388.1(2)(D) Public Agency
No fee pursuant to Government Code § 6103
No Documentary Transfer Tax per R&T Code § 11922
No Recording Fee per Government Code § 27383

GRANT DEED
(To the City of Dinuba)

For a valuable consideration, receipt of which is hereby acknowledged,

Edward A. Davidian and Georgia A. Davidian, as Trustees of the Davidian Family
Revocable Trust of June 8, 2000 (hereinafter referred to collectively as "Grantor"),

hereby grants to the

City of Dinuba, a California municipal corporation (hereinafter referred to as "Grantee"),

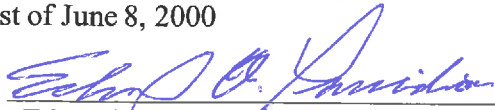
the following described interests in real property located in the County of Tulare, State of
California:

All that certain property described in Exhibit "A" and depicted in Exhibit "B", attached
hereto and incorporated herein.

GRANTOR:

Edward A. Davidian and Georgia A. Davidian, as Trustees of the Davidian Family Revocable
Trust of June 8, 2000

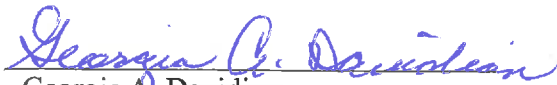
By:


Edward A. Davidian
Trustee

Date:

February 23, 2013

By:


Georgia A. Davidian
Trustee

Date:

February 23, 2013

ACKNOWLEDGMENT

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

State of California

County of Tulare

On 2-23-23 before me, R. Rye, Notary Public, personally appeared Edward A. Davidian, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature [Signature] (Seal)



ACKNOWLEDGMENT

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

State of California

County of Tulare

On 2-23-23 before me, R. Rye, Notary Public, personally appeared Georgia A. Davidian, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature [Signature] (Seal)



CERTIFICATE OF ACCEPTANCE
by the
City of Dinuba

NO RECORDING FEES DUE AS PER
GOV CODE #27383 OR #6103.

This is to certify that the interest in real property APN 017-020-059 (portion) conveyed by the Grant Deed dated _____, 2023, by Edward A. Davidian and Georgia A. Davidian, as Trustees of the Davidian Family Revocable Trust of June 8, 2000 hereby grants to, The City of Dinuba, a Municipal Corporation and is hereby accepted by order of the DINUBA CITY COUNCIL on _____, 2023 The City of Dinuba, a Municipal Corporation, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: _____

Maria Alaniz, City Clerk
City of Dinuba



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

State of California)
County of Tulare)

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

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

WITNESS my hand and official seal.

Notary Public

EXHIBIT "A"

LEGAL DESCRIPTION

NORTHWEST STREET DEDICATION

That portion of the East half of Lot 2 of Karnak Vineyard Tract in the County of Tulare, State of California, as delineated on the Map recorded in Volume 15 of Maps, Page 35, Tulare County Records, lying Southerly of a line that is 670 feet North of a parallel with the South line of Section 18, Township 16 South, Range 24 East, Mount Diablo Base and Meridian, more particularly described as follows:

Commencing at the Southeast corner of Section 18, Township 16 South, Range 24 East., Mount Diablo Base and Meridian section Corner;

thence N.89°07'49"W., along the south line of said Section 18, a distance of 410.67 feet;

thence N.0°52'11"E., a distance of 25.00 feet to a point on the South line of said Lot 2, also being the TRUE POINT OF BEGINNING;

thence N.0°52'11"E., a distance of 29.63 feet;

thence S.81°00'01"E., a distance of 105.33 feet to the point of curvature of a tangent curve to the left having a radial distance of 117.00 feet;

thence Southeasterly along the arc through a central angle of 8°49'13", a distance of 18.01 feet to the point of curvature of a compound curve to the left having a radial distance of 955.00 feet;

thence Northeasterly along the arc through a central angle of 2°32'04", a distance of 42.24 feet;

thence N.86°55'49"E., a distance of 36.49 feet to the point of curvature of a tangent curve to the left having a radial distance of 147.00 feet;

thence Northeasterly along the arc through a central angle of 19°30'14", a distance of 50.04 feet;

thence N.71°23'03"E., a distance of 44.50 feet to the point of curvature of a non-tangent curve to the left having a radial of N.39°03'10"W. and a radial distance of 156.50 feet;

thence Northeasterly along the arc through a central angle of 8°37'01", a distance of 23.54 feet to the point of reverse curvature of a curve to the right having a radial distance of 134.50 feet;

thence Northeasterly along the arc through a central angle of 3°46'08", a distance of 8.85 feet to the point of reverse curvature of a curve to the left having a radial distance of 136.50 feet;

thence Northeasterly along the arc through a central angle of 10°10'05", a distance of 24.22 feet;

thence N.14°23'15"E., a distance of 47.10 feet to the point of curvature of a non-tangent curve to the left having a radial of N.74°14'49"W. and a radial distance of 127.00 feet;

thence Northeasterly along the arc through a central angle of 18°29'50", a distance of 41.00 feet;

thence N.2°44'30"W., a distance of 42.07 feet to the point of curvature of a non-tangent curve to the left having a radial of S.87°20'18"W. and a radial distance of 117.00 feet;

thence Northwesterly along the arc through a central angle of $8^{\circ}12'46''$, a distance of 16.77 feet;

thence $N.10^{\circ}52'28''W.$, a distance of 43.27 feet;

thence $N.89^{\circ}39'50''E$, a distance of 23.39 feet to a point on a line parallel with and 30.00 feet West of the East line of said Lot 2;

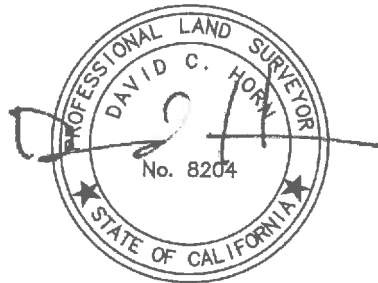
thence $S.0^{\circ}19'41''E$. along said parallel line, a distance of 244.44 feet;

thence $S.41^{\circ}04'18''W.$, a distance of 37.91 feet to the South line of said Lot 2;

thence $N89^{\circ}07'49''W$. along said South line, a distance of 355.06 feet to the TRUE POINT OF BEGINNING.

Containing 14,131.23 square feet or 0.324 acres, more or less.

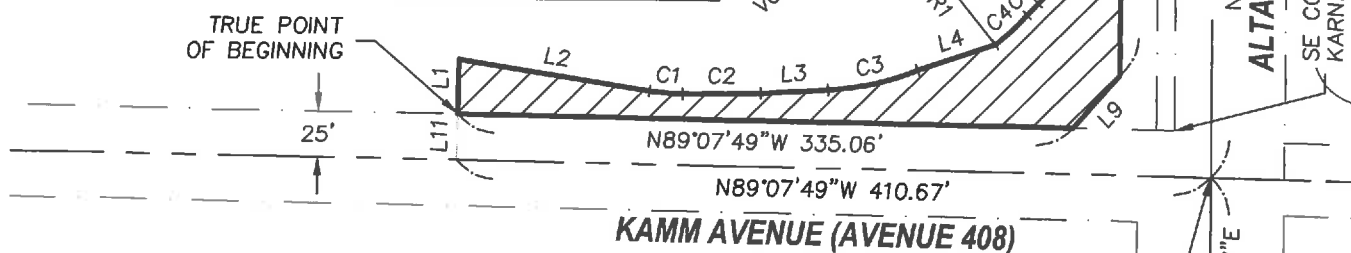
END OF DESCRIPTION



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N0°52'11"E	29.63'
L2	S81°00'01"E	105.33'
L3	N86°55'49"E	36.49'
L4	N71°23'03"E	44.50'
L5	N14°23'15"E	47.10'
L6	N2°44'30"W	42.07'
L7	N10°52'28"W	43.27'
L8	N89°39'50"E	23.39'
L9	S41°04'18"W	37.91'
L10	S89°40'19"W	50.00'
L11	N0°52'11"E	25.00'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	
C1	117.00'	8°49'13"	18.01'	
C2	955.00'	2°32'04"	42.24'	
C3	147.00'	19°30'14"	50.04'	
C4	156.50'	8°37'01"	23.54'	
C5	134.50'	3°46'08"	8.85'	
C6	136.50'	10°10'05"	24.22'	
C7	127.00'	18°29'50"	41.00'	
C8	117.00'	8°12'46"	16.77'	

RADIAL TABLE	
RADIAL LINE	DIRECTION
R3	S87°20'18"W
R1	N39°03'10"W
R2	N74°14'49"W



LEGEND:



AREA TO BE DEDICATED FOR PUBLIC STREET AND EASEMENT PURPOSES.
AREA = 14,131± S.F.

--- EXISTING SECTION LINE

--- EXISTING PROPERTY LINE

T.C.R.

TULARE COUNTY RECORDS

P.O.C.

POINT OF COMMENCEMENT



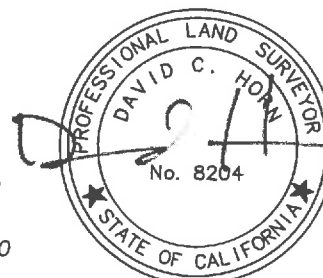
EASEMENT TO TULARE COUNTY FOR RIGHT-OF-WAY PURPOSES PER DEED RECORDED IN BOOK 791, PAGE 305, T.C.R.

BASIS OF BEARINGS:

THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, AS SHOWN ON PARCEL MAP 5113, RECORDED IN BOOK 52 OF PARCEL MAPS, AT PAGE 20, TULARE COUNTY RECORDS. TAKEN AS SOUTH 00°16'07" EAST.

SCALE: 1" = 100

0 50 100



Yamabe & Horn
Engineering, Inc.

CIVIL ENGINEERS • LAND SURVEYORS

2985 N. BURL AVENUE SUITE 101 FRESNO, CA 93727
TEL: (559) 244-3123 WEBSITE: YANDHENG.COM

PROJECT TITLE

CITY OF DINUBA

SHEET DESCRIPTION

EXHIBIT "B"

DEDICATION FOR PUBLIC STREET

Date: 04/25/2022

Scale: As Noted

YH Job No. 21-190

Sheet No. 1

of 1 Sheets

Recording requested by:
Hamner, Jewell & Associates
Government Real Estate Services

When recorded, mail to:
City of Dinuba
Attn: City Clerk
1088 E. Kamm Avenue
Dinuba, CA 93618

APN: 017-020-059

Exempt from the \$75 Building and Jobs Act Fee per Gov't Code §27388.1(2)(D) Public Agency
No fee pursuant to Government Code § 6103
No Documentary Transfer Tax per R&T Code § 11922
No Recording Fee per Government Code § 27383

TEMPORARY CONSTRUCTION EASEMENT DEED (To the City of Dinuba)

For a valuable consideration, receipt of which is hereby acknowledged,

Edward A. Davidian and Georgia A. Davidian, as Trustees of the Davidian Family
Revocable Trust of June 8, 2000 (hereinafter referred to collectively as "Grantor"),

hereby grants to the

City of Dinuba, a California municipal corporation (hereinafter referred to as "Grantee"),

A temporary easement for construction, including the right to pile earth thereon, store materials, supplies and equipment thereon, and utilize said Temporary Construction Easement for all other related activities and purposes in conjunction with the Kamm Avenue and Alta Avenue Roundabout Project, in, on, over, under, along, and across that certain property described and depicted in Exhibits "A" and "B" attached hereto and incorporated herein. Said Temporary Construction Easement shall commence on April 1, 2023, and shall automatically terminate upon completion of City's construction, or April 1, 2026, whichever occurs first. Grantor shall have use of the property until City takes physical possession.

The provisions hereof shall inure to the benefit of the City, its successors and assigns, and shall bind the heirs, executors, administrators, assigns and successors in interest of the respective parties hereto, and all covenants shall apply to and run with the above described property.

Upon termination, except for vegetation, the Temporary Construction Easement area will be generally restored by City to a comparable or better condition as that which existed prior to City's access and use.

(signatures to follow)

GRANTOR:

Edward A. Davidian and Georgia A. Davidian, as Trustees of the Davidian Family Revocable Trust of June 8, 2000

By: Edward A. Davidian
Edward A. Davidian
Trustee

Date: February 23, 2023

By: Georgia A. Davidian
Georgia A. Davidian
Trustee

Date: February 23, 2023

ACKNOWLEDGMENT

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

State of California

County of Tulare

On 2-23-23 before me, R. Rye, Notary Public, personally appeared Edward A. Davidian, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature R. Rye (Seal)



ACKNOWLEDGMENT

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

State of California

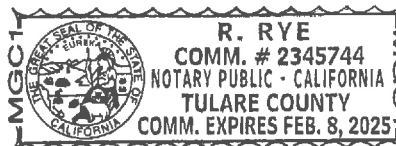
County of Tulare

On 2-23-23 before me, R. Rye, Notary Public, personally appeared Georgia A. Davidian, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature R. Rye (Seal)



CERTIFICATE OF ACCEPTANCE
by the
City of Dinuba

NO RECORDING FEES DUE AS PER
GOV CODE #27383 OR #6103.

This is to certify that the interest in real property APN 017-020-059 (portion) conveyed by the Temporary Construction Easement Deed dated _____, 2023, by Edward A. Davidian and Georgia A. Davidian, as Trustees of the Davidian Family Revocable Trust of June 8, 2000 hereby grants to, The City of Dinuba, a Municipal Corporation and is hereby accepted by order of the DINUBA CITY COUNCIL on _____, 2023 The City of Dinuba, a Municipal Corporation, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: _____

Maria Alaniz, City Clerk
City of Dinuba



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

State of California)
County of Tulare)

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

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

WITNESS my hand and official seal.

Notary Public

EXHIBIT "A"

LEGAL DESCRIPTION

NORTHWEST TEMPORARY CONSTRUCTION EASEMENT

That portion of the East half of Lot 2 of Karnak Vineyard Tract in the County of Tulare, State of California, as delineated on the Map recorded in Volume 15 of Maps, Page 35, Tulare County Records, lying Southerly of a line that is 670 feet North of a parallel with the South line of Section 18, Township 16 South, Range 24 East, Mount Diablo Base and Meridian, more particularly described as follows:

Commencing at the Southeast corner of said Section 18

thence N.89°07'49"W. along the South line of said Section 18, a distance of 410.67 feet;

thence N.0°52'11"E., a distance of 54.63 feet to the TRUE POINT OF BEGINNING;

thence N.50°52'11"E., a distance of 20.20 feet;

thence S.81°00'01"E., a distance of 108.19 feet to the point of curvature of a tangent curve to the left having a radial distance of 97.00 feet;

thence Southeasterly along the arc through a central angle of 8°49'13", a distance of 14.93 feet to the point of curvature of a compound curve to the left having a radial distance of 935.00 feet;

thence Northeasterly along the arc through a central angle of 2°31'37", a distance of 41.23 feet;

thence N.86°55'49"E., a distance of 36.37 feet to the point of curvature of a tangent curve to the left having a radial distance of 127.00 feet;

thence Northeasterly along the arc through a central angle of 19°48'15", a distance of 43.90 feet;

thence N71°23'03", a distance of 41.48 feet to the point of curvature of a non-tangent curve to the left having a radial of N.40°30'58"W. and a radial distance of 136.50 feet;

thence Northeasterly along the arc through a central angle of 7°09'13", a distance of 17.04 feet to the point of reverse curvature of a curve to the right having a radial distance of 154.50 feet;

thence Northeasterly along the arc through a central angle of 3°46'08", a distance of 10.16 feet to the point of reverse curvature of a curve to the left having a radial distance of 116.50 feet;

thence Northeasterly along the arc through a central angle of 8°22'05", a distance of 17.01 feet;

thence N.14°23'15"E., a distance of 43.38 feet to the point of curvature of a non-tangent curve to the left having a radial of N.74°07'30"W. and a radial distance of 107.00 feet;

thence Northeasterly along the arc through a central angle of 18°37'10", a distance of 34.77 feet;

thence N.2°44'30"W., a distance of 42.09 feet to the point of curvature of a non-tangent curve to the left having a radial of S.87°20'46"W and a radial distance of 97.00 feet;

thence Northwesterly along the arc through a central angle of 8°13'14", a distance of 13.92 feet;

thence N.10°52'28"W., a distance of 46.99 feet;

thence N89°39'50"E., a distance of 20.34 feet;

thence S.10°52'28", a distance of 43.27 feet to the point of curvature of a tangent curve to the right having a radial distance of 117.00 feet;

thence Southeasterly along the arc through a central angle of 8°12'46", a distance of 16.77 feet;

thence S.2°44'30"E., a distance of 42.07 feet to the point of curvature of a tangent curve to the right having a radial distance of 127.00 feet;

thence Southwesterly along the arc through a central angle of 18°29'50", a distance of 41.00 feet;

thence S.14°23'15"W., a distance of 47.10 feet to the point of curvature of a non-tangent curve to the right having a radial of N.54°04'08"W. and a radial distance of 136.50 feet;

thence Southwesterly along the arc through a central angle of 10°10'05", a distance of 24.22 feet to the point of reverse curve of a curve to the left having a radial distance of 134.50 feet;

thence Southwesterly along the arc through a central angle of 3°46'08", a distance of 8.85 feet to the point of reverse curvature of a curve to the right having a radial distance of 156.50 feet;

thence Southwesterly along the arc through a central angle of 8°37'01", a distance of 23.54 feet;

thence S.71°23'03"W., a distance of 44.50 feet to the point of curvature of a non-tangent curve to the right having a radial of N.22°34'25" and a radial distance of 147.00 feet;

thence Southwesterly along the arc through a central angle of 19°30'14", a distance of 50.04 feet;

thence S.86°55'49"W., a distance of 36.49 feet to the point of curvature of a non-tangent curve to the right having a radial of N.2°21'17"W. and a radial distance of 955.00 feet;

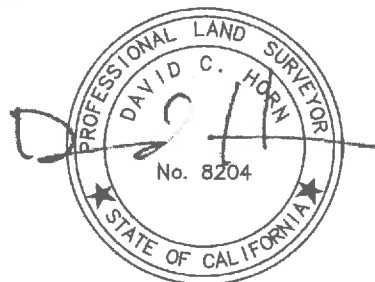
thence Southwesterly along the arc through a central angle of 2°32'04", a distance of 42.24 feet to the point of curvature of a compound curve to the right having a radial distance of 117.00 feet;

thence Northwesterly along the arc through a central angle of 8°49'13", a distance of 18.01 feet;

thence N.81°00'01"W, a distance of 105.33 feet to the POINT OF BEGINNING.

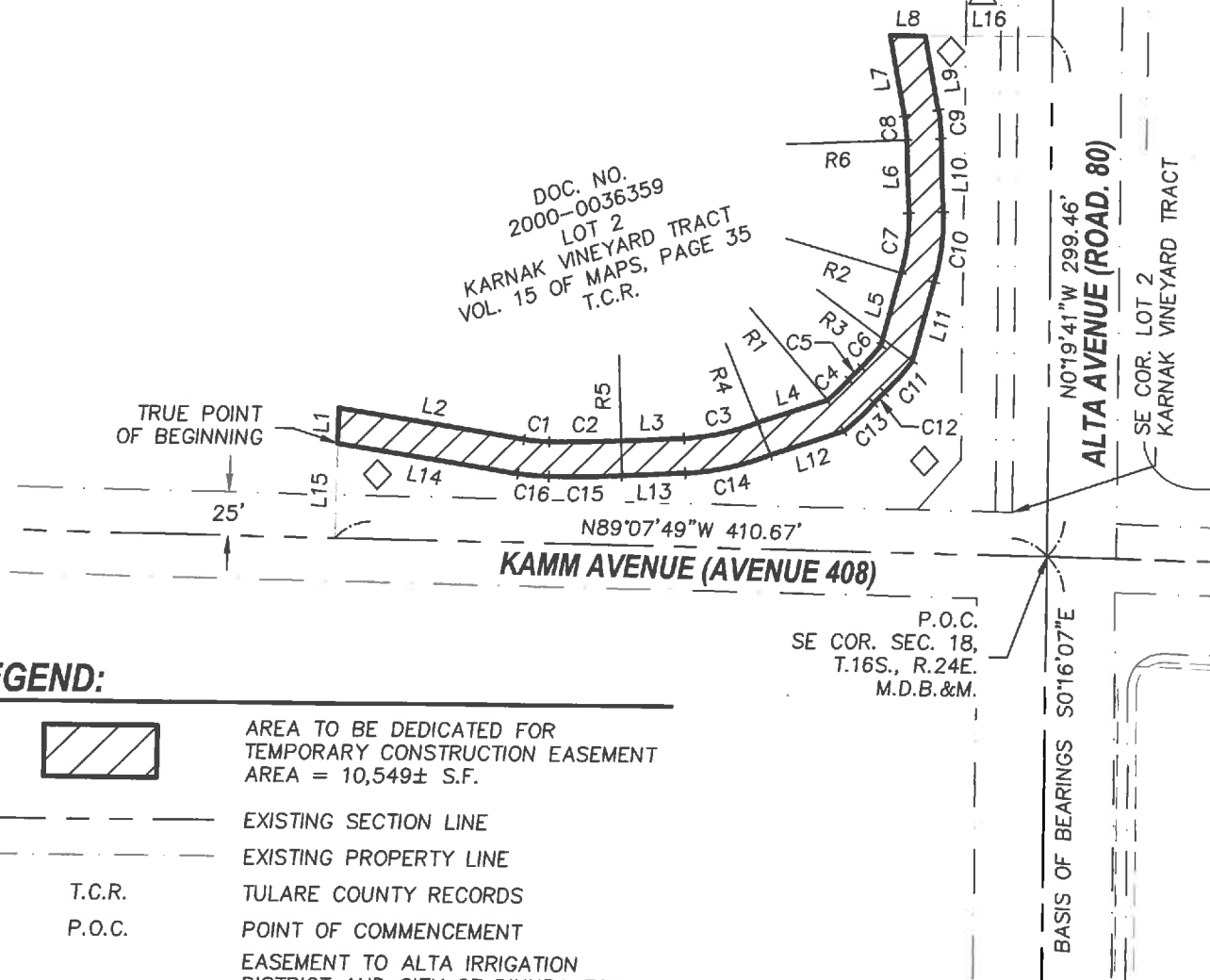
Containing 10,549.15 square feet or 0.242 acres, more or less.

END OF DESCRIPTION.



BASIS OF BEARINGS:

THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, AS SHOWN ON PARCEL MAP 5113, RECORDED IN BOOK 52 OF PARCEL MAPS, AT PAGE 20, TULARE COUNTY RECORDS. TAKEN AS SOUTH 00°16'07" EAST.



LEGEND:



AREA TO BE DEDICATED FOR
TEMPORARY CONSTRUCTION EASEMENT
AREA = 10,549± S.F.



EXISTING SECTION LINE



EXISTING PROPERTY LINE

T.C.R.

TULARE COUNTY RECORDS

P.O.C.

POINT OF COMMENCEMENT



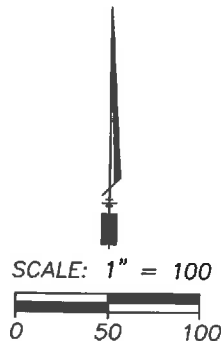
EASEMENT TO ALTA IRRIGATION
DISTRICT AND CITY OF DINUBA FOR
RIGHT-OF-WAY AND PIPELINE
PURPOSES PER DOC. NO.
2009-0068361, T.C.R.



EASEMENT TO TULARE COUNTY FOR
RIGHT-OF-WAY PURPOSES PER DEED
RECORDED IN BOOK 791, PAGE 305,
T.C.R.



PREVIOUSLY GRANTED AS A PUBLIC
STREET EASEMENT PER DOC.
NO. 2009-0068361, T.C.R.



**Yamabe & Horn
Engineering, Inc.**
CIVIL ENGINEERS • LAND SURVEYORS
2985 N. BURL AVENUE SUITE 101 FRESNO, CA 93727
TEL: (559) 244-3123 WEBSITE: YANDHENG.COM

PROJECT TITLE

CITY OF DINUBA

SHEET DESCRIPTION

EXHIBIT "B"
TEMPORARY CONSTRUCTION EASEMENT

Date: 04/25/2022

Scale: As Noted

YH Job No. 21-190

Sheet No. 1

of 2 Sheets



City Council Staff Report

Department: CITY CLERK

February 28, 2023

To: Mayor and City Council
From: Maria Alaniz, City Clerk/Human Resources Director
Subject: Approval of City Council Meeting Minutes (MA)

RECOMMENDATION

Council to review and approve City Council meeting minutes of February 14, 2023 as presented.

EXECUTIVE SUMMARY

None.

OUTSTANDING ISSUES

None.

DISCUSSION

None.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.

ATTACHMENTS:

City Council Meeting Minutes, February 14, 2023



**February 14, 2023
MINUTES**

COUNCIL MEMBERS PRESENT:

Nerio-Guerrero, Reynosa, Prado

COUNCIL MEMBERS ABSENT:

Launer, Thusu

STAFF MEMBERS PRESENT:

Alaniz, Hernandez, Hurtado, Iriarte, James, Montejano, Solis, Yanez-via zoom, Webster

1. OPENING CEREMONIES

1.1. Welcome and Call to Order

Mayor Reynosa called the meeting to order at 6:30 p.m.

1.2. Invocation

The invocation was led by Chaplain Susee.

1.3. Pledge of Allegiance

The pledge of allegiance was led by Fire Chief Webster.

2. AGENDA CHANGES OR DELETIONS

To better accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed. Additions to Agenda may be added only pursuant to California Government Code section 54954.2(b).

City Clerk/Human Resources Director Alaniz advised that item 4.2 Chamber of Commerce Sponsorship amount has been updated to \$750 to reflect the Gold Level Sponsorship for the Annual Chamber Awards Banquet.

3. REQUEST TO ADDRESS COUNCIL

This portion of the meeting is reserved for any person who would like to address the Council on any item that is not on the agenda. Please be advised that State law does not allow the City Council to discuss or take any action on any issue not on the agenda. The City Council may direct staff to follow up on such item(s). Speakers are limited to three (3) minutes. If there is any person wishing to address the City Council at this time please approach the podium and state your name and nature of the request.

None.

4. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Council Member may request an item be removed from the Consent Calendar and it will be considered separately.

4.1. SUBJECT

Resolution No. 2023-07 Acquisition of Right of Way for the Kamm/Alta Avenue Roundabout (JW)

RECOMMENDATION

Council adopt Resolution No. 2023-07 by one motion for the following action:

1. Approves the Right-of-Way agreements with Riyan Investments Inc., Dinuba Sequoia Inc., and Hanjrah & Sons Inc.
2. Authorizes the City Manager or designee to sign agreements on behalf of the City for acquisition of property in fee and for a temporary construction easement for public street purposes.
3. Accepts the Right-of-Way dedications for Public Street Purposes and Temporary Construction Easements at both properties.
4. Approve recordation of a Quitclaim Deed releasing the City of Dinuba from the storm water retention basin easement on Stony Creek lot 5.
5. Accept Stony Creek lots 1-5 as complete and authorize the City Engineer to file a Notice of Completion with the Tulare County Recorder's Office.

4.2. SUBJECT

Dinuba Chamber of Commerce Gold Level Sponsorship for the Annual Chamber Awards Banquet on February 9, 2023 (DJ)

RECOMMENDATION

Council approve Gold Level sponsorship in the amount of \$750 for the Annual Chamber Awards Banquet on February 9, 2023.

4.3. SUBJECT

Dinuba Woman's Club Request for Sponsorship for the 2023 Annual Fundraising Event (DJ)

RECOMMENDATION

Council approve the sponsorship amount of \$500 for the Dinuba Woman's Club fundraising event scheduled to take place on March 18, 2023.

4.4. SUBJECT

Approval of City Council Meeting Minutes (MA)

RECOMMENDATION

Council to review and approve City Council meeting minutes of January 24, 2023 as presented.

4.5. SUBJECT

Notice of Completion - Sierra Village Phase 2 (JW)

RECOMMENDATION

Council to accept the Sierra Village Phase 2 public improvements as complete and authorize the City Engineer to file a Notice of Completion with the Tulare County Recorder's Office.

4.6. SUBJECT

Resolution No. 2023-06 Authorizing Application for 2023 CalHOME Program Funding (IH)

RECOMMENDATION

Council to adopt Resolution No. 2023-06 authorizing the submittal of a 2023 grant application to the California Department of Housing and Community Development for \$1,500,000 under the CalHome Program, and authorize the City Manager or Public Works Director to execute the required standard agreement and related program documents.

4.7. SUBJECT

Solis Ministries Community Outreach and Giveaway (SH)

RECOMMENDATION

Council approve the use of Rose Ann Vuich Park to Solis Ministries Outreach for a community outreach event and waive the park rental fee in the amount of \$220.

A motion was made by Vice Mayor Nerio-Guerrero, second by Council Member Prado , to review and approve the Consent Calendar as presented.

Ayes: Nerio-Guerrero, Prado , Reynosa

Absent: Launer, Thusu

5. WARRANT REGISTER

5.1. SUBJECT

Warrant Register January 27 & February 3, 10, 2023 (KS)

RECOMMENDATION

Council to review and approve the Warrant Register as presented.

A motion was made by Council Member Prado , second by Vice Mayor Nerio-Guerrero, to review and approve as presented.

Ayes: Nerio-Guerrero, Prado , Reynosa

Absent: Launer, Thusu

6. MAYOR/COUNCIL REPORTS

Council Member Prado thanked Director Hernandez and staff for their quick response and clean-up of the graffiti around town. Prado reported attending the GAC meeting and shared that there is a mobile library available from Tulare County, more information is

available on the County website. Prado shared that he attended the New Council Member conference last week and learned a lot.

Vice Mayor Nerio-Guerrero reported attending the Montebella Housing Grand Opening, the Chamber Annual Banquet, and the Economic Summit.

Mayor Reynosa reported attending the Chamber Annual Banquet, the Economic Summit, and the Fresno County Blossom Trail events. Reynosa thanked all city departments for their continued work especially the Parks Department for doing a great job.

7. CITY MANAGER COMMUNICATIONS

Assistant City Manager James shared that he and City Manager Patlan attended the City Manager's conference last week.

8. CITY STAFF COMMUNICATIONS

Administrative Services Director Solis shared that the new part-time Billing Clerk Melissa Renteria's first day is next Tuesday, February 21, 2023.

Fire Chief Webster reported attending the Chamber Annual Banquet, where Michelle Pattillo was awarded Citizen of the Year Award and Michael and Michelle Banks were awarded the Local Heros Award. Webster shared that he attended the Economic Summit Conference and that the Fire Department staff recently rescued a cat with assistance from Public Works. Webster shared that his department has received 51 applications for the Firefighter/EMT recruitment. Webster shared that he will be absent at the next council meeting due to being in Nebraska to review the progress of the new Ladder truck, along with Fire Captain Chastain and Battalion Chief Espino.

Police Chief Iriarte shared that he is working on the backgrounds and pending conditional offers for the Reserve Police Officers applicants. Iriarte also shared that the Full-time Animal Control position has been filled by Sam Hara and Robin Galvan will begin Dispatcher training tomorrow. Iriarte shared that the funeral for Selma Police Officer Carrasco will be held at 10:00 a.m., February 16, 2023, at the Fresno Selland Arena.

Public Works Director Hernandez reported that there will now be three yearly cleanup events on 3/18/2023, 7/8/2023, and 10/14/2023. Hernandez stated that the clean-up information will be added to the utility billing insert for March 2023.

Parks and Community Services Director Hurtado shared information on the Youth Education Sports Camp for 10-17 age group. Hurtado shared that the Senior Center hosted a successful Valentine's Day event and photos will be posted in the upcoming newsletter.

9. ADJOURNMENT

Mayor Reynosa adjourned the meeting at 6:45 p.m.



City Council Staff Report

Department: ENGINEER/PLANNING

February 28, 2023

To: Mayor and City Council

From: Jason Watts, City Engineer

By: George Avila, Business Manager

Subject: Resolution No. 2023-12 Authorization to Approve Final Map, Subdivision Development Agreement, and Reimbursement Agreement for Vineyard Estates Subdivision (JW)

RECOMMENDATION

Council by one motion take the following actions:

1. Adopt Resolution No. 2023-12 approving the Final Map for the Vineyard Estates Subdivision consisting of 63 residential lots and authorize City staff to record said map; and,
2. Approve the Subdivision Development and Reimbursement Agreement for Vineyard Estates Subdivision and authorize the City Manager or designee to execute the agreement.

EXECUTIVE SUMMARY

MBN Homes LLC, A California Limited Liability Company is developing the Vineyard Estates Subdivision located on the east side of Englehart Avenue between Nebraska Avenue and Saginaw Avenue. The final map for the subdivision consists of a total of 63 lots. In order for the developer to be able to sell lots in the subdivision, the final map must first be approved by the City Council and the map must be recorded with the County. The developer is also required, as a condition of approval, to enter into a Subdivision Development Agreement with the City. The subdivision agreement details the public infrastructure work to be completed and identifies any credits or future reimbursement owed to the developer.

OUTSTANDING ISSUES

None.

DISCUSSION

On March 28, 2006, the City approved a vesting tentative subdivision map for the Vineyard Estates Subdivision consisting of 63 lots located on the east side of Englehart Avenue between Nebraska Avenue and Saginaw Avenue. The project never developed due to the housing market crash in 2008 followed by the Great Recession in 2009.

The Vineyard Estates Subdivision was purchased by MBN Homes LLC, A California Limited Liability Company, a Fresno-based homebuilder. The subdivision consists of 63 lots on 10 acres and the final map is included as Exhibit 'A' of the attached Resolution No. 2023-12 enclosed herein as Attachment 'A'. Upon review by the City Engineer the final map conforms to the approved vesting tentative tract map and city and state standards.

As a condition of all subdivisions, the developer is required to enter into an subdivision agreement with the City of Dinuba. The subdivision agreement details the work to be completed by the developer, amount of security for improvements, and fees to be paid as part of the subdivision. The work includes roads, sewer, water, gas and storm drain and private utility improvements to serve the subdivision. The agreement also requires the developer to provide bonds and other security instruments in an amount necessary to cover the cost of the improvements. For this project, the estimated cost of improvements total \$1,430,756. The City may call on the bonds should the developer fail to complete the improvements in a timely manner. The developer is required to have all public improvements completed by February 15, 2024. A copy of the subdivision agreement is enclosed herein as Attachment 'B'.

As part of the development, the developer has agreed to install sewer, water, curb, gutter, and sidewalk along the east side of Englehart Avenue. The estimated cost of these additional improvements total \$275,628 and will be credited to the developer from sewer, water and transportation development impact fees.

Staff is recommending that the City Council adopt Resolution No. 2023-12 enclosed herein as Attachment 'A' approving the Final map for the Vineyard Estates Subdivision and associated Subdivision Development Agreement.

FISCAL IMPACT

The City will receive approximately \$17,565.57 per unit for all impact fees for each residential unit. These fees will be collected prior to scheduling a final inspection for each dwelling unit. Final map and public improvement plan check and inspection fees will be collected at the time the Final map is recorded with the Tulare County Recorder's Office.

PUBLIC HEARING

None.

ATTACHMENTS:

A. Resolution 2023-12

B. Vineyard Estates Subdivision Development Agreement

RESOLUTION 2023-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DINUBA ADOPTING THE VINEYARD ESTATES SUBDIVISION ON BEHALF OF THE CITY OF DINUBA

WHEREAS, at a meeting held on February 28, 2023 the Dinuba City Council considered Final Map Application for Vineyard Estates. The application submitted by MBN Homes LLC, a California Limited Liability Company: seeks approval of a Final Tract Map, to subdivide an existing 10 acre parcel into 63 single-family residential lots, and offers to dedicate public rights-of-way and public utility easements shown on said Final Tract Map (See Exhibit "A"); and

WHEREAS, the Planning Commission adopted Resolution No. 848 on March 7, 2006, and the City Council adopted Resolution No. 2006-22 on March 28, 2006, approving the Tentative Subdivision Map proposal to subdivide approximately 10 acres into 63 single family lots; and

WHEREAS, City Council has concluded that approval of this project will not result in adverse environmental effects as these have been adequately addressed and no further environmental documentation is required; and

WHEREAS, City Council did upon due consideration make all mandatory findings as prescribed in Chapter 16 of the Dinuba Municipal Code and State Subdivision Act, as stated in the staff report; and

WHEREAS, the proposal is consistent with the goals of the Dinuba General Plan and is considered by the Dinuba Planning Commission and Staff to be in compliance with the Dinuba Zoning Ordinance; and

WHEREAS, the City Council considered the staff report and all testimony presented for the project and was of the opinion that the Final Tract Map for the Vineyard Estates Subdivision should be approved as submitted; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Dinuba hereby takes the following actions:

1. Adopt Resolution No. 2023-12 approving the Final Subdivision Map for Vineyard Estates.
2. Accept all dedications and authorize the recordation of the Final Map with the Tulare County Recorder's Office.
3. The above recitals are true and correct and are adopted as the findings of the City Council.
4. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.
5. That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

IN WITNESS THEREOF, I, _____, Mayor of the City of Dinuba have hereunto set my hand and caused the great seal of the City of Dinuba to be affixed on this day of two-thousand-twenty-three.

PASSED AND ADOPTED this _____ day of _____, 20 by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Mayor

ATTEST:

Maria Alaniz, City Clerk

EXHIBIT "A"

OWNER’S STATEMENT:

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER FOR DEDICATION FOR PUBLIC USE THE PARCELS AND EASEMENTS SPECIFIED THEREIN.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES IN FAVOR OF THE CITY OF DINUBA:

1. THE PORTION OF N. ENGLEHART AVE (ROAD 72) AS SHOWN WITHIN THE BOUNDARY OF THE SUBDIVISION HEREIN FOR PUBLIC STREET AND UTILITY PURPOSES.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES IN FAVOR OF THE CITY OF DINUBA:

2. OUTLOT D AN EASEMENT FOR PUBLIC UTILITY PURPOSES.
3. EMERGENCY VEHICLE ACCESS AND WATER UTILITY PURPOSES.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE TO VINEYARD ESTATES COMMUNITY ASSOCIATION:

4. OUTLOTS A, B, AND C FOR OPEN SPACE PURPOSES.
5. OUTLOT D FOR PRIVATE STREET PURPOSES.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT TO VINEYARD ESTATES COMMUNITY ASSOCIATION:

6. PUBLIC UTILITY EASEMENTS FOR PUBLIC UTILITY INSTALLATION AND MAINTENANCE PURPOSES, AND DESIGNATED AS "PUE" HEREIN.

MBN HOMES LLC
A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____
JAIME L. MARQUEZ, MEMBER _____
DATE _____

NOTARY ACKNOWLEDGMENT:

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

STATE OF CALIFORNIA }
COUNTY OF _____ }

ON _____, BEFORE ME, _____, NOTARY PUBLIC, PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE _____

NAME _____

MY COMMISSION NO. _____ MY COMMISSION EXPIRES _____

PRINCIPAL PLACE OF BUSINESS _____COUNTY _____

CITY PLANNING COMMISSION STATEMENT:

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF DINUBA IN ACCORDANCE WITH REQUIREMENTS OF LAW IN A DULY AUTHORIZED MEETING HELD _____

CRYSTAL FLORES, SECRETARY _____ DATE _____

RIGHT-TO-FARM STATEMENT:

IN ACCORDANCE WITH SECTION 10.160.040 OF THE CITY OF TULARE ORDINANCE CODE, AND AS A CONDITION OF APPROVAL OF THE ABOVE REFERENCED PARCEL MAP,SUBDIVISION MAP, OR USE PERMIT, THE OWNER HEREBY ACKNOWLEDGE THAT:

IF THE PROPERTY IN WHICH YOU ARE TAKING AN INTEREST IS LOCATED ADJACENT TO AGRICULTURAL LANDS OR OPERATIONS, OR IS INCLUDED WITHIN AN AREA ZONED FOR AGRICULTURAL PURPOSES, YOU MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORT ARISING FROM SUCH OPERATIONS INCLUDING, BUT NOT LIMITED TO: NOISE, ODORS, FUMES, DUST, SMOKE, INSECTS, OPERATIONS OF MACHINERY (INCLUDING AIRCRAFT) DURING ANY 24-HOUR PERIOD, STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION (BY SPRAYING OR OTHERWISE) OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES, AND PESTICIDES. ONE OR MORE OF THE INCONVENIENCES DESCRIBED HEREIN MAY OCCUR AS A RESULT OF ANY SUCH AGRICULTURAL OPERATION WHICH IS IN CONFORMANCE WITH EXISTING LAWS AND REGULATIONS AND ACCEPTED CUSTOMS AND STANDARDS. IF YOU LIVE ADJACENT TO AN AGRICULTURAL OPERATION, YOU SHOULD BE PREPARED TO ACCEPT SUCH INCONVENIENCES AND DISCOMFORT AS A NORMAL AND NECESSARY ASPECT OF LIVING IN A CITY WITH A STRONG RURAL CHARACTER AND AN ACTIVE AGRICULTURAL SECTOR IN THE REGION.

FINAL MAP OF
VINEYARD ESTATES
A PLANNED UNIT DEVELOPMENT

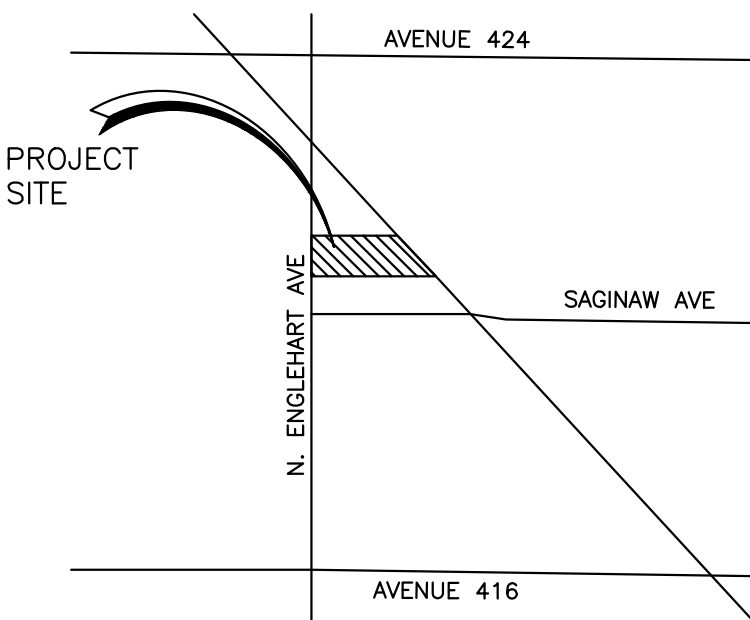
OF VESTING TENTATIVE MAP VINEYARD ESTATES
IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN MAY 2021, BY LANDDESIGN CONSULTING

CONSISTING OF TWO SHEETS
SHEET ONE OF TWO SHEETS

LEGAL DESCRIPTION

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

PARCEL 1 OF PARCEL MAP NO. 4586, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 46, PAGE 91 OF PARCEL MAPS, TULARE COUNTY RECORDS.



THIS PROPERTY IS SUBJECT TO THE FOLLOWING:

1. AN EASEMENT AFFECTING THAT PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN AND INCIDENTAL PURPOSES AS SHOWN ON THE MAP FILED OCTOBER 12, 1901 IN BOOK 2 OF MAPS, AT PAGE 97
FOR : ALTA DITCH
AFFECTS : WESTERLY PORTION
2. AGREEMENT FOR A RIGHT OF WAY FOR DITCH, EXECUTED BY W. FREEMAN AND BETWEEN M. B. CRAWFORD, ET AL, ON THE TERMS, COVENANTS AND CONDITIONS CONTAINED THEREIN. DATED APRIL 23, 1908; RECORDED APRIL 28, 1908 IN BOOK 11 OF CONTRACTS, PAGE 375.
3. WILLIAMSON ACT – LAND CONSERVATION CONTRACT, AS FOLLOWS:
CITY/COUNTY : TULARE
LANDOWNER : GARCIA FAMILY INC., A CALIFORNIA CORPORATION
RECORDED : FEBRUARY 15, 1983 IN BOOK 4042 OF OFFICIAL RECORDS, PAGE 409 UNDER INSTRUMENT NO 7295, CONTRACT/FILE NO : 12919
AND AS MODIFIED BY A NOTICE OF IMPLEMENTATION UNDER WILLIAMSON ACT, RECORDED DECEMBER 5, 2011, DOCUMENT NO. 2011-0075369, OFFICIAL RECORDS COUNTY OF TULARE.
AND AS MODIFIED BY A NOTICE OF IMPLEMENTATION UNDER WILLIAMSON ACT, RECORDED DECEMBER 17, 2013, DOCUMENT NO. 2013-0079674, OFFICIAL RECORDS COUNTY OF TULARE.
AND AS MODIFIED BY A NOTICE OF NONRENEWAL LAND USE CONTRACT OR AGREEMENT, RECORDED MARCH 15, 2022, DOCUMENT NO. 2022-0016784, OFFICIAL RECORDS COUNTY OF TULARE.
AND AS MODIFIED BY A CERTIFICATE OF TENTATIVE CANCELLATION, RECORDED MARCH 30, 2022, DOCUMENT NO. 2022-0019985, OFFICIAL RECORDS COUNTY OF TULARE.
A CERTIFICATE OF CANCELLATION OF WILLIAMSON ACT CONTRACT NO. 12919 RECORDED APRIL 18, 2022, DOCUMENT NO. 2022-0023312, OFFICIAL RECORDS COUNTY OF TULARE.

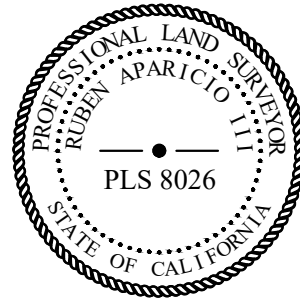
SUBDIVISION AGREEMENT

THIS SUBDIVISION TRACT IS AFFECTED BY AN AGREEMENT WITH THE CITY OF DINUBA RECORDED _____, _____ AS DOCUMENT NO. _____ OFFICIAL RECORDS OF TULARE COUNTY.

SOILS ENGINEER STATEMENT

I HEREBY CERTIFY THAT THE SOILS REPORT WAS PREPARED BY ME IN _____, 20____, IN ACCORDANCE WITH THE PROVISIONS OF STATE AND LOCAL STATUTES.

BY: SEE’S CONSULTING & TESTING, INC. _____
DATE _____



SURVEYOR’S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MBN HOMES LLC ON MAY 21, 2021. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. THE MONUMENTS NOT YET SET, WILL BE SET WITHIN ONE YEAR OF RECORDATION OF THIS MAP.

RUBEN APARICIO III, P.L.S. 8026 _____ DATE _____

CITY ENGINEER’S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

BY: _____
JASON WATTS, PE 85594
CITY ENGINEER _____
DATE _____

CITY SURVEYOR’S STATEMENT

I HEREBY STATE THAT I HAVE CAREFULLY EXAMINED THIS MAP AND AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT, PURSUANT TO THE PROVISIONS OF THE SUBDIVISION MAP ACT

BY: _____
RANDY WASNICK, PLS 8163 (EXP. 12/31/2024) _____
DATE _____

BOARD OF SUPERVISOR’S STATEMENT

I, JASON T. BRITT, COUNTY ADMINISTRATIVE OFFICER/CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT SAID BOARD OF SUPERVISORS HAS APPROVED THE PROVISIONS MADE FOR THE PAYMENT OF TAXES AS PROVIDED IN DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

DATED THIS _____ DAY OF _____, 20____.

JASON T. BRITT, TULARE COUNTY ADMINISTRATIVE OFFICER/CLERK OF THE BOARD OF SUPERVISORS

BY: _____
DEPUTY CLERK _____

CITY CLERK STATEMENT

THIS IS TO CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DINUBA HELD ON THE _____ DAY OF _____, 20____, AN ORDER WAS DULY AND REGULARLY MADE AND ENTERED APPROVING THIS MAP AND SUBDIVISION AND ACCEPTING ON BEHALF OF THE PUBLIC, SUBJECT TO IMPROVEMENTS, ALL PARCELS OF LAND, STREETS AND EASEMENTS OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

WITNESS MY HAND AND OFFICIAL SEAL OF THE CITY OF DINUBA THIS _____ DAY OF _____, 20____.

BY: _____
MARIA ALANIZ, CITY CLERK _____
DATE _____

RECORDER’S STATEMENT

DOCUMENT NO. _____ FEE PAID _____
FILED THIS _____ DAY OF _____, 20____,
AT _____ M. IN VOLUME _____ OF MAPS, AT PAGES _____,
T.C.R., AT THE REQUEST OF LANDDESIGN CONSULTING.

TARA FREITAS, CPA
TULARE COUNTY ASSESSOR/CLERK-RECORDER

BY: _____
DEPUTY _____



4950 E. YALE AVE. FRESNO, CA 93727
TEL (559) 538-3402

FINAL MAP OF VINEYARD ESTATES A PLANNED UNIT DEVELOPMENT

OF VESTING TENTATIVE MAP VINEYARD ESTATES
IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN MAY 2021, BY LANDDESIGN CONSULTING

CONSISTING OF TWO SHEETS
SHEET TWO OF TWO SHEETS

BASIS OF BEARINGS

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 7,
TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND
MERIDIAN, TAKEN TO BE N00°00'00"E AS SHOWN ON PARCEL MAP
NO. 4586 RECORDED IN BOOK 46 OF PARCEL MAPS AT PAGE 91,
TULARE COUNTY RECORDS.

NOTES

- SET 3/4" IRON PIPE, 6" DOWN, TAGGED PLS 8026 AT ALL LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE.
- OUTLOTS A, B, AND C ARE FOR OPEN SPACE PURPOSES DEDICATE IN FAVOR OF VINEYARD ESTATES COMMUNITY ASSOCIATION.
- OUTLOT D IS FOR PRIVATE STREET PURPOSES DEDICATED IN FAVOR OF VINEYARD ESTATES COMMUNITY ASSOCIATION.
- AN EASEMENT TO THE CITY OF DINUBA FOR PUBLIC UTILITY PURPOSES OVER AND ACROSS OUTLOT D PER THIS MAP.
- SET 5" WITNESS MONUMENT ON CENTERLINE.
- SET 6.9'X6.9' WITNESS MONUMENT ON CENTER OF KNUCKLE.

LEGEND:

- MONUMENT FOUND AND ACCEPTED UNLESS OTHERWISE NOTED.
- NOW OFFERED FOR DEDICATION IN FEE TO THE CITY OF DINUBA FOR PUBLIC STREET PURPOSES.
- SET 5" WITNESS CORNER 3/4" IRON PIPE, 6" DOWN, TAGGED PLS 8026, 5' FROM TRUE LOT CORNER.
- SET 3/4" IRON PIPE, 4" DOWN, TAGGED PLS 8026, PER CITY STD E-7, TYPE B, AT CENTERLINE, AS SHOWN OR NOTED.
- SET 3/4" IRON PIPE, 6" DOWN, TAGGED PLS 8026, 5'X5' WITNESS.
- EXISTING DITCH EASEMENT TO ALTA COLONY AS PER MAP RECORDED IN BOOK 2 OF MAPS AT PAGE 97 T.C.R.
- EXISTING EASEMENT TO THE COUNTY OF TULARE FOR ROAD PURPOSES RECORDED IN BOOK 7, OF RIGHT OF WAY, PAGE 81 T.C.R.
- AN EASEMENT TO THE CITY OF DINUBA FOR EMERGENCY VEHICLE ACCESS AND WATER UTILITY PURPOSES OVER AND ACROSS LOT 9 PER THIS MAP.
- () RECORD DATA PER PARCEL MAP NO. 4586 RECORDED IN BOOK 46 OF PARCEL MAPS AT PAGE 91, TULARE COUNTY RECORDS.
- T.C.R. TULARE COUNTY RECORDS.
- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE IN FAVOR VINEYARD ESTATES COMMUNITY ASSOCIATION
- BLUE BORDER INDICATES THE LIMITS OF THIS SUBDIVISION.

- CENTERLINE
- SECTION LINE
- EXISTING PROPERTY LINE
- PROPERTY LINE
- EASEMENT

SCALE: 1"=60'

0 10 30 60 90 120
SCALE IN FEET

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	TANGENT
C1	22.66'	25.00'	51°56'14"	12.18'
C2	16.61'	25.00'	38°03'46"	8.62'
C3	39.27'	25.00'	90°00'00"	25.00'
C4	30.15'	19.19'	90°00'00"	19.19'
C5	30.15'	19.19'	90°00'00"	19.19'
C6	23.27'	25.00'	53°19'19"	12.55'
C7	16.00'	25.00'	36°40'41"	8.29'
C8	39.27'	25.00'	90°00'00"	25.00'
C9	30.15'	19.19'	90°00'00"	19.19'

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	TANGENT
C10	30.15'	19.19'	90°00'00"	19.19'
C11	32.24'	120.00'	15°23'34"	16.22'
C12	40.46'	120.00'	19°19'07"	20.42'
C13	24.92'	120.00'	11°53'54"	12.50'
C14	97.62'	120.00'	46°36'35"	51.69'
C15	82.90'	101.90'	46°36'35"	43.90'
C16	5.90'	83.80'	4°02'10"	2.95'
C17	62.27'	83.80'	42°34'25"	32.65'
C18	21.03'	102.00'	11°48'41"	10.55'

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	TANGENT
C19	36.33'	102.00'	20°24'31"	18.36'
C20	19.88'	102.00'	11°10'12"	9.97'
C21	77.24'	102.00'	43°23'24"	40.58'
C22	63.54'	83.90'	43°23'25"	33.38'
C23	49.83'	65.80'	43°23'25"	26.18'
C24	15.61'	19.19'	46°36'35"	8.27'
C25	30.15'	19.19'	90°00'00"	19.19'
C26	30.15'	19.19'	90°00'00"	19.19'
C27	68.17'	83.80'	46°36'35"	36.10'

RADIAL TABLE	
RADIAL #	DIRECTION
R1	N35° 49' 30"W
R2	N16° 14' 45"E
R3	N35° 33' 51"E
R4	N4° 53' 21"E
R5	N59° 16' 27"E
R6	N79° 40' 58"E
R7	S38° 54' 56"W

LINE TABLE		
LINE #	LENGTH	BEARING
L1	70.01'	N89° 13' 10"W
L2	70.01'	N89° 08' 50"W
L3	5.00'	N89° 13' 10"W
L4	10.03'	N5° 28' 27"E
L5	14.14'	S44° 08' 50"E
L6	10.03'	N86° 13' 53"E
L7	10.03'	N3° 46' 07"W
L8	14.14'	N45° 51' 10"E
L9	10.03'	N84° 31' 33"W

LINE TABLE		
LINE #	LENGTH	BEARING
L10	10.03'	N84° 31' 33"W
L11	14.14'	N45° 51' 10"E
L12	10.03'	N3° 46' 07"W
L13	10.03'	N86° 13' 53"E
L14	14.14'	N44° 08' 50"W
L15	10.03'	N5° 28' 27"E



4950 E. YALE AVE. FRESNO, CA 93727
TEL (559) 538-3402

CITY OF DINUBA
SUBDIVISION AGREEMENT
VINEYARD ESTATES

This Agreement is made and entered into this ____ day of _____, 2023 by and between the CITY OF DINUBA, a Municipal Corporation of the State of California, hereinafter referred to as “**City**”, and MNB HOMES LLC, herein referred to as “**Subdivider**”.

WITNESS TO

Subdivider has presented to the **City** a Final Map for the proposed subdivision of land located within the City of Dinuba and described as Vineyard Estates, a copy of said Map is attached.

Said **Subdivider** has requested that the **City** accept the dedications delineated and shown on said Map for the uses and purposes specified thereon and to otherwise approve said Map in order that same may be recorded, as required by law.

The **City** requires, as a condition precedent to the acceptance and approval of said Map: (a) the irrevocable dedication to the City of Dinuba, of the land wherein the streets are delineated as shown on said Map, which the **City** deems necessary for public use; and (b) that any and all streets delineated and shown on said Map be improved by the construction and installation of improvements hereinafter specified.

The Dinuba Municipal Code requires **Subdivider** enter into this agreement with the **City** before all required work has been completed by **Subdivider** at the time the Final Map is submitted.

NOW, THEREFORE, in consideration of the irrevocable offer of dedication of the streets, highways, easements and facilities as shown on said Map, and the approval of said Map for filing and recording as required by law, it is mutually agreed as follows:

1. SCHEDULE OF PERFORMANCE BY SUBDIVIDER

- A.** The work schedule hereinafter set forth contains the dates when the work required to be performed by **Subdivider** shall be completed. Such work shall be installed and completed to the satisfaction of the City Engineer. Extension to the work schedule for required improvements shall be requested by **Subdivider** in writing. The City Engineer may consider this schedule of performance in determining whether or not to grant any such extension. The City Engineer’s determination shall be final and conclusive. Failure of **Subdivider** to perform in accordance with the schedule shall constitute prima facie evidence of failure to diligently prosecute the work required hereunder. **No building permits shall be issued until the water system improvements have been completed with operational fire hydrants and**

the construction of weather-proof streets approved by the Dinuba Fire Chief. No Certificate of Occupancy shall be issued for any residence in the subdivision until all public improvements needed to serve the residences have been completed by Subdivider and accepted by the City Engineer. The work schedule is as follows:

WORK SCHEDULE

DATE OF COMPLETION

Complete rough grading	Completed 2022
Complete construction of storm drain system	April 1, 2023
Complete construction of sanitary sewer system	April 1, 2023
Complete construction of domestic water system	April 15, 2023
Complete construction of sidewalks, curbs and gutters	May 15, 2023
Complete construction of all private utilities	July 15, 2023
Complete construction of streets, including striping, markings and signs	August 1, 2023
Complete all appurtenant work	Feb 15, 2024

- B. NOT WITHSTANDING THE ABOVE,** all street work and public improvements required to be constructed by **Subdivider** shall be fully completed and suitable for acceptance by the **City** not later than **February 15, 2024.**
- C.** Failure of **Subdivider** to meet such deadline shall constitute a material breach of the Agreement. In such event, the Subdivision Irrevocable Instruments of Credit, hereinafter described, shall thereupon immediately be paid to the **City** and the **City** shall have permission to go upon the property and complete all work and public improvements, including construction or reinstallation, as the **City** deems necessary, of all utility facilities, streets, curbs, gutters, sidewalks, sanitary sewer, water, storm drainage systems and other public and private improvements, which were not properly or fully completed or installed by **Subdivider**.
- D.** Issuance of building permits for any structure within a subdivision shall conform to the requirements of the latest edition of the Title 24 California Building, California Fire and Green Building Codes. All public improvements which serve the property for which an occupancy permit is sought shall have been completed and accepted by the **City**.

2. ROAD IMPROVEMENTS TO BE COMPLETED BY SUBDIVIDER

- A. Subdivider** shall retain a Geotechnical firm and pay for any materials testing required by the City. The sampling and testing shall be done by a registered and licensed Geotechnical materials testing firm.
- B. Subdivider** shall construct all required improvements in accordance with this Agreement, the approved improvement plans (February 23, 2023), the 2023 Edition of the City's Public Improvements Standards and the conditions of approval of the Tentative Map.

3. SEWER AND WATER IMPROVEMENTS TO BE COMPLETED BY SUBDIVIDER

- A. Subdivider** shall construct the sanitary sewer system and appurtenances in accordance with this Agreement, the approved improvement plans (executed on February 23, 2023), the 2023 Edition of the City's Public Improvements Standards and the conditions of approval of the Tentative Map.
- B. Subdivider** shall construct a domestic water system and appurtenances in accordance with this Agreement, the approved improvement plans (executed on February 23, 2023), the 2023 Edition of the City's Public Improvements Standards, and the conditions of the Tentative Map.

4. GAS AND ELECTRICAL LINES TO BE COMPLETED BY SUBDIVIDER

- A. Subdivider** shall place underground all gas mains, services and all existing and new telephone and electrical lines, including cable television. This includes placing underground all existing facilities within the limits of this subdivision and service lines thereto. The **Subdivider** shall make arrangements with Pacific Gas and Electric, Southern California Gas Company, AT&T, and Comcast to guarantee the installation of these facilities, including bonding for same.

5. STORM DRAINAGE IMPROVEMENTS TO BE COMPLETED BY SUBDIVIDER

- A. Subdivider** shall construct the storm drainage system and appurtenances within this subdivision in accordance with this Agreement, the approved improvement plans (executed on February 23, 2023), the City's 2023 Public Improvement Standards and Specifications and the conditions of approval of the Tentative Map.

6. ADDITIONAL IMPROVEMENTS REQUIREMENTS

- A. Subdivider** is responsible for all work and maintenance within the City's rights-of-way. Any damaged caused by **Subdivider** and/or their subcontractors shall be repaired at no expense to the City of Dinuba.
- B.** Prior to commencement of any work within the rights-of-way not included in the approved improvement plans (executed on February 23, 2023), or any work performed within an existing City maintained street, an encroachment permit shall be obtained from the Public Works Services Department.
- C. Subdivider** shall cause to be placed by a licensed Civil Engineer or Land Surveyor all survey monuments and lot corners as shown on the Final Map. Pursuant to Section 66497 of the State Subdivision Map Act, prior to the City's final acceptance of the subdivision and release of the securities, **Subdivider** shall submit written

certification to the City Engineer that all monuments required in the subdivision have been set.

- D. Subdivider** shall furnish to the City Engineer a set of “Record Drawings” plans, prepared by a registered civil engineer, for all work performed in all rights-of-way prior to a Notice of Completion. These plans shall include the location of all underground City and available utility companies’ utilities.
- E.** In the event an extension is granted by the City Engineer to complete any of the required public and private improvements in this subdivision, **Subdivider** shall comply with all applicable City Improvement Standards.
- F.** All conditions of approval of the Tentative Map, plan of services, the improvement plans and the City Public Improvement Standards apply to and are included by reference in this Agreement.
- G.** Grading of the lots shall conform to the grades shown on the approved grading plan and the improvement plans. Prior to acceptance of the work by the **City** and release of the subdivision security, **Subdivider** shall provide the **City** with a statement from a registered civil engineer that, based on information provided by the Contractor, work performed within this tract conforms with the approved improvement plans (executed on February 23, 2023), the recommendations contained in the soils report and the City Public Improvement Standards.
- H.** The required decorative block wall shall consist of split-faced concrete block and shall have a brick or tile cap placed along the top of the wall, said wall shall meet or exceed the quality of the wall constructed along Viscaya Parkway in Dinuba, CA and shall be painted with graffiti-resistant paint.
- I.** Entrance treatments, decorative walls, “circles” and other design details shall be constructed with a common design theme subject to **City** approval.

7. SECURITIES

- A.** Prior to approval by the City Council of the Vineyard Estates, **Subdivider** shall submit to the **City** a Performance Bond in a form acceptable to the **City** in an amount equal to one hundred percent (100%) of the estimated cost of the required public improvements and private utility improvements in the amount of **\$1,430,756** to guarantee the proper construction of the improvements required in this Agreement, the City’s Public Improvement Standards, and the conditions of the Tentative Map.
- B.** Prior to approval of the Final Map by the **City**, **Subdivider** shall submit to the **City** a Materials and Labor Bond in a form acceptable to the **City** in an amount equal to fifty percent (50%) of the estimated cost of the required public improvements and private utilities improvements, in the amount of **\$715,378** to secure payment of all

contractors and subcontractors performing the work on said improvements and all persons furnishing labor, materials and equipment used for installation of said improvements.

- C. Prior to issuance of Notice of Completion of Vineyard Estates by the **City**, **Subdivider** shall submit to the **City** an Irrevocable Instrument of Credit in a form acceptable to the **City** to guarantee and warranty maintenance of all required public improvements herein, for a period of one (1) year following acceptance, in an amount equal to ten percent (10%) of the estimated cost of the improvements, for Vineyard Estates, in the amount of **\$143,076**. Said Irrevocable Instrument of Credit shall be released to **Subdivider**, less any amount required to be used for fulfillment of the warranty, one (1) year after final acceptance of the subdivision improvements by the **City**.
- D. The Improvement Security Bonds for performance and for labor and materials, but not including the warranty security, will remain in effect until such time as all required improvements in Vineyard Estates are satisfactorily completed and the subdivision has been formally accepted by the **City**. Such securities may be released only upon written authority of the City Engineer.
- E. The Improvement Security Bonds required under this paragraph shall be payable to the **City**. Security bonds shall remain in force until recordation of the Notice of Completion.
- F. Upon failure of **Subdivider** to properly complete the required improvements in a form acceptable to the City Engineer by February 15, 2024, the **City** shall be entitled to immediately draw upon the subdivision Improvement Securities (Performance and Payment Bonds) and cause the required improvements to be installed and/or repaired without further notice to **Subdivider**.

8. INDEMNITY AND INSURANCE

- A. The **City** shall not be liable to **Subdivider** or to any other person, firm or corporation whatsoever for any injury or damage that may result to any person or property by or from any cause whatsoever, on or about the subdivision of said land covered by this agreement, or any part thereof. **Subdivider** hereby releases and agrees to indemnify, defend and save the **City** and its agents, officials and employees harmless from and against any and all injuries to and death of persons and damages to property, and all claims directly or indirectly from the performance of any or all work to be done in and upon the premises adjacent thereto pursuant to this Agreement, and also from all injuries to and deaths of persons, and damage to property, all claims, demands, costs, losses, damage and liability, howsoever same may be caused, either directly or indirectly made or suffered by **Subdivider**, **Subdivider's** agents, employees and subcontractors, while engaged in the performance of said work. **Subdivider** further agrees that the use, for any purpose and by any person, of any and all the streets and improvements hereinbefore

specified shall be at the sole and exclusive risk of **Subdivider** at all times prior to final acceptance by the **City** of all completed street and other improvements thereon and therein.

B. Insurance Requirements for Subdivider:

Subdivider shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by **Subdivider**, his agents, representatives, employees or subcontractors.

1. Minimum scope of insurance – coverage shall be at least as broad as:
 - a. Insurance Services Office Commercial General Liability coverage (occurrence form CG0001).
 - b. Insurance Services Office form number CA0001 covering automobile liability, Code 1 (any auto).
 - c. Worker's compensation Insurance as required by the State of California and Employer's Liability Insurance.
2. Minimum limits of insurance – **Subdivider** shall maintain limits no less than:
 - a. General liability: \$2,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability or other form with a general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
 - b. Automobile liability: \$2,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability or other form with a general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
 - c. Employee liability: \$1,000,000 per accident for bodily injury and property.
 - d. Course of construction: complete value of the project.
3. Deductibles and self-insured retention – any deductibles or self-insured retention must be declared to and approved by the Entity. At the option of the Entity, either the insurer shall reduce or eliminate such deductibles or self-insured retention as requested by the Entity, its officers, officials,

employees and volunteers, or **Subdivider** shall procure a bond guaranteeing payment of losses and related investigations claim administration and defense expenses.

4. Other insurance provisions – the general liability and automobile liability policies shall contain, or endorse to contain, the following provisions:
 - a. The Entity, its officers, agents and volunteers are to be covered as insured in respect to: liability arising out of activities performed by or on behalf of **Subdivider**, products and completed operations of **Subdivider**, premises owned, occupied, or used by **Subdivider**, or automobiles, owned, leased, hired or borrowed by **Subdivider**. The coverage shall contain no special limitations on the scope of protection afforded to the Entity, its officers, officials, employees, agents or volunteers.
 - b. For any claims related to this project, **Subdivider's** insurance coverage shall be primary insurance as respects to the Entity, its officers, officials, employees, agents, or volunteers. Any insurance or self-insurance maintained by the Entity, its officers, officials, employees, agents, or volunteers shall be in excess of **Subdivider's** insurance and shall not contribute to it.
 - c. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided by the Entity, its officers, officials, employees, agents or volunteers.
 - d. **Subdivider's** insurance shall apply separately to each insured against which suit is brought except with respect to the limits of the insurer's liability.
 - e. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, cancelled by either party, reduced on coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested has been given to the Entity.
5. Course of Construction policies shall contain the following provisions.
 - a. Entity shall be named as loss payee.
 - b. The insurer shall waive all rights of subornation on against Entity.

6. Acceptability of insurers – insurance is to be placed with a current A.M. Best's rating of no less than A: VII.
7. Verification of coverage – **Subdivider** shall furnish the Entity with original endorsements effecting coverage required by this clause. The endorsements are to be signed by a person authorized by the insurer to bind coverage on its behalf. The endorsements are to be on forms provided by the Entity. All endorsements are to be received and approved by the Entity before work commences. As an alternative to the Entity forms, **Subdivider's** insurer may provide complete, certified, copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.
8. Subcontractors – **Subdivider** shall include all subcontractors as insured under its policies and shall furnish separate certificates and endorsements for each subcontractor. All coverage for subcontractors shall be subject to all of the requirements stated herein.

9. MISCELLANEOUS PROVISIONS

- A. **Subdivider** shall remedy any defective work or labor or any defective materials and pay for any damage to other work resulting within a period of one (1) year from the date of recordation of the Notice of Completion.
- B. **Subdivider** and his subcontractors shall pay for any materials, provisions and other supplies used in, upon, form or about the performance of the work contracted to be done, and for any work or labor thereon of any kind, and for amounts due under the Unemployment Insurance Act of the State of California, with respect to such work or labor, and shall file with the **City** pursuant to Section 3800 of the Labor Code, a certificate of Worker's Compensation for the duration of the period of construction.
- C. **Subdivider** shall comply with the latest edition of State of California, Title 24, Building, Mechanical, Plumbing, Electrical, and Zoning Codes and any other codes of the **City** and the City of Dinuba and State of California.
- D. It shall be the responsibility of **Subdivider** to coordinate all the work done by his contractors and subcontractors, such as scheduling the sequence of operations and the determination of liability if one operation delays another. In no case shall representatives of the **City** be placed in the position of making decisions that are the responsibility of **Subdivider** to give the City Engineer written notice not less than two (2) working days in advance of the actual date on which work is to be started. Failure on the part of **Subdivider** to notify the City Engineer may cause delays for which **Subdivider** shall be solely responsible.
- E. Whenever **Subdivider** varies the period during which work is carried on each day, he shall give due notice to the City Engineer so that proper inspection may be

provided. If **Subdivider** fails to duly notify the **City** as herein required, any work done in the absence of the City Engineer will be subject to rejection. The inspection of the work shall not relieve **Subdivider** of any of his obligations to fulfill the Agreement as prescribed. Defective work shall be made good, and suitable materials may be rejected notwithstanding the fact that such defective work and unsuitable materials were not previously identified by the City Engineer or Inspector and accepted.

- F. Any damage to the underground utilities, concrete work or street paving that occurs after construction shall be made good to the satisfaction of the City Engineer by **Subdivider** before release of securities, or final acceptance of the complete work. When the pavement on any existing street is disturbed or removed, such pavement shall be replaced immediately with temporary or other approved temporary pavement/surfacing methods until the permanent pavement is placed. The temporary pavement shall be maintained in a safe and passable condition at all times between the commencement and final completion of all construction.
- G. Time is of the essence of this Agreement and same shall bind and insure to the benefit of the parties hereto, their successors and assigns.
- H. No assignment of the Agreement or of any duty of obligation of performance hereunder shall be made in whole or in part by **Subdivider** without prior written consent of the **City**.
- I. **Subdivider** shall pay development impact fees as adjusted by the City Council on September 25, 2018, for each of the 63 single family dwelling units to be constructed in the Vineyard Estates Subdivision as follows:

Police Facilities	\$1,196.07
Fire Protection	\$1,569.50
Parks	\$3,145.00
Transportation	\$6,533.00
Wastewater	\$1,730.00
Water	\$2,005.00
Storm Drain	\$1,387.00
TOTAL	\$17,565.57/ lot

From this amount, **Subdivider** will receive fee credits as identified in section 9.N, below. Credits due **Subdivider** will be applied to appropriate facility category. Fee credits will be applied on a per lot basis until total fee credits due to **Subdivider** are depleted. **City** will not issue payment of fee credits to Subdivider in one lump sum. Once fee credits due are exhausted, any remaining impact fees due the **City** shall be paid prior to final inspection of each dwelling unit. In the event that fee credits exceed the total due for the corresponding facility category, credit balance

will be carried over to subsequent phases of development unless development is constructed in a single phase or if this agreement is for the final phase.

J. **Subdivider** shall be aware that fees listed in this agreement largely pertain to infrastructure impact fees and are therefore not all-inclusive. In addition to the identified impact fees **Subdivider** shall pay building permit, meter set, hook-up fees, school fees and other related development fees. Payment of impact fees may be deferred until prior to the final inspection of each unit. All other development fees are due at issuance of building permit.

K. A public improvements inspection fee (4% of the value of the public improvements) and public improvements plan check fee (3% of the value of the public improvements) shall be paid to the **City** as described below. These fees have been calculated based on an engineer's estimate provided by LandDesign Consulting dated February 21, 2023. Said fees are estimates and may be increased by the **City**, if necessary.

L. The **Subdivider** shall, upon recordation of the Final Map, pay the following fees:

Community Facilities District (CFD) Formation/Annex	\$ 5,000
Parks Master Plan	\$ 555
Landscape Plan Check	\$ 239
Landscape Inspection	\$ 208
Public Improvements Plan Check Fee	\$ 42,923
Public Improvements Inspection Fee	\$ 57,230
Final Map Fee	\$ 3,442
TOTAL	\$109,597

M. All lot areas are shown on the Vineyard Estates Final Map with the expectation of the following:

Number of Lots 63 **Acreage: 10**

N. The **Subdivider** shall receive fee credits as identified in Engineer's Cost Estimate dated February 21, 2023 prepared by LandDesign Consulting of Fresno California, as follows:

<u>Credit Description</u>	<u>Amount</u>
Sewer Improvement	\$ 96,730
Water Improvements	\$ 82,114
Transportation Improvements	\$220,818
TOTAL CREDITS	\$399,662

Upon completion of the required Public Improvements, **Subdivider** shall submit evidence of actual construction costs and the City Engineer will perform a review and reconciliation. If the fee credits identified above were overestimated, **Subdivider** will immediately issue payment of the difference to the **City**. If the fee credits due under this section were underestimated, the **City** and **Subdivider** will, by mutual agreement, determine how to settle outstanding fee credits.

- O.** The provisions of this Agreement shall be binding upon the heirs, successors and assigns of the parties hereto.
- P.** In the event litigation is brought to enforce the terms of or interpret this agreement, the prevailing party shall be entitled to an award of attorney fees and costs, including expert witness fees.
- Q.** **Subdivider** shall be responsible for obtaining any and all permits as required by the State, County, and other agencies prior to start of construction (NPDES Storm water permit, etc.).

10. SPECIAL DISTRICT FORMATION

- A.** **Subdivider** and **City** may form a Community Facilities District or Districts (or other public finance district under State law, as appropriate) for the purpose of financing the construction, acquisition, and/or maintenance of public infrastructure and facilities within the Project area or for the provision of services (“Project CFD(s)”). If requested by **Subdivider**, **City** may determine whether to form one or more Project CFD(s) for the purpose of providing services or financing for the acquisition or reconstruction of some or all of the improvements and facilities eligible for CFD financing within and associated with the Project, including those improvements which will mitigate impacts of the Project upon areas inside and outside of the Project with a useful life of 5 years or longer, and will be owned operated and maintained by the **City** or another public agency as authorized under Government code section 53311 *et seq.* and **City** policy.
- B.** **Subdivider** further consents to the levying of the initial special tax as established pursuant to applicable State law, **City** Municipal Code requirements, and **City** procedures.
- C.** It is herewith further understood and agreed that **Subdivider** shall provide to each purchaser of a lot within this Subdivision a Notice of the formation of a public finance district which shall inform said purchaser that the real property being purchased is within the boundaries of a public finance district and is therefore subject to an special tax levy in perpetuity.

11. DUST CONTROL

- A. Adequate dust control shall be maintained by **Subdivider** on all streets within and outside the subdivision on which work is required to be done under this Agreement from the time work is first commenced in the subdivision until the paving of the streets is completed. "Adequate dust control" as used herein shall mean the sprinkling of the streets with water thereon with sufficient frequency to prevent the scattering of dust by wind of the activity of vehicles and equipment onto any street area or private property adjacent to subdivision.
- B. Whenever in the opinion of the City Engineer adequate dust control is not being maintained on any street or streets as required by this paragraph, the City Engineer shall give notice to **Subdivider** to comply with the provisions of this paragraph forthwith. Such notice may be personally served upon **Subdivider** or, if **Subdivider** is not an individual, upon any person who has signed this agreement on behalf of **Subdivider** or, at the election of the City Engineer, such notice may be mailed to **Subdivider** at his address on file with the City Engineer. If, within twenty-four (24) hours after such personal service of such notice or with forty-eight hours after the mailing thereof as herein provided, **Subdivider** shall not have commenced to maintain adequate dust control or shall at any time thereafter fail to maintain adequate dust control the City Engineer may, without further notice of any kind, cause any such street or streets to be sprinkled or oiled, as he may deem advisable, to eliminate the scattering of dust, by equipment and personnel of the **City** or by contract as the City Engineer shall determine. **Subdivider** shall pay to the **City** forthwith, upon receipt of billing therefore, the entire cost to the **City** of such sprinkling.
- C. A permit is required by the San Joaquin Valley Air Pollution Control District or for the construction.
- D. The Best Management Practices and SWPPP documents required by the State shall be provided and implemented prior to any work commenced.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed the day and year first above written

For the **Subdivider**: _____

For the **City**: _____
Luis Patlan, City Manager

CONTROL SHEET

**Vineyard Estates
Subdivision Agreement**

AGREEMENT APPROVED AS TO CONTENT:

City Attorney

City Engineer

Director of Administrative Services

Fire Chief

Police Chief

Public Works Director



City Council Staff Report

Department: CITY CLERK

February 28, 2023

To: Mayor and City Council

From: Maria Alaniz, City Clerk/Human Resources Director

Subject: Request for Excused Absence for Council Member Kuldip Thusu (MA)

RECOMMENDATION

Council to excuse the absence of Council Member Kuldip Thusu from the City Council meeting of February 14, 2023.

EXECUTIVE SUMMARY

Council Member Kuldip Thusu was absent from the City Council meeting of February 14, 2023, and hereby requests that the Council excuse his absence from the meeting.

OUTSTANDING ISSUES

None.

DISCUSSION

The City Council had a meeting on Tuesday, February 14, 2023, Council Member Kuldip Thusu was not present at the meeting. He hereby requests that the Council excuse his absence from the meeting.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.



City Council Staff Report

Department: CITY CLERK

February 28, 2023

To: Mayor and City Council

From: Maria Alaniz, City Clerk/Human Resources Director

Subject: Request for Excused Absence for Council Member Linda Launer (MA)

RECOMMENDATION

Council to excuse the absence of Council Member Linda Launer from the City Council meeting of February 14, 2023.

EXECUTIVE SUMMARY

Council Member Linda Launer was absent from the City Council meeting of February 14, 2023 and hereby requests that the Council excuse her absence from the meeting.

OUTSTANDING ISSUES

None.

DISCUSSION

The City Council had a meeting on Tuesday, February 14, 2023, Council Member Linda Launer was not present at the meeting. He hereby requests that the Council excuse her absence from the meeting.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.



City Council Staff Report

Department: FINANCE SERVICES

February 28, 2023

To: Mayor and City Council
From: Karina Solis, Administrative Services Director
By: Maria Alaniz, City Clerk/Human Resources Director
Subject: Warrant Register February 17 & 24 2023 (KS)

RECOMMENDATION

Council to review and approve the Warrant Register as presented.

EXECUTIVE SUMMARY

None.

OUTSTANDING ISSUES

None.

DISCUSSION

None.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.

ATTACHMENTS:

WR 02.17.2023
WR 02.24.2023



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 385 - 4 Creeks, Inc.									
22313-27107	4 Creeks Alta Nebraska Roundabout CM	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	2,139.69
22314-27113	4 Creeks Dinuba Commercial Development	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	4,172.00
22318-27106	4 Creeks WWTP Improvements Clarifier	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	15,945.32
22320-27112	4 Creeks South College RR Project	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	665.00
22352-27110	4 Creeks Dinuba Subdivision Development	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	12,407.26
22355-27105	4 Creeks General Building Official	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	6,760.00
22357-27109	4 Creeks general Eng Services	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	12,042.75
22368-27101	4 Creeks Road 74 Street Imp	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	10,656.25
22389-27108	4 Creeks Entertainment Plaza Restrooms	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	4,246.25
22421-27111	4 Creeks Kamm and Alta Roundabout	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	5,447.57
22442-27103	4 Creeks Dinuba Water CIP Projects	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	8,243.75
22443-27104	4 Creeks dinuba Sewer CIP Projects	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	21,046.00
22489-27100	4 Creeks Dinuba High School Const Oversight	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	2,391.50
22490-27099	4 Creeks Euclid Ave Water Main Extension	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	716.50
22493-27098	4 Creeks KC Vista Basketball Courts	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	242.50
22495-27102	4 Creeks Crawford and Nebraska Ave Intersection Imp	Paid by Check #40401		01/11/2023	02/17/2023	02/17/2023		02/17/2023	5,790.00
20366-27144	4 Creeks Kamm and Alta Roundabout Project	Paid by Check #40401		01/12/2023	02/17/2023	02/17/2023		02/17/2023	2,989.73
22316-27141	4 Creeks Well 21	Paid by Check #40401		01/12/2023	02/17/2023	02/17/2023		02/17/2023	140.00
22351-27145	4 Creeks Dinuba CIP Projects	Paid by Check #40401		01/12/2023	02/17/2023	02/17/2023		02/17/2023	25,703.00
22356-27143	4 Creeks Encroachment Permit	Paid by Check #40401		01/12/2023	02/17/2023	02/17/2023		02/17/2023	8,006.25
22491-27139	4 Creeks Dinuba Fire Training facility	Paid by Check #40401		01/12/2023	02/17/2023	02/17/2023		02/17/2023	2,769.00
22494-27140	4 Creeks Viscaya Park	Paid by Check #40401		01/12/2023	02/17/2023	02/17/2023		02/17/2023	157.50
22496-27142	4 Creeks Street Reconstruction	Paid by Check #40401		01/12/2023	02/17/2023	02/17/2023		02/17/2023	15,010.75
22358-27167	El Monte Way Sewer Main Replacement	Paid by Check #40401		01/13/2023	02/17/2023	02/17/2023		02/17/2023	13,812.25
22523-27163	4 Creeks Downtown Dinuba Facade Imp	Paid by Check #40401		01/13/2023	02/17/2023	02/17/2023		02/17/2023	319.00
Vendor 385 - 4 Creeks, Inc. Totals						Invoices	25		\$181,819.82

Vendor **1143 - AAA Quality Services, Inc.**



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
00333702	FY22/23-Parks-Centennial Park - Portable restroom rental/service	Paid by Check #40402		02/11/2023	02/17/2023	02/17/2023	02/13/2023	02/17/2023	258.13
00333703	FY22/23-Parks-Nebraska Park - Portable restroom rental/service	Paid by Check #40402		02/11/2023	02/17/2023	02/17/2023	02/13/2023	02/17/2023	280.13
Vendor 1143 - AAA Quality Services, Inc. Totals									Invoices 2 <u>\$538.26</u>
Vendor 263 - Advantek Benefit Administrators									
2302-0011	FEBRUARY 2023	Paid by Check #40403		02/01/2023	02/17/2023	02/17/2023		02/17/2023	71,279.43
Vendor 263 - Advantek Benefit Administrators Totals									Invoices 1 <u>\$71,279.43</u>
Vendor 1599 - Adventist Health Toxicology									
1853	PD - Toxicology Services	Paid by Check #40404		02/02/2023	02/17/2023	02/17/2023		02/17/2023	709.00
Vendor 1599 - Adventist Health Toxicology Totals									Invoices 1 <u>\$709.00</u>
Vendor 1720 - Agee Construction Corporation									
3 Retention	Agee Const El Monte Sewer Main Impr Project RETENTION	Paid by Check #40405		02/13/2023	02/17/2023	02/17/2023		02/17/2023	12,023.09
Vendor 1720 - Agee Construction Corporation Totals									Invoices 1 <u>\$12,023.09</u>
Vendor 1036 - Allstar Fire Equipment									
245243	Safety Equipment	Paid by Check #40406		01/20/2023	02/17/2023	02/17/2023		02/17/2023	4,575.57
Vendor 1036 - Allstar Fire Equipment Totals									Invoices 1 <u>\$4,575.57</u>
Vendor 351 - Anthem Blue Cross									
000271086102	ROBERTS 102A78783 03/01/23-03/31/23	Paid by Check #40407		02/04/2023	02/17/2023	02/17/2023		02/17/2023	94.50
Vendor 351 - Anthem Blue Cross Totals									Invoices 1 <u>\$94.50</u>
Vendor 21 - Aramark Uniform Services Inc.									
5031140417	FY22/23-Parks - Uniform Allowance - Contract	Paid by Check #40408		02/08/2023	02/17/2023	02/17/2023	02/09/2023	02/17/2023	54.06
Vendor 21 - Aramark Uniform Services Inc. Totals									Invoices 1 <u>\$54.06</u>
Vendor 17 - AT&T									
250127196102/23	405 E El Monte Way 02/01/23-02/28/23	Paid by Check #40411		02/01/2023	02/17/2023	02/17/2023		02/17/2023	76.39
939105474302/23	Telephone 01/02/23-02/01/23	Paid by Check #40410		02/02/2023	02/17/2023	02/17/2023		02/17/2023	70.69
939105447602/23	Telephone 01/10/23-02/09/23	Paid by Check #40409		02/10/2023	02/17/2023	02/17/2023		02/17/2023	24.84
939105446102/23	Telephone 01/11/23-02/10/23	Paid by Check #40413		02/11/2023	02/17/2023	02/17/2023		02/17/2023	24.85
939105446602/23	Telephone 01/11/23-02/10/23	Paid by Check #40415		02/11/2023	02/17/2023	02/17/2023		02/17/2023	24.86
939105446702/23	Telephone 01/11/23-02/10/23	Paid by Check #40414		02/11/2023	02/17/2023	02/17/2023		02/17/2023	48.10
939105475602/23	Telephone 01/11/23-02/10/23	Paid by Check #40412		02/11/2023	02/17/2023	02/17/2023		02/17/2023	386.25
Vendor 17 - AT&T Totals									Invoices 7 <u>\$655.98</u>
Vendor 195 - Battery Systems Inc.									
36620206231140	Battery System Supplies	Paid by Check #40416		02/06/2023	02/17/2023	02/17/2023		02/17/2023	1,115.44



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 195 - Battery Systems Inc. Totals									
							Invoices	1	\$1,115.44
Vendor 822 - Boundtree Medical LLC									
84838558	Supplies	Paid by Check #40417		01/26/2023	02/17/2023	02/17/2023		02/17/2023	13.98
84849459	Supplies	Paid by Check #40417		02/06/2023	02/17/2023	02/17/2023		02/17/2023	580.33
Vendor 822 - Boundtree Medical LLC Totals									
							Invoices	2	\$594.31
Vendor 116 - BSK Analytical Laboratories									
AG02734	Water Sample Testing - Water Dept.	Paid by Check #40418		02/03/2023	02/17/2023	02/17/2023		02/17/2023	29.00
Vendor 116 - BSK Analytical Laboratories Totals									
							Invoices	1	\$29.00
Vendor 80 - California Business Machines									
316737	PD - Copiers Maintenance Fees	Paid by Check #40419		02/09/2023	02/17/2023	02/17/2023		02/17/2023	372.38
Vendor 80 - California Business Machines Totals									
							Invoices	1	\$372.38
Vendor 563 - John Carrillo									
02/09/2023	Anthem Reimb 02/01/2023-02/28/2023	Paid by Check #40420		02/09/2023	02/17/2023	02/17/2023		02/17/2023	205.88
Vendor 563 - John Carrillo Totals									
							Invoices	1	\$205.88
Vendor 305 - Cartozian Air Conditioning and Heating Inc.									
18786	Filter Change	Paid by Check #40421		01/31/2023	02/17/2023	02/17/2023		02/17/2023	200.00
18768	437 Eaton Ave-trac pipe from gas meter to Rheem furnace	Paid by Check #40421		12/09/2023	02/17/2023	02/17/2023		02/17/2023	4,000.00
18794	PD - A/C Service U#3	Paid by Check #40421		01/03/2023	02/17/2023	02/17/2023		02/17/2023	898.50
18825	PD - Maintenance Service	Paid by Check #40421		01/27/2023	02/17/2023	02/17/2023		02/17/2023	250.00
Vendor 305 - Cartozian Air Conditioning and Heating Inc. Totals									
							Invoices	4	\$5,348.50
Vendor 333 - Cintas Corporation No. 2									
4142417741	Contractual	Paid by Check #40422		01/04/2023	02/17/2023	02/17/2023		02/17/2023	105.88
4142417785	Contractual	Paid by Check #40422		01/04/2023	02/17/2023	02/17/2023		02/17/2023	66.68
4142417789	Contractual	Paid by Check #40422		01/04/2023	02/17/2023	02/17/2023		02/17/2023	231.42
4142417806	Contractual	Paid by Check #40422		01/04/2023	02/17/2023	02/17/2023		02/17/2023	259.36
4142607071	Contractual	Paid by Check #40422		01/05/2023	02/17/2023	02/17/2023		02/17/2023	166.50
4142607146	Contractual	Paid by Check #40422		01/05/2023	02/17/2023	02/17/2023		02/17/2023	142.87
4142607199	Contractual	Paid by Check #40422		01/05/2023	02/17/2023	02/17/2023		02/17/2023	1,001.08
4143190574	Contractual	Paid by Check #40422		01/11/2023	02/17/2023	02/17/2023		02/17/2023	24.33
4143190601	Contractual	Paid by Check #40422		01/11/2023	02/17/2023	02/17/2023		02/17/2023	304.30
4143190620	Contractual	Paid by Check #40422		01/11/2023	02/17/2023	02/17/2023		02/17/2023	205.01
4143190658	Contractual	Paid by Check #40422		01/11/2023	02/17/2023	02/17/2023		02/17/2023	178.52
4143190691	Contractual	Paid by Check #40422		01/11/2023	02/17/2023	02/17/2023		02/17/2023	185.41
4143190868	Contractual	Paid by Check #40422		01/11/2023	02/17/2023	02/17/2023		02/17/2023	231.63
4143351889	Contractual	Paid by Check #40422		01/12/2023	02/17/2023	02/17/2023		02/17/2023	142.87



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
4143351923	Contractual	Paid by Check #40422		01/12/2023	02/17/2023	02/17/2023		02/17/2023	166.92
4143351988	Contractual	Paid by Check #40422		01/12/2023	02/17/2023	02/17/2023		02/17/2023	863.44
4143870339	Contractual	Paid by Check #40422		01/18/2023	02/17/2023	02/17/2023		02/17/2023	259.36
4143870349	Contractual	Paid by Check #40422		01/18/2023	02/17/2023	02/17/2023		02/17/2023	66.68
4143870470	Contractual	Paid by Check #40422		01/18/2023	02/17/2023	02/17/2023		02/17/2023	133.60
4143870735	Contractual	Paid by Check #40422		01/18/2023	02/17/2023	02/17/2023		02/17/2023	332.57
4144047907	Contractual	Paid by Check #40422		01/19/2023	02/17/2023	02/17/2023		02/17/2023	166.50
4144047944	Contractual	Paid by Check #40422		01/19/2023	02/17/2023	02/17/2023		02/17/2023	142.87
4144048108	Contractual	Paid by Check #40422		01/19/2023	02/17/2023	02/17/2023		02/17/2023	880.03
1903656637	Contractual	Paid by Check #40422		01/23/2023	02/17/2023	02/17/2023		02/17/2023	159.82
4144610389	Contractual	Paid by Check #40422		01/25/2023	02/17/2023	02/17/2023		02/17/2023	280.97
4144610418	Contractual	Paid by Check #40422		01/25/2023	02/17/2023	02/17/2023		02/17/2023	272.19
4144610446	Contractual	Paid by Check #40422		01/25/2023	02/17/2023	02/17/2023		02/17/2023	24.33
4144610466	Contractual	Paid by Check #40422		01/25/2023	02/17/2023	02/17/2023		02/17/2023	105.88
4144610477	Contractual	Paid by Check #40422		01/25/2023	02/17/2023	02/17/2023		02/17/2023	231.42
4144610512	Contractual	Paid by Check #40422		01/25/2023	02/17/2023	02/17/2023		02/17/2023	102.83
4144735437	Contractual	Paid by Check #40422		01/26/2023	02/17/2023	02/17/2023		02/17/2023	142.87
4144735513	Contractual	Paid by Check #40422		01/26/2023	02/17/2023	02/17/2023		02/17/2023	166.50
4144735668	Contractual	Paid by Check #40422		01/26/2023	02/17/2023	02/17/2023		02/17/2023	723.69
Vendor 333 - Cintas Corporation No. 2 Totals							Invoices	33	\$8,468.33
Vendor 972 - City of Sanger									
IGT61 - Dinuba	January 2023	Paid by Check #40423		02/10/2023	02/17/2023	02/17/2023		02/17/2023	798.20
Vendor 972 - City of Sanger Totals							Invoices	1	\$798.20
Vendor 127 - City of Visalia									
AR097049	PD - Disposal Fees	Paid by Check #40424		12/31/2002	02/17/2023	02/17/2023		02/17/2023	113.00
AR097048	PD - Disposal Fees	Paid by Check #40424		12/31/2022	02/17/2023	02/17/2023		02/17/2023	184.00
Vendor 127 - City of Visalia Totals							Invoices	2	\$297.00
Vendor 1811 - Clark Bros., INC									
7	Clark Bros Wastewater Impro Clarifier	Paid by Check #40425		02/09/2023	02/17/2023	02/17/2023		02/17/2023	427,025.00
Vendor 1811 - Clark Bros., INC Totals							Invoices	1	\$427,025.00
Vendor 170 - Comcast									
0135597 02/02/23	405 E El Monte Way 02/04/23-03/03/23	Paid by Check #40426		02/02/2023	02/17/2023	02/17/2023		02/17/2023	69.54
0160181 02/07/23	1088 E KAMM AVE 02/11/23-03/10/23	Paid by Check #40427		02/07/2023	02/17/2023	02/17/2023		02/17/2023	32.20
Vendor 170 - Comcast Totals							Invoices	2	\$101.74
Vendor 232 - Courier Printing and Village Printer									
C26514	Lopez Business Cards	Paid by Check #40428		02/06/2023	02/17/2023	02/17/2023		02/17/2023	94.94



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 232 - Courier Printing and Village Printer Totals						Invoices	1		\$94.94
Vendor 334 - Cummins Pacific LLC									
Y4-85636	Cummins Heater-Eng Coolant	Paid by Check #40429		01/30/2023	02/17/2023	02/17/2023		02/17/2023	329.73
Vendor 334 - Cummins Pacific LLC Totals						Invoices	1		\$329.73
Vendor 77 - Department of Justice									
634581	PD - Fingerprints - January 2023	Paid by Check #40430		02/03/2023	02/17/2023	02/17/2023		02/17/2023	651.00
638185	PD - January 2023 Blood Alcohol Analysis	Paid by Check #40430		02/06/2023	02/17/2023	02/17/2023		02/17/2023	315.00
Vendor 77 - Department of Justice Totals						Invoices	2		\$966.00
Vendor 30 - Dinuba Chamber of Commerce									
2023 Awards Banq	2023 Annual Awards Banquet Sponsorship	Paid by Check #40431		02/15/2023	02/17/2023	02/17/2023		02/17/2023	750.00
Vendor 30 - Dinuba Chamber of Commerce Totals						Invoices	1		\$750.00
Vendor 341 - Dinuba Tires LLC									
075355	FLAT TIRE REPAIR PD 14	Paid by Check #40432		02/03/2023	02/17/2023	02/17/2023		02/17/2023	20.00
Vendor 341 - Dinuba Tires LLC Totals						Invoices	1		\$20.00
Vendor 904 - Dinuba Woman's Club									
2023 Fundraiser	2023 Annual Fundraiser Sponsorship	Paid by Check #40433		02/15/2023	02/17/2023	02/17/2023		02/17/2023	500.00
Vendor 904 - Dinuba Woman's Club Totals						Invoices	1		\$500.00
Vendor 309 - Elbert Distributing									
23049720	Elbert Dist Diesel Oil	Paid by Check #40434		02/02/2023	02/17/2023	02/17/2023		02/17/2023	289.26
Vendor 309 - Elbert Distributing Totals						Invoices	1		\$289.26
Vendor 1506 - Enterprise FM Trust									
FBN4671772	Enterprise January	Paid by Check #40435		02/04/2023	02/17/2023	02/17/2023		02/17/2023	6,848.84
Vendor 1506 - Enterprise FM Trust Totals						Invoices	1		\$6,848.84
Vendor 1591 - Environment Control									
18110-299	Environment Control Janitorial Service	Paid by Check #40436		02/01/2023	02/17/2023	02/17/2023		02/17/2023	8,977.51
Vendor 1591 - Environment Control Totals						Invoices	1		\$8,977.51
Vendor 36 - Ewing Irrigation Products									
18661096	FY 21/22-Parks - Irrigation supply & equipment-Viscaya	Paid by Check #40437		02/08/2023	02/17/2023	02/17/2023	02/13/2023	02/17/2023	658.20
18661143	FY22/23-Parks-Irrigation Supplies - Nebraska Park	Paid by Check #40437		02/08/2023	02/17/2023	02/17/2023	02/13/2023	02/17/2023	120.51
Vendor 36 - Ewing Irrigation Products Totals						Invoices	2		\$778.71
Vendor 35 - Federal Express Corporation									



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
8-028-27673	PD - Shipping Fees	Paid by Check #40438		02/03/2023	02/17/2023	02/17/2023		02/17/2023	126.92
		Vendor	35 - Federal Express Corporation	Totals		Invoices	1		\$126.92
Vendor 235 - FERGUSON ENTERPRISES, LLC									
1745188	Ferguson water meters	Paid by Check #40439		01/31/2023	02/17/2023	02/17/2023		02/17/2023	15,884.40
		Vendor	235 - FERGUSON ENTERPRISES, LLC	Totals		Invoices	1		\$15,884.40
Vendor 1703 - Dennis Fernandez									
Boots Fernandez	DENNIS FERNANDEZ BOOTS 1ST PAIR	Paid by Check #40440		01/21/2023	02/17/2023	02/17/2023		02/17/2023	182.28
		Vendor	1703 - Dennis Fernandez	Totals		Invoices	1		\$182.28
Vendor 18 - The Gas Company									
15571580420 2/23	February 2023	Paid by Check #40445		02/06/2023	02/17/2023	02/17/2023		02/17/2023	839.14
16201580004 2/23	February 2023	Paid by Check #40444		02/06/2023	02/17/2023	02/17/2023		02/17/2023	531.39
0486158404502/23	Sportsplex 201 N URUPAN WAY 01/05/23-02/02/23	Paid by Check #40442		02/06/2023	02/17/2023	02/17/2023		02/17/2023	59.17
1620156700102/23	CS 1390 E ELIZABETH WAY 01/05/23-02/02/23	Paid by Check #40443		02/06/2023	02/17/2023	02/17/2023		02/17/2023	1,954.89
1830985449702/23	PD - 01/05/2023 - 02/02/2023 Billing Charges	Paid by Check #40448		02/06/2023	02/17/2023	02/17/2023		02/17/2023	683.94
1641156700702/23	110 S COLLEGE AVE 01/05/23-02/02/23	Paid by Check #40447		02/06/2023	02/17/2023	02/17/2023		02/17/2023	86.26
168351381872/23	180 W Merced STE A	Paid by Check #40441		02/06/2023	02/17/2023	02/17/2023		02/17/2023	597.91
0865742471202/23	NATURAL GAS VEHICLE FUEL 01/01/23-02/01/23	Paid by Check #40446		02/07/2023	02/17/2023	02/17/2023		02/17/2023	22,703.92
		Vendor	18 - The Gas Company	Totals		Invoices	8		\$27,456.62
Vendor 252 - Geil Enterprises, Inc.									
426849	ALARM Repairs	Paid by Check #40449		02/03/2023	02/17/2023	02/17/2023		02/17/2023	125.00
		Vendor	252 - Geil Enterprises, Inc.	Totals		Invoices	1		\$125.00
Vendor 1849 - Halcyon Behavioral, LLC									
12916	EAP Services for January 2023	Paid by Check #40450		01/01/2023	02/17/2023	02/17/2023		02/17/2023	30.40
13112	EAP Services for February 2023	Paid by Check #40450		02/01/2023	02/17/2023	02/17/2023		02/17/2023	30.40
		Vendor	1849 - Halcyon Behavioral, LLC	Totals		Invoices	2		\$60.80
Vendor 496 - The Hanover Insurance Company									
02/04/2023	RHF A044134 07/01/2022-07/01/2023	Paid by Check #40451		02/04/2023	02/17/2023	02/17/2023		02/17/2023	12,937.80
		Vendor	496 - The Hanover Insurance Company	Totals		Invoices	1		\$12,937.80
Vendor 174 - Howard's Pest Control									
111342	FY22/23-Parks-Pest Control Services - KC Park Concession	Paid by Check #40452		02/08/2023	02/17/2023	02/17/2023	02/06/2023	02/17/2023	46.00



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount	
		Vendor	174 - Howard's Pest Control			Totals		Invoices	1	\$46.00
Vendor	1800 - Intelligent Video Solutions									
2210211402IVS-MU	PD - Interview Room SSA Renewal - 01/21/2023 - 01/20/2024	Paid by Check #40518		12/08/2022	12/16/2022	12/16/2022		02/17/2023	724.36	
		Vendor	1800 - Intelligent Video Solutions			Totals		Invoices	1	\$724.36
Vendor	1718 - JCL Company, LLC									
02062398	Snap on Tools	Paid by Check #40453		02/06/2023	02/17/2023	02/17/2023		02/17/2023	90.60	
		Vendor	1718 - JCL Company, LLC			Totals		Invoices	1	\$90.60
Vendor	318 - Kingsburg Veterinary Clinic									
649102	PD - Veterinary Fees	Paid by Check #40454		12/31/2022	02/17/2023	02/17/2023		02/17/2023	103.50	
		Vendor	318 - Kingsburg Veterinary Clinic			Totals		Invoices	1	\$103.50
Vendor	1830 - Lara Asphalt Seal Coating									
0328	Lara Asphalt	Paid by Check #40455		01/25/2023	02/17/2023	02/17/2023		02/17/2023	8,800.00	
		Vendor	1830 - Lara Asphalt Seal Coating			Totals		Invoices	1	\$8,800.00
Vendor	281 - Law and Associates Investigations									
23-024	Garcia, Vasquez, Scheer	Paid by Check #40456		02/07/2023	02/17/2023	02/17/2023		02/17/2023	2,100.00	
		Vendor	281 - Law and Associates Investigations			Totals		Invoices	1	\$2,100.00
Vendor	449 - Les Schwab Tire Centers of Central California									
55100303156	Les Schwab	Paid by Check #40457		02/06/2023	02/17/2023	02/17/2023		02/17/2023	1,252.03	
55100303402	Les Schwab	Paid by Check #40457		02/09/2023	02/17/2023	02/17/2023		02/17/2023	195.01	
		Vendor	449 - Les Schwab Tire Centers of Central California			Totals		Invoices	2	\$1,447.04
Vendor	89 - Liebert Cassidy Whitmore									
232137	DI030-00001 General Matters December 2022	Paid by Check #40458		12/31/2022	02/17/2023	02/17/2023		02/17/2023	4,018.50	
		Vendor	89 - Liebert Cassidy Whitmore			Totals		Invoices	1	\$4,018.50
Vendor	1723 - Matson Alarm Co, Inc.									
3378614	405 E El Monte Way -Additional smoke detectors deposit	Paid by Check #40459		02/14/2023	02/17/2023	02/17/2023		02/17/2023	1,921.56	
		Vendor	1723 - Matson Alarm Co, Inc.			Totals		Invoices	1	\$1,921.56
Vendor	160 - Mid Valley Publishing Inc.									
0327453-IN	01/26/23 Ord No. 2022-12	Paid by Check #40460		01/26/2023	02/17/2023	02/17/2023		02/17/2023	256.00	
0327416-IN	Mid Valley Pub Notice of Intent	Paid by Check #40460		01/19/2023	02/17/2023	02/17/2023		02/17/2023	520.00	
		Vendor	160 - Mid Valley Publishing Inc.			Totals		Invoices	2	\$776.00
Vendor	1754 - Navia Benefits Solutions									



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
10564275	202201 - Sec. 125 Participant Fee 01/23	Paid by Check #40461		01/30/2023	02/17/2023	02/17/2023		02/17/2023	312.00
Vendor 1754 - Navia Benefits Solutions Totals								Invoices 1	\$312.00
Vendor 1905 - Novair USA Corp									
ORD00018196	Equipment	Paid by Check #40519		01/25/2023	02/17/2023	02/17/2023		02/17/2023	44,720.00
Vendor 1905 - Novair USA Corp Totals								Invoices 1	\$44,720.00
Vendor 142 - Office Depot BSD									
287360446001	Office Supplies	Paid by Check #40462		01/26/2023	02/17/2023	02/17/2023		02/17/2023	32.52
290884016001	FD Office supplies - Receipt Books	Paid by Check #40462		01/30/2023	02/17/2023	02/17/2023		02/17/2023	258.20
Vendor 142 - Office Depot BSD Totals								Invoices 2	\$290.72
Vendor 76 - Pacific Gas & Electric									
9624769219502/23	225 S L ST 01/07/23-02/06/23	Paid by Check #40476		02/07/2023	02/17/2023	02/17/2023		02/17/2023	124.00
8319024072701/23	Parks SW SW 16-16-24 12/10/22-01/09/23	Paid by Check #40478		01/11/2023	02/17/2023	02/17/2023		02/17/2023	22.74
5751498437601/23	Parks 139 N K ST 12/29/22-01/29/23	Paid by Check #40477		01/31/2023	02/17/2023	02/17/2023		02/17/2023	39.82
6870376077402/23	PD - 01/07/2023 - 02/06/2023	Paid by Check #40479		02/07/2023	02/17/2023	02/17/2023		02/17/2023	30.52
5683054506902/23	Billing Charges PD - 01/07/2023 - 02/06/2023	Paid by Check #40480		02/08/2023	02/17/2023	02/17/2023		02/17/2023	4,583.15
0008163252-3	Billing Charges 2099 W SIERRA WAY B December 2022	Paid by Check #40481		01/18/2023	02/17/2023	02/17/2023		02/17/2023	28.64
0418167531701/23	RD 72 & W SIERRA WAY 12/27/22-01/25/23	Paid by Check #40463		01/26/2023	02/17/2023	02/17/2023		02/17/2023	283.16
8647150103001/23	ON E EL MONTE WAY & PERRY 12/28/22-01/26/23	Paid by Check #40473		01/27/2023	02/17/2023	02/17/2023		02/17/2023	64.41
1686600158501/23	2255 W EL MONTE WAY 12/29/22-01/27/23	Paid by Check #40466		01/29/2023	02/17/2023	02/17/2023		02/17/2023	63.14
5064695483901/23	CRAWFORD & EL MONTE SW 12/29/22-01/27/23	Paid by Check #40470		01/29/2023	02/17/2023	02/17/2023		02/17/2023	107.05
8981923387801/23	150 W SAGINAW AVE	Paid by Check #40474		01/29/2023	02/17/2023	02/17/2023		02/17/2023	62.62
2125236871301/23	1215 W EL MONTE WAY 12/29/22-01/29/23	Paid by Check #40467		01/30/2023	02/17/2023	02/17/2023		02/17/2023	365.88
2459149581701.23	SW SW 7-16-24 12/28/22-01/26/23	Paid by Check #40468		01/30/2023	02/17/2023	02/17/2023		02/17/2023	219.58
3354641796601/23	KAMM & O ST 12/29/22-01/29/23	Paid by Check #40469		01/30/2023	02/17/2023	02/17/2023		02/17/2023	134.50
8397932225801/23	3481 W EL MONTE WAY 12/29/22-01/29/23	Paid by Check #40472		01/30/2023	02/17/2023	02/17/2023		02/17/2023	22.42
9237058126301/23	2813 W EL MONTE WAY 12/29/23-01/29/23	Paid by Check #40475		01/30/2023	02/17/2023	02/17/2023		02/17/2023	269.76
0571296382501/23	PW 12/30/22-01/30/23	Paid by Check #40464		01/31/2023	02/17/2023	02/17/2023		02/17/2023	122.03
1416294094501/23	389 W EL MONTE WAY 12/30/22-01/30/23	Paid by Check #40465		01/31/2023	02/17/2023	02/17/2023		02/17/2023	53.95



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
7149346409401/23	EUCLID S/LINDARA 12/29/22-01/29/23	Paid by Check #40471		01/31/2023	02/17/2023	02/17/2023		02/17/2023	876.11
4475716051802/23	180 W MERCED STE A 01/07/23-02/06/23	Paid by Check #40484		02/07/2023	02/17/2023	02/17/2023		02/17/2023	482.33
7681012419802/23	180 W MERCED STE C 01/07/23-02/06/23	Paid by Check #40489		02/07/2023	02/17/2023	02/17/2023		02/17/2023	89.21
9750865237302/23	180 W MERCED STE B 01/07/23-02/06/23	Paid by Check #40492		02/07/2023	02/17/2023	02/17/2023		02/17/2023	38.26
1834091213002/23	100 N/MARSHALL AVE 01/09/23-02/07/23	Paid by Check #40483		02/08/2023	02/17/2023	02/17/2023		02/17/2023	39.44
4964113683002/23	MILSAP & MYRTLE ALLEY 01/07/23-02/06/23	Paid by Check #40485		02/08/2023	02/17/2023	02/17/2023		02/17/2023	129.83
5167308560402/23	S/E KAMM & ALTA 01/09/23-02/07/23	Paid by Check #40487		02/08/2023	02/17/2023	02/17/2023		02/17/2023	106.69
6766387770102/23	TULARE & L ST 01/08/23-02/07/23	Paid by Check #40488		02/08/2023	02/17/2023	02/17/2023		02/17/2023	76.81
8744095279102/23	301 E KAMM AVE 01/09/23-02/07/23	Paid by Check #40491		02/08/2023	02/17/2023	02/17/2023		02/17/2023	29.16
1349716235702/23	KAMM & GREEN 01/09/23-02/07/23	Paid by Check #40482		02/09/2023	02/17/2023	02/17/2023		02/17/2023	5,658.66
5027356573402/23	RANDLE AVE S/EL MONTE 01/10/23-02/08/23	Paid by Check #40486		02/09/2023	02/17/2023	02/17/2023		02/17/2023	50.04
8474719951502/23	ALTA & KAMM AVE 01/10/23-02/08/23	Paid by Check #40490		02/09/2023	02/17/2023	02/17/2023		02/17/2023	85.21
Vendor 76 - Pacific Gas & Electric Totals								Invoices 30	\$14,259.12
Vendor 7 - Pena's Disposal Services									
2/23 for 1/23	January 2023 Monthly Disposal Charges	Paid by Check #40493		02/14/2023	02/17/2023	02/17/2023		02/17/2023	138,916.10
March 2023	Contract Disposal payment for March 2023	Paid by Check #40493		03/01/2023	02/17/2023	02/17/2023		02/17/2023	60,000.00
715464	Penas yard waste	Paid by Check #40493		02/01/2023	02/17/2023	02/17/2023		02/17/2023	103.08
Vendor 7 - Pena's Disposal Services Totals								Invoices 3	\$199,019.18
Vendor 1565 - Quadient Finance USA, Inc.									
2/7/2023	Postage	Paid by Check #40494		02/07/2023	02/17/2023	02/17/2023		02/17/2023	2,500.00
Vendor 1565 - Quadient Finance USA, Inc. Totals								Invoices 1	\$2,500.00
Vendor 124 - Reedley Veterinary Hospital									
109	PD - January Disposal Fee	Paid by Check #40495		01/31/2023	02/17/2023	02/17/2023		02/17/2023	260.00
Vendor 124 - Reedley Veterinary Hospital Totals								Invoices 1	\$260.00
Vendor 221 - Rene G. Ortega Concrete									
2617	Rene ortega ADA Saginaw and Lincoln	Paid by Check #40496		02/10/2023	02/17/2023	02/17/2023		02/17/2023	46,800.00
Vendor 221 - Rene G. Ortega Concrete Totals								Invoices 1	\$46,800.00



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 1526 - Robert Soria Trucking									
15122	Robert Soria Valley Soil	Paid by Check #40497		01/26/2023	02/17/2023	02/17/2023		02/17/2023	491.23
		Vendor 1526 - Robert Soria Trucking Totals				Invoices	1		\$491.23
Vendor 800 - San Joaquin Valley Railroad Co.									
195549	SJVR Crossing Maintenance	Paid by Check #40498		02/01/2023	02/17/2023	02/17/2023		02/17/2023	3,869.18
		Vendor 800 - San Joaquin Valley Railroad Co. Totals				Invoices	1		\$3,869.18
Vendor 1733 - Gerardo Santana									
DO 1B	Reimbursement	Paid by Check #40499		01/12/2023	02/17/2023	02/17/2023		02/17/2023	375.00
		Vendor 1733 - Gerardo Santana Totals				Invoices	1		\$375.00
Vendor 42 - Scout Specialties									
163126	Scout Specialty	Paid by Check #40500		01/31/2023	02/17/2023	02/17/2023		02/17/2023	214.29
163218	Scout Specialty	Paid by Check #40500		02/02/2023	02/17/2023	02/17/2023		02/17/2023	89.85
		Vendor 42 - Scout Specialties Totals				Invoices	2		\$304.14
Vendor 409 - The Shirt Shak									
980	FY22/23-Youth Sports - Basketball 2023 jersey reprints	Paid by Check #40501		01/30/2023	02/17/2023	02/17/2023	02/07/2023	02/17/2023	1,189.73
		Vendor 409 - The Shirt Shak Totals				Invoices	1		\$1,189.73
Vendor 1396 - Social Vocational Services, Inc.									
40A2304-IN	FY22/23-Parks -Grounds Maintenance Support Services	Paid by Check #40502		01/31/2023	02/17/2023	02/17/2023	02/08/2023	02/17/2023	1,490.28
		Vendor 1396 - Social Vocational Services, Inc. Totals				Invoices	1		\$1,490.28
Vendor 121 - State of California									
21-10179	2021 IGT DHCS	Paid by EFT #2306		12/30/2022	02/13/2023	02/13/2023		02/13/2023	1,167,207.00
		Vendor 121 - State of California Totals				Invoices	1		\$1,167,207.00
Vendor 434 - Target Solutions									
INV64236	1/15/2023 - 1/14/2024 Scheduling -Lite	Paid by Check #40503		01/15/2023	02/17/2023	02/17/2023		02/17/2023	1,280.00
		Vendor 434 - Target Solutions Totals				Invoices	1		\$1,280.00
Vendor 92 - Target Specialty Products									
INVP500774488 B	Overpayment of invoice INVP500774488	Paid by Check #40504		04/20/2022	02/17/2023	02/17/2023		02/17/2023	(547.27)
INVP500990450	Target Specialty squirrel bate	Paid by Check #40504		11/22/2022	02/17/2023	02/17/2023		02/17/2023	769.87
		Vendor 92 - Target Specialty Products Totals				Invoices	2		\$222.60
Vendor 189 - Terminix International									
429580438	CH-405 E EL MONTE WAY 01/04/2023	Paid by Check #40505		02/10/2023	02/17/2023	02/17/2023		02/17/2023	66.00



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
429599934	FY22/23-Comm. Svcs. - Pest Control service - Community Center	Paid by Check #40505		01/17/2023	02/17/2023	02/17/2023	02/10/2023	02/17/2023	79.00
Vendor 189 - Terminix International Totals									Invoices 2 <u>\$145.00</u>
Vendor 1304 - TJKM									
0053691	TJKM Roadway Segment Safety Impr. Design	Paid by Check #40506		01/31/2023	02/17/2023	02/17/2023		02/17/2023	2,982.92
Vendor 1304 - TJKM Totals									Invoices 1 <u>\$2,982.92</u>
Vendor 1633 - Toyota Industries Commercial Finance, Inc.									
4003722428	Polaris Lease Payment	Paid by Check #40507		01/27/2023	02/17/2023	02/17/2023		02/17/2023	296.74
Vendor 1633 - Toyota Industries Commercial Finance, Inc. Totals									Invoices 1 <u>\$296.74</u>
Vendor 1909 - Tradecraft Training LLC									
02072023	PD - Apple & Google Search Warrants Training - Jacob Aguilar	Paid by Check #40508		02/07/2023	02/17/2023	02/17/2023		02/17/2023	100.00
Vendor 1909 - Tradecraft Training LLC Totals									Invoices 1 <u>\$100.00</u>
Vendor 1352 - Trizetto Provider Solutions, LLC									
3U25022300	SERVICE MONTH FEBRUARY 2023	Paid by Check #40509		02/01/2023	02/17/2023	02/17/2023		02/17/2023	244.22
Vendor 1352 - Trizetto Provider Solutions, LLC Totals									Invoices 1 <u>\$244.22</u>
Vendor 49 - Tulare County									
IN0206134	Small Facility/Generator-FA1349115	Paid by Check #40510		02/06/2023	02/17/2023	02/17/2023		02/17/2023	516.00
Vendor 49 - Tulare County Totals									Invoices 1 <u>\$516.00</u>
Vendor 273 - US Bank									
2208727	2012 Wastewater	Paid by EFT #2312		01/18/2023	02/17/2023	02/17/2023		02/17/2023	91,727.87
2208728	2012 PW	Paid by EFT #2313		01/18/2023	02/17/2023	02/17/2023		02/17/2023	99,758.69
2208767	2016 Measure R	Paid by EFT #2308		01/18/2023	02/17/2023	02/17/2023		02/17/2023	83,011.71
2208769	2017 Successor	Paid by EFT #2307		01/18/2023	02/17/2023	02/17/2023		02/17/2023	315,977.83
2208778	2015 Successor	Paid by EFT #2309		01/18/2023	02/17/2023	02/17/2023		02/17/2023	220,959.79
2208780	2014 Successor	Paid by EFT #2310		01/18/2023	02/17/2023	02/17/2023		02/17/2023	265,747.08
2208786	2012 SUCCESSOR	Paid by EFT #2311		01/18/2023	02/17/2023	02/17/2023		02/17/2023	23,357.14
Vendor 273 - US Bank Totals									Invoices 7 <u>\$1,100,540.11</u>
Vendor 359 - Valero Marketing & Supply Company									
87126568	PW Fuel for January 2023	Paid by EFT #2305		02/17/2023	02/17/2023	02/17/2023		02/17/2023	12,053.14
Vendor 359 - Valero Marketing & Supply Company Totals									Invoices 1 <u>\$12,053.14</u>
Vendor 403 - Visalia Times-Delta									
TD0054706 02/23	PD - February 2023 Charges	Paid by Check #40511		02/01/2023	02/17/2023	02/17/2023		02/17/2023	35.00
Vendor 403 - Visalia Times-Delta Totals									Invoices 1 <u>\$35.00</u>



Accounts Payable Invoice Report

Payment Date Range 02/11/23 - 02/17/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 820 - Vulcan Materials Company									
73542026	Vulcan	Paid by Check #40512		01/31/2023	02/17/2023	02/17/2023		02/17/2023	568.16
		Vendor 820 - Vulcan Materials Company Totals				Invoices	1		<u>\$568.16</u>
Vendor 14 - W & E Electric									
2301076	Court House Canopy Lights diagnostic	Paid by Check #40513		01/19/2023	02/17/2023	02/17/2023		02/17/2023	100.00
2301078	Court House Canopy Lights	Paid by Check #40513		01/23/2023	02/17/2023	02/17/2023		02/17/2023	197.55
2301033	LIFT PUMP KAMM & SOUTH "O" ST BAD CONNECTION TERM BLOCK	Paid by Check #40513		01/16/2023	02/17/2023	02/17/2023		02/17/2023	100.00
		Vendor 14 - W & E Electric Totals				Invoices	3		<u>\$397.55</u>
Vendor Concepcion Abad									
01232023	Fingerprints Reimbursement - Rec#2023-00048450	Paid by Check #40514		02/14/2023	02/17/2023	02/17/2023		02/17/2023	13.00
		Vendor Concepcion Abad Totals				Invoices	1		<u>\$13.00</u>
Vendor Humana									
02/09/2023	Overpayment Run #22-2828	Paid by Check #40515		02/09/2023	02/17/2023	02/17/2023		02/17/2023	415.73
		Vendor Humana Totals				Invoices	1		<u>\$415.73</u>
Vendor Laura Requejo									
02/09/2023	Overpayment Run 21-5152	Paid by Check #40516		02/09/2023	02/17/2023	02/17/2023		02/17/2023	625.00
		Vendor Laura Requejo Totals				Invoices	1		<u>\$625.00</u>
Vendor The Phia Group									
02/09/2023	Overpayment Run #21-2621 Rec #2022-00028574	Paid by Check #40517		02/09/2023	02/17/2023	02/17/2023		02/17/2023	176.54
		Vendor The Phia Group Totals				Invoices	1		<u>\$176.54</u>
		Grand Totals				Invoices	203		<u><u>\$3,416,161.15</u></u>



Accounts Payable Invoice Report

Payment Date Range 02/18/23 - 02/24/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 548 - Adamson Police Products									
INV391925	PD - Supplies	Paid by Check #40520		02/14/2023	02/24/2023	02/24/2023		02/24/2023	23.33
		Vendor 548 - Adamson Police Products Totals				Invoices	1		\$23.33
Vendor 326 - Advanced Flow Measurement									
0004871	Advance Floe	Paid by Check #40521		02/14/2023	02/24/2023	02/24/2023		02/24/2023	600.00
		Vendor 326 - Advanced Flow Measurement Totals				Invoices	1		\$600.00
Vendor 263 - Advantek Benefit Administrators									
02/10/2023	02/10/2023	Paid by Check #40522		02/10/2023	02/24/2023	02/24/2023		02/24/2023	11,263.68
		Vendor 263 - Advantek Benefit Administrators Totals				Invoices	1		\$11,263.68
Vendor 522 - Allstar Towing									
39511	PD - Towing Fees / 8CIS365	Paid by Check #40523		01/08/2022	02/24/2023	02/24/2023		02/24/2023	300.00
		Vendor 522 - Allstar Towing Totals				Invoices	1		\$300.00
Vendor 119 - American Backflow Specialties									
INV61664	backflow wilkins	Paid by Check #40524		02/06/2023	02/24/2023	02/24/2023		02/24/2023	731.65
INV61675	American backflow Wilkins	Paid by Check #40524		02/08/2023	02/24/2023	02/24/2023		02/24/2023	2,175.76
		Vendor 119 - American Backflow Specialties Totals				Invoices	2		\$2,907.41
Vendor 351 - Anthem Blue Cross									
000271054033	MEDDERS 975A79192 03/01/23-03/31/23	Paid by Check #40529		02/04/2023	02/24/2023	02/24/2023		02/24/2023	94.50
000271085773	SANO 060M86753 03/01/23-03/31/23	Paid by Check #40526		02/04/2023	02/24/2023	02/24/2023		02/24/2023	107.50
000271088526	HARMAN 532W04713 03/01/23-03/31/23	Paid by Check #40527		02/04/2023	02/24/2023	02/24/2023		02/24/2023	94.50
000271099907	TYLER 299A24237 03/01/23-03/31/23	Paid by Check #40530		02/04/2023	02/24/2023	02/24/2023		02/24/2023	90.60
000271106143	HARTLEY 919M97599 03/01/23-03/31/23	Paid by Check #40528		02/04/2023	02/24/2023	02/24/2023		02/24/2023	94.50
000272671505	HARMAN 862W04709 03/01/23-05/31/23	Paid by Check #40525		02/07/2023	02/24/2023	02/24/2023		02/24/2023	471.75
		Vendor 351 - Anthem Blue Cross Totals				Invoices	6		\$953.35
Vendor 21 - Aramark Uniform Services Inc.									
5031144655	FY22/23-Parks - Uniform Allowance - Contract	Paid by Check #40531		02/15/2023	02/24/2023	02/24/2023	02/16/2023	02/24/2023	56.17
		Vendor 21 - Aramark Uniform Services Inc. Totals				Invoices	1		\$56.17
Vendor 17 - AT&T									
238451821402/23	405 E El Monte Way 02/07/23-03/06/23	Paid by Check #40535		02/07/2023	02/24/2023	02/24/2023		02/24/2023	69.11
939105447502/23	CS Telephone 01/10/23-02/09/23	Paid by Check #40532		02/10/2023	02/24/2023	02/24/2023		02/24/2023	24.83
939106901202/23	CS Telephone 01/10/23-02/09/23	Paid by Check #40533		02/10/2023	02/24/2023	02/24/2023		02/24/2023	68.91



Accounts Payable Invoice Report

Payment Date Range 02/18/23 - 02/24/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
939105474402/23	CS Telephone 01/11/23-02/10/23	Paid by Check #40534		02/11/2023	02/24/2023	02/24/2023		02/24/2023	364.95
9391054469 02/23	PD - 01/11/2023 - 02/10/2023	Paid by Check #40537		02/11/2023	02/24/2023	02/24/2023		02/24/2023	23.18
9391054740 02/23	PD - 01/11/2023 - 02/10/2023	Paid by Check #40536		02/11/2023	02/24/2023	02/24/2023		02/24/2023	278.75
	Billing Charges								
			Vendor 17 - AT&T Totals			Invoices	6		\$829.73
Vendor 195 - Battery Systems Inc.									
8039584	Battery System Supplies	Paid by Check #40538		10/24/2022	02/24/2023	02/24/2023		02/24/2023	1,076.81
			Vendor 195 - Battery Systems Inc. Totals			Invoices	1		\$1,076.81
Vendor 116 - BSK Analytical Laboratories									
AG02313	BSK Lab Testing	Paid by Check #40539		02/08/2023	02/24/2023	02/24/2023		02/24/2023	176.00
AG03117	BSK Lab Testing	Paid by Check #40539		02/08/2023	02/24/2023	02/24/2023		02/24/2023	176.00
AG03414	BSK Lab Testing	Paid by Check #40539		02/10/2023	02/24/2023	02/24/2023		02/24/2023	154.00
			Vendor 116 - BSK Analytical Laboratories Totals			Invoices	3		\$506.00
Vendor 1 - C&S Laundry Cleaners									
7D1FF3	FY22/23-Special Events-Santa suit maintenance/cleaning	Paid by Check #40540		12/07/2022	02/24/2023	02/24/2023	02/21/2023	02/24/2023	41.60
			Vendor 1 - C&S Laundry Cleaners Totals			Invoices	1		\$41.60
Vendor 1192 - California Industrial Rubber Co.									
F-086076	Coupler	Paid by Check #40541		02/10/2023	02/24/2023	02/24/2023		02/24/2023	387.09
			Vendor 1192 - California Industrial Rubber Co. Totals			Invoices	1		\$387.09
Vendor 94 - California Public Employees Retirement									
1/29-2/11/23	01/29/23-02/11/23	Paid by EFT #2316		02/16/2023	02/21/2023	02/21/2023		02/21/2023	81,561.34
17067458	2023 Replacement Benefit contribution	Paid by EFT #2315		02/16/2023	02/21/2023	02/21/2023		02/21/2023	2,038.44
2023-00000286	31 - 457 - Employee CalPERS \$*	Paid by EFT #2314		02/16/2023	02/21/2023	02/21/2023		02/21/2023	9,225.23
			Vendor 94 - California Public Employees Retirement Totals			Invoices	3		\$92,825.01
Vendor 1275 - California Turf Equipment									
578791	Backpack blower	Paid by Check #40542		02/16/2023	02/24/2023	02/24/2023		02/24/2023	595.36
			Vendor 1275 - California Turf Equipment Totals			Invoices	1		\$595.36
Vendor 305 - Cartozian Air Conditioning and Heating Inc.									
18785	DSC AC & HEATING 1/12/23	Paid by Check #40543		01/12/2023	02/24/2023	02/15/2023		02/24/2023	190.00
BP8651	Cartozian Police Dept HVAC	Paid by Check #40543		02/15/2023	02/24/2023	02/24/2023		02/24/2023	5,750.00
			Vendor 305 - Cartozian Air Conditioning and Heating Inc. Totals			Invoices	2		\$5,940.00
Vendor 1728 - ClearWorld LLC									
1207	Clearworld Decorative Base Orbit Lights	Paid by Check #40544		02/20/2023	02/24/2023	02/24/2023		02/24/2023	1,000.00
			Vendor 1728 - ClearWorld LLC Totals			Invoices	1		\$1,000.00



Accounts Payable Invoice Report

Payment Date Range 02/18/23 - 02/24/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 1576 - Creative Asphalt, Inc.									
8138	Saw cut Asphalt	Paid by Check #40545		02/08/2023	02/24/2023	02/24/2023		02/24/2023	2,310.00
8139	Saw cur asphalt	Paid by Check #40545		02/08/2023	02/24/2023	02/24/2023		02/24/2023	2,310.00
8140	Saw cut Asphalt	Paid by Check #40545		02/08/2023	02/24/2023	02/24/2023		02/24/2023	2,460.00
8143	Creative Asphalt ADA Repairs Downtown Project	Paid by Check #40545		02/13/2023	02/24/2023	02/24/2023		02/24/2023	12,860.00
Vendor 1576 - Creative Asphalt, Inc. Totals							Invoices	4	<u>\$19,940.00</u>
Vendor 341 - Dinuba Tires LLC									
73532	Dinuba tire repair P90	Paid by Check #40546		09/26/2022	02/24/2023	02/24/2023		02/24/2023	20.00
73534	Dinuba tire repair	Paid by Check #40546		09/27/2022	02/24/2023	02/24/2023		02/24/2023	20.00
Vendor 341 - Dinuba Tires LLC Totals							Invoices	2	<u>\$40.00</u>
Vendor 1506 - Enterprise FM Trust									
FBN4671682	FY22/23-Parks/L&L-Leased truck payment/maintenance	Paid by Check #40547		02/04/2023	02/24/2023	02/24/2023	02/16/2023	02/24/2023	1,802.72
Vendor 1506 - Enterprise FM Trust Totals							Invoices	1	<u>\$1,802.72</u>
Vendor 235 - FERGUSON ENTERPRISES, LLC									
1735213	Ferguson Meters	Paid by Check #40548		02/09/2023	02/24/2023	02/24/2023		02/24/2023	11,906.06
Vendor 235 - FERGUSON ENTERPRISES, LLC Totals							Invoices	1	<u>\$11,906.06</u>
Vendor 1244 - Fire Apparatus Solutions									
25334	Fan Blade	Paid by Check #40549		02/14/2023	02/24/2023	02/24/2023		02/24/2023	811.82
Vendor 1244 - Fire Apparatus Solutions Totals							Invoices	1	<u>\$811.82</u>
Vendor 171 - Fruit Growers Supply Co.									
92356190	FGS Bag Poly sand	Paid by Check #40550		01/10/2023	02/24/2023	02/24/2023		02/24/2023	336.25
Vendor 171 - Fruit Growers Supply Co. Totals							Invoices	1	<u>\$336.25</u>
Vendor 1540 - G.E.T. Industries									
594	PD - Supplies	Paid by Check #40551		02/17/2023	02/24/2023	02/24/2023		02/24/2023	2,000.00
Vendor 1540 - G.E.T. Industries Totals							Invoices	1	<u>\$2,000.00</u>
Vendor 18 - The Gas Company									
1263155600302/23	DSC GAS 01/05-02/02/23	Paid by Check #40552		02/06/2023	02/24/2023	02/15/2023		02/24/2023	730.05
Vendor 18 - The Gas Company Totals							Invoices	1	<u>\$730.05</u>
Vendor 712 - GLS US									
4949823	POSTAGE	Paid by Check #40553		02/05/2023	02/24/2023	02/24/2023		02/24/2023	7.70
Vendor 712 - GLS US Totals							Invoices	1	<u>\$7.70</u>
Vendor 1150 - Hoffman Security									
611781	DSC SECURITY 03/01-03/31	Paid by Check #40554		02/20/2023	02/24/2023	02/15/2023		02/24/2023	105.00



Accounts Payable Invoice Report

Payment Date Range 02/18/23 - 02/24/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 1150 - Hoffman Security Totals						Invoices	1		\$105.00
Vendor 174 - Howard's Pest Control									
111336	pest control	Paid by Check #40555		02/08/2023	02/24/2023	02/24/2023		02/24/2023	55.00
111339	Acct 28533 PW	Paid by Check #40555		02/08/2023	02/24/2023	02/24/2023		02/24/2023	135.00
Vendor 174 - Howard's Pest Control Totals						Invoices	2		\$190.00
Vendor 1040 - Jim's Plumbing of Reedley									
5296	Jim's Plumbing Annual test	Paid by Check #40556		02/08/2023	02/24/2023	02/24/2023		02/24/2023	655.00
Vendor 1040 - Jim's Plumbing of Reedley Totals						Invoices	1		\$655.00
Vendor 1511 - JJR Management Services, Inc.									
01-00527	JJR Management Euclid Project	Paid by Check #40557		10/03/2022	02/24/2023	02/24/2023		02/24/2023	43,316.44
01-00613	JJR Management Euclid Project	Paid by Check #40557		11/07/2022	02/24/2023	02/24/2023		02/24/2023	129,781.48
01-00774	JJR Management Euclid Project CREDIT	Paid by Check #40557		12/28/2022	02/24/2023	02/24/2023		02/24/2023	(102,430.50)
Vendor 1511 - JJR Management Services, Inc. Totals						Invoices	3		\$70,667.42
Vendor 5 - Jorgensen & Co.									
6050519	Jorgensen sprinkler emergency call	Paid by Check #40558		02/07/2023	02/24/2023	02/24/2023		02/24/2023	1,122.76
Vendor 5 - Jorgensen & Co. Totals						Invoices	1		\$1,122.76
Vendor 256 - Kamps Propane Inc.									
5757954	late fee's	Paid by Check #40559		07/31/2022	02/24/2023	02/24/2023		02/24/2023	2.15
19555B	Overpayment of invoice #19555	Paid by Check #40559		07/13/2022	02/24/2023	02/24/2023		02/24/2023	(242.25)
5765901	late fee's	Paid by Check #40559		08/31/2022	02/24/2023	02/24/2023		02/24/2023	17.73
5773600	late fee's	Paid by Check #40559		09/30/2022	02/24/2023	02/24/2023		02/24/2023	43.77
5781533	late fee's	Paid by Check #40559		10/31/2022	02/24/2023	02/24/2023		02/24/2023	40.42
31533	Kamps WWTP Tanks	Paid by Check #40559		01/20/2023	02/24/2023	02/24/2023		02/24/2023	1,746.48
Vendor 256 - Kamps Propane Inc. Totals						Invoices	6		\$1,608.30
Vendor 115 - Kesting Welding									
912490	Kesting WWTP grates	Paid by Check #40560		02/14/2023	02/24/2023	02/24/2023		02/24/2023	2,899.55
Vendor 115 - Kesting Welding Totals						Invoices	1		\$2,899.55
Vendor 281 - Law and Associates Investigations									
23-031	PD - Backgrounds - R. Sandoval & A. Hinojosa	Paid by Check #40561		02/17/2023	02/24/2023	02/24/2023		02/24/2023	1,400.00
Vendor 281 - Law and Associates Investigations Totals						Invoices	1		\$1,400.00
Vendor 857 - Lynn Peavey Company									
397642	PD - Supplies	Paid by Check #40562		02/09/2023	02/24/2023	02/24/2023		02/24/2023	284.14
Vendor 857 - Lynn Peavey Company Totals						Invoices	1		\$284.14
Vendor 1723 - Matson Alarm Co, Inc.									



Accounts Payable Invoice Report

Payment Date Range 02/18/23 - 02/24/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
409985	FY22/23-Sportsplex-Alarm monitoring service call-motion sensor	Paid by Check #40563		02/13/2023	02/24/2023	02/24/2023	02/21/2023	02/24/2023	273.76
3408495	FY22/23-Sportsplex - Alarm monitoring service- 3/1-3/31	Paid by Check #40563		03/01/2023	02/24/2023	02/24/2023	02/16/2023	02/24/2023	96.00
Vendor 1723 - Matson Alarm Co, Inc. Totals								Invoices 2	\$369.76
Vendor 1873 - Medallion Supply, Inc									
9130-1050090	Medallion WWTP Supplies	Paid by Check #40564		11/30/2022	02/24/2023	02/24/2023		02/24/2023	(58.90)
9130-1050684	Medallion WWTP Supplies	Paid by Check #40564		12/15/2022	02/24/2023	02/24/2023		02/24/2023	2,921.63
9130-1049865	Medallion WWTP Supplies	Paid by Check #40564		12/19/2022	02/24/2023	02/24/2023		02/24/2023	1,254.26
9130-1049863	Medallion WWTP Supplies	Paid by Check #40564		12/20/2022	02/24/2023	02/24/2023		02/24/2023	107.42
9130-1053275	Medallion WWTP Supplies	Paid by Check #40564		01/25/2023	02/24/2023	02/24/2023		02/24/2023	7,528.62
Vendor 1873 - Medallion Supply, Inc Totals								Invoices 5	\$11,753.03
Vendor 22 - Moore Twining Associates Inc.									
3366708	Moore WWTP In House	Paid by Check #40565		02/13/2023	02/24/2023	02/24/2023		02/24/2023	108.00
3366709	Moore WWTP Industrial	Paid by Check #40565		02/13/2023	02/24/2023	02/24/2023		02/24/2023	88.00
3366749	Moore WWTP Industrial	Paid by Check #40565		02/13/2023	02/24/2023	02/24/2023		02/24/2023	88.00
3366907	Moore WWTP Industrial	Paid by Check #40565		02/16/2023	02/24/2023	02/24/2023		02/24/2023	88.00
3366908	Moore WWTP In House	Paid by Check #40565		02/16/2023	02/24/2023	02/24/2023		02/24/2023	70.00
3366965	Moore Annual Sampling	Paid by Check #40565		02/16/2023	02/24/2023	02/24/2023		02/24/2023	1,260.00
Vendor 22 - Moore Twining Associates Inc. Totals								Invoices 6	\$1,702.00
Vendor 749 - MuniServices									
INV06-015818	SUTA CA - Q3, 2022	Paid by Check #40566		01/27/2023	02/24/2023	02/24/2023		02/24/2023	420.81
INV06-015819	SUTA CA - Q3, 2022	Paid by Check #40566		01/27/2023	02/24/2023	02/24/2023		02/24/2023	508.96
Vendor 749 - MuniServices Totals								Invoices 2	\$929.77
Vendor 142 - Office Depot BSD									
290582177001	Office Supplies - Office Depot	Paid by Check #40567		01/31/2023	02/24/2023	02/24/2023		02/24/2023	22.21
289570311001	Office Supplies - Office Depot	Paid by Check #40567		02/02/2023	02/24/2023	02/24/2023		02/24/2023	332.93
289571348001	Office Supplies - Office Depot	Paid by Check #40567		02/02/2023	02/24/2023	02/24/2023		02/24/2023	68.22
290580989001	Office Supplies - Office Depot	Paid by Check #40567		02/03/2023	02/24/2023	02/24/2023		02/24/2023	45.55
Vendor 142 - Office Depot BSD Totals								Invoices 4	\$468.91
Vendor 781 - Omega Industrial Supply Inc.									
148468	Omega MEGA SORB BULK polymer	Paid by Check #40568		02/03/2023	02/24/2023	02/24/2023		02/24/2023	182.58
Vendor 781 - Omega Industrial Supply Inc. Totals								Invoices 1	\$182.58
Vendor 1773 - Pace Supply Corp.									
198356976	pace steel pipe	Paid by Check #40569		02/08/2023	02/24/2023	02/24/2023		02/24/2023	3,308.41
Vendor 1773 - Pace Supply Corp. Totals								Invoices 1	\$3,308.41



Accounts Payable Invoice Report

Payment Date Range 02/18/23 - 02/24/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 76 - Pacific Gas & Electric									
4979039280402/23	DSC PG&E 12/27-01/25/23	Paid by Check #40570		01/26/2023	02/24/2023	02/15/2023		02/24/2023	1,044.30
8607273249702/23	L & L 1001 E EL PASO AVE 01/07/23-02/06/23	Paid by Check #40576		02/07/2023	02/24/2023	02/24/2023		02/24/2023	32.36
1693144969402/23	Parks - N/KAMM E/GREEN 01/09/23-02/07/23	Paid by Check #40571		02/08/2023	02/24/2023	02/24/2023		02/24/2023	27.51
6021181187602/23	Sportsplex - 201 N URUAPAN WAY 01/07/23-02/06/23	Paid by Check #40573		02/08/2023	02/24/2023	02/24/2023		02/24/2023	1,639.38
7748430711902/23	Parks 1133 S COLLEGE AVE 01/08/23-02/07/23	Paid by Check #40575		02/08/2023	02/24/2023	02/24/2023		02/24/2023	27.78
2946520700802/23	L & L 01/10/23-02/08/23	Paid by Check #40572		02/09/2023	02/24/2023	02/24/2023		02/24/2023	81.92
7314274871102/23	CS 01/03/23-01/31/23	Paid by Check #40574		02/09/2023	02/24/2023	02/24/2023		02/24/2023	30.30
Vendor 76 - Pacific Gas & Electric Totals							Invoices	7	\$2,883.55
Vendor 1709 - Pacific Premier Bank									
8400012740 02/23	2019 Wastewater	Paid by EFT #2317		02/02/2023	02/24/2023	02/24/2023		02/24/2023	27,075.84
Vendor 1709 - Pacific Premier Bank Totals							Invoices	1	\$27,075.84
Vendor 7 - Pena's Disposal Services									
717374	FY22/23-Parks-Disposal Service- California Ave-Lot	Paid by Check #40577		02/16/2023	02/24/2023	02/24/2023	02/21/2023	02/24/2023	399.98
Vendor 7 - Pena's Disposal Services Totals							Invoices	1	\$399.98
Vendor 1411 - Placer Title Company									
P-545434	Placer Title 030-260-043-000 Riyan Dinuba Sequoia	Paid by Check #40578		02/02/2023	02/24/2023	02/24/2023		02/24/2023	188,256.00
Vendor 1411 - Placer Title Company Totals							Invoices	1	\$188,256.00
Vendor 1836 - Quality Landscape Construction Inc.									
15228	Autumn Drive Basin	Paid by Check #40590		12/09/2022	02/24/2023	02/24/2023		02/24/2023	2,200.00
Vendor 1836 - Quality Landscape Construction Inc. Totals							Invoices	1	\$2,200.00
Vendor 349 - RES COM Pest Control									
2098462	PD - Pest Control Service	Paid by Check #40579		02/14/2023	02/24/2023	02/24/2023		02/24/2023	48.00
Vendor 349 - RES COM Pest Control Totals							Invoices	1	\$48.00
Vendor 1677 - Rodeo Wild West									
065748	Boots Richard smith	Paid by Check #40580		01/27/2023	02/24/2023	02/24/2023		02/24/2023	150.00
Vendor 1677 - Rodeo Wild West Totals							Invoices	1	\$150.00
Vendor 1910 - Traffic Safety Store									
INV906231	PD - Patrol Flares	Paid by Check #40581		12/19/2022	02/24/2023	02/24/2023		02/24/2023	3,226.65
Vendor 1910 - Traffic Safety Store Totals							Invoices	1	\$3,226.65
Vendor 561 - America Trevino									



Accounts Payable Invoice Report

Payment Date Range 02/18/23 - 02/24/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
02/16/2023	Anthem Reimb 02/01/2023-02/28/2023	Paid by Check #40582		02/16/2023	02/24/2023	02/24/2023		02/24/2023	203.88
Vendor 561 - America Trevino Totals									\$203.88
Vendor 49 - Tulare County									
23324	PD - Admin Cites	Paid by Check #40583		02/20/2023	02/24/2023	02/24/2023		02/24/2023	885.41
Vendor 49 - Tulare County Totals									\$885.41
Vendor 273 - US Bank									
494631930	PD - Copiers Lease	Paid by Check #40584		02/16/2023	02/24/2023	02/24/2023		02/24/2023	907.08
Vendor 273 - US Bank Totals									\$907.08
Vendor 359 - Valero Marketing & Supply Company									
87119637	PD - 01/07/2023 - 02/06/2023 Billing Charges	Paid by EFT #2318		02/06/2023	02/24/2023	02/24/2023		02/24/2023	8,696.05
Vendor 359 - Valero Marketing & Supply Company Totals									\$8,696.05
Vendor 354 - Verizon Wireless									
9927335516	PD - 01/11/2023 - 02/10/2023 Billing Charges	Paid by Check #40586		02/10/2023	02/24/2023	02/24/2023		02/24/2023	2,048.04
9927157678	Verizon 01/08 - 02/07 utility	Paid by Check #40585		02/07/2023	02/24/2023	02/24/2023		02/24/2023	616.32
Vendor 354 - Verizon Wireless Totals									\$2,664.36
Vendor 820 - Vulcan Materials Company									
73547974	Fill sand	Paid by Check #40587		02/06/2023	02/24/2023	02/24/2023		02/24/2023	296.28
Vendor 820 - Vulcan Materials Company Totals									\$296.28
Vendor 14 - W & E Electric									
2301035	FY22/23-Comm. Svcs.-Amp repair-CPR Building-College Ave.	Paid by Check #40588		01/12/2023	02/24/2023	02/24/2023	02/03/2023	02/24/2023	1,455.66
Vendor 14 - W & E Electric Totals									\$1,455.66
Vendor Yolanda Holguin									
Refund fees	FY22/23-Refund for Nebraska Park 2/26/23 park rental	Paid by Check #40589		02/21/2023	02/24/2023	02/24/2023	02/17/2023	02/24/2023	42.00
Vendor Yolanda Holguin Totals									\$42.00
Grand Totals									\$493,917.51



City Council Staff Report

Department: ENGINEER/PLANNING

February 28, 2023

To: Mayor and City Council

From: Jason Watts, City Engineer

Subject: Public Hearing to Consider Adopting Resolution No. 2023-10 Approving the Final Negative Declaration (SCH 2023010340) for the Alta Avenue (Road 80) and Kamm Avenue (Avenue 408) Roundabout Project (JW)

RECOMMENDATION

Council to conduct a public hearing and adopt Resolution No. 2023-10 adopting a Mitigated Negative Declaration (State Clearing House No. 2023010340) for the Alta Avenue and Kamm Avenue Roundabout Project.

EXECUTIVE SUMMARY

The City of Dinuba is currently in the process of finalizing the Alta Avenue and Kamm Avenue roundabout construction plans in preparation for construction in summer 2023. Prior to commencing construction, the City is required to address all environmental obligations per State and Federal requirements. As part of the environmental process, the City prepared an environmental review of the project under the California Environmental Quality Act (CEQA) and determined that the project would not have a significant impact on the environment with mitigation measures in place. Therefore, a Mitigated Negative Declaration (MND) has been prepared and is ready for Council adoption.

OUTSTANDING ISSUES

None

DISCUSSION

The project consists of the construction of a two lane roundabout which includes a reconstructed pavement structural section, curb and gutter, curb ramps, sidewalk, median islands, landscape and irrigation, enhanced crosswalks, and other miscellaneous street improvements. The roundabout will improve mobility as well as safety for the future Dinuba High School.

The roundabout is subject to the requirements of the California Environmental Quality Act (CEQA). 4Creeks, Inc. prepared the required CEQA review, documentation, and prepared an Initial Study to determine whether the roundabout would or could have a significant effect on the environment. The Initial Study determined that the project would have no potentially significant effects on the environment with mitigations incorporated. Project specific mitigation measures were included for Biological Resources, Cultural Resources and Geological and Soils categories to avoid potentially significant effects. Therefore, based on the attached environmental assessment and the list of identified mitigation measures, staff has determined the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Guidelines sections 15071(e) and 15369.5. A copy of the Initial Study/Mitigated Negative Declaration is enclosed herein as Attachment 'C'.

Under CEQA, the City must conduct a public hearing as part of the adoption of the Mitigated Negative Declaration. The public hearing was noticed in the Mid Valley Times (Attachment 'B'), circulated to the State Clearinghouse, and other interested local agencies. The required 30-day review period was from January 19, 2023 to February 20, 2023. No comments were received.

Once the public hearing occurs and the MND is adopted by Resolution No. 2023-10 enclosed herein as Attachment 'A', staff will file a Notice of Determination with the Tulare County Clerk's office, which will be the final step in the CEQA process.

FISCAL IMPACT

There is no fiscal impact when adopting a MND.

PUBLIC HEARING

The MND was noticed in the Mid Valley Times and circulated to the State Clearinghouse.

ATTACHMENTS:

- A. Resolution 2023-10
- B. Proof of Publication
- C. Mitigated Negative Declaration

RESOLUTION NO. 2023-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DINUBA TO ADOPT THE ALTA AVENUE (ROAD 80) AND KAMM AVENUE (AVENUE 408) ROUNDABOUT PROJECT MITIGATED NEGATIVE DECLARATION

WHEREAS, the City Council of the City of Dinuba (the “City Council” and “City”, respectively) has received and reviewed the proposed Mitigated Negative Declaration, including the draft Initial Study/Mitigated Negative Declaration with appendices, and supporting information sources (collectively, the “draft MND”), together with the staff report and any comments received and responded to during the public review and hearing process (collectively, the “Environmental Record”) for the proposed Alta Avenue (Road 80) and Kamm Avenue (Avenue 408) roundabout project (the “Project”), as described in the draft MND; and

WHEREAS, the City is the lead agency for purposes of environmental review of the Project under the California Environmental Quality Act (“CEQA”), pursuant to Public Resources Code § 21000 et seq., and the State “Guidelines for Implementation of the California Environmental Quality Act”; and

WHEREAS, the Project could, without mitigation, have resulted in a potential impact to certain areas of environmental concern, including Biological and Cultural Resources; and

WHEREAS, the City has prepared mitigation measures to address and mitigate all potential environmental impacts to a “less than significant” level, which is a part of the Environmental Record reviewed and considered by the City; and

WHEREAS, the City has incorporated the mitigation measures described in the initial study for the Project (“Initial Study”) as conditions of approval by the City; and

WHEREAS, with the exception of the potential impacts stated above, there are no other potentially significant environmental impacts resulting from the Project; and

WHEREAS, the City submitted a Notice of Intent to Adopt a Mitigated Negative Declaration to the State Clearinghouse and the Tulare County Clerk and distributed it to those agencies which have jurisdiction by law with respect to the Project; placed the Notice of Intent to Adopt a Mitigated Negative Declaration concerning the Project in the *Mid Valley Times* for publication; and mailed the Notice of Intent to Adopt a Mitigated Negative Declaration to other interested parties; and

WHEREAS, the draft Initial Study/Mitigated Negative Declaration with appendices and supporting information sources were duly noticed for public review and comment from January 19, 2023 to February 20, 2023, as provided by law; and

WHEREAS, a hearing concerning the City’s intent to adopt a final MND and MMRP was duly noticed and held on February 28, 2023, at which time any interested parties were afforded an opportunity to be heard in addition to the public review and comment period referenced above as part of the Environmental Record; and

WHEREAS, the City received no comments during the public comment period.

WHEREAS, the City has considered, prior to adoption of the final MND, the Environmental Record in support of the final MND.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Dinuba hereby takes the following actions:

1. The City Council finds that the Initial Study and Mitigated Negative Declaration reflect the independent judgment of the City as the lead agency for the Project.
2. The City Council finds that it has independently reviewed and considered the Environmental Record, including the Initial Study and proposed Mitigated Negative Declaration, as a final Mitigated Negative Declaration, prior to adopting the final Mitigated Negative Declaration.
3. On the basis of the Environmental Record as the whole record before the City Council, including the Initial Study and any comments received, the City Council finds, in its independent judgment and analysis, that there is no substantial evidence the Project will have a significant effect on the environment.
4. The City Council confirms that the mitigation measures described in the Initial Study, have been incorporated into the Project and adopts a Mitigated Negative Declaration, as the final Mitigated Negative Declaration, which documents are a part of the Environmental Record before the City Council for the Project.
5. The City Council approves and adopts the findings set forth herein, and the Mitigated Negative Declaration, based on the Environmental Record.
6. City staff is authorized and directed to cause a Notice of Determination concerning the adoption of the Mitigated Negative Declaration for the Project to be filed in the office of the Tulare County Clerk and with the Office of Planning and Research in accordance with CEQA and State CEQA Guidelines.
7. The above recitals are true and correct and are adopted as the findings of the City Council.
8. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.
9. That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

IN WITNESS THEREOF, I, Maribel Reynosa, Mayor of the City of Dinuba have hereunto set my hand and caused the great seal of the City of Dinuba to be affixed, on this ____ day of _____ two-thousand-twenty-three.

PASSED AND ADOPTED this ____ day of _____, 20____ by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Mayor

ATTEST:

Maria Alaniz, City Clerk

MID-VALLEY TIMES

1130 G STREET, REEDLEY, CA 93654
TELEPHONE (559) 638-2244 / FAX (559) 638-5021

City of Dinuba

405 E. El Monte Way

Dinuba, CA 93618

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF TULARE

Notice of Intent to Adopt and Consideration of
Mitigated Negative Declaration

Case Number

DECLARATION OF PUBLICATION
(2015.5 C.C.P.)

Declaration of Publication

STATE OF CALIFORNIA
County of Tulare

Declarant says:

That at times herein mentioned is and was a citizen of the United States, over the age of twenty-one years, and not a party to nor interested in the within matter; that declarant is, now and was at all times herein mentioned, the Principal Clerk of the Printer of MID-VALLEY TIMES, a newspaper of general circulation (under Government Code Section 6024) by the Superior Court of the County of Tulare, State of California, under the date of June 27, 2019, by said Superior Court Case Number 278947; that the instrument of which the annexed is a printed copy; has been published in each regular and like issue of said newspaper (and not any supplement thereof on the following dates, to wit:

I declare under penalty of perjury that the foregoing is true and correct.

1/19/23

EXECUTED ON January 19, 2023 at
Reedley, California.

Declarant

ALTA AVENUE &
KAMM AVENUE
ROUNDOABOUT
in TULARE COUNTY

For
CITY OF DINUBA
NOTICE OF INTENT
TO ADOPT AND
CONSIDERATION
OF MITIGATED
NEGATIVE
DECLARATION

By authority delegated
to its staff pursuant to
14 California Code of
Regulations Section
15025, the City of
Dinuba hereby gives
notice, pursuant to
California Public
Resources Code
section 21092, that
it intends to adopt a
Mitigated Negative
Declaration with respect
to the Alta Avenue
& Kamm Avenue
Roundabout Project.
Project Location: The
proposed project site
is located within the
City of Dinuba. The
project would affect
approximately 5 acres
within City ROW and
temporary construction
easement areas along
Kamm Avenue and Alta
Avenue.

Project Description:
The purpose and
need of the project
is to improve safety,
congestion and air
quality by implementing
congestion reduction
and traffic flow
improvements
consistent with the
CMAQ (Congestion
Mitigation and Air
Quality Improvement)
program. The project
includes the conversion
of a four-way signalized
intersection into a
two-lane roundabout,
installation of

pedestrian/cyclist
facilities (sidewalks,
crosswalks, bicycle
ramps, and related
improvements (signage/
striping, etc.). The
project also includes
ROW acquisitions
to accommodate
intersection widening
associated with the
installation of the
roundabout.

Determination of
Impacts: The project
is not anticipated to
have any long-term
negative environmental
impacts. Short-term
construction related
potential impacts will be
mitigated to a less than
significant level by use
of proper construction
methods and timing.

Initial Study: For further
details regarding the
Project Description,
Project Location and
the Determination of
Impacts, please see a
copy of the Initial Study.
NOTICE IS HEREBY
GIVEN, pursuant to
the provisions of Title
14 California Code of

Regulations Section
15072, the City of
Dinuba proposes to
adopt a Mitigated
Negative Declaration
for the Alta Avenue
& Kamm Avenue
Roundabout Project.
The public review
period of this matter
shall be deemed to
have begun on the date
of this notice and shall
commence on February
20, 2023. Written
comments should be
delivered to the City of
Dinuba, 405 E El Monte
Way, Dinuba, CA 93291.
Copies of the Initial
Study, draft Mitigated
Negative Declaration,
and all documents
referenced therein are
available for review at
the aforementioned
location. Electronic
copies may be made
available upon demand.

A public hearing on
the adoption of the
proposed Mitigated
Negative Declaration
will be held on February
28, 2023 at 6:30 PM
at the aforementioned
location. Any person
that desires more
information about said
project may telephone
the City of Dinuba Public
Works Department at
(559) 591-5906 and ask
for Ismael Hernandez,
Director of Public Works
Publish Date: January
19, 2022

BY: Ismael Hernandez,
Director of Public Works
City of Dinuba
MVT 1/19/23

DRAFT Initial Study/Mitigated Negative Declaration for Alta Avenue & Kamm Avenue Roundabout

January 2023



Prepared By:



4Creeks, Inc.
324 S Santa Fe, Suite A
Visalia, CA 93292

Prepared For:



City of Dinuba
405 E El Monte Way
Dinuba, CA 93618

TABLE OF CONTENTS

Section 1: Initial Study/MND Process	1-1
1.1 California Environmental Quality Act Guidelines	1-1
1.2 Initial Study	1-1
1.3 Environmental Checklist	1-2
1.4 Notice of Intent to Adopt a Negative Declaration/Notice of Preparation	1-2
1.5 Mitigated Negative Declaration	1-3
1.6 Intended Uses of the Environmental Assessment, Initial Study	1-3
1.7 Notice of Determination	1-3
1.8 CEQA Process Flow Chart	1-4
 Section 2: Project Description	 2-1
2.1 Project Description & Purpose	2-1
2.2 Project Location	2-1
2.3 Existing Setting	2-1
2.4 Other Permits and Approvals	2-2
 Section 3: Evaluation of Environmental Impacts	 3-1
3.1 Purpose	3-1
3.2 Initial Study/Mitigated Negative Declaration	3-2
3.3 Evaluation of Environmental Impacts	3-7
3.4 Environmental Factors Potentially Affected	3-8
3.5 Environmental Analysis	3-9
I. Aesthetics	3-9
II. Agriculture and Forest Resources	3-12
III. Air Quality	3-16
IV. Biological Resources	3-22
V. Cultural Resources	3-25
VI. Energy	3-28
VII. Geology and Soils	3-31
VIII. Greenhouse Gas Emissions	3-36
IX. Hazards and Hazardous Materials	3-40
X. Hydrology and Water Quality	3-45
XI. Land Use and Planning	3-51
XII. Mineral Resources	3-55
XIII. Noise	3-56
XIV. Population and Housing	3-59
XV. Public Services	3-61
XVI. Parks and Recreation	3-63
XVII. Transportation	3-64
XVIII. Tribal Cultural Resources	3-67
XIX. Utilities and Service Systems	3-71
XX. Wildfire	3-74
XX. Mandatory Findings of Significance	3-76
3.6 Mitigation Monitoring and Reporting Program	3-78
3.7 Supporting Information and Sources	3-81

Section 4: List of Report Preparers

4-1

Appendices

- Appendix A: Improvement Plans
- Appendix B: Road Construction Emissions Model Results
- Appendix C: USFWS IPaC Results
- Appendix D: Water Quality Technical Memorandum
- Appendix E: Archaeological Survey Report
- Appendix F: Energy Calculations

List of Figures

2-1	Typical Cross Section Detail	2-1
2-2	Regional Location	2-3
2-3	Vicinity Map	2-4
3-1	Vicinity Map	3-5
3-2	Site Plan	3-6
3-3	Important Farmland Map	3-14
3-4	Soils Map	3-33
3-5	Distance to Schools and Airports	3-41
3-6	City of Tulare General Plan Land Use	3-52
3-7	Zoning Map	3-53

List of Tables

3-1	San Joaquin Valley Attainment Status	3-16
3-2	Ambient Air Quality Standards	3-18
3-3	SJVAPCD Thresholds of Significance – Criteria Pollutants	3-19
3-4	Projected Project Emissions for Criteria Pollutants related to Construction	3-20
3-5	SCE and State Average Power Resources	3-28
3-6	Construction Related Energy Use	3-29
3-7	Greenhouse Gasses	3-37
3-8	Noise Levels of Noise-Generating Construction Equipment	3-57
3-9	Noise Thresholds for Construction Sites	3-57

Section 1

Initial Study/Negative Declaration Process

City of Dinuba

405 E El Monte Way
Dinuba, CA 93291

SECTION 1

CEQA Review Process

Project Title: Alta Avenue & Kamm Avenue Roundabout

1.1 California Environmental Quality Act Guidelines

Section 15063 of the California Environmental Quality Act (CEQA) Guidelines requires that the Lead Agency prepare an Initial Study to determine whether a discretionary project will have a significant effect on the environment. All phases of the project planning, implementation, and operation must be considered in the Initial Study. The purposes of an Initial Study, as listed under Section 15063(c) of the CEQA Guidelines, include:

- (1) Provide the lead agency with information to use as the basis for deciding whether to prepare an EIR or negative declaration;*
- (2) Enable an applicant or lead agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a negative declaration;*
- (3) Assist the preparation of an EIR, if one is required, by:*
 - (a) Focusing the EIR on the effects determined to be significant,*
 - (b) Identifying the effects determined not to be significant,*
 - (c) Explaining the reasons for determining that potentially significant effects would not be significant, and*
 - (d) Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.*
- (4) Facilitate environmental assessment early in the design of a project;*
- (5) Provide documentation of the factual basis for the finding in a negative declaration that a project will not have a significant effect on the environment*
- (6) Eliminate unnecessary EIRs;*
- (7) Determine whether a previously prepared EIR could be used with the project.*

1.2 Initial Study

The Initial Study provided herein covers the potential environmental effects of the proposed conversion of a four-way signalized intersection into a two-lane roundabout. The proposed project site is located within the City of Dinuba. The City of Dinuba will act as the Lead Agency for this project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

1.3 Environmental Checklist

The Lead Agency may use the CEQA Environmental Checklist Form [CEQA Guidelines, Section 15063(d)(3) and (f)] in preparation of an Initial Study to provide information for determination if there are significant effects of the project on the environment. A copy of the completed Environmental Checklist is set forth in **Section Three**.

1.4 Notice of Intent to Adopt a Negative Declaration

The Lead Agency shall provide a Notice of Intent to Adopt a Negative Declaration (CEQA Guidelines, Section 15072) to the public, responsible agencies, trustee agencies and the County Clerk within which the project is located, sufficiently prior to adoption by the Lead Agency of the Negative Declaration to allow the public and agencies the review period. The public review period (CEQA Guidelines, Section 15105) shall not be less than 30 days when the Initial Study/Negative Declaration is submitted to the State Clearinghouse unless a shorter period, not less than 20 days, is approved by the State Clearinghouse.

Prior to approving the project, the Lead Agency shall consider the proposed Negative Declaration together with any comments received during the public review process, and shall adopt the proposed Negative Declaration only if it finds on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Lead Agency's independent judgment and analysis.

The written and oral comments received during the public review period will be considered by The City of Dinuba prior to adopting the Negative Declaration. Regardless of the type of CEQA document that must be prepared, the overall purpose of the CEQA process is to:

- 1) Assure that the environment and public health and safety are protected in the face of discretionary projects initiated by public agencies or private concerns;
- 2) Provide for full disclosure of the project's environmental effects to the public, the agency decision-makers who will approve or deny the project, and the responsible trustee agencies charged with managing resources (e.g. wildlife, air quality) that may be affected by the project; and
- 3) Provide a forum for public participation in the decision-making process pertaining to potential environmental effects.

According to Section 15070(a) a public agency shall prepare or have prepared a proposed negative declaration for a project subject to CEQA when:

The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment. Less than significant impacts with mitigation measures have been identified.

The Environmental Checklist Discussion contained in Section Three of this document has determined that the environmental impacts of the project are less than significant with mitigation measures and that a Mitigated Negative Declaration is adequate for adoption by the Lead Agency.

1.5 Negative Declaration or Mitigated Negative Declaration

The Lead Agency shall prepare or have prepared a proposed Negative Declaration or Mitigated Negative Declaration (CEQA Guidelines Section 15070) for a project subject to CEQA when the Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment. The proposed Negative Declaration or Mitigated Negative Declaration circulated for public review shall include the following:

- (a) A brief description of the project, including a commonly used name for the project.
- (b) The location of the project, preferably shown on a map.
- (c) A proposed finding that the project will not have a significant effect on the environment.
- (d) An attached copy of the Initial Study documenting reasons to support the finding.
- (e) Mitigation measures, if any.

1.6 Intended Uses of Initial Study/Negative Declaration documents

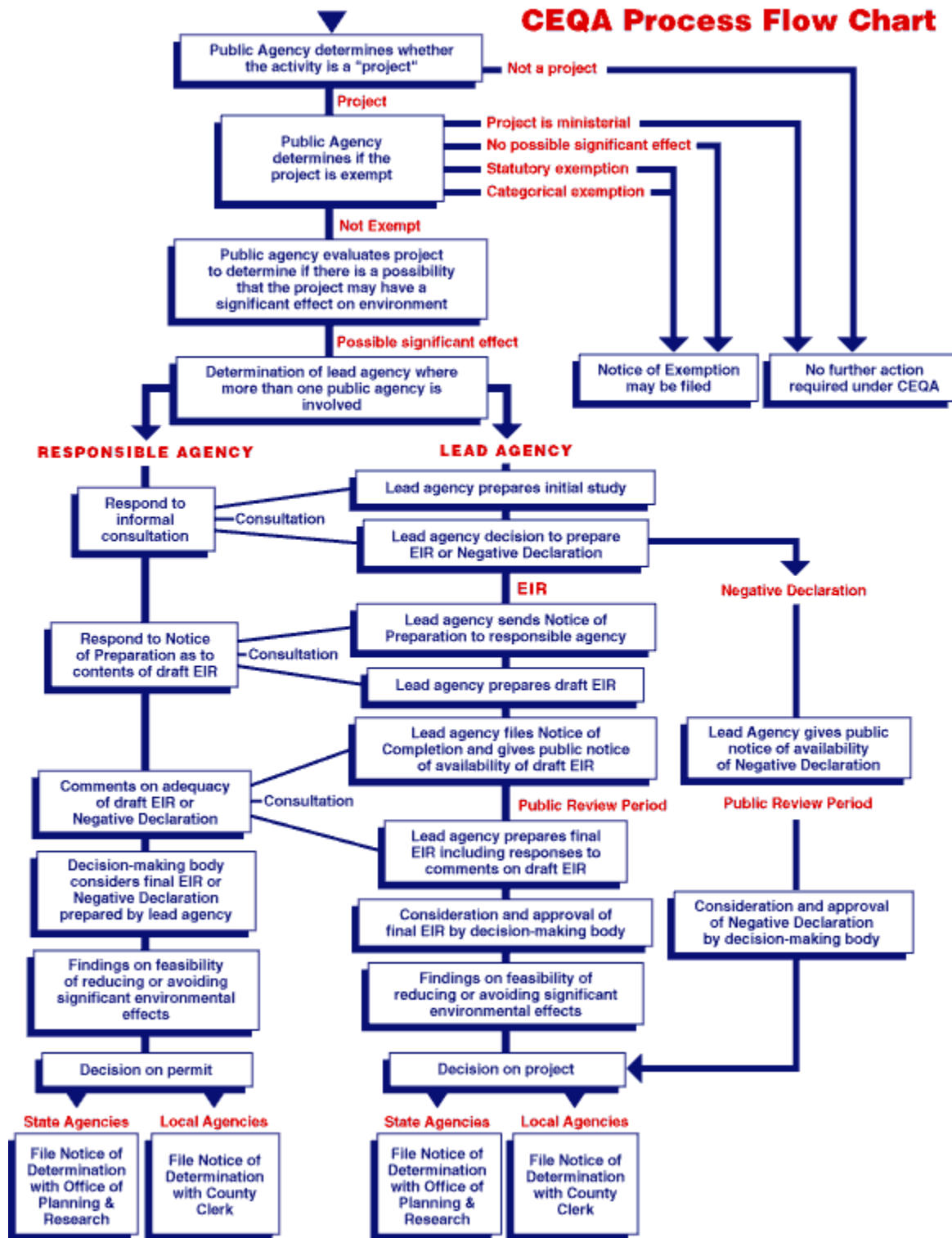
The Initial Study/Negative Declaration document is an informational document that is intended to inform decision-makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed project. The environmental review process has been established to enable the public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency must balance any potential environmental effects against other public objectives, including economic and social goals. The City of Dinuba, as Lead Agency, will make a determination, based on the environmental review for the Environmental Study, Initial Study and comments from the general public, if there are less than significant impacts from the proposed project and the requirements of CEQA can be met by adoption of a Mitigated Negative Declaration.

1.7 Notice of Determination (NOD)

The Lead Agency shall file a Notice of Determination within five working days after deciding to approve the project. The Notice of Determination (CEQA Guidelines, Section 15075) shall include the following:

- (1) An identification of the project including the project title as identified on the proposed negative declaration, its location, and the State Clearinghouse identification number for the proposed negative declaration if the notice of determination is filed with the State Clearinghouse.*
- (2) A brief description of the project.*
- (3) The agency's name and the date on which the agency approved the project.*
- (4) The determination of the agency that the project will not have a significant effect on the environment.*
- (5) A statement that a negative declaration or a mitigated negative declaration was adopted pursuant to the provisions of CEQA.*
- (6) A statement indicating whether mitigation measures were made a condition of the approval of the project, and whether a mitigation monitoring plan/program was adopted.*
- (7) The address where a copy of the negative declaration or mitigated negative declaration may be examined.*
- (8) The identity of the person undertaking a project which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies or the identity of the person receiving a lease, permit, license, certificate, or other entitlement for use from one or more public agencies.*

1.8 CEQA Process Flow Chart



Section 2

Project Description

City of Dinuba

405 E El Monte Way
Dinuba, CA 93291

SECTION 2

Project Description

Project Title: Alta Avenue & Kamm Avenue Roundabout

2.1 Project Description & Purpose

The purpose and need of the project is to improve safety, congestion and air quality by implementing congestion reduction and traffic flow improvements consistent with the CMAQ (Congestion Mitigation and Air Quality Improvement) program. The project includes the conversion of a four-way signalized intersection into a two-lane roundabout, installation of pedestrian/cyclist facilities (sidewalks, crosswalks, bicycle ramps, and related improvements (signage/striping, etc.). The project also includes ROW acquisitions to accommodate intersection widening associated with the installation of the roundabout.

Equipment staging will be provided within the temporary construction easement areas (see Attachment E). No specific disposal or borrow sites have been identified. These facilities will be established in accordance with the Standard Specifications. Construction activities will include demo of existing asphalt, sidewalk, and curb within project limits, placement of aggregate base and pavement, piping existing irrigation ditch underground, extension of sewer and stormwater lines through intersection, and street light installation. Roadway detours and/or lane closures may be used to control traffic during construction. Maps showing project layout and regional location are provided in Figures 2-1, 2-2 and 2-3. Detailed improvement plans are provided in Appendix A.



Figure 2-1. Intersection Design

2.2 Project Location

The proposed project site is located within the City of Dinuba. The project would affect approximately 5 acres within City ROW and temporary construction easement areas along Kamm Avenue and Alta Avenue. Adjacent land uses include agriculture to the northwest, vacant land to the northeast and southeast, and a planned High School to the southwest.

2.3 Existing Setting

The existing Kamm & Alta intersection is a 4-way, signalized intersection. This intersection serves as an entrypoint into the City of Dinuba and is located on the northeast corner of a planned high school. Adjacent properties are mostly underdeveloped and remain vacant or under agricultural use.

2.4 Other Permits and Approvals

Other permits and approvals required for the Alta Avenue & Kamm Avenue Roundabout Project are listed below. It should be noted that this list is not exhaustive and additional permits and approvals may also be required.

- *City of Dinuba Building and Encroachment Permits*
- *City of Dinuba Grading Permits*
- *City of Dinuba approved Landscape and Design Plans*
- *San Joaquin Valley Air Pollution Control District (SJVAPCD)*. The proposed project is within the jurisdiction of the SJVAPCD and will be required to comply with Rule VIII, 3135, 4101, and 9510.
- *Central Valley Regional Water Quality Control Board, SWPPP*. The proposed project site is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB). The Central Valley RWQCB will require a Storm Water Pollution Prevention Plan (SWPPP) to prevent impacts related to stormwater as a result of project construction.

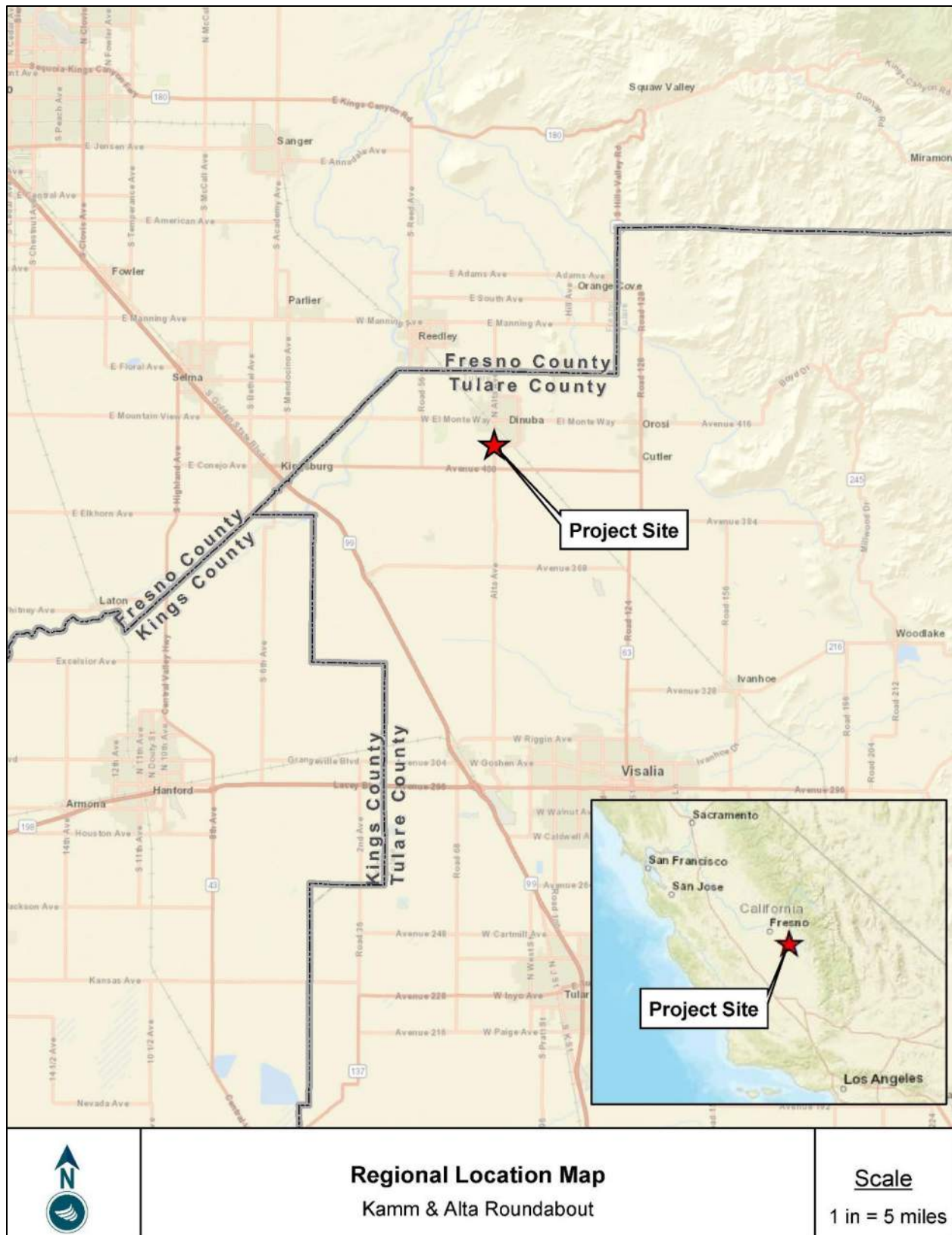


Figure 2-2. Regional Location Map

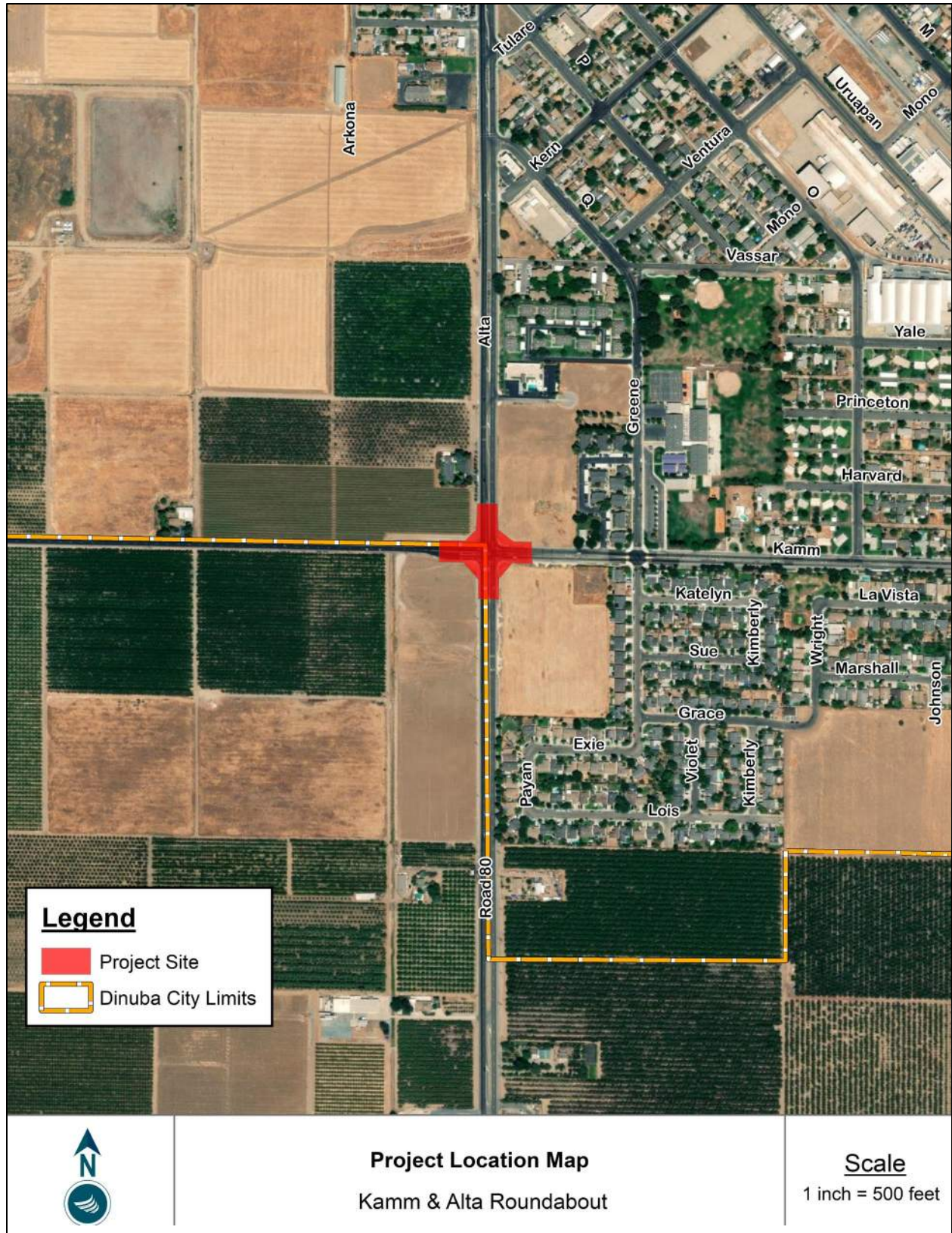


Figure 2-3. Vicinity Map

Section 3

Evaluation of Environmental Impacts

City of Dinuba

405 E El Monte Way
Dinuba, CA 93291

SECTION 3

Evaluation of Environmental Impacts

Project Title: Alta Avenue & Kamm Avenue Roundabout

This document is the Initial Study/Mitigated Negative Declaration for the proposed conversion of a four-way signalized intersection into a two-lane roundabout. The proposed project site is located within the City of Dinuba. The City of Dinuba will act as the Lead Agency for this project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

3.1 PURPOSE

The purpose of this environmental document is to implement the California Environmental Quality Act (CEQA). Section 15002(a) of the CEQA Guidelines describes the basic purposes of CEQA as follows.

- (1) Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify the ways that environmental damage can be avoided or significantly reduced.
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

This Initial Study of environmental impacts has been prepared to conform to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.).

According to Section 15070(a), a Negative Declaration is appropriate if it is determined that:

- (1) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment.

3.2 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

1. **Project Title:** Alta Avenue & Kamm Avenue Roundabout
2. **Lead Agency:** City of Dinuba
405 E El Monte Way
Dinuba, CA 93618
(559) 591-5900
3. **Applicant:** City of Dinuba
Contact Person: Ismael Hernandez
1088 E Kamm Avenue
Dinuba, CA 93618
(559) 591-5906
4. **Project Location:** The proposed project site is located within the City of Dinuba. The project would affect approximately 5 acres within City ROW and temporary construction easement areas along Kamm Avenue and Alta Avenue. Adjacent land uses include agriculture to the northwest, vacant land to the northeast and southeast, and a planned High School to the southwest.
5. **General Plan Designation:** Kamm Avenue and Alta Avenue are both designated as arterial streets in the City of Dinuba General Plan.
6. **Zoning Designation:** The project will take place within ROW, outside of zoning designations.
7. **Project Description:** The project includes the conversion of a four-way signalized intersection into a two-lane roundabout, installation of pedestrian/cyclist facilities (sidewalks, crosswalks, bicycle ramps, and related improvements (signage/stripping, etc.). The project also includes ROW acquisitions to accommodate intersection widening associated with the installation of the roundabout.

Equipment staging will be provided within the temporary construction easement areas (see Attachment E). No specific disposal or borrow sites have been identified. These facilities will be established in accordance with the Standard Specifications. Construction activities will include demo of existing asphalt, sidewalk, and curb within project limits, placement of aggregate base and pavement, piping existing irrigation ditch underground, extension of sewer and stormwater lines through intersection, and street light installation. Roadway detours and/or lane closures may be used to control traffic during construction. Maps showing project layout and regional location are provided in Figures 2-1, 2-2 and 2-3. Detailed improvement plans are provided in Appendix A.

8. Surrounding Land Use Designations and Settings:

Northeast Community Commercial, currently vacant
 Northwest Light Industrial, currently under agricultural use
 Southeast General Commercial, currently vacant
 Southwest Light Industrial, currently being developed as a high school.

9. **Required Approvals:** No discretionary approvals are required from the City of Dinuba for the proposed project.
10. **Native American Consultation:** A Native American Heritage Commission's Sacred Lands File search and Native American outreach were conducted as part of a Archaeological Survey Report prepared by Applied Earthworks in December 2022. The Native American Heritage Commission Sacred Lands File search and Native American contacts did not identify any sacred areas or provide information pertaining to Native American resources.
11. **Parking and access:** During construction, workers will utilize temporary construction easements located adjacent to the project site for parking and equipment staging.
12. **Landscaping and Design:** The landscape and design plans will be required at time the project submits for building permit on the project and will be subject to the City of Dinuba's Water Efficient Landscape Ordinance (WELO).
13. **Utilities and Electrical Services:** The proposed project will include extension of sewer and stormwater lines through the intersection and street light installation as part of current development standards. Electrical services are provided by Pacific Gas and Electric and the project will involve relocation of two existing power poles.

Acronyms

BMP	Best Management Practices
CAA	Clean Air Act
CCR	California Code of Regulation
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CWA	California Water Act
DHS	Department of Health Services
FEIR	Final Environmental Impact Report
FPPA	Farmland Protection Policy Act
ISMND	Initial Study Mitigated Negative Declaration
MCL	Maximum Contaminant Level
ND	Negative Declaration
NAC	Noise Abatement Criteria
RCRA	Resource Conservation and Recovery Act of 1976
RWQCB	Regional Water Quality Control Board
SHPO	State Historic Preservation Office
SJVAPCD	San Joaquin Valley Air Pollution Control District
SWPPP	Storm Water Pollution Prevention Plan

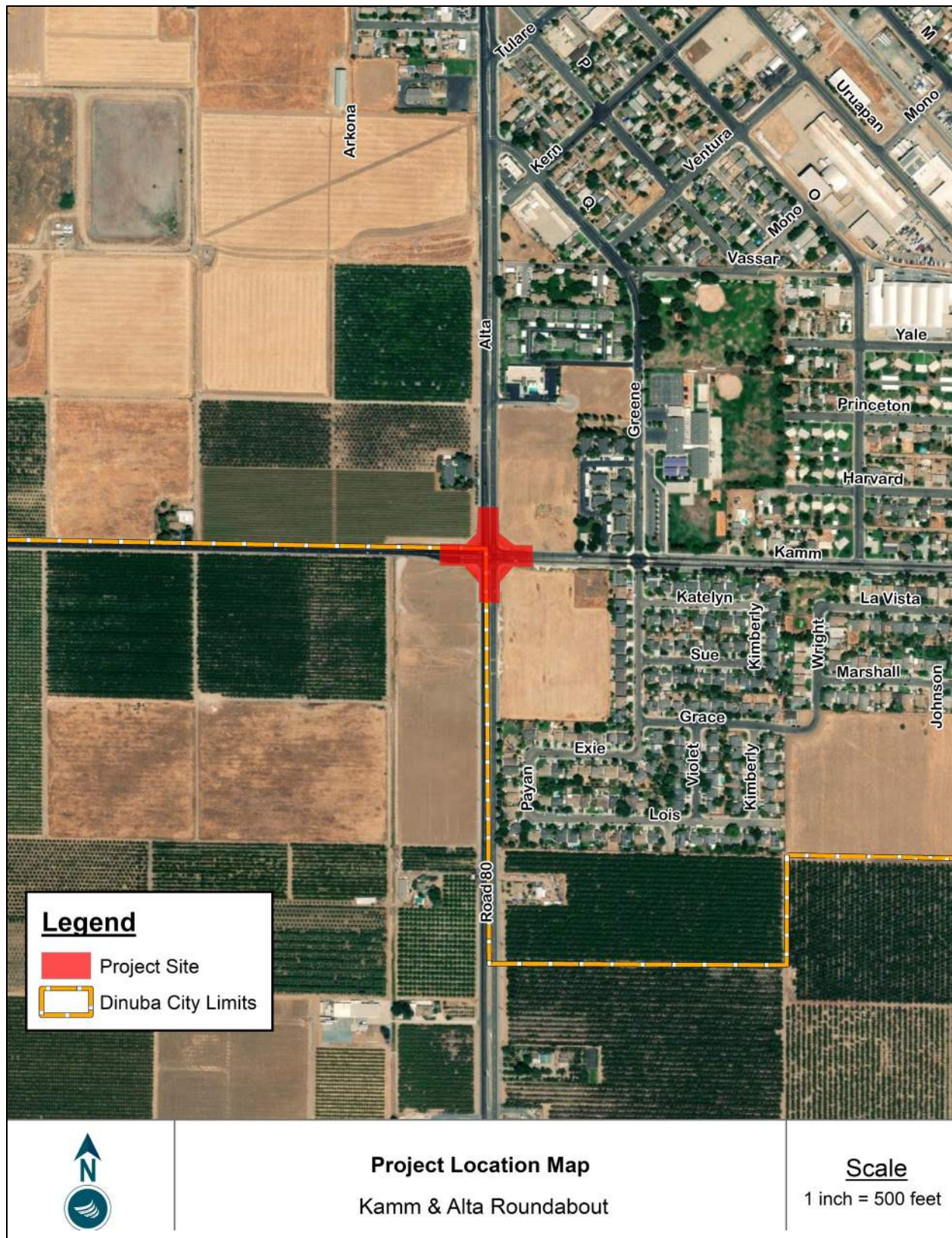


Figure 3-1. Vicinity Map

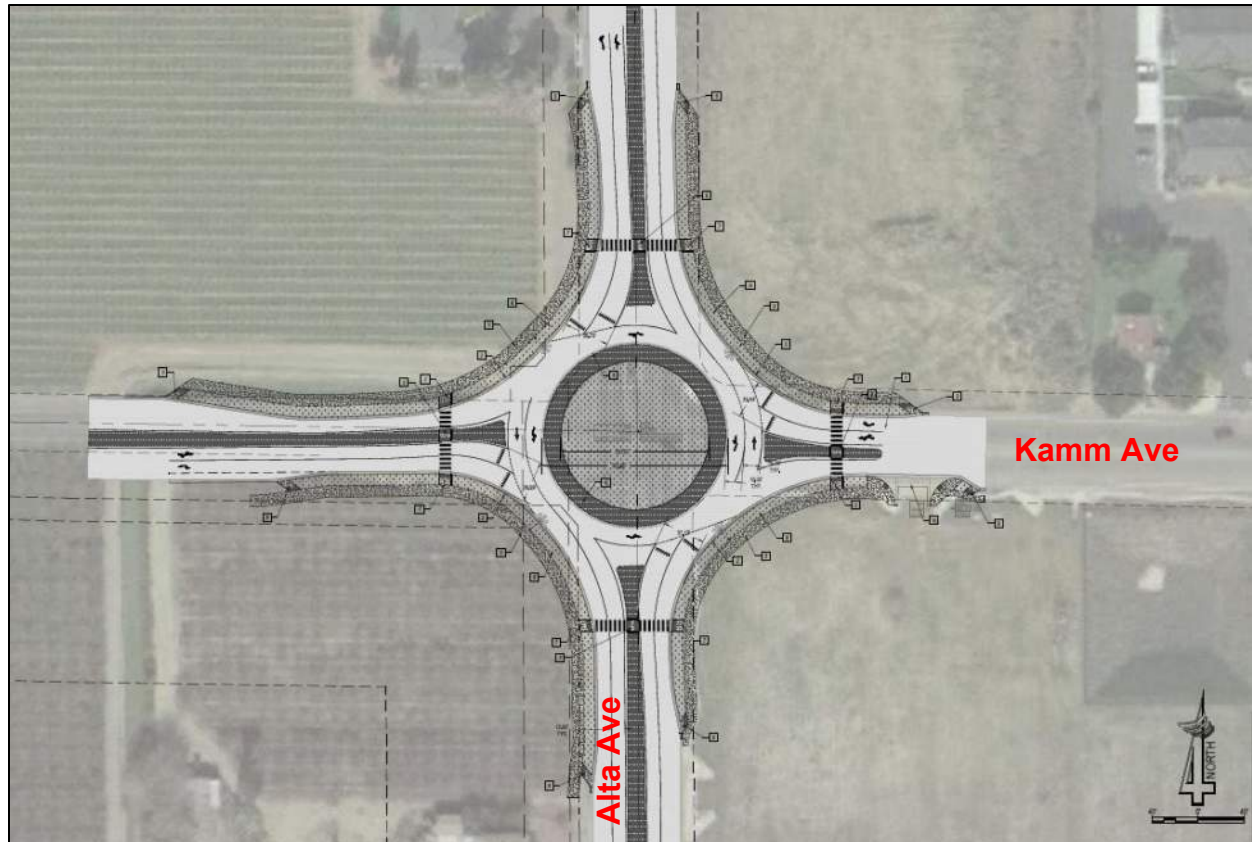


Figure 3-2. Site Plan.

3.3 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites, in the parentheses following each question. A “No Impact” answer is adequately supported if the reference information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3)(D). In this case, a brief discussion should identify the following.
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated.” Describe and mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

3.4 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| ☐ Aesthetics | ☐ Greenhouse Gas Emissions | ☐ Public Services |
| ☐ Agriculture and Forest Resources | ☐ Hazards and Hazardous Materials | ☐ Recreation |
| ☐ Air Quality | ☒ Hydrology and Water Quality | ☐ Transportation |
| ☐ Biological Resources | ☐ Land Use and Planning | ☒ Tribal Cultural Resources |
| ☒ Cultural Resources | ☐ Mineral Resources | ☐ Utilities and Service Systems |
| ☐ Energy | ☐ Noise | ☐ Wildfire |
| ☐ Geology and soils | ☐ Population | ☐ Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency) Where potential impacts are anticipated to be significant, mitigation measures will be required, so that impacts may be avoided or reduced to insignificant levels.

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION WILL BE PREPARED.
- ☒ 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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. A Negative Declaration is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is requested.

SIGNATURE

DATE

PRINTED NAME

City of Dinuba
AGENCY

3.5 ENVIRONMENTAL ANALYSIS

The following section provides an evaluation of the impact categories and questions contained in the checklist and identify mitigation measures, if applicable.

I. AESTHETICS

Except as provided in Public Resource Code Section 210999, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Environmental Setting

There are no aesthetic resources identified in the City of Dinuba General Plan; however, the views of the Sierra Nevada Mountains are considered to be an important scenic vista in Tulare County.

Sierra Nevada Mountains: The Sierra Nevada mountain range and its foothills stretch along the east area of the county and are a valuable aesthetic resource. Additionally, Sequoia National Park is located within the stretch of the Sierra Nevada Mountains located in Tulare County. Sequoia National Forest is a U.S. National Forest known for its mountain scenery and natural resources. Located directly north of Sequoia National Park is Kings Canyon National Park, a U.S. National Park also known for its towering sequoia trees and scenic vistas. The Sierra Nevada Mountains are approximately 15 miles east of the proposed project site but views of the mountains are not visible on most days due to poor air quality.

The following photos demonstrate the aesthetic character of the project area. As shown, the proposed project site is located in a relatively flat area with primarily agricultural uses.



*Photo 1: View of intersection looking north.
Source: Google Earth, 12/20/2022*



*Photo 2: View of intersection looking south.
Source: Google Earth, 12/20/2022*



*Photo 3: View of intersection looking east.
Source: Google Earth, 12/20/2022*



*Photo 4: View of intersection looking west.
Source: Google Earth, 12/20/2022*

Regulatory Setting

State Scenic Highways: The State Scenic Highway Program is implemented by Caltrans and was developed to preserve the aesthetic quality of certain highway corridors. Highways included in this program are designated as scenic highways. A highway is designated as scenic based on how much of the natural landscape is visible to travelers, the quality of that landscape, and the extent to which development obstructs views of the landscape. There are no designated eligible or officially designated state scenic highways within the City of Dinbua.

Discussion

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

No Impact: A scenic vista is defined as a viewpoint that provides expansive views of highly valued landscape for the benefit of the general public. The Sierra Nevada Mountains are the primary scenic vista within this region. The foothills of the Sierra Nevada Mountains are approximately 15 miles east of the proposed project site, however views of the mountains are not visible on most days due to poor air quality. The proposed project would not result in any vertical construction that could effect views of the Sierra Nevada Mountains or any other scenic vista. There is *no impact*.

- b) **Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within state scenic highway?**

No Impact: There are no designated Eligible or Officially Designated State Scenic Highways within the City of Dinuba. Highway 180 is the nearest State Scenic Highway and is located approximately 13 miles north of the project site. Significant urban development between the project site and Highway 180 completely eliminates visibility of the project site from the highway. There is *no impact*.

- c) **In non-urbanized areas, would the project substantially degrade the existing visual character or quality of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

No Impact: The proposed project site is located in an area characterized by agricultural activity, however the project would not negatively impact the existing visual character. Proposed improvements include a landscaped center island, stamped concrete splitter islands, decorative monument signage, new street lighting, landscaping, etc. All proposed improvements will be done in accordance with City development standards and will not affect the surrounding visual character. There is *no impact*.

- d) **Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

Less than Significant Impact: The proposed project would result in new street lighting consistent with the City's development standards, which are developed to minimize impacts related to excessive light and glare. The impacts are *less than significant*.

Mitigation Measures for Aesthetic Resources

None Required

II. AGRICULTURE AND FOREST RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forestland or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	☐	☐	☐	☒

Environmental Setting

Agriculture is a vital component of the City of Dinuba's economy and is a significant source of the City's cultural identity. As such, preserving the productivity of agricultural lands is integral to maintaining the City's culture and economic viability.

According to the California Department of Conservation, the lands adjacent to the project include "prime farmland" and "farmland of local importance". The project will require ROW acquisition of approximately 0.64 acres of prime farmland and 0.10 acres of farmland of local importance.

Regulatory Setting

California Land Conservation Act of 1965: The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, allows local governments to enter into contracts with private landowners to restrict the activities on specific parcels of land to agricultural or open space uses. The landowners benefit from the contract by receiving greatly reduced property tax assessments. The California Land Conservation Act is overseen by the California Department of Conservation; however local governments are responsible for determining specific allowed uses and enforcing the contract.

California Farmland Mapping and Monitoring Program (FMMP): The FMMP is implemented by the California Department of Conservation (DOC) to conserve and protect agricultural lands within the State. Land is included in this program based on soil type, annual crop yields, and other factors that influence the quality of farmland. The FMMP mapping categories for the most important statewide farmland are as follows:

- ***Prime Farmland*** has the ideal physical and chemical composition for crop production. It has been used for irrigated production in the four years prior to classification and is capable of producing sustained yields.
- ***Farmland of Statewide Importance*** has also been used for irrigated production in the four years prior to classification and is only slightly poorer quality than Prime Farmland.
- ***Unique Farmland*** has been cropped in the four years prior to classification and does not meet the criteria for Prime Farmland or Farmland of Statewide Importance but has produced specific crops with high economic value.
- ***Farmland of Local Importance*** encompasses farmland that does not meet the criteria for the previous three categories. These may lack irrigation, produce major crops, be zoned as agricultural, and/or support dairy.
- ***Grazing Land*** has vegetation that is suitable for grazing livestock.

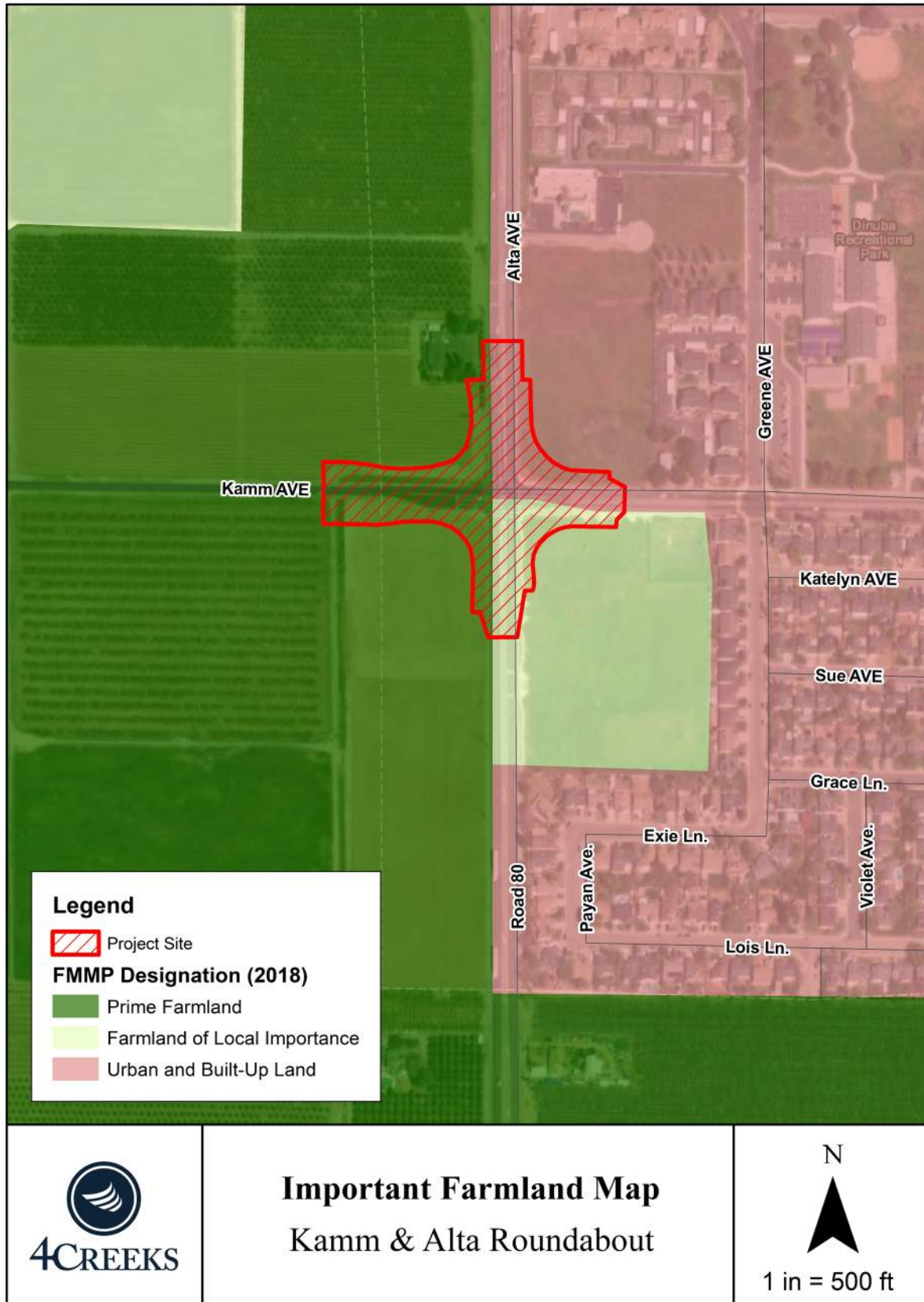


Figure 3-3. Important Farmland Map

Discussion

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

Less than Significant Impact: The proposed site includes lands classified as Prime Farmland and Farmland of Local Importance by the California Department of Conservation Farmland Mapping and Monitoring Program. However, the Project only proposes conversion of an existing intersection into a roundabout and does not propose development of adjacent agricultural properties. The Project would not result in the significant loss of agricultural lands and the impact is *less than significant*.

- b) **Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?**

No Impact: The proposed project site is within the public ROW and is therefore not zoned for agricultural use or under a Williamson Act Contract. There is *no impact*.

- c) **Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned timberland Production (as defined by Government Code section 51104(g))?**

No Impact: The project site located within the public ROW and is therefore not zoned for forest or timberland production. There is *no impact*.

- d) **Would the project result in the loss of forestland or conversion of forest land to non-forest use?**

No Impact: The proposed project site is located within the public ROW and would not convert forestland to non-forest use. There is *no impact*.

- e) **Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?**

No Impact: As discussed above, the proposed project site is located within the public ROW. The project would not result in the loss of Farmland to non-agricultural use or forestland to non-forest use. There is *no impact*.

Mitigation Measures for Agricultural and Forest Resources

None Required

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Environmental Setting

Air pollution is directly related to regional topography. Topographic features can either stimulate the movement of air or restrict air movement. California is divided into regional air basins based on topographic air drainage features. The proposed project site is within the San Joaquin Valley Air Basin, which is bordered by the Sierra Nevada Mountains to the east, Coastal Ranges to the west, and the Tehachapi Mountains to the south. The mountain ranges surrounding the San Joaquin Valley Air Basin (SJVAB) serve to restrict air movement and prevent the dispersal of pollution. As shown in the Table 3-1, the SJVAB is in nonattainment for several pollutant standards.

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone – One hour	No Federal Standard ^D	Nonattainment/Severe
Ozone – Eight hour	Nonattainment/Extreme ^C	Nonattainment
PM 10	Attainment ^A	Nonattainment
PM 2.5	Nonattainment ^B	Nonattainment
Carbon Monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Lead (Particulate)	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

A. On September 25, 2008, EPA redesignated the San Joaquin Valley to attainment for the PM10 National Ambient Air Quality Standard (NAAQS) and approved the PM10 Maintenance Plan.

B. The Valley is designated nonattainment for the 1997 PM2.5 NAAQS. EPA designated the Valley as nonattainment for the 2006 PM2.5 NAAQS on November 13, 2009 (effective December 14, 2009).

C. Though the Valley was initially classified as serious nonattainment for the 1997 8-hour ozone standard, EPA approved Valley reclassification to extreme nonattainment in the Federal Register on May 5, 2010 (effective June 4, 2010).

D. Effective June 15, 2005, the U.S. Environmental Protection Agency (EPA) revoked the federal 1-hour ozone standard, including associated designations and classifications. EPA had previously classified the SJVAB as extreme nonattainment for this standard. EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan on March 8, 2010 (effective April 7, 2010). Many applicable requirements for extreme 1-hour ozone nonattainment areas continue to apply to the SJVAB.

Table 3-1. San Joaquin Valley Attainment Status; Source: SJVAPCD

Regulatory Setting

Federal Clean Air Act – The 1977 Federal Clean Air Act (CAA) authorized the establishment of the National Ambient Air Quality Standards (NAAQS) and set deadlines for their attainment. The Clean Air Act identifies specific emission reduction goals, requires both a demonstration of reasonable further progress and an attainment demonstration, and incorporates more stringent sanctions for failure to meet interim milestones. The U.S. EPA is the federal agency charged with administering the Act and other air quality-related legislation. EPA’s principal functions include setting NAAQS; establishing minimum national emission limits for major sources of pollution; and promulgating regulations. Under CAA, the NCCAB is identified as an attainment area for all pollutants.

California Clean Air Act – California Air Resources Board coordinates and oversees both state and federal air pollution control programs in California. As part of this responsibility, California Air Resources Board monitors existing air quality, establishes California Ambient Air Quality Standards, and limits allowable emissions from vehicular sources. Regulatory authority within established air basins is provided by air pollution control and management districts, which control stationary-source and most categories of area-source emissions and develop regional air quality plans. The project is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District.

The state and federal standards for the criteria pollutants are presented in Section 8.4 of The San Joaquin Valley Unified Air Pollution Control District’s 2015 “Guidance for Assessing and Mitigating Air Quality Impacts”. These standards are designed to protect public health and welfare. The “primary” standards have been established to protect the public health. The “secondary” standards are intended to protect the nation’s welfare and account for air pollutant effects on soils, water, visibility, materials, vegetation and other aspects of general welfare. The U.S. EPA revoked the national 1-hour ozone standard on June 15, 2005, and the annual PM₁₀ standard on September 21, 2006, when a new PM_{2.5} 24-hour standard was established.

Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O₃)	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	--	Same as Primary Standard	Ultraviolet 8 Hour Photometry
	8 Hour	0.070 ppm (137 µg/m ³)		0.075 ppm (147 µg/m ³)		
Respirable Particulate Matter (PM₁₀)	24 Hour	50 µg/m	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Annual Analysis
	Annual Arithmetic Mean	20 µg/m ³		--		
Fine Particulate Matter (PM_{2.5})	24 Hour		Gravimetric or Beta Attenuation	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Annual Analysis
	Annual Arithmetic Mean	12 µg/m ³		15 µg/m ³		
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	--	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)	--	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		--	--	
Nitrogen Dioxide	1 Hour	0.18 ppm (339 µg/m ³)		100 ppb (188 µg/m ³)	--	Gas Phase Annual

Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
(NO ₂) ⁸	Arithmetic Mean	0.030 ppm (57 µg/m ³)	Gas Phase Chemiluminescence	53 ppb (100 µg/m ³)	Same as Primary Standard	Chemiluminescence
Sulfur Dioxide	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	--	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	--		--	0.5 ppm (1300 µg/m ³)	
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ⁹	--	
	Annual Arithmetic Mean	--		0.030 ppm (for certain areas) ⁹	--	
Lead ^{10,11}	30 Day Average	1.5 µg/m ³	Atomic Absorption	--	--	High Volume Sampler and Atomic Absorption
	Calendar Quarter	--		1.5 µg/m ³ (for certain areas) ¹¹	Same as Primary Standard	
	Rolling 3-Month Average	--		0.15 µg/m ³		
Visibility Reducing Particles ¹²	8 Hour	See footnote 12	Beta Attenuation and Transmittance through Filter Tape	No National Standard		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride ¹⁰	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m3 is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.

8. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national standards are in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national standards to the California standards the units can be converted from ppb to ppm. In this case, the national standards of 53 ppb and 100 ppb are identical to 0.053 ppm and 0.100 ppm, respectively.

9. On June 2, 2010, a new 1-hour SO2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved. Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

10. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

11. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m3 as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

12. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

Table 3-2. Ambient Air Quality Standards; Source: SJVAPCD

San Joaquin Valley Air Pollution Control District (SJVAPCD) – The SJVAPCD is responsible for enforcing air quality standards in the project area. To meet state and federal air quality objectives, the SJVAPCD adopted the following thresholds of significance for projects (Table 3-3). Additionally, the following SJVAPCD rules and regulations may apply to the proposed project:

- **Rule 3135:** Dust Control Plan Fee. All projects which include construction, demolition, excavation, extraction, and/or other earth moving activities as defined by Regulation VIII (Described below) are required to submit a Dust Control Plan and required fees to mitigate impacts related to dust.
- **Rule 4101:** Visible Emissions. District Rule 4101 prohibits visible emissions of air contaminants that are dark in color and/or have the potential to obstruct visibility.
- **Rule 9510:** Indirect Source Review (ISR). This rule reduces the impact PM10 and NOX emissions from growth on the SJVB. This rule places application and emission reduction requirements on applicable development projects in order to reduce emissions through onsite mitigation, offsite SJVAPCD administered projects, or a combination of the two.
- **Regulation VIII:** Fugitive PM10 Prohibitions. Regulation VIII is composed of eight rules which together aim to limit PM10 emissions by reducing fugitive dust. These rules contain required management practices to limit PM10 emissions during construction, demolition, excavation, extraction, and/or other earth moving activities.

Pollutant/ Precursor	Construction Emissions	Operational Emissions	
		Permitted Equipment and Activities	Non-Permitted Equipment and Activities
	Emissions (tpy)	Emissions (tpy)	Emissions (tpy)
CO	100	100	100
Nox	10	10	10
ROG	10	10	10
SOx	27	27	27
PM10	15	15	15
PM2.5	15	15	15

Table 3-3. SJVAPCD Thresholds of Significance for Criteria Pollutants; Source: SJVAPCD

Discussion

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

No Impact: The proposed project is located within the boundaries of the San Joaquin Valley Air Pollution Control District (SJVAPCD) and would result in air pollutant emissions that are regulated by the air district during both its construction and operational phases. The SJVAPCD is responsible for bringing air quality in Tulare County into compliance with federal and state air quality standards. The air district has Particulate Matter (PM) plans, Ozone Plans, and Carbon Monoxide Plans that serve as the clean air plan for the basin. Together, these plans quantify the required emission reductions to meet federal and state air quality standards and provide strategies to meet these standards.

Construction Phase. Project construction would generate pollutant emissions from the following construction activities: grubbing/land clearing, grading/excavation, drainage/utilities/sub-grade, and paving. The construction related emissions from these activities were calculated using Road Construction Emissions Model, Version 9.0.0. The full Emissions Model results are available in

Appendix B. As shown in Table 3-4 below, project construction related emissions do not exceed the thresholds established by the SJVAPCD.

	CO (tpy)	ROG (tpy)	SOx (tpy)*	Nox (tpy)	PM10 (tpy)	PM2.5 (tpy)
Emissions Generated from Project Construction	1.81	0.18	0.00	1.81	1.49	0.36
SJVAPCD Air Quality Thresholds of Significance	100	10	27	10	15	15
*Threshold established by SJVAPCD for SOx, however emissions are reported as SO2 by the Road Construction Emissions Model.						

Table 3-4. Projected Project Emissions Compared to SJVAPCD Thresholds of Significance for Criteria Pollutants related to Construction; Source: SJVAPCD, Road Construction Emissions Model, Version 9.0.0 (Appendix B)

Operational Phase. The proposed project is being implemented as part of the FHWA's CMAQ program, which funds air quality improvement projects. As such, the project is expected to result in significant emissions reductions. The project itself would not generate any additional vehicle trips and there will be no stationary source emissions resulting from the Project.

Because the emissions from Project construction would not exceed the thresholds of significance established by the SJVAPCD, and the Project would not result in operational emissions, the project would not conflict with or obstruct implementation of an applicable air quality plan and there is *no impact*.

- b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

Less Than Significant Impact: The SJVAPCD accounts for cumulative impacts to air quality in Section 1.8 "Thresholds of Significance – Cumulative Impacts" in its 2015 Guide for Assessing and Mitigating Air Quality Impacts. The SJVAPCD considered basin-wide cumulative impacts to air quality when developing its significance thresholds. Because Project emissions are below the significance thresholds adopted by the air district, and compliance with SJVAPCD rules will address any cumulative impacts regarding operational emissions, impacts regarding cumulative emissions would be *less than significant*.

- c) Would the project expose sensitive receptors to substantial pollutant concentrations?**

Less Than Significant Impact: The single-family residence located at 1593 S Alta Ave is the closest sensitive receptor. The Project would not exceed emissions thresholds established by the SJVAPCD and would not result in increased operational emissions beyond existing conditions. The project would not expose sensitive receptors to substantial pollutant concentrations. The impact would be *less than significant*.

- d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

Less Than Significant Impact: The project will create temporary localized odors during project construction. These odors are not likely to be noticeable for extended periods of time beyond the

perimeter of the Project site. Once constructed, the project will not create any new sources of odor that result directly from the project. The project would not create objectionable odors affecting a substantial number of people and the impacts would be *less than significant*.

Mitigation Measures for Air Quality

None Required

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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 & Game or U.S. fish and Wildlife Service?	☐	☐	☐	☒
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 US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through director removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Regulatory Setting

Federal Endangered Species Act (FESA): defines an *endangered species* as “any species or subspecies that is in danger of extinction throughout all or a significant portion of its range.” A threatened species is defined as “any species or subspecies that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.”

The Federal Migratory Bird Treaty Act (FMBTA: 16 USC 703-712): FMBTA prohibits killing, possessing, or trading in any bird species covered in one of four international conventions to which the United States is a party, except in accordance with regulations prescribed by the Secretary of the Interior. The name of the act is misleading, as it actually covers almost all birds native to the United States, even those that are non-migratory. The FMBTA encompasses whole birds, parts of birds, and bird nests and eggs.

Although the USFWS and its parent administration, the U.S. Department of the Interior, have traditionally interpreted the FMBTA as prohibiting incidental as well as intentional “take” of birds, a January 2018 legal opinion issued by the Department of the Interior now states that incidental take of migratory birds while engaging in otherwise lawful activities is permissible under the FMBTA. However, California Fish and Game Code makes it unlawful to take or possess any non-game bird covered by the FMBTA (Section 3513), as well as any other native non-game bird (Section 3800), even if incidental to lawful activities.

Birds of Prey (CA Fish and Game Code Section 3503.5): Birds of prey are protected in California under provisions of the Fish and Game Code (Section 3503.5), which states that it is unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks and eagles) or Strigiformes (owls), as well as their nests and eggs. The bald eagle and golden eagle are afforded additional protection under the federal Bald and Golden Eagle Protection Act (16 USC 668), which makes it unlawful to kill birds or their eggs.

Clean Water Act: Section 404 of the Clean Water Act of (1972) is to maintain, restore, and enhance the physical, chemical, and biological integrity of the nation’s waters. Under Section 404 of the Clean Water Act, the US Army Corps of Engineers (USACE) regulates discharges of dredged and fill materials into “waters of the United States” (jurisdictional waters). Waters of the US including navigable waters of the United States, interstate waters, tidally influenced waters, and all other waters where the use, degradation, or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries.

California Endangered Species Act (CESA): prohibits the take of any state-listed threatened and endangered species. CESA defines *take* as “any action or attempt to hunt, pursue, catch, capture, or kill any listed species.” If the proposed project results in a take of a listed species, a permit pursuant to Section 2080 of CESA is required from the CDFG.

Discussion

- a) **Would the project 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 & Game or U.S. fish and Wildlife Service?**

No Impact: Based upon a preliminary screening using "IPaC: Explore Location" (see Appendix C); there are three endangered and four threatened species known to be present in Tulare County. From these known species there are no critical habitats within the project limits. Most of the construction will be within or immediately adjacent to, the existing right of way. Work to be performed outside the existing right of way are areas which have already been disturbed. There is *no impact*.

- b) **Would the project 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 US Fish and Wildlife Service?**

No Impact: The project will occur within or immediately adjacent to heavily disturbed public right-of-way. Development of the proposed project would not impact any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW), or United States Fish and Wildlife Service (USFWS). There is

no impact.

- c) **Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through director removal, filling, hydrological interruption, or other means?**

No Impact: Based on the findings of the Water Quality Technical Memorandum (Appendix D) there are no wetlands within or immediately adjacent to the project area. Therefore, no impacts to state or federally protected wetlands would occur due to the proposed project. There is *no impact*.

- 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?**

No Impact: The project involves conversion of an existing 4-way intersection into a roundabout. The project is not expected to have any impact on the ease of movement of resident or migratory wildlife species. There is *no impact*.

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

No Impact: The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. There is *no impact*.

- 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?**

No Impact: The proposed project is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan. There is *no impact*.

Mitigation Measures for Biological Resources

None Required

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Environmental Setting

An Archaeological Survey Report and Historic Property Survey Report were prepared by Applied Earthworks in January 2023. The full report can be found in Appendix E.

Applied EarthWorks, Inc. conducted an archaeological survey of the Area of Potential Effects (APE) to determine if cultural resources are present and whether they have the potential to be affected by the proposed work. Applied EarthWorks' investigation included a records search to identify previously recorded resources and prior studies within 0.5 miles of the APE, a review of the Native American Heritage Commission's Sacred Lands File and initiation of Native American outreach, a review of pertinent topographic maps, aerial photographs, and General Land Office Plat Maps, and a pedestrian survey of the APE.

The records search identified one cultural resource, Dinuba Town Ditch (P-54-004899), and four prior studies (TU-00591, TU-00604, TU-01069, and TU-01149) within the Direct APE. Applied Earthworks conducted consultation with the State Historic Preservation Officer, who determined that the Dinuba Town Ditch is not eligible for listing in the National Register of Historic Places (Appendix E).

The Native American Heritage Commission Sacred Lands File search and Native American contacts did not identify any sacred areas or provide information pertaining to Native American resources.

Applied EarthWorks' pedestrian survey on November 14, 2022, did not identify any prehistoric archaeological resources within the Direct APE.

Regulatory Setting

National Historic Preservation Act: The National Historic Preservation Act was adopted in 1966 to preserve historic and archeological sites in the United States. The Act created the National Register of Historic Places, the list of National Historic Landmarks, and the State Historic Preservation offices.

California Historic Register: The California Historic Register was developed as a program to identify, evaluate, register, and protect Historical Resources in California. California Historical Landmarks are sites, buildings, features, or events that are of statewide significance and have anthropological, cultural,

military, political, architectural, economic, scientific, religious, experimental, or other value. In order for a resource to be designated as a historical landmark, it must meet the following criteria:

- The first, last, only, or most significant of its type in the state or within a large geographic region (Northern, Central, or Southern California).
- Associated with an individual or group having a profound influence on the history of California.
- A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer or master builder.

Discussion

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?

Less Than Significant Impact with Mitigation: An Archaeological Survey Report and Historic Property Survey Report were conducted in January 2023 for the proposed project. The Reports included Southern San Joaquin Valley Information Center records search, a Native American Heritage Commission Sacred Lands File search, Native American outreach, archival research, and pedestrian survey. This investigation identified one historic resource, the Dinuba Town Ditch (P-54-004899) within the project APE. Applied Earthworks conducted consultation with the State Historic Preservation Officer, who determined that the Dinuba Town Ditch is not eligible for listing in the National Register of Historic Places (Appendix E) due to a lack of historical significance. The full Archaeological Survey Report and Historic Property Survey Report are available in Appendix E.

Based on the results of this Archaeological Survey Report and Historic Property Survey Report, no prehistoric or historic archaeological materials are located within the project site. The presence of remains or unanticipated cultural resources under the ground surface is possible. Implementation of Mitigation Measures CUL-1 and CUL-2 will ensure that impacts to this checklist item will be *less than significant with mitigation incorporation*.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less Than Significant Impact with Mitigation: There are no known archaeological resources located within the project area. Implementation of Mitigation Measures CUL-1 and CUL-2 will ensure that potential impact will be *less than significant with mitigation incorporation*.

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

Less Than Significant Impact with Mitigation: There are no known human remains buried in the project vicinity. If human remains are unearthed during development, there is a potential for a significant impact. As such, implementation of Mitigation Measure CUL-2 will ensure that impacts remain *less than significant with mitigation incorporation*.

Mitigation Measures for Impacts to Cultural Resources:

Mitigation Measure CUL-1: If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) should be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any adverse effects.

Mitigation Measure CUL-2: The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

VI. ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Environmental Setting

Pacific Gas and Electric (PG&E) provides natural gas and electricity services to the region. PG&E is a subsidiary of the PG&E Corporation and serves approximately 16 million people throughout a 70,000-square-mile service area in northern and central California. PG&E supplies power to its customers from a variety of renewable and nonrenewable sources. The Table 3-5 below shows the proportion of each energy resource sold to California consumers by PG&E in 2017 as compared to the statewide average.

Fuel Type		SCE Power Mix	California Power Mix
Coal		0%	4%
Large Hydroelectric		8%	15%
Natural Gas		20%	34%
Nuclear		6%	9%
Other (Oil/Petroleum Coke/Waste Heat)		0%	<1%
Unspecified Sources of Power ¹		34%	9%
Eligible Renewables	Biomass	0%	2%
	Geothermal	8%	4%
	Small Hydro	1%	3%
	Solar	13%	10%
	Wind	10%	10%
	Total Eligible Renewable	32%	29%
1. "Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources.			

Table 3-5. PG&E and State average power resources; Source: California Energy Commission

Regulatory Setting

California Code of Regulations, Title 20 and Title 24: Title 20 of the California Code of Regulations establishes standards and requirements for appliance energy efficiency. The standards apply to a broad range of appliances sold in California. Title 24 of the California Code of Regulations is a broad set of standards designed to address the energy efficiency of new and altered homes and commercial buildings. These standards regulate energy consumed for heating, cooling, ventilation, water heating, and lighting. Title 24 requirements are enforced locally by the City of Dinuba Building Department.

California Green Building Standards Code (CALGreen): CalGreen is a mandatory green building code that sets minimum environmental standards for new buildings. It includes standards for volatile organic compound (VOC) emitting materials, water conservation, and construction waste recycling

Discussion

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact: The proposed Project involves converting an existing 4-way intersection into a roundabout. During construction, energy use would be primarily attributed the electricity and fuel energy consumed by construction vehicles and equipment. Energy use associated with project construction was estimated using the Road Construction Emissions Model Version 9.0 (Appendix B) and EMFAC data. Energy use calculations are provided in Appendix F and summarized in Table 3-6, below.

Source	Energy Use	
	Gallons	MBTU
Off-Road Equipment Fuel (Diesel)	32,402	4504
On-Road Vehicle Fuel (Gasoline)	11,605	1347
On-Road Vehicle Fuel (Diesel)	966	134
Total Construction Energy Use		5,985
Average Annual Construction Energy Use		5,985

Table 3-6. Construction Related Energy Use. Source: Road Construction Emissions Model & EMFAC (See Appendix F)

Title 24 Building Energy Efficiency Standards would provide guidance on construction techniques to maximize energy conservation. As such, it is anticipated that construction vehicle fuel energy would not involve the wasteful, inefficient, or unnecessary consumption of energy.

During project operations, energy consumption would be minimal. Street lighting is proposed throughout the project area, which would result in some energy use. However, the City of Dinuba Engineering Standards require new streetlights to utilize energy efficient LED luminaires. Additionally, the roundabout would replace the existing traffic signals, so the actual difference in energy demand would be negligible. Therefore, it is not anticipated that project operations would result in wasteful, inefficient, or unnecessary consumption of energy.

Because the proposed project will comply with all energy efficiency standards required under Title 24 of the California Building Code and City of Dinuba Engineering Standards, it is presumed that the project will not result in wasteful, inefficient, or unnecessary consumption of energy. The impact is *less than significant*.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact: The proposed project will not conflict with or obstruct any state or local plans for renewable energy or energy efficiency. The project will be designed to meet Title 24 and City of Dinuba energy efficiency standards. Compliance with these standards will be enforced by the City of Dinuba Building Division. There is *no impact*

Mitigation Measures for Energy

None Required

VII. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct and indirect risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Environmental Setting

Geologic Stability and Seismic Activity

- Seismicity:** Tulare County is considered to be a low to moderate earthquake hazard area. The San Andreas Fault is the longest and most significant fault zone in California and is approximately 40 miles west of the Tulare County Boundary. Owens Valley fault zone is the only active fault located within Tulare County. Section 5 of the 2017 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan identifies the project site as likely to experience low to moderate shaking from earthquakes, and may experience higher levels if an earthquake were to occur in or near the County. Ground shaking can result in other geological impacts, including liquefaction, landslides, lateral spreading, subsidence, or collapse.

- **Liquefaction:** Liquefaction is a phenomenon whereby unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state as a result of severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluid-like behavior of the soil, which can result in landslides and lateral spreading. No specific countywide assessment of liquefaction has been performed; however the 2017 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan identifies the risk of liquefaction within the county as low because the soil types in the area either too coarse or too high in clay content to be suitable for liquefaction.
- **Landslides:** Landslides refer to a wide variety of processes that result in the downward and outward movement of soil, rock, and vegetation under gravitational influence. Landslides can be caused by both natural and human-induced changes in slope stability and often accompany other natural hazard events, such as floods, wildfire, or earthquake. Eastern portions of the County are considered to be at a higher risk of landslides where steep slopes are present. However, the majority of the County, including the proposed project site, is considered to be at low risk of landslides and mudslides because of its flat topography. The 2017 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan states that occurrence of landslide events within populated areas of Tulare County is unlikely.
- **Subsidence:** Land Subsidence refers to the vertical sinking of land as a result of either manmade or natural underground voids. Subsidence has occurred throughout the Central Valley at differing rates since the 1920's as a result of groundwater, oil, and gas withdrawal. During drought years, Tulare County is prone to accelerated subsidence, with some areas sinking up to 28 feet. Although western portions of the County show signs of deep and shallow subsidence, the majority of the County, including the proposed project site, is not considered to be at risk of subsidence related hazards.

Soils Involved in Project: The proposed project involves construction on one soil type. The properties of this soil is described below:

- **Flamen Loam, 0 to 2 percent slopes:** The Flamen series consists of deep to a duripan, moderately well drained soils that formed in alluvium derived mainly from granitic rocks. These soils are moderately well drained and exhibit low or moderate runoff. Permeability is moderate above the duripan and slow in the duripan.

Regulatory Setting

California Building Code: The California Building Code contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment.

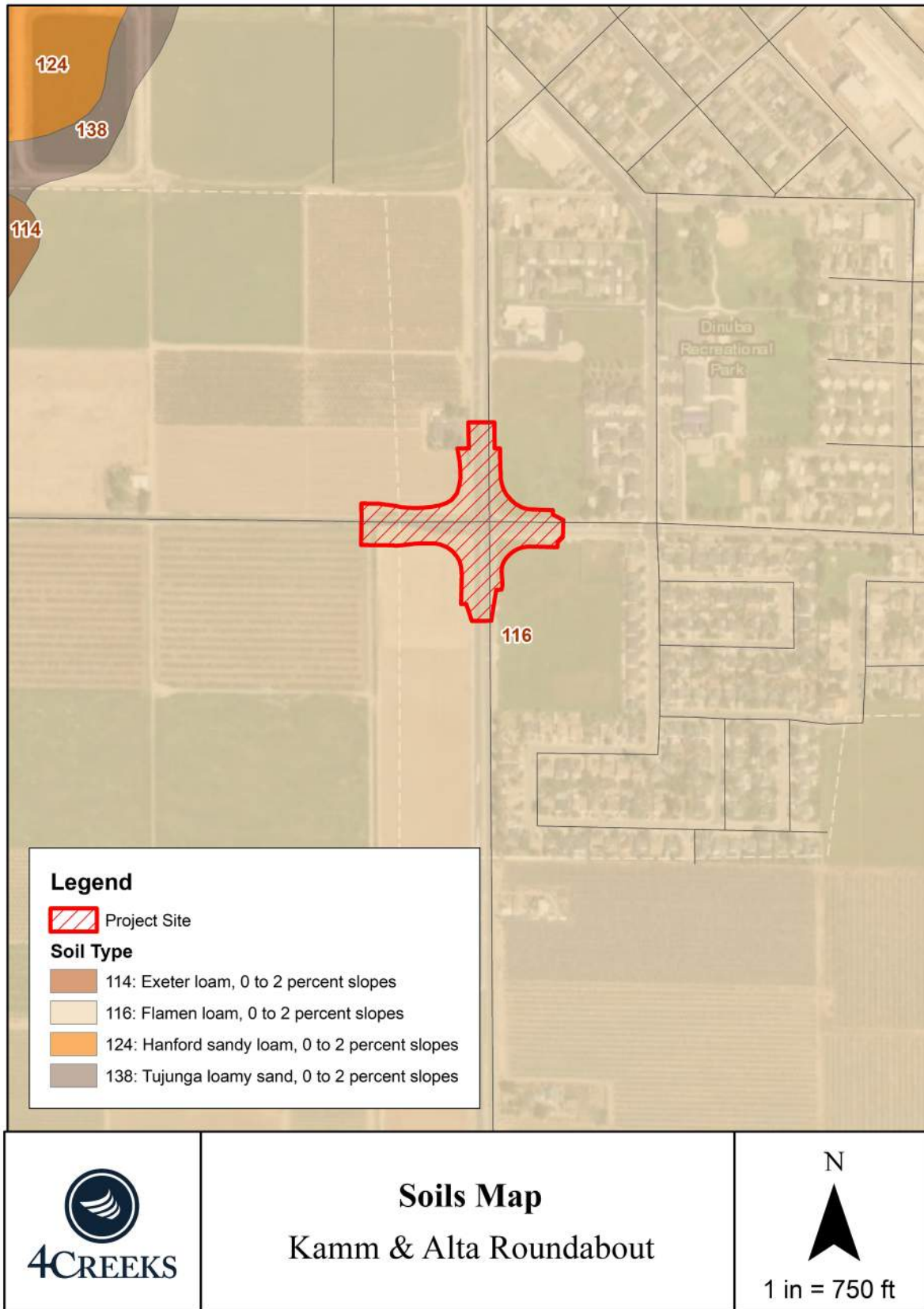


Figure 3-4. Soils Map

Discussion

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- 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? Refer to Division of Mines and Geology Special Publication 42.**

Less than Significant Impact: According to the Tulare Multi-Jurisdictional Local Hazard Mitigation Plan, no active faults underlay the project site. Although the project is located in an area of relatively low seismic activity, the project could be affected by ground shaking from nearby faults. The potential for strong seismic ground shaking on the project site is not a significant environmental concern due to the infrequent seismic activity of the area and distance to the faults. The project has no potential to indirectly or directly cause the rupture of an earthquake fault. Therefore, the risk of loss, injury or death involving a rupture of a known earthquake fault would be *less than significant*.

- ii. **Strong seismic ground shaking?**

No Impact: According to the Tulare Multi-Jurisdictional Local Hazard Mitigation Plan, the project site is located in an area of relatively low seismic activity. The proposed project does not include any activities or components which could feasibly cause strong seismic ground shaking, either directly or indirectly. There is *no impact*.

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

No Impact: No specific countywide assessment of liquefaction has been performed; however the Tulare Multi-Jurisdictional Local Hazard Mitigation Plan identifies the risk of liquefaction within the county as low because the soil types are unsuitable for liquefaction. There is *no impact*.

- iv. **Landslides?**

No Impact: The proposed project site is generally flat and there are no hill slopes in the area. As a result, there is almost no potential for landslides. No geologic landforms exist on or near the site that would result in a landslide event. There is *no impact*.

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

Less Than Significant Impact: Because the project site is relatively flat, the potential for erosion is low. However, construction-related activities and increased impermeable surfaces can increase the probability for erosion to occur. Construction-related impacts related to erosion will be temporary and subject to best management practices (BMPs) required by SWPPP, which are developed to prevent significant impacts related to erosion from construction. The project would extend stormwater collection lines through the intersection and stormwater from the roundabout would be collected and conveyed through the City's stormwater management system. Because impacts related to erosion would be temporary and limited to construction, and because required best management

practices would prevent significant impacts related to erosion, the impact will remain *less than significant*.

- c) **Would the project 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?**

No Impact: The soils associated with the project site are considered stable and have a low capacity for landslides, lateral spreading, subsidence, liquefaction or collapse. Because the project area is considered to be stable, and this project would not result in a substantial grade change to the topography to the point that it would increase the risk of landslides, lateral spreading, subsidence, liquefaction or collapse, there is *no impact*.

- d) **Would the project be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

No Impact: Expansive soils contain large amounts of clay, which absorb water and cause the soil to increase in volume. Conversely, the soils associated with the proposed project site have relatively low levels of clay. Because the soils associated with the project are not suitable for expansion, implementation of the project will pose no direct or indirect risk to life or property caused by expansive soils and there is *no impact*.

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

No Impact: No wastewater will be generated as a part of the proposed project. There is *no impact*.

- f) **Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Less Than Significant Impact: There are no unique geologic features and no known paleontological resources located within the project area and no excavation is proposed in undisturbed soils, particularly to a depth with a potential to unearth paleontological resources. Potential impacts resulting from project implementation would be *less than significant*.

Mitigation Measures for Soils and Geology

None Required

VIII. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	☐	☐	☒	☐
a) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Environmental Setting

Natural processes and human activities emit greenhouse gases. The presence of GHGs in the atmosphere affects the earth's temperature. Without the natural heat-trapping effect of GHGs, the earth's surface would be about 34°C cooler. However, it is believed that emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

The effect of greenhouse gasses on earth's temperature is equivalent to the way a greenhouse retains heat. Common GHGs include water vapor, carbon dioxide, methane, nitrous oxide, ozone, chlorofluorocarbons, hydro chlorofluorocarbons, and hydro fluorocarbons, per fluorocarbons, sulfur and hexafluoride. Some gases are more effective than others. The Global Warming Potential (GWP) has been calculated for each greenhouse gas to reflect how long it remains in the atmosphere, on average, and how strongly it absorbs energy. Gases with a higher GWP absorb more energy, per pound, than gases with a lower GWP, and thus contribute more to global warming. For example, one pound of methane is equivalent to twenty-one pounds of carbon dioxide.

GHGs as defined by AB 32 include the following gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. GHGs as defined by AB 32 are summarized in Table 3-7. Each gas's effect on climate change depends on three main factors. The first being the quantity of these gases are in the atmosphere, followed by how long they stay in the atmosphere and finally how strongly they impact global temperatures.

Greenhouse Gas	Description and Physical Properties	Lifetime	GWP	Sources
Methane (CH ₄)	Is a flammable gas and is the main component of natural gas	12 years	21	Emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and by the decay of organic waste in municipal solid waste landfills.

Greenhouse Gas	Description and Physical Properties	Lifetime	GWP	Sources
Carbon dioxide (CO ₂)	An odorless, colorless, natural greenhouse gas.	30-95 years	1	Enters the atmosphere through burning fossil fuels (coal, natural gas and oil), solid waste, trees and wood products, and also as a result of certain chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
Chloro-fluorocarbons	Gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are non-toxic nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface).	55-140 years	3,800 to 8,100	Were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone.
Hydro-fluorocarbons	A man-made greenhouse gas. It was developed to replace ozone-depleting gases found in a variety of appliances. Composed of a group of greenhouse gases containing carbon, chlorine and at least one hydrogen atom.	14 years	140 to 11,700	Powerful greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are sometimes used as substitutes for stratospheric ozone-depleting substances. These gases are typically emitted in smaller quantities, but because they are potent greenhouse gases.
Nitrous oxide (N ₂ O)	Commonly known as laughing gas, is a chemical compound with the formula N ₂ O. It is an oxide of nitrogen. At room temperature, it is a colorless, non-flammable gas, with a slightly sweet odor and taste. It is used in surgery and dentistry for its anesthetic and analgesic effects.	120 years	310	Emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.
Pre-fluorocarbons	Has a stable molecular structure and only breaks down by ultraviolet rays about 60 kilometers above Earth's surface.	50,000 years	6,500 to 9,200	Two main sources of pre-fluorocarbons are primary aluminum production and semiconductor manufacturing.
Sulfur hexafluoride	An inorganic, odorless, colorless, and nontoxic nonflammable gas.	3,200 years	23,900	This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing and as a tracer gas.

Table 3-7. Greenhouse Gasses; Source: EPA, Intergovernmental Panel on Climate Change

In regards to the quantity of these gases are in the atmosphere, we first must establish the amount of particular gas in the air, known as Concentration, or abundance, which are measured in parts per million, parts per billion and even parts per trillion. To put these measurements in more relatable terms, one part per million is equivalent to one drop of water diluted into about 13 gallons of water, roughly a full tank of gas in a compact car. Therefore, it can be assumed larger emission of greenhouse gases lead to a higher concentration in the atmosphere.

Each of the designated gases described above can reside in the atmosphere for different amounts of time, ranging from a few years to thousands of years. All of these gases remain in the atmosphere long enough to become well mixed, meaning that the amount that is measured in the atmosphere is roughly the same all over the world regardless of the source of the emission.

Regulatory Setting

AB 32: AB 32 set the 2020 greenhouse gas emissions reduction goal into law. It directed the California Air Resources Board to begin developing discrete early actions to reduce greenhouse gases while also preparing a scoping plan to identify how best to reach the 2020 limit. The reduction measures to meet the 2020 target are to be adopted by the start of 2011.

SB 1078, SB 107 and Executive Order S-14-08: SB 1078, SB 107, and Executive Order S-14-08 require California to generate 20% of its electricity from renewable energy by 2017. SB 107 then changes the 2017 deadline to 2010. Executive Order S-14-08 required that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020.

Discussion

- a) **Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.**

Less Than Significant Impact: Greenhouse gas emissions for the construction of the proposed project were modeled using the Road Construction Emissions Model, Version 9.0.0. The Emissions Model results can be found in Appendix B.

Construction: Greenhouse gasses would be generated during construction from activities including grubbing/land clearing, grading/excavation, drainage/utilities/sub-grade, and paving. The Road Construction Emissions Model report predicts that this project will create a maximum of 362.96 MT of CO₂e emissions during construction. Because the SJVAPCD does not have numeric thresholds for assessing the significance of construction-related GHG emissions, predicted emissions from project construction were compared to Council of Environmental Quality (CEQ) thresholds for construction related GHG emissions. The CEQ currently has a presumptive threshold of 10,000 metric tons of CO₂e per year for construction emissions amortized over a 30-year project lifetime. Because project construction would generate far less GHG emissions than this threshold, impacts related to GHG emissions during project construction would be less than significant.

Operation: As discussed in the Air Quality section of this Initial Study, the proposed project is being implemented as part of the FHWA's CMAQ program, which funds air quality improvement projects. As such, the project is expected to result in significant emissions reductions. The project itself would

not generate any additional vehicle trips and there will be no stationary source emissions resulting from the Project.

Because construction of the project will result in less than significant increases in GHG emissions, and operation of the project would reduce GHG emissions at the subject intersection, the impact is considered to be *less than significant*.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact: The proposed project will comply with all Federal, State, and Local rules pertaining to the regulation of greenhouse gas emissions. In addition, the project will implement Best Performance Standards developed by the SJVAPCD. Projects implementing Best Performance Standards are determined to have a less than significant impact on global climate change. The project will not conflict with any plan, policy, or regulation developed to reduce GHG emissions. There is *no impact*.

Mitigation Measures for Greenhouse Gas Emissions

None Required

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
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 or excessive noise to the public or the environment?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

Environmental Setting

The proposed project site is located approximately 0.15 miles from the nearest existing school (Wilson Elementary School) 10.0 miles from the nearest public airport (Reedley Municipal Airport), 7.3 miles from the nearest private airstrip (Gilbert Aviation Heliport – CA83), and is directly adjacent to a planned high school.

The Department of Toxic Substances Control's (DTSC's) Envirostor was used to identify any sites known to be associated with releases of hazardous materials or wastes within the project area. This research confirmed that the project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.



Figure 3-5. Distance to Schools and Airports Map

Regulatory Setting

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. Code [U.S.C.] §9601 et seq.). The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or the Superfund Act) authorizes the President to respond to releases or threatened releases of hazardous substances into the environment.

Occupational Safety and Health Administration. The Occupational Safety and Health Administration (OSHA) sets and enforces Occupational Safety and Health Standards to assure safe working conditions. OSHA provides training, outreach, education, and compliance assistance to promote safe workplaces. The proposed Project would be subject to OSHA requirements during construction, operation, and maintenance.

Toxic Substances Control Act of 1976 (15 U.S.C. §2601 et seq.). The Toxic Substance Control Act was enacted by Congress in 1976 and authorizes the EPA to regulate any chemical substances determined to cause an unreasonable risk to public health or the environment.

Hazardous Waste Control Law, Title 26. The Hazardous Waste Control Law creates hazardous waste management program requirements. The law is implemented by regulations contained in Title 26 of the California Code of Regulations (CCR), which contains requirements for the following aspects of hazardous waste management:

- Identification and classification;
- Generation and transportation;
- Design and permitting of recycling, treatment, storage, and disposal facilities;
- Treatment standards;
- Operation of facilities and staff training; and
- Closure of facilities and liability requirements.

California Code of Regulations, Title 22, Chapter 11. Title 22 of the California Code of Regulations contains regulations for the identification and classification of hazardous wastes. The CCR defines a waste as hazardous if it has any of the following characteristics: ignitability, corrosivity, reactivity, and/or toxicity.

California Emergency Services Act. The California Emergency Services Act created a multi-agency emergency response plan for the state of California. The Act coordinates various agencies, including CalEPA, Caltrans, the California Highway Patrol, regional water quality control boards, air quality management districts, and county disaster response offices.

Hazardous Materials Release Response Plans and Inventory Law of 1985. Pursuant to the Hazardous Materials Release Response Plans and Inventory Law of 1985, local agencies are required to develop “area plans” for response to releases of hazardous materials and wastes. Tulare County maintains a Hazardous Material Incident Response Plan to coordinate emergency response agencies for incidents and requires the submittal of business plans by persons who handle hazardous materials.

Discussion

- a) **Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Less than Significant Impact: Once constructed, the Project itself will not contain, use, or produce any hazardous materials. Project construction activities may involve the use and transport of hazardous materials, such as fuels, oils, and other chemicals (e.g., paints, lead, adhesives, etc.) typically used during construction. Improper use, transportation, and storage of hazardous materials could result in accidental releases or spills that could pose health risks to workers, the public, and the environment. However, all materials used during construction would be contained, stored, and handled in compliance with all applicable standards and regulations established by DTSC, the EPA, and the Occupational Safety and Health Administration (OSHA). In addition, a Storm Water Pollution Prevention Plan (SWPPP) is required for the project and will include emergency procedures for incidental hazardous materials releases. The SWPPP also includes Best Management Practices which include requirements for hazardous materials storage. Therefore, the impact is *less than significant*.

- b) **Would the project 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?**

Less Than Significant Impact: There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment, other than any potential accidental releases of standard fuels, solvents, or chemicals encountered during typical construction. Should an accidental hazardous release occur or should the project encounter hazardous soils, existing regulations for handling hazardous materials require coordination with the California Department of Toxic Substances Control for an appropriate plan of action, which can include studies or testing to determine the nature and extent of contamination, as well as handling and proper disposal. Therefore, potential impacts are considered to be *less than significant*.

- c) **Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Less than Significant Impact: The project is located approximately 0.15 miles from the nearest existing school and is directly adjacent to a planned high school. The Project does not involve emissions or handling of hazardous materials and the impact is *less than significant*.

- d) **Would the project 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?**

No Impact: The project site is not listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control (DTSC). The project would not create a significant hazard to the public or the environment and there is *no impact*.

- 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 or excessive noise for people residing or working in the project area?**

No Impact: The proposed project is not located within an airport land use plan and is not within two miles of a public airport. Reedley Municipal Airport is the nearest public airport to the project site and is located approximately 10.0 miles away. Implementation of the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area. There is *no impact*.

- f) **Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

No Impact: The City's site plan review procedures ensure compliance with emergency response and evacuation plans. In addition, the site plan will be reviewed by the Fire Department per standard City procedure to ensure consistency with emergency response and evacuation needs. Therefore, the proposed project would have *no impact* on emergency evacuation.

- g) **Would the project expose people or structures, either directly or indirectly, to significant risk of loss, injury or death involving wildland fires?**

No Impact: The land surrounding the project site is developed with urban, suburban, and agricultural uses and are not considered to be wildlands. Additionally, the 2017 Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan finds that fire hazards within the City of Dinuba, including the proposed project site, have low frequency, limited extent, limited magnitude, and low significance. The proposed project would not expose people or structures to significant risk of loss, injury or death involving wildland fires and there is *no impact*.

Mitigation Measures for Hazards and Hazardous Materials

None Required

X. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise sustainably degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:	☐	☐	☐	☐
(i) result in substantial erosion or siltation on- or off-site?	☐	☒	☐	☐
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	☐	☒	☐	☐
(iii) 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; or	☐	☒	☐	☐
(iv) impede or redirect flood flows?	☐	☒	☐	☐
d) In flood hazard, tsunami, or seiche zones risk the release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater movement plan?	☐	☐	☐	☒

Discussion for this section partially originates from the Water Quality Technical Memorandum prepared by 4-Creeks, Inc. in September 2022. The full document can be found in Appendix D of this Initial Study.

Environmental Setting

Regional and Local Hydrology: The San Joaquin Valley has a variety of water sources, including the Sierra snowpack, rivers, and groundwater. The Valley has typical hot and dry summers. The Pacific Ocean is the source of storm events that spread rain over the Valley and its foothills while covering the high Sierra Nevada Mountains with snow.

Snowmelt runoff and flood flows that are caused occasionally by heavy rains are captured behind the Pine Flat Dam on the Kings River, the Terminus Dam on the Kaweah River, and the Friant Dam on the San Joaquin River. These large flows are managed and stored for flood control as well as for spring and summer irrigation use by tens of thousands of valley farmers.

The project is in the Kings Subbasin aquifer of the San Joaquin Valley Groundwater Basin. The Subbasin is bounded by the San Joaquin River to the north, the Sierra Nevada foothills to the east, the South Fork of the Kings River to the south, and the Delta-Mendota and Westside Sub-basins to the west. Pumping water from the aquifer is vital for sustaining crops in places and at times when surface water is not available. Groundwater is also the main source of drinking water. The aquifer is not a limitless resource, and more water is currently being pumped out than is being replenished. However, this project will not involve a well or sewage disposal or result in a threat of aquifer contamination or hazard to public health.

There are no wetlands within or immediately adjacent to the project area according to the National Wetland Inventory (Figure 7). The project will not involve any work in wetlands. Within Dinuba, there are some small ponds, but the main water features are the network of agricultural canals and flood control channels that traverse the area. Numerous agricultural ponds, recharge basins, and other similar features also dot the surrounding area's landscape.

Existing Water Quality

- ***Surface Water Quality Objectives/Standards and Beneficial Uses:*** Surface water is not used in Dinuba. The City may explore future opportunities to purchase surface water. The Project is planning to widen the existing Kamm Avenue across the Dinuba Town Ditch. The Ditch is a man-made surface water delivery canal that delivers groundwater to rural and urban users. There are no natural water courses adjacent to the area. The Ditch is not listed as an impaired water body by the California Office of Environmental Health Hazard Assessment, nor does it appear on the 303(d) for any proposed TMDLs. However, Cross Creek, where water from the Ditch can potentially flow, is listed for high toxicity.
- ***Groundwater Quality Objectives/Standards and Beneficial Uses:*** The groundwater in Dinuba and the Project area is the sole water supply source. The water quality from the Kings Subbasin is sufficient to be used for drinking water, agricultural uses, and all other uses. The Kings Subbasin is designated as critically over-drafted. The Project construction will require a minimal amount of water for dirt compaction and will not affect the groundwater supply.

Regulatory Setting

Clean Water Act: The Clean Water Act (CWA) is enforced by the U.S. EPA and was developed in 1972 to regulate discharges of pollutants into the waters of the United States. The Act made it unlawful to discharge any pollutant from a point source into navigable waters unless a National Pollution Discharge Elimination System (NPDES) Permit is obtained.

Central Valley RWQCB: The proposed project site is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB). The Central Valley RWQCB requires a National Pollution Discharge Elimination System (NPDES) Permit and Stormwater Pollution Prevention Plan (SWPPP) for projects disturbing more than one acre of total land area. Because the project is greater than one acre, a NPDES Permit and SWPPP will be required.

City of Dinuba General Plan: The Dinuba General Plan contains the following policies relating to hydrology and water quality.

- OSCR-3.10: Protect areas of natural groundwater recharge from land uses and disposal methods which would degrade groundwater quality. Promote activities which combine stormwater control, and water recharges.
- OSCR-3.11: The City will expand programs that enhance groundwater recharge in order to maintain the groundwater supply, including the installation of detention/retention ponds in new growth areas.
- PS-7.1: Continue to coordinate community irrigation ditch issues with Alta Irrigation District, private ditch companies, private landowners, and public agencies. Require that irrigation ditches be piped prior to development on adjacent property.
- PS-7.6: Design runoff drainage structures to decrease erosion.
- S-8.44: In flood-hazard areas, natural watercourses should be identified, and their flow capacities shall be preserved. This does not prohibit relocation. All grading, including relocation and agricultural grading, which can substantially affect natural drainage channels shall require a grading plan and City permit. The Director of Public Works shall review and approve the grading plan before work may be initiated.

Discussion

- a) **Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

Less than Significant Impact: The project will result in less than significant impacts to water quality due to potentially polluted runoff generated during construction activities. Construction would include excavation, grading, and other earthwork that may occur across most of the 5.0-acre project site. During storm events, exposed construction areas across the project site may cause runoff to carry pollutants, such as chemicals, oils, sediment, and debris. However, implementation of a Stormwater Pollution Prevention Plan (SWPPP) will be required for the project. A SWPPP identifies all potential sources of pollution that could affect stormwater discharges from the project site and identifies best management practices (BMPs) related to stormwater runoff. Therefore, the impacts would be *less than significant*.

- b) **Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

No Impact: The proposed Project, once operational, will not require on-going use of water and therefore would not affect an aquifer or local water table. Therefore, the Project will have *no impact*.

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:**

- i. **Result in substantial erosion or siltation on- or off-site?**
- ii. **Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?**
- iii. **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?**
- iv. **Impede or redirect flood flows?**

Less than Significant Impact with Mitigation Implementation:

Short Term Impacts during Construction: During Project construction, the new installation of the pipe will not interfere with the flow or distribution. All flows will be able to pass through during constriction via bypass pumping systems. The bypass pumping systems will be manned full-time by construction personnel to ensure flow remains consistent. To reduce the impact, the contractor will not initiate any work during the irrigation season, which varies annually.

Construction activities would involve soil-disturbing activities such as trenching, grading, and preparing the soil for the new piping for the Ditch. Disturbed soil would be exposed to wind and water-generated erosion. All disturbed soil and pipe bedding will be compacted to a minimum of 90% density to reduce erosion. All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities.

The disturbed area of the Project site does not discharge to a sensitive water body, either directly or indirectly. The receiving water risk is low and the impact is less than significant with implementation of Mitigation Measure HYD-1.

Long-Term Impacts During Operation and Maintenance: Runoff pollution from Alta Avenue during operation can include dirt, rubber deposits, metal deposits, antifreeze, engine oil, and litter. However, with the Ditch being piped underground, and not returning to the surface until outside of the ROW, impacts from the street and vehicles will be minimal. A trash rack will be installed on the outfall structure when the Ditch returns to the surface to prevent any litter from continuing downstream. The pipe will be bedded in a minimum of three inches of sand below the pipe and a minimum of one foot above the pipe to prevent any pollutants from reaching the water inside the pipe. In addition, a locator tape marked "Caution Irrigation Pipeline Buried Below" will be placed on the surface above the pipe. The storm drainpipe materials and installation within the city street ROW shall meet the requirements of the 2007 Dinuba Public Works Improvement Standards.

By implementing Mitigation Measure HYD-1, the Project will not produce significant impacts on water quality during construction or operation. The impact is *less than significant with mitigation*.

d) Would the project, in flood hazard, tsunami, or seiche zones, risk the release of pollutants due to project inundation?

No Impact: The proposed project is located inland and not near an ocean or large body of water, and therefore, would not be affected by a tsunami. The proposed project is located in a relatively flat area and would not be impacted by inundation related to mudflow. Since the project is located in an area that is not susceptible to inundation, the project would not risk release of pollutants due to project inundation. As such, there is *no impact*.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact: The proposed project will not conflict with or obstruct implementation of a water quality control plan. The proposed project will be subject to the requirements of the NPDES Stormwater Program and will be required to comply with a SWPPP, which will identify all potential sources of pollution that could affect stormwater discharges from the project site and identify BMPs to prevent significant impacts related to stormwater runoff.

The proposed project site is within the jurisdiction of the Kings River East Groundwater Sustainability Agency (GSA). The Groundwater Sustainability Plan (GSP) was adopted by the Kings River East GSA in December 2019. The plan was reviewed for consistency with the proposed project and it was determined that the proposed project does not conflict with and would not obstruct implementation of the GSP. There is *no impact*.

Mitigation Measures for Hydrology and Water Quality

Mitigation Measure HYD-1: The Project shall implement the following Best Management Practices to prevent run-on and runoff pollution, properly dispose of wastes, and train employees and subcontractors.

- Construction will begin outside of the irrigation season when the Ditch will be dry. Soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses. All areas disturbed by project activities shall be protected from washout or erosion. All drainage protective devices such as swales, interception ditches, protective berms, concrete channels, or other measures designed to protect improvements from runoff must be constructed before the construction of the project.
- The amount and duration of soil exposed to erosion by wind, rain, runoff, and vehicle tracking should be minimized by applying water or other dust palliatives, as necessary. Watering should occur at least twice a day with complete coverage, preferably in the late morning and after work is completed for the day. Covering small stockpiles or areas is an alternative to applying water. The stockpiles should be located a minimum of fifty feet away from concentrated flows of stormwater, drainage courses, and inlets. The stockpiles should be protected using a temporary perimeter sediment barrier. All clearing, grading, earth moving, or excavation activities will cease during periods of high winds greater than twenty mph. Vehicles will be prohibited from being on non-active portions of the Project site. All vehicles on site will be limited to 15 MPH to reduce dust forming. The contractor shall maintain dust control on the site as specified by "Caltrans Standard Specifications 2015".
- Stabilized construction access should be provided at entrances to reduce or eliminate the tracking of sediment onto public streets. Visible sediment tracking should be swept or vacuumed daily. For solid waste management from clearing and grubbing, BMPs would include providing designated

waste collection areas and containers and arranging for regular disposal. For concrete waste management, the washout should be conducted offsite or in a designated area at least fifty feet from the Ditch.

- Vehicle and equipment cleaning, fueling, and maintenance should be done offsite or in a designated, contained area only. The discharge of petroleum products or other excavated materials to surface water channels is prohibited. The Discharger shall notify the City of Dinuba immediately of any spill of petroleum products or other organic or earthen materials.
- Following construction, all trenches will be filled to reduce any impact.
- The Discharger shall maintain a copy of the supporting documentation at the project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed project shall be adequately informed and trained regarding the conditions of the certification.
- The project disturbs over one acre of soil, therefore a Water Pollution Control Program and SWPPP will need to be prepared by the contractor per Caltrans 2010 Standard Specification Section 13-2.
- The Discharger shall notify the City of Dinuba immediately if any of the above conditions are violated, along with a description of measures it is taking to remedy the violation. By incorporating proper and accepted engineering practices and BMPs, the proposed project will not produce significant impacts on water quality during construction or its operation.

XI. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Environmental Setting

The proposed project site is located with the southern portion of the City of Dinuba and would effect approximately 5 acres within City ROW and temporary construction easement areas along Kamm Avenue and Alta Avenue. Kamm Avenue and Alta Avenue are both designated as arterial streets in the City of Dinuba General Plan. General Plan Land Use designations for properties located adjacent to the intersection include Community Commercial to the northeast, Light Industrial to the northwest and southwest, and General Commercial to the southeast.

Regulatory Setting

City of Dinuba General Plan: Kamm Avenue and Alta Avenue are both designated as arterial streets in the City of Dinuba General Plan

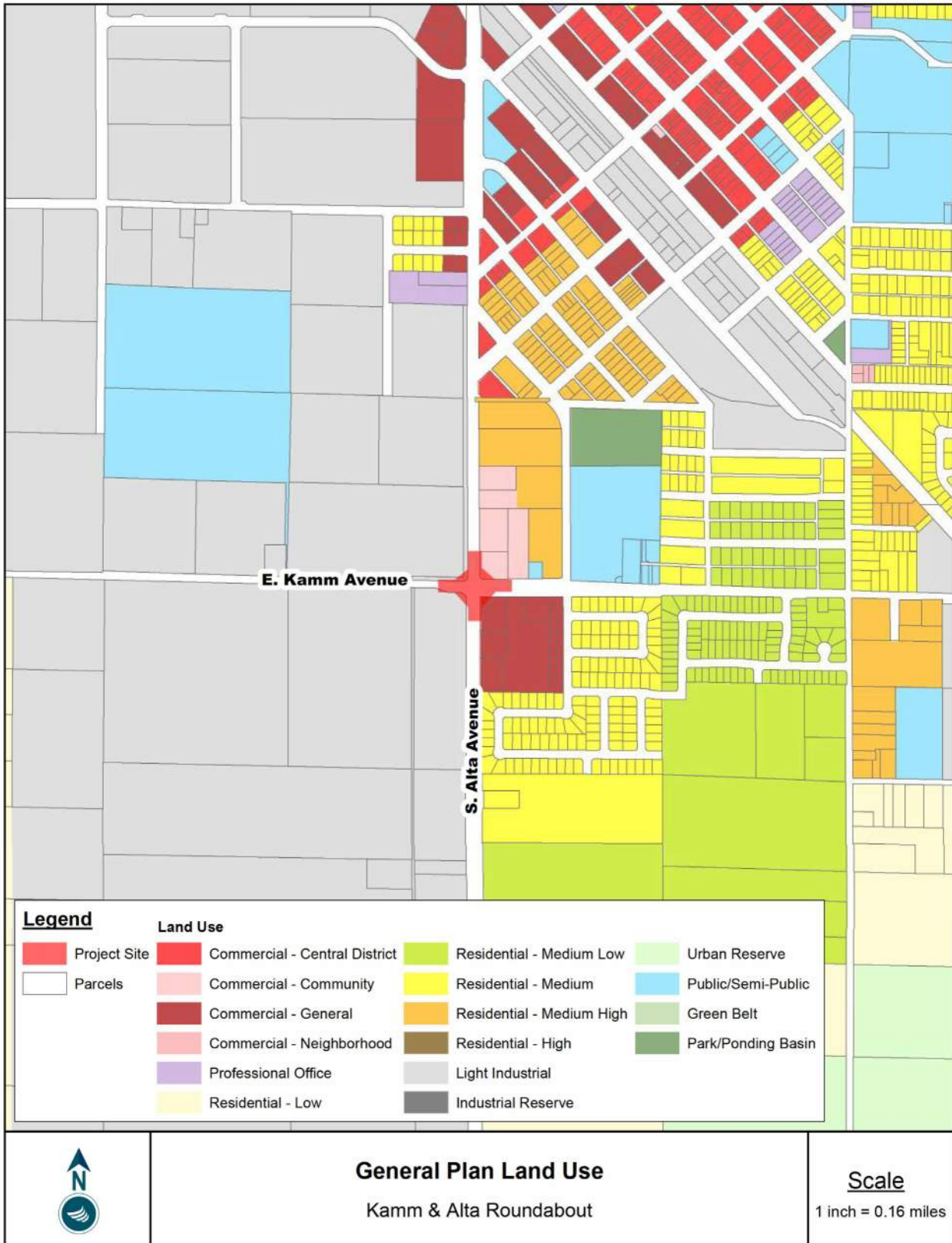


Figure 3-6. General Plan Land Use Map

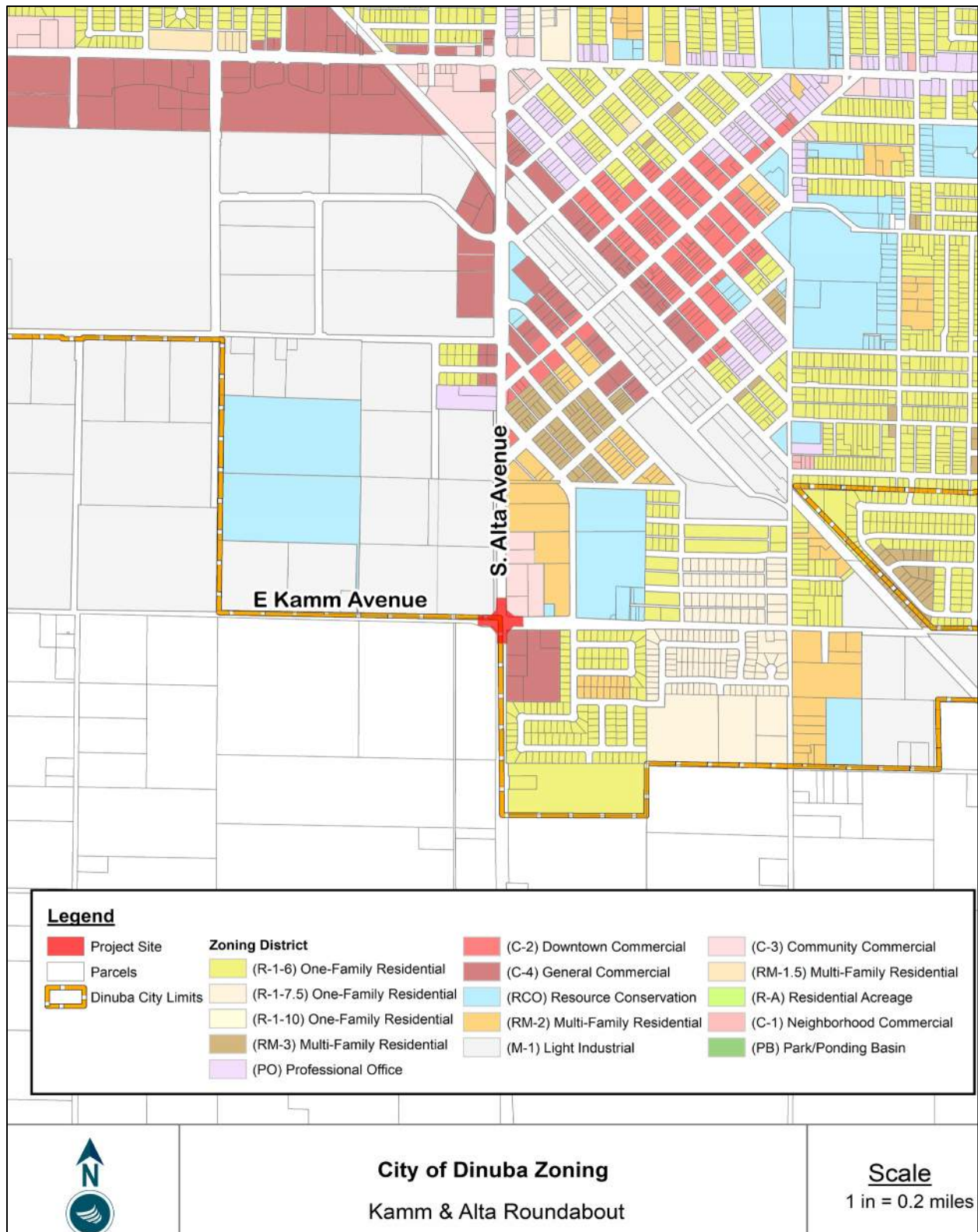


Figure 3-7. Zoning Map

Discussion**a) Would the project physically divide an established community?**

No Impact: The project proposes the replacement of a 4-way signalized intersection with a roundabout. The project would not act as a physical barrier within a community. There is *no impact*.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact: The proposed project does not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. There is *no impact*.

Mitigation Measures for Land Use and Planning

None Required

XII. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
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 lands use plan?	☐	☐	☐	☒

Environmental Setting

There are no mineral resource zones in Tulare County and there is no mineral extraction occurring on or adjacent to the proposed project site. Historical mines within the County include mineral deposits of tungsten, copper, gold, magnesium and lead, however most of these mines are now closed – leaving only 37 active mining operations. There are no active mining operations within the City of Dinuba.

Regulatory Setting

California State Surface Mining and Reclamation Act: The California State Surface Mining and Reclamation Act was adopted in 1975 to regulate surface mining to prevent adverse environmental impacts and to preserve the state’s mineral resources. The Act is enforced by the California Department of Conservation’s Division of Mine Reclamation.

Discussion

- a) **Would the project 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?**

No Impact: The project site has no known mineral resources that would be of a value to the region and the residents of the state, therefore the proposed project would not result in the loss of impede the mining of regionally or locally important mineral resources. There is *no impact*.

- b) **Would the project result in the loss of availability of a locally - important mineral resource recovery site delineated on a local general plan, specific plan or other lands use plan?**

No Impact: There are no known mineral resources of importance to the region and the project site is not designated under the City’s or County’s General Plan as an important mineral resource recovery site. For that reason, the proposed project would not result in the loss of availability of known regionally or locally important mineral resources. There is *no impact*.

Mitigation Measures for Mineral Resources

None Required

XIII. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive ground-borne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or, an airport land use plan or, where such a plan has not been adopted, within two miles of public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Environmental Setting

Noise is often described as unwanted sound. Sound is the variation in air pressure that the human ear can detect. If the pressure variations occur at least 20 times per second, they can be detected by the human ear. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second, called Hertz (Hz). Ambient noise is the “background” noise of an environment. Ambient noise levels on the proposed project site are primarily due to agricultural activities and traffic. Construction activities usually result in an increase in sound above ambient noise levels.

Discussion

- a) **Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less than Significant Impact: Project construction is anticipated to last approximately 3 months and will involve temporary noise sources. The average noise levels generated by construction equipment that will be used in the proposed project are shown below.

Type of Equipment	dBA at 50 feet
Air Compressors	81
Excavators	81
Concrete/Industrial Saws	76
Cranes	83
Forklifts	75
Generators	81

Pavers	89
Rollers	74
Dozers	85
Tractors	84
Loaders	85
Backhoes	80
Graders	85
Scrapers	89
Welders	74

*Table 3-8. Noise levels of noise-generating construction equipment.
Source: Federal Highway Administration Construction Noise Handbook.*

The City of Dinuba Noise Ordinance identifies the following noise thresholds for noise sources related to construction (Table 3-9). However, Section 9.54.070 of the Noise Ordinance states that noise regulations do not apply construction, repair or remodeling work accomplished pursuant to a building electrical, plumbing, mechanical, or other construction permit issued by the city or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of seven a.m. and ten p.m. on any day. The project will comply with these regulations and construction will only occur Monday through Friday between 6:00 AM and 7:00 PM.

Distance from Inhabited Building	Noise Threshold
300 feet to the noise receiver	Unrestricted noise level
200 feet to the noise receiver	90 decibels at the property line of the noise source
100 feet to the noise receiver	80 decibels at the property line of the noise source
50 feet to the noise receiver	70 decibels at the property line of the noise source

Table 3-9. Noise Thresholds for Construction Sites.

The project itself will not generate long term noise levels. The project itself will improve local roadway operations, but will not generate additional vehicle trips through the intersection. The Project is therefore not considered to be growth inducing and will not result in noise impacts beyond what was previously analyzed in the City's General Plan EIR.

Because noise generated from construction would be temporary, construction activities would comply with all measures established by the City to limit construction related noise impacts, and operational noise would be consistent with existing noise levels, what was previously analyzed in the City's General Plan EIR, the impact is *less than significant*.

b) Would the project result in generation of excessive ground-borne vibration or groundborne noise levels?

Less than Significant Impact: Ground-borne vibration or ground-borne noise levels may occur as part of construction activities associated with the project. Construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period of time. Therefore, impacts are *less than significant*.

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

No Impact: The project site is located approximately 7.3 miles from the nearest private airstrip and 10 miles from the nearest public airport (Reedley Municipal Airport). The site is not located within an Airport Land Use Plan and would not expose people to excessive airport noise. There is *no impact*.

Mitigation Measures for Noise

None Required

XIV. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Environmental Setting

The United States Census Bureau estimated the population in the City of Dinuba to be 25,139 in 2021. This is an increase from the 2020 census, which counted the population in the City of Dinuba to be 24,563. Factors that influence population growth include job availability, housing availability, and the capacity of existing infrastructure.

Regulatory Setting

The size of the population in the City of Dinuba is controlled by the development code and Land Use Element of the General Plan. These documents regulate the number of dwelling units per acre allowed on various land uses and establish minimum and maximum lot sizes. These factors have a direct impact on the City's population size. The project site is located entirely within the public ROW. Therefore, no residences are permitted within the project area.

Discussion

- a) **Would the project induce substantial unplanned population growth in an area, either directly (for example, by new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

No Impact: The project does not propose any new homes and there are no residential structures currently on-site. The Project itself will improve local roadway operations but would not generate additional vehicle trips. The Project is therefore not considered to be growth inducing. The proposed Project will not affect any regional population, housing, or employment projections anticipated by City of Dinuba policy documents. Therefore, there is *no impact*.

- b) **Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

No Impact: There project does not involve the removal of existing residences and would not displace any people. There is *no impact*.

Mitigation Measures for Population and Housing

None Required

XV. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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 serve ratios, response times of other performance objectives for any of the public services:				
a. Fire protection?	☐	☐	☐	☒
b. Police protection?	☐	☐	☐	☒
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other public facilities?	☐	☐	☐	☒

Environmental Setting

Fire: The project site is served by the City of Dinuba Fire Department. The City of Dinuba Fire Department will continue to provide fire protection services to the proposed project site upon development.

Police: Law enforcement services are provided to the project site via the Dinuba Police Department. The City of Dinuba will continue to provide police protection services to the proposed project site upon development.

Schools: The proposed project site is located within Dinuba Unified School District.

Discussion

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 serve ratios, response times of other performance objectives for any of the public services:

a. Fire protection?

No Impact: The City of Dinuba Fire Department will continue to provide fire protection services within the project site. No additional fire personnel or equipment is anticipated, as the site is already served by the Fire Station. There is *no impact*.

b. Police protection?

No Impact: The proposed Project will continue to be served by the City's Police Department. No additional police personnel or equipment is anticipated. There is *no impact*.

c. Schools?

No Impact: The proposed project does not contain any residential uses, which are typically associated with an increased demand for schools. The project would not increase the population within the City of Dinuba and would therefore not result in increased demand upon School District resources. There is *no impact*

d. Parks?

No Impact: The proposed Project would not result in an increase in demand for parks or other recreation facilities because it would not cause an increase in population. There is *no impact*.

e. Other public facilities?

No Impact: The proposed Project is not growth inducing and is within the land use and growth projections identified in the City's General Plan. The Project would not result in increased demand for, or impacts on, other public facilities. There is *no impact*.

Mitigation Measures for Public Services

None Required

XVI. PARKS AND RECREATION

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Environmental Setting

The City of Dinuba owns and operates 12 parks within the City limits. Delgado Park is the closest recreational area to the project site and is located approximately 0.2 miles northeast of the project site.

Discussion

- 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?**

No Impact: The proposed project does not contain any features that would increase the use of existing neighborhood parks, regional parks, or other recreational facilities. There is *no impact*.

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

No Impact: The proposed project does not include any recreational facilities and would not necessitate the construction or expansion of additional recreational facilities. There is *no impact*.

Mitigation Measures for Parks and Recreation

None Required

XVII. TRANSPORTATION

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with the CEQA guidelines Section 15064.3, Subdivision (B)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Environmental Setting

Vehicular Access: The project includes the conversion of a four-way signalized intersection into a two-lane roundabout at the intersection of Alta Avenue and Kamm Avenue. Vehicular access to the project is available from Alta Avenue to the north and South, and from Kamm Avenue to the east and west. Roadway detours and/or lane closures may be used to control traffic during construction.

Parking: During construction, workers will utilize a temporary construction easement located adjacent to the project site for parking and equipment staging. During project operations, there will be no permanent personnel on-site and no additional parking facilities will be required.

Pedestrian and Cyclist Connectivity: The project will include installation of pedestrian/cyclist facilities, including sidewalks, crosswalks, bicycle ramps and related improvements (signage/stripping, etc.).

Regulatory Setting

City of Dinuba Improvement Standards: The City of Dinuba Improvement Standards are developed and enforced by the City of Dinuba's Engineering Division to guide the development and maintenance of City Roads.

City of Dinuba General Plan: Kamm Avenue and Alta Avenue are both designated as arterial streets in the City of Dinuba General Plan.

Discussion

- a) **Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

Less than Significant Impact: The project includes the conversion of a four-way signalized intersection into a two-lane roundabout, installation of pedestrian/cyclist facilities (sidewalks, crosswalks, bicycle ramps, and related improvements (signage/stripping, etc.). The proposed project is located in the City of Diniuba and would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. A project's effect on automobile delay, typically measured based on "level of service" (LOS) would not constitute a significant environmental impact under the CEQA Guidelines effective July 1, 2020. This impact is *less than significant*.

- b) **Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?**

Less than Significant Impact: As described in Section 15064.3: "Vehicle miles traveled" refers to the amount and distance of automobile travel "attributable to a project." The OPR Technical Advisory recommends several VMT metrics, screening criteria, VMT evaluation methodology and thresholds of significance for different types of projects.

For Transportation projects, OPR recommends projects be evaluated based on their likelihood of inducing a measurable and substantial increase in vehicle travel. The OPR Technical Advisory states that installation of roundabouts or traffic circles are not likely to lead to a substantial or measurable increase in vehicle travel and should generally not require an induced travel analysis.

Because installation of the proposed roundabout is not anticipated to result in a substantial or measurable increase in vehicle travel, the project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b). The impact is *less than significant*.

- c) **Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Less than Significant Impact: The proposed project is not anticipated to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Improvements would include the conversion of a four-way signalized intersection into a two-lane roundabout, installation of pedestrian/cyclist facilities (sidewalks, crosswalks, bicycle ramps, and related improvements (signage/stripping, etc.). Construction activities will include demo of existing asphalt, sidewalk, and curb within project limits, placement of aggregate base and pavement, piping existing irrigation ditch underground, extension of sewer and stormwater lines through intersection, and street light installation. The proposed project design will be subject to review and permitting by the City of Dinuba and other agencies (as described in the Project Description) to ensure the design and construction is consistent with applicable standards. This impact is *less than significant*.

d) Would the project result in inadequate emergency access?

Less Than Significant Impact: The proposed project would replace an existing 4-way signalized intersection with a roundabout. The project is expected to reduce travel delay and improve roadway operations. Therefore, the proposed project is anticipated to enhance emergency access, and would not result in inadequate emergency access. This impact is *less than significant*

Mitigation Measures for Transportation

None Required

XVIII. TRIBAL CULTURAL RESOURCES

Would the project: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Environmental Setting

An Archaeological Survey Report was prepared by applied Earthworks in December 2022. The full report can be found in Appendix E.

Applied EarthWorks, Inc. conducted an archaeological survey of the Area of Potential Effects (APE) to determine if cultural resources are present and whether they have the potential to be affected by the proposed work. Applied EarthWorks' investigation included a records search to identify previously recorded resources and prior studies within 0.5 miles of the APE, a review of the Native American Heritage Commission's Sacred Lands File and initiation of Native American outreach, a review of pertinent topographic maps, aerial photographs, and General Land Office Plat Maps, and a pedestrian survey of the APE.

The records search identified one cultural resource, Dinuba Town Ditch (P-54-004899), and four prior studies (TU-00591, TU-00604, TU-01069, and TU-01149) within the Direct APE. Applied Earthworks conducted consultation with the State Historic Preservation Officer, who determined that the Dinuba Town Ditch is not eligible for listing in the National Register of Historic Places (Appendix E).

The Native American Heritage Commission Sacred Lands File search and Native American contacts did not identify any sacred areas or provide information pertaining to Native American resources.

Applied EarthWorks' pedestrian survey on November 14, 2022, did not identify any prehistoric archaeological resources within the Direct APE.

Definitions

- **Historical Resources:** Historical resources are defined by CEQA as resources that are listed in or eligible for the California Register of Historical Resources, resources that are listed in a local historical resource register, or resources that are otherwise determined to be historical under California Public Resources Code Section 21084.1 or California Code of Regulations Section 15064.5. Under these definitions Historical Resources can include archaeological resources, Tribal cultural resources, and Paleontological Resources.
- **Archaeological Resources:** As stated above, archaeological resources may be considered historical resources. If they do not meet the qualifications under the California Public Resources Code 21084.1 or California Code of Regulations Section 15064.5, they are instead determined to be “unique” as defined by the CEQA Statute Section 21083.2. A unique archaeological resource is an artifact, object, or site that: (1) contains information (for which there is a demonstrable public interest) needed to answer important scientific research questions; (2) has a special and particular quality, such as being the oldest of its type or the best available example of its type; or (3) is directly associated with a scientifically recognized important prehistoric or historic event or person.
- **Tribal Cultural Resource (TCR):** Tribal Cultural Resources can include site features, places, cultural landscapes, sacred places, or objects, which are of cultural value to a Tribe. It is either listed on or eligible for the CA Historic Register or a local historic register, or determined by the lead agency to be treated as TCR.
- **Paleontological Resources:** For the purposes of this section, “paleontological resources” refers to the fossilized plant and animal remains of prehistoric species. Paleontological Resources are a limited scientific and educational resource and are valued for the information they yield about the history of the earth and its ecology. Fossilized remains, such as bones, teeth, shells, and leaves, are found in geologic deposits (i.e., rock formations). Paleontological resources generally include the geologic formations and localities in which the fossils are collected.

Regulatory Setting

National Historic Preservation Act: The National Historic Preservation Act was adopted in 1966 to preserve historic and archeological sites in the United States. The Act created the National Register of Historic Places, the list of National Historic Landmarks, and the State Historic Preservation offices.

California Historic Register: The California Historic Register was developed as a program to identify, evaluate, register, and protect Historical Resources in California. California Historical Landmarks are sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, experimental, or other value. In order for a resource to be designated as a historical landmark, it must meet the following criteria:

- The first, last, only, or most significant of its type in the state or within a large geographic region (Northern, Central, or Southern California).
- Associated with an individual or group having a profound influence on the history of California.

- A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer or master builder.

Discussion

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

Less Than Significant Impact with Mitigation: An Archaeological Survey Report was prepared by Applied Earthworks in December 2022. The full report can be found in Appendix E. Applied EarthWorks' investigation included a records search to identify previously recorded resources and prior studies within 0.5 miles of the APE, a review of the Native American Heritage Commission's Sacred Lands File and initiation of Native American outreach, a review of pertinent topographic maps, aerial photographs, and General Land Office Plat Maps, and a pedestrian survey of the APE.

The Native American Heritage Commission Sacred Lands File search and Native American contacts did not identify any sacred areas or provide information pertaining to Native American resources. Applied EarthWorks' pedestrian survey on November 14, 2022, did not identify any prehistoric archaeological resources within the Direct APE.

Although no tribal cultural resources were identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementation of Mitigation Measures CUL-1 and CUL-2 will ensure that impacts to this checklist item will be *less than significant with mitigation incorporation*.

- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Less Than Significant Impact with Mitigation: Based on the findings on the Archaeological Survey Report, which included a Cultural Resources Records Search, Native American Heritage Commission (NAHC) Sacred Lands File Search, Archival Research, Native American Outreach, and a Pedestrian Survey, there are no known tribal cultural resources within the project area. The full Archaeological Survey Report is available in Appendix E.

Although no tribal cultural resources were identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementation of Mitigation Measures CUL-1 and CUL-2 will ensure that impacts to this checklist item will be *less than significant with mitigation incorporation*.

Mitigation Measures for Impacts to Cultural Resources:

Mitigation Measure CUL-1: If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) should be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any adverse effects.

Mitigation Measure CUL-2: The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) 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?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Environmental Setting

Wastewater: The proposed project will not generate wastewater. Sewer lines would be extended through the intersection as part of the proposed improvements, per City of Dinuba development standards.

Solid Waste: The proposed project will not generate solid waste and will not require solid waste collection services.

Water: An existing water line runs along Alta Avenue and will remain following project implementation. The project would utilize minimal water resource to support drought tolerant landscaping.

Storm Drainage: As part of proposed improvements, the Project includes extension of stormdrain lines through the intersection, per City of Dinuba Development Standards. Stormwater would be collected and conveyed to the City's existing stormwater management system.

Regulatory Setting

CalRecycle: California Code of Regulations, Title 14, Natural Resources – Division 7 contains all current CalRecycle regulations regarding nonhazardous waste management in the state. These regulations include

standards for the handling of solid waste, standards for the handling of compostable materials, design standards for disposal facilities, and disposal standards for specific types of waste.

Central Valley RWQCB: The Central Valley RWQCB requires a Stormwater Pollution Prevention Plan (SWPPP) for projects disturbing more than one acre of total land area. Because the project is greater than one acre, a SWPPP to manage stormwater generated during project construction will be required.

The Central Valley RWQCB regulates Wastewater Discharges to Land by establishing thresholds for discharged pollutants and implementing monitoring programs to evaluate program compliance. This program regulates approximately 1500 dischargers in the region.

The Central Valley RWQCB is also responsible for implementing the federal program, the National Pollutant Discharge Elimination System (NPDES). The NPDES Program is the federal permitting program that regulates discharges of pollutants to surface waters of the U.S. Under this program, a NPDES permit is required to discharge pollutants into Water's of the U.S. There are 350 permitted facilities within the Central Valley Region.

Discussion

- a) **Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relation of which could cause significant environmental effects?**

Less than Significant Impact: The proposed project will extend sewer and stormwater lines through the project area and relocate 2 existing power poles as part of improvements to the Kamm avenue and Alta Avenue intersection.

Although the project would result in the construction of new stormwater and wastewater collection facilities, the project itself will not generate wastewater, so it does not have to potential to exceed wastewater treatment capacities.

The proposed improvements would result in new impervious surfaces that could increase the amount of stormwater runoff. However, the project proposes to extend stormwater lines through the project area as part of the intersection improvements. Stormwater would be collected and conveyed through the City's existing stormwater management system, which has adequate capacity to accommodate these flows. The project will also incorporate appropriate pollution prevention and BMPs in accordance with the City design standards and RWQCB requirements. Two existing power poles will need to be relocated to accommodate the proposed intersection improvements, however relocation of these poles will not necessitate new power generation facilities to be constructed that would have a significant impact on the environment.

Because the improvements to the Kamm Avenue and Alta Avenue intersection, including sewer lines, stormwater lines, and power pole relocation, would not require the construction any additional water, wastewater treatment, storage drainage, electric power, natural gas, or telecommunications facilities beyond those analyzed in this IS/MND, the impact is *less than significant*.

- b) **Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

Less than Significant Impact: The only water used by the proposed project would be to support project landscaping. The project would incorporate drought tolerant landscaping so water use is expected to be minimal. As such, existing water supplies are sufficient to serve the project during normal, dry, and multiple dry years. The impact is *less than significant*.

- c) **Would the project 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?**

No Impact: The project itself will not generate wastewater. There is *no impact*.

- d) **Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

No Impact: The project itself will not generate solid waste and would therefore not impair the attainment of solid waste reduction goals. There is *no impact*.

- e) **Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

No Impact: The project itself will not generate solid waste and would therefore not conflict with any federal, state, or local management and reduction statutes or regulations related to solid waste. There is *no impact*.

Mitigation Measures for Utilities and Service Systems

None Required

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Regulatory Setting**Definitions:**

Fire hazard severity zones: geographical areas designated pursuant to California Public Resources Codes Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code, Sections 51175 through 51189.

Tulare County Disaster Preparedness Guide (2011): The Tulare County Preparedness Guide provides guidelines regarding disaster preparedness and evacuation planning for Tulare County residents.

Tulare County Multi-Jurisdictional Hazard Mitigation Plan (2018): The 2018 Tulare County Multi-Jurisdictional Hazard Mitigation Plan assesses the natural, technological, and human-caused risks to Communities within Tulare County. The proposed project site is not located in an area designated as a Fire Hazard Severity Zone by the Tulare County Multi-Jurisdictional Hazard Mitigation Plan.

Discussion**a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**

No Impact: The project would not substantially impair an adopted emergency response plan or emergency evacuation plan. There is *no impact*.

- b) **Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

No Impact: The project is located on a flat area of land with little risk of fire. The Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan identifies the risk of fire within the City of Dinuba as having unlikely frequency, limited extent, limited magnitude, and low significance. The project would not exacerbate wildfire risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. There is *no impact*.

- c) **Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

No Impact: The proposed project involves the installation of fire hydrants as part of proposed street improvements. If anything, installation of these features would reduce fire risks within the vicinity of the project site. There is *no impact*.

- d) **Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes?**

No Impact: The project site is located on land with relatively flat topography. Therefore, the project would not be susceptible to downslope or downstream flooding or landslides as a result of post-fire instability or drainage changes. There is *no impact*.

Mitigation Measures for Wildfire

None Required

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
b) Does the project have the potential substantially 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, substantially 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) 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)?	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion

- 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?

Less Than Significant Impact with Mitigation: This initial study/mitigated negative declaration found the project could have significant impacts on water, cultural, and Tribal cultural resources. However, implementation of the identified mitigation measures for each respective section would ensure that impacts are *less than significant with mitigation incorporation*.

- 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)?

Less Than Significant Impact: CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the

project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. The proposed project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc). Impacts would be *less than significant*.

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

Less Than Significant Impact: The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial impact on human beings, either directly or indirectly. Mitigation measures have been incorporated in the project design to reduce all potentially significant impacts to less than significant, which results in a *less than significant* impact to this checklist item.

3.6 MITIGATION MONITORING AND REPORTING PROGRAM

As required by Public Resources Code Section 21081.6, subd. (a)(1), a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the project in order to monitor the implementation of the mitigation measures that have been adopted for the project. This Mitigation Monitoring and Reporting Program (MMRP) has been created based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Alta Avenue & Kamm Avenue Roundabout Project in the City of Dinuba.

The first column of the table identifies the mitigation measure. The second column names the party responsible for carrying out the required action. The third column, "Timing of Mitigation Measure" identifies the time the mitigation measure should be initiated. The fourth column, "Responsible Party for Monitoring," names the party ensuring that the mitigation measure is implemented. The last column will be used by the City of Dinuba to ensure that the individual mitigation measures have been monitored.

Plan checking and verification of mitigation compliance shall be the responsibility of the City of Dinuba.

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Mitigation Measure CUL-1: If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) should be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any adverse effects.	Project Sponsor & Construction Contractor	Ongoing during construction.	City of Dinuba	
Mitigation Measure CUL-2: The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.	Project Sponsor & Construction Contractor	Ongoing during construction.	City of Dinuba	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Mitigation Measure HYD-1: The Project shall implement the following Best Management Practices to prevent run-on and runoff pollution, properly dispose of wastes, and train employees and subcontractors. • Construction will begin outside of the irrigation season when the Ditch will be dry. Soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses. All areas disturbed by project activities shall be protected from washout or erosion. All drainage protective devices such as swales, interception ditches, protective berms, concrete channels, or other measures designed to protect improvements from runoff must be constructed before the construction of the project. • The amount and duration of soil exposed to erosion by wind, rain, runoff, and vehicle tracking should be minimized by applying water or other dust palliatives, as necessary. Watering should occur at least twice a day with complete coverage, preferably in the late morning and after work is completed for the day. Covering small stockpiles or areas is an alternative to applying water. The stockpiles should be located a minimum of fifty feet away from concentrated flows of stormwater, drainage courses, and inlets. The stockpiles should be protected using a temporary perimeter sediment barrier. All clearing, grading, earth moving, or excavation activities will cease during periods of high winds greater than twenty mph. Vehicles will be prohibited from being on non-active portions of the Project site. All vehicles on site will be limited to 15 MPH to reduce dust forming. The contractor shall maintain dust control on the site as specified by "Caltrans Standard Specifications 2015". • Stabilized construction access should be provided at entrances to reduce or eliminate the tracking of sediment onto public streets. Visible sediment tracking should be swept or vacuumed daily. For solid waste management from clearing and grubbing, BMPs would include providing designated waste collection areas and containers and arranging for regular disposal. For concrete waste management, the washout should be conducted offsite or in a designated area at least fifty feet from the Ditch.	Project Sponsor & Construction Contractor	Ongoing during construction.	City of Dinuba	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
• Vehicle and equipment cleaning, fueling, and maintenance should be done offsite or in a designated, contained area only. The discharge of petroleum products or other excavated materials to surface water channels is prohibited. The Discharger shall notify the City of Dinuba immediately of any spill of petroleum products or other organic or earthen materials. • Following construction, all trenches will be filled to reduce any impact. • The Discharger shall maintain a copy of the supporting documentation at the project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed project shall be adequately informed and trained regarding the conditions of the certification. • The project disturbs over one acre of soil, therefore a Water Pollution Control Program and SWPPP will need to be prepared by the contractor per Caltrans 2010 Standard Specification Section 13-2. • The Discharger shall notify the City of Dinuba immediately if any of the above conditions are violated, along with a description of measures it is taking to remedy the violation. By incorporating proper and accepted engineering practices and BMPs, the proposed project will not produce significant impacts on water quality during construction or its operation.				

3.7 Supporting Information and Sources

1. AB 3098 List
2. City of Dinuba General Plan
3. City of Dinuba General Plan EIR
4. City of Dinuba Urban Water Management Plan
5. City of Dinuba Zoning Ordinance
6. Engineering Standards, City of Dinuba
7. SJVAPCD Regulations and Guidelines
8. Flood Insurance Rate Maps
9. California Air Resources Board's (CARB's) Air Quality and Land Use Handbook
10. 2008 (California Environmental Quality Act CEQA Guidelines
11. California Building Code
12. California Stormwater Pollution Prevention Program (SWPPP)
13. "Construction Noise Handbook." U.S. Department of Transportation/Federal Highway Administration.
14. Government Code Section 65962.5
15. California Environmental Protection Agency (CEPA)
16. California Energy Efficiency Strategic Plan: New Residential Zero Net Energy Action Plan 2015-2020, June 2015
17. San Joaquin Valley Air Pollution Control District Mitigation Measures
(<http://www.valleyair.org/transportation/Mitigation-Measures.pdf>)
18. "Residential Water Use Trends and Implications for Conservation Policy." Legislative Analyst's Office/The California Legislature's Nonpartisan Fiscal and Policy Advisor. March 2017.

Section 4

List of Preparers

City of Dinuba

405 E El Monte Way
Dinuba, CA 93291

SECTION 4

List of Preparers

Project Title: Alta Avenue & Kamm Avenue Roundabout

List of Preparers

4-Creeks Inc.

- David Duda, AICP, GISP
- Molly Baumeister, Associate Planner
- Nate Antepencko, Assistant Planner
- Jason Watts, PE
- Kyle McDonald, PE
- Macy Hernandez, Asst. Engineering Designer

Persons and Agencies Consulted

The following individuals and agencies contributed to this Initial Study/Mitigated Negative Declaration:

City of Dinuba

- Ismael Hernandez, Director of Public Works

Applied EarthWorks

- Chantal Cagle, Senior Archaeologist
- Ward Stanley, Associate Archaeologist



City Council Staff Report

Department: FINANCE SERVICES

February 28, 2023

To: Mayor and City Council

From: Karina Solis, Administrative Services Director

Subject: Mid-year Budget Report and Budget Amendments for Fiscal Year 2022/2023 (KS)

RECOMMENDATION

Council to take the following action by one motion:

1. Accept the Fiscal Year 2022/23 Mid-Year Financial Report and Second Quarter Financials; and,
2. Adopt Resolution No. 2023-09 approving budget amendments for Fiscal Year 2022/23.

EXECUTIVE SUMMARY

The Fiscal Year 2022/23 Second Quarter Financials are presented to the City Council in accordance with the City Charter. The Mid-Year Report reflects the city's financial position at the mid-point in the budget year that began on July 1, 2022 and ends on June 30, 2023. The second quarter financials reflect revenues and expenditures for the period of October 1, 2022 through December 31, 2022. The mid-year financial review provides the city with an opportunity to make any necessary adjustments to ensure that the budget is balanced at the end of the fiscal year. As such, staff is recommending budget amendments to reflect changes through the first half of the budget year.

OUTSTANDING ISSUES

None.

DISCUSSION

For the Mid-Year Budget, the report is summarized by fund type. They are as follows:

General Fund Revenues (Attachment A)

The General Fund covers core services such as Police, Fire, Planning and Development, and Parks and Community Services. Sales and property taxes are the two largest sources of revenue in the General Fund. Revenues in the General Fund are at 36% and expenditures are at 48% at mid-year.

PROPERTY TAX

Through the second quarter the City has received 53% of property tax revenues. The major portion of property tax revenue is received in December and the second largest receipt comes in April.

MOTOR VEHICLE IN LIEU

The city has received 50% of Motor Vehicle in Lieu Fees (VLF) through December 31, 2022. VLF revenues are property tax shares allocated to cities and counties that began in fiscal year 2004-2005 as compensation for Vehicle License Fee previously allocated to cities and counties by the state. The month of December reflects the first payment made this year.

SALES TAX

Sales tax represents the largest funding source in the general fund. Through the second quarter, 19% of Sales Tax revenues have been received. Sales tax revenues are two months in arrears, therefore in December 2022, only four months' worth of revenue was collected. At year-end, it is anticipated that the sales tax figures will come within the budgeted amount.

UTILITY USERS TAX

Through the second quarter, 56% of Utility User's tax revenues were received. Amounts usually vary in this tax because usage varies from one season (hot summer) to the next (mild fall) and the next (cold winter).

TRANSIENT OCCUPANCY TAX

Through December 31, 2022, the city has received 34% of Transient Occupancy Tax (TOT), or hotel tax. These taxes are received on a quarterly basis. The 34% reflects \$99,404 received in October. The next installment to be received in January will reflect a true six months' worth of revenue.

BUSINESS LICENSES

The city received 109% of Business License revenues through December 31, 2022. Business Licenses are collected at the beginning of each fiscal year. This revenue category will routinely appear high during the first three quarters of every year.

FRANCHISE TAX

The collection of fees from utilities (i.e., PG&E, Comcast Cable, etc.) are made for using city rights-of-way. The City has received 8% of franchise tax revenues, or \$24,874 from the Comcast Cable in the month of December. Pacific Gas & Electric pays their franchise tax to the city in April of each year.

PERMITS/FINES/SERVICE FEES

Permits, Fines and Services Fees through December 31, 2022 were at 79%. Permits and Recreational Activities make up a large portion of these estimated revenues and they are exceeding the benchmark for the first six months of the year largely due to Public Improvement Plan checks and Inspection fees. Staff will monitor the revenues and will prepare year-end budget amendments if necessary.

OVERHEAD/INTERNAL SERVICE

Revenues from Internal Service charges through December 31, 2022 were at 50%. These charges are allocated to the appropriate funds on a monthly basis.

OTHER REVENUE

Revenue from other sources are currently at 78%. The revenues considered "other" are from grants, franchise tax, investments, reimbursements, and miscellaneous receipts. The proportionally large percentage of revenue received is due to increased interest received from investments. Adjustments to account for the increased interest will be made at year end as needed.

GENERAL FUND

EXPENDITURES (Attachment A)

The City has expended roughly 48% of its appropriations as of December 31, 2022. In City Attorney, litigation for a case has caused the budget to surpass the budgeted amount by 156%. It is important to note that the litigation for this case was being handled by a contracted Attorney and not the City Attorney. The litigation has come to an end and no further expenses are anticipated. A budget amendment is included to adjust for the additional expenses incurred for this case.

All other departments are on target to their budgeted lines from actual to budget for mid-year in the General fund.

REVENUES AND EXPENDITURES-ALL FUNDS (Attachment B)

As summarized in Attachment 'B' the summary of all funds revenues reflect the revenues and expenditures for the mid-year ending December 31, 2022 by fund type.

ENTERPRISE FUNDS

UTILITY FUNDS

Through December, expenses exceeded revenues in the Enterprise Funds. While revenues were at 41% and 32% through December for water and sewer respectively, expenses were slightly higher at 62% and 66% in these funds. Through the mid-year, disposal revenues are at 43% and the expenditures are on target at 50%. At the end of this quarter the utility funds revenues only reflect two months' worth of revenues; however at the end of the year the two months will be accrued.

TRANSIT

Expenses are at 44% at mid-year. Revenues are at 0%. Revenue for this fund was previously received from Fresno County, the State of California, and the federal government, but now that the Tulare County Regional Transit Authority (TCRTA) joint powers authority is managing the City's transit, revenues received (reimbursements) will be solely from the TCRTA.

AMBULANCE

The City continues to secure additional funding through the Intergovernmental Transfer (IGT) program through the California Health Care Services Department. At mid-year, revenues are at 28% of budget, while expenses are at 53%.

GOLF COURSE

The Golf course fund is producing better than was anticipated at the preparation of the budget. This fund is exceeding the expenses slightly at 55%; however, this is offset by higher than budgeted revenues, which are at 62% for mid-year.

INTERNAL SERVICE FUNDS

INSURANCE

For the mid-year revenues are on track at 50%, while expenditures are at 52%. A budget amendment will be necessary in this fund to allocate the expenses for Disability and Life Insurance that were inadvertently missed during the adoption of the budget.

HEALTH INSURANCE

For Health Insurance, revenues and expenditures are on target at 54% and 53% respectively.

SPECIAL REVENUES

GAS TAX AND TRANSPORTATION

The gas tax fund is at a 22% in revenue and expenses are at 45%. Gas tax revenue is historically received two months in arrears. Through December 31, 2022, the Transportation fund is 27% in revenues and expenses are at 53%. Intergovernmental transfers from the state for both Gas Tax and Transportation are typically received towards the end of the fiscal year.

PUBLIC SAFETY SALES TAX

The Public Safety Sales Tax revenues are at 32% as of second quarter and expenses are at 44%. Revenues are expected to be on target at year end; however, since two months are accrued back at the end of the year, revenues appear to be low at mid-year.

COPS AND POST TRAINING

The revenue for these funds is currently at 96% due to an increase in the allocation

for the COPS grant, while the expenses are at 74%. It is anticipated that budget amendments will be needed at year-end to adjust for the additional revenue and therefore, expenses will also be adjusted to utilize the additional revenue received.

SUCCESSOR AGENCY

The payments for the RDA Debt Service were made in the first and second quarters, putting expenses at 73% and revenues at 71%.

CAPITAL FUNDS

CONSTRUCTION FUNDS

The construction funds consist of four main funds that are designated for Capital Projects and two litigation settlement funds. The Capital funds include Capital Facilities, Water, Sewer and Transportation. Through mid-year, expenses were at 25% while revenues are at 6%. For these funds, the expense must be made in order to receive reimbursement, therefore, the revenues will be received in future months.

DEBT SERVICE FUNDS

The long-term debt service funds of General, Water, Sewer and the Financing Authority are all showing Revenues are at 72% and expenses at 71% through December 31, 2022. The revenues and expenses are slightly higher due to the significant debt service payments being made in the first and second quarters. These payments are made semi-annually and thus skew the mid- year picture.

BUDGET AMENDMENTS (Attachment C)

Several mid-year budget amendments are being proposed to align the expenditures and revenues to the budget. They are as follows:

General Fund – An adjustment is proposed to bring revenues to actual and several adjustments are needed on the expense side to account for one-time expenses.

In Service and Fee – Outsourcing Expense, an adjustment is needed for increased revenue for a one-time item.

In the City Attorney division, a one-time increase for additional litigation charges in Professional and Technical for the expenses associated with the litigation of a case that is now closed.

In General Services increases to expenses include a one-time expense for a storm water SCADA system; \$7,000 for the NeoGov Human Resources platform to facilitate the recruitment processes; \$19,259 for the installation of a security door at the Community Center and a transfer of \$1.9 million to the Transportation Construction Fund for improvements to Euclid Avenue and the Alta/Nebraska Roundabout projects.

The Euclid Avenue Improvements consisted of adding curb, sidewalks, bulb-outs for

safe routes to school and infrastructure for future development. For the Alta/Nebraska Roundabout, a budget amendment is required to cover change orders consisting of increased costs to construction and extension of utility infrastructure and shoulder stabilization.

In Risk Management Fund, an adjustment in expenses for \$180,000 for the Disability/Life Insurance Expenses that are paid annually that were inadvertently overlooked during the adoption of the budget.

Capital Funds

In Transportation Construction, budget amendments are needed on both the revenue and expense sides to account for the Euclid Avenue Improvements and the Alta/Nebraska Roundabout.

Enterprise Funds

For the Water fund, adjustments are needed to account for the outright purchase of a Backhoe. The original budget allocated \$30,000 for an annual payment for the five-year lease to purchase for the piece of equipment, but with the increase of interest rates, it was financially prudent to pay for the Backhoe outright. The total cost of the backhoe is \$120,000 and with the adopted budget of \$30,000, the budget amendment will be for the \$90,000 difference that will be expensed from fund balance.

In the Vocational Center fund, the sale of the Vocational Center is requiring adjustments for the lease payments, the deposit received and the final sale of the building. Adjustments to the expenses related to the preparation of the sale in Repair and Maintenance are also presented as a budget amendment.

In the Public Safety Fund (Measure F), a budget amendment is required to finalize the Radio Replacement Project that began in fiscal year 2021/22. The full project was funded in 2021/22; however, due to timing, the last portion of the project ended in the current fiscal year.

FISCAL IMPACT

After the budget amendments, revenues and expenditures for all fund types are expected to be on target. Staff will continue to monitor all funds and make any necessary budget adjustments in future financial reports.

PUBLIC HEARING

None.

ATTACHMENTS:

A. General Fund Revenues and Expenses

B. Summary of All Funds

C. Resolution 2023-09 Approving the Budget Amendments for the 2022/23 Fiscal Year

GENERAL FUND

<u>REVENUES</u>	BUDGET 2022-2023	REVENUES AS OF 12/31/2022	PERCENTAGE REVENUES 12/31/2022
Property Tax	1,734,700	911,876	53%
Motor Vehicle In Lieu of VLF	2,470,000	1,242,334	50%
Sales Tax	11,130,000	2,155,733	19%
Utility Users Tax	1,760,000	993,774	56%
Transient Occupancy Tax	290,000	99,404	34%
Business Lic Tax	255,000	277,741	109%
Franchise Tax	306,000	24,874	8%
Permits/Fines/Service Fees	1,184,604	938,069	79%
Overhead	1,301,791	654,665	50%
Other	371,126	291,331	78%
<i>Total Revenues</i>	\$20,803,221	\$7,589,801	36%

<u>EXPENDITURES</u>	BUDGET 2022-2023	EXPENDITURES AS OF 12/31/2022	PERCENTAGE EXPENDITURES 12/31/2022
City Council	128,345	68,287	53%
City Attorney	200,000	312,406	156%
City Manager	325,833	181,176	56%
Human Resources	271,876	115,405	42%
Finance	837,722	417,673	50%
General Services	6,740,791	2,588,660	38%
Community Services	2,660,983	1,300,693	49%
Police Services	7,325,259	3,681,781	50%
Fire Services	2,798,908	1,482,698	53%
Community Development	1,669,117	815,290	49%
<i>Total Expenditures</i>	\$22,958,834	\$10,964,069	48%

FIRST QUARTERLY REPORT FUND ANALYSIS - ALL FUNDS

For the Period Ending 12/31/2022

	REVENUES			APPROPRIATIONS		
	FY 2022/23 BUDGET	REVENUES AS OF 12/31/22	PERCENT REC'S YTD	FY 2022/23 BUDGET	EXPENSES AS OF 12/31/22	PERCENT USED YTD
<u>GENERAL FUND</u>						
General Fund	\$20,803,221	\$7,589,801	36%	\$22,958,834	\$10,964,069	48%
<u>ENTERPRISE FUNDS</u>						
Vocational Center	0	1,445,000	0%	0	16,106	0%
Ridge Creek Golf Club	3,181,028	1,980,127	62%	3,173,096	1,745,548	55%
Water	3,242,930	1,336,806	41%	3,633,750	2,271,033	62%
Sewer	4,126,052	1,308,331	32%	4,314,276	2,849,079	66%
Disposal	3,343,213	1,452,285	43%	3,495,776	1,742,674	50%
Transit	303,017	421	0%	303,017	134,469	44%
CNG Station	183,600	71,389	39%	200,494	87,271	44%
Ambulance	3,556,224	995,264	28%	3,176,181	1,676,128	53%
<i>Sub-total</i>	<i>\$17,936,064</i>	<i>\$8,589,623</i>	<i>48%</i>	<i>\$18,296,590</i>	<i>\$10,522,309</i>	<i>58%</i>
<u>SPECIAL REVENUE FUNDS</u>						
Special Community Events	9,585	5,342	56%	11,150	4,258	38%
Gas Tax	1,018,445	224,599	22%	947,340	425,887	45%
Transportation	1,170,481	310,797	27%	1,242,907	663,836	53%
Road Repair & Acctabililty Act (SB1)	687,779	311,786	45%	707,403	486,343	69%
Impact Fees	3,792,086	228,390	6%	4,455,024	221,915	5%
Public Safety Sales Tax	3,200,000	1,020,356	32%	2,684,874	1,168,792	44%
COPS/Post Training Fund	110,000	105,932	96%	103,993	77,221	74%
State Fire Suppression Reimb	0	183,092	0%	114,600	65,189	57%
Fire/EMS Training	0	14,665	0%	0	0	0%
HOME/CDBG	859,505	280,633	33%	522,849	291,979	56%
Successor Agency	3,600,000	2,568,734	71%	3,476,249	2,550,780	73%
Downtown Improvement District	0	11,103	0%	0	10,739	0%
Assessment Districts	501,174	288,107	57%	484,850	270,307	56%
Community Facilities Districts	72,665	39,786	55%	53,299	21,083	40%
<i>Sub-total</i>	<i>\$15,021,720</i>	<i>\$5,593,323</i>	<i>37%</i>	<i>\$14,804,538</i>	<i>\$6,258,330</i>	<i>42%</i>
<u>INTERNAL SERVICE FUNDS</u>						
Insurance Risk	2,306,625	1,162,884	50%	2,083,999	1,078,933	52%
Health	3,049,020	1,633,927	54%	2,910,000	1,543,528	53%
Technology Replacement	67,868	67,868	100%	66,873	20,402	31%
Fleet Maintenance	414,321	207,386	50%	410,797	224,430	55%
Property & Facility Maintenance	441,576	220,869	50%	441,576	165,839	38%
<i>Sub-total</i>	<i>\$6,279,410</i>	<i>\$3,292,935</i>	<i>52%</i>	<i>\$5,913,245</i>	<i>\$3,033,133</i>	<i>51%</i>
<u>CAPITAL FUNDS</u>						
Transportation Construction	10,404,767	42,331	0%	10,702,554	3,092,570	29%
Water Capital Projects	2,028,042	0	0%	1,300,542	10,973	1%
Sewer Capital Projects	3,037,001	955,524	31%	2,218,500	967,670	44%
MTBE	150,000	0	0%	150,000	2,944	2%
DBCP	0	25	0%	0	0	0%
Facilities Capital Projects	2,782,168	170,060	6%	2,728,468	189,183	7%
<i>Sub-total</i>	<i>\$18,401,978</i>	<i>\$1,167,940</i>	<i>6%</i>	<i>\$17,100,064</i>	<i>\$4,263,339</i>	<i>25%</i>
<u>DEBT SERVICE FUNDS</u>						
General Debt	349,718	268,860	77%	349,718	271,975	78%
Water Debt	557,671	282,947	51%	557,671	278,832	50%
Sewer Debt	826,355	706,472	85%	826,355	694,349	84%
Financing Authority Debt	1,771,486	1,248,439	70%	1,771,486	1,245,169	70%
<i>Sub-total</i>	<i>\$3,505,230</i>	<i>\$2,506,718</i>	<i>72%</i>	<i>\$3,505,230</i>	<i>\$2,490,325</i>	<i>71%</i>

RESOLUTION 2023-09

**A RESOLUTION OF THE COUNCIL OF THE CITY OF DINUBA
APPROVING AND ADOPTING THE BUDGET AMENDMENT FOR VARIOUS FUNDS FOR
FISCAL YEAR 2022/2023**

WHEREAS, the FY 2022/2023 Annual Budget reflects the City of Dinuba's ongoing commitment to providing core services to the community consistent with the strategic goals established by the City Council; and

WHEREAS, the FY 2022/2023 Annual Budget; was approved by the City Council on June 28, 2022 by Resolution 2022-44 and any subsequent amendments must be approved by Resolution; and

WHEREAS, a budget amendment is necessary to align the expected revenues and expected expense.

WHEREAS, the budget amendment as Exhibit '1' to Attachment C specifies detail of various funds.

NOW, THEREFORE, BE IT RESOLVED, the Dinuba City Council hereby resolves that the FY 2022/2023 budget be amended to provide the necessary funding to various funds.

PASSED, APPROVED AND ADOPTED this 28th day of February 2023, at a regular meeting of the Dinuba City Council by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

BY:

ATTEST:

Mayor of the City of Dinuba

City Clerk



REQUEST FOR BUDGET AMENDMENT

Requested by: Karina Solis

Account Numbers	Fund Name Description	Budget Amounts	
		Increase	Decrease
REVENUES			
101-409.5480	SRVC & FEE Outsourcing Exp	26,000	
114-415.1050	OTH FIN SOURCES Sale of City Land/Property	1,350,776	
114-419.1010	LEASE RECEIPTS Lease - County	85,713	
260-800.101	TRSF IN General Fund	1,925,000	

Reason(s) for Budget Amendment:

To align the expenses and revenues for mid-year FY 2022/2023 budget, staff is requesting budget amendments to the following funds:

*In General Fund - An increase in revenues in the amount of \$26,000 is needed due to outsourcing of services for review of permits

In General Fund expenses - An increase to expenses totaling \$2,323,575 is needed consisting of \$315,000 for litigation services, \$57,316 for the storm water SCADA system, \$1,925,000 to be transferred out to the Transportation Capital Projects, of which \$1,000,000 is for the Alta/Nebraska roundabout and \$925,000 for the Euclid Ave Improvements, \$7,000 for NeoGov to facilitate the recruitment process for HR department, \$19,259 for the installation of a new security door at the Community Center.

*In Risk Management fund - an increase of \$180,000 is needed as it was inadvertently left out of the budget when taken to Council to adopt.

*In the Vocational Center fund - An increase in revenue is need totaling \$1,436,489, of which \$1,350,776 is for the remaining payment for the sale of the center of \$750,776 and the deposit of \$600,000. The remaining \$85,713 is for the lease payments owed to the city. An increase of \$12,953 is needed in expenses for the repair and maintenance of the central heating and cooling unit as well as the elevator.

*In the Water Fund - A net increase of \$90,000 is needed in expenses, while the \$30,000 is simply being moved from one expense line to another in order to cover for the purchase of a John Deere Backhoe for a total of \$120,000.

*In the Transportation Capital Projects Fund - an increase in revenue totaling \$1,925,000 is needed for the transfer in of funds from the General Fund for the Alta/Nebraska project and the Euclid Ave Improvements project. This will result in an increase in the expenses for those projects, of which \$1,000,000 will be for the Alta/Nebraska and \$925,000 will be for the Euclid Ave.

*In the Public Safety Sales Tax Fund - an increase in Capital Outlay for the Radio Project that began in fiscal year 2021/22. The full project was allocated in fiscal year 2021/22, but due to timing of the completion, \$10,948 is being requested is for the finalization of the project.

Approval Required Budget Amendment:

Administrative Services Director _____

Signature

Date

City Manager _____

Signature

Date

City Council: ☐ Approved ☐ Resolution # _____ ☐ Denied

Date

Journal Entry No. _____ Date Posted _____ By: _____



City Council Staff Report

Department: FINANCE SERVICES

February 28, 2023

To: Mayor and City Council

From: Karina Solis, Administrative Services Director

Subject: Mid-year Cash and Investment Report for Fiscal Year 2022/23 (KS)

RECOMMENDATION

Council accept the City of Dinuba Mid-year Cash and Investment report for fiscal year 2022/23.

EXECUTIVE SUMMARY

The investment report summarizes the city's cash and rates of return on investments. The cash investment report presented herein focuses on the first half of the 2022/23 fiscal year.

OUTSTANDING ISSUES

None.

DISCUSSION

Cash and Investment Summary

The mid-year cash and investment summary for the first half of the 2022/23 fiscal year covers the city's cash position and return on investments through the first six months of the fiscal year, particularly focusing on the time frame between July 1, 2022, through December 31, 2022.

The city's cash and investments as of December 31, 2022, total \$58.92 million as reflected on Table 1 and summarized in Attachment 'A'.

Table 1: Cash Summary as of December 31, 2022

Amount
(in

Cash/Investment Type	millions)
Banks & Deposits	\$9.52
Trustee Cash and Investments	\$1.77
Local Agency Investment Fund (LAIF)	\$14.47
Money Market Deposit (PIMMA)	\$23.17
Tulare County Investment Pool	\$10.00
Total Cash & Investments	\$58.92

Portfolio and Managed Investments

Historically, the city had invested the majority of its cash in the Local Agency Investment Fund (LAIF). LAIF is a pooled investment fund established by the state to provide cities with safe investment option that is administered by the State of California Treasurer's Office. Interest rates in LAIF lag behind the current economic trends; as such, earnings or returns are typically lower than other investment vehicles.

In late September 2022, after discussions between City staff and Mechanics Bank, the bank agreed to increase rates of return on their Public Investment Money Market Account (PIMMA). City staff made several transfers to the Money Market Account as interest rates would rise. At the end of December, a total of \$23 million had been invested, which returned approximately \$149 thousand during that time period.

In the first half of the 2022/23 fiscal year, council approved two changes in the City's investments. One of the changes was to adopt Resolution No. 2022-50, which granted the City the ability to invest in the Tulare County Investment Pool. The other change was to the Investment Policy to allow for Joint Powers Authority (JPA), participation which gave the City the ability to join CAMP (California Asset Management Program).

Investments with the Tulare County Investment Pool began on November 7, 2022. Staff invested \$10,000,000 which is the maximum amount allowed by council. The interest received from Tulare County is recognized on January 1, 2023; therefore, will be included in the next investment report.

The city began investing in the CAMP JPA January 4, 2023. Accordingly, the activity associated with this investment will be reflected in the next investment report as well.

The City's Cash and Investment Summary is enclosed as Attachment 'A'.

FISCAL IMPACT

The City's monetary resources are organized and accounted for on a fund basis with

some of those funds being restricted for specified uses and others that are unrestricted. For investment purposes, all funds are invested as a pool.

The investment report for the period ending December 31, 2022 shows a combined pool balance of \$58,923,165, of which, \$377,640 was the combined pool interest earnings. In comparison, for the same time-frame in fiscal year 2021/22, the interest earnings were \$191,432. This results in a 97% increase in interest earned in the first half of 2022/23.

At the end of the first half of the 2022/23 fiscal year, LAIF interest rates were at 2.070%, while PIMMA ended the first half of the fiscal year with an interest rate of 4.000%; however, the interest received from LAIF was \$228,333 for the period, while PIMMA was \$149,307. The discrepancy between the interest rate and the final interest received is due to the timing of the investments. The City began transferring funds into PIMMA to increase the investment amount in late September 2022, while the majority of the City's funds remained in LAIF since the beginning of the fiscal year starting on July 1, 2022.

Interest for the mid-year report reflects rising interest rates currently being offered on safe investments, including PIMMA, LAIF, and the Tulare County Investment Pool. All of these investments are liquid, so if at any point, the City needs to convert any of these investments into cash, it can be done quickly and easily without having a significant impact on the value.

The first half of the 2022/23 fiscal year was a period of restructuring the City's investments so that there are more options in safe investment vehicles, which city staff is confident will result in larger returns in the future.

PUBLIC HEARING

None.

ATTACHMENTS:

A. Cash and Investment Summary



**Cash and Investment Summary
As of December 31, 2022**

Name of Institution	Purpose	Rate	Actual Cash Balance or Portfolio Market Value	2022/23 Fiscal Fiscal Year to date Interest Earnings
Cash In Banks				
Mechanics Bank	Accounts Payable, Payroll, Golf		9,432,429	
Bank of the Sierra	Police		75,168	
Petty Cash	Various City Departments		9,070	
Total Cash Deposits			9,516,667	
Cash and Investments with Fiscal Agents (Trustee)				
US Bank	Safe Drinking Water		452,615	
US Bank	2012 Lease Revenue Bonds		721,394	
US Bank	2012 Wastewater Revenue Bonds		593,845	
Total Trustee Deposits			1,767,854	
Portfolio Investments				
LAIF - Local Agency Investment Fund	State of California Investment	2.070%*	14,467,200	228,333
PIMMA - Public Investment Money Market Account	Money Market Investment	4.000%*	23,171,444	149,307
Total Portfolio Investments			37,638,644	377,640
Managed Investments				
CAMP - California Asset Management Program**	Joint Powers Authority Investment	4.498%*	-	****
Tulare County Investment Pool***	Tulare County Investment	1.907%*	10,000,000	*****
Total Managed Investments			10,000,000	-
Total Cash and Investments			58,923,165	377,640

* The rate indicated is at the end of the period indicated on the report. Daily rates vary

** Managed by PFM Financial Advisors

*** Managed by Tulare County Treasury Staff and PFM Financial Advisors

**** City Investments with CAMP began on January 4, 2023

***** Interest received from Tulare County is recognized January 1, 2023



City Council Staff Report

Department: Planning and Development

February 28, 2023

To: Mayor and City Council
From: Ismael Hernandez, Public Works Director
By: Karl Schoettler, City Planning Consultant
Subject: Dinuba Housing Element Update (KSch)

RECOMMENDATION

Council to receive information on the status of the Dinuba Housing Element update.

EXECUTIVE SUMMARY

This report is an informational overview of the ongoing preparation of the Dinuba Housing Element. The Housing Element is a component of the City's General Plan that analyzes conditions and then establishes action plans for the housing needs of the City over the next 8 years.

OUTSTANDING ISSUES

None.

DISCUSSION

The City of Dinuba is currently participating with six other cities in Tulare County to prepare the "Multi-Jurisdictional Housing Element", and this report provides an informational update on the process.

The Housing Element is one of 8 mandatory elements of the General Plan. The Housing Element focuses on existing and projected housing conditions and establishes action plans to accommodate housing needs of the community over an eight-year period.

The Housing Element is unique among General Plan elements in that it must be updated every 8 years and also must be approved and certified by the State. Dinuba's current Housing Element was adopted in 2015. The Housing Element update must be completed and submitted to the California Department of Housing and Community Development by

December 31, 2023.

Due to the housing crisis currently facing California, the requirements and complexity of the Housing Element have increased significantly and for that reason the cities have grouped together to hire a consultant to prepare the update. This approach offers the advantages of saving funds (through economy of scale) and also communicating with the State collectively (an approach being adopted by many areas).

The Housing Element is a comprehensive document that focuses on a myriad of issues such as, but not limited, to review of the current Housing Element, analysis of existing and projected demographic conditions, housing growth, land available for housing, infrastructure, constraints to housing production and planning for special populations (i.e., female-head households, homeless, farm works, and large households). The Housing Element also establishes programs and actions plans to meet housing goals.

A central component of the Housing Element is the Regional Housing Needs Assessment (RHNA) where the city is assigned a number of housing units (broken down by income group) that should be constructed between 2023 and 2031. This assignment is created by TCAG (Tulare County Association of Governments) based on data provided by the State. For the upcoming Housing Element, the RHNA assignment for Dinuba is displayed in Table 1, below:

Table 1: RHNA Housing Units for Dinuba (2023-2031)

Income Category	Units
Very Low Income	387
Low Income	238
Moderate Income	268
Above-Moderate Income	695
Total 1,588	

For the 2023-2031 planning period, City must demonstrate that it can accommodate 1,588 dwelling units for the four income categories. Part of the Housing Element process will be for the City to show that it has adequate undeveloped land zoned for various housing types, and also that it has adequate utilities (water, sewer and storm drain) to serve such development.

Public Involvement

State Housing Element law encourages public participation and so the consulting team will be soliciting input and opinion from the public through workshops and online surveys. Today's information session is part of that effort.

Adoption

When the Draft Housing Element is complete it will be presented to the Planning

Commission and City Council for adoption. Following that, the document will be sent to the State for review and certification. At that point it is always possible the State will ask for revisions. In that event, those revisions will be presented to the City Council for adoption.

Cities with an adopted and approved Housing Element are eligible to apply for and receive state grant funds, such as Community Development Block Grant Funds.

Schedule

The Housing Element must be adopted and submitted to the State HCD by December 31, 2023.

FISCAL IMPACT

The City Council has previously agreed to fund preparation of the Housing Element

PUBLIC HEARING

Not required at this time.



City Council Staff Report

Department: CITY CLERK

February 28, 2023

To: Mayor and City Council

From: Maria Alaniz, City Clerk/Human Resources Director

Subject: Liability Claim (MA)

RECOMMENDATION

Pursuant to Government Code Section 54956.95; Claimant(s) Edit Valero-Rodriguez. Agency Claimed Against: City of Dinuba.

EXECUTIVE SUMMARY

None.

OUTSTANDING ISSUES

None.

DISCUSSION

None.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.



City Council Staff Report

Department: CITY CLERK

February 28, 2023

To: Mayor and City Council

From: Maria Alaniz, City Clerk/Human Resources Director

Subject: Liability Claim (MA)

RECOMMENDATION

Pursuant to Government Code Section 54956.95; Claimant(s) Joseph Curiel. Agency Claimed Against: City of Dinuba.

EXECUTIVE SUMMARY

None.

OUTSTANDING ISSUES

None.

DISCUSSION

None.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.