

**CITY COUNCIL OF PARLIER  
REGULAR MEETING  
AGENDA**

**DATE:** THURSDAY, FEBRUARY 17, 2022  
**TIME:** 6:30 PM  
**PLACE:** Parlier City Hall  
1100 E. Parlier Avenue  
Parlier, CA 93648

Mayor Pro tem Pimentel will be attending by telephone from 305 Fett Street, Parlier, CA. 93648.

**CALL TO ORDER/WELCOME:**

**Roll Call:** Mayor Alma M. Beltran, Mayor Pro-Temp Trinidad Pimentel, Councilwoman Diane Maldonado, Council woman Sabrina Rodriguez, Council woman Cathryn "Kathy" Solorio, City Clerk Dorothy Garza and Treasurer Michelle Lopez.

**FLAG SALUTE:** Mayor Alma M. Beltran

**INVOCATION:**

**ADDITIONS/DELETIONS:**

**PRESENTATIONS/INFORMATIONAL:**

Dr. John Walkup presentation on Evaluation results of CALVIP.

**PUBLIC COMMENT:**

At this time any citizen may address the City Council on matters not appearing on the agenda that are within the jurisdiction of the City of Parlier. Speakers shall limit their comments to three (3) minutes unless extended by the Mayor. Please begin your comments by stating your name and City of residence.

The City Council is prohibited by law from taking collective formal action on matters raised during public that are not on the agenda, but individual council members may respond to anyone providing any public comment. No adverse conclusion should be drawn if the City Council does not respond to any public comment. Responses to public comment by individual city council members may or may not reflect the views of any other, or of a majority of council members. The Council may refer the matter to the City Manager or staff or request that it be placed on a future agenda.

**CONSENT CALENDAR:**

All Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of items appearing on the Consent Calendar unless requested to be removed for separate discussion and acted on by separate vote.

1. Approve the Check Reports dated February 1, 2022 to February 14, 2022.
2. Adopt **Resolution No. 2022-04** Supporting the Display of the National Motto “In God We Trust” in the City of Parlier Council Chambers in a prominent Location at City Hall.
3. Approve the expenditures for Mayor Beltran and Sonia Hall to attend the ICSC in Monterey, CA from March 8-9, 2022.

**REGULAR BUSINESS:**

4. Consideration and Necessary Action on annexation of the existing E. Manning Avenue right-of-way.

**PUBLIC HEARING:**

- a. Mayor Beltran to open Public Hearing
- b. Public input/testimony for or against.
- c. Mayor Beltran to close Public Hearing

**RECOMMENDATION:** City Council to adopt **Resolution No. 2022-05**, forwarding a request to Fresno LAFCo to initiate proceeding under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 for annexation of E. Manning Avenue.

5. **SUBJECT:** Public hearing to consider a General Plan Amendment and Conditional Use Permit at 391 K Street.

**PUBLIC HEARING:**

- a. Mayor Beltran to open Public Hearing
- b. Public input/testimony for or against.
- c. Mayor Beltran to close Public Hearing

**RECOMMENDATION:** City Council to adopt **Resolution No. 2022-06**, making a determination pursuant to CEQA, approving the General Plan Amendment, and approving the Conditional Use Permit.

6. **SUBJECT:** Consideration and Necessary Action on Adoption of Resolution authorizing the Submittal of an application to the California Department of Housing and Community Development for funding under the HOME Investment Partnership Program; and if selected, the execution of necessary documents.

**RECOMMENDATION:** City staff recommends the City Council adopt **Resolution No. 2022-07**, authorizing the Submittal of an application to the California Department of Housing and Community Development for funding under the HOME Investment Partnerships Program; and if selected, the execution of necessary documents.

7. **SUBJECT:** Consideration and Necessary Action on Resolution Establishing and Appropriating Funds for

the City of Parlier Façade Improvement Project.

**RECOMMENDATION:** Staff recommends council approve **Resolution No. 2022-08** Establishing and Appropriating Funds for the City of Parlier Façade Improvement Project.

**BRIEF COMMENTS: COUNCIL COMMUNICATIONS/COMMENTS:**

**CITY MANAGER:**

**CITY ATTORNEY:**

**CITY COUNCIL:**

**ADJOURNMENT**

**ADA NOTICE**

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (559) 646-3545 ext. 227. Notification 48 hours prior to the meeting will enable the city to make arrangements to ensure accessibility to this meeting.

**DOCUMENTS**

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the front counter at City Hall located at 1100 East Parlier Avenue, Parlier, CA during normal business hours. In addition, most documents are posted on the City's website at [www.parlier.ca.us](http://www.parlier.ca.us)



# CITY OF PARLIER

## Check Report

By Check Number

Date Range: 02/01/2022 - 02/14/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
BAL07	Melissa Balero	02/01/2022	Regular	0.00	200.00	57950
BREA1	BREAKING THE CHAINS	02/08/2022	Regular	0.00	2,708.29	58018
HER23	CIRO HERNANDEZ	02/08/2022	Regular	0.00	23.46	58019
HAY02	HAYDON CONSTRUCTION, INC.	02/08/2022	Regular	0.00	2,807.33	58020
KIN04	Kings Water Alliance	02/08/2022	Regular	0.00	15,124.18	58021
MAN05	MANHATTANLIFE ASSURANCE CO.	02/08/2022	Regular	0.00	82.71	58022
CHA01	MANUEL CHAVEZ	02/08/2022	Regular	0.00	23.46	58023
FRE07	McCLATCHY	02/08/2022	Regular	0.00	1,273.05	58024
MET02	METLIFE - GROUP BENEFITS	02/08/2022	Regular	0.00	564.92	58025
	**Void**	02/08/2022	Regular	0.00	0.00	58026
MOR05	MORALES, DOMINGO A.	02/08/2022	Regular	0.00	531.24	58027
NEL01	NELSON'S POWER CENTER	02/08/2022	Regular	0.00	130.15	58028
PDE00	POWER DESIGN ELECTRIC, INC	02/08/2022	Regular	0.00	28,281.74	58029
PRO01	PROVOST & PRITCHARD CONSULTING GROUP	02/08/2022	Regular	0.00	1,616.67	58030
RAY04	RAYMUNDO LOPEZ GUTIERREZ	02/08/2022	Regular	0.00	23.46	58031
RHO01	RHODES INC.	02/08/2022	Regular	0.00	255.78	58032
SIG04	SIGNMAX	02/08/2022	Regular	0.00	144.10	58033
TER07	TERRA WEST CONSTRUCTION INC.	02/08/2022	Regular	0.00	88,720.30	58034
TOR26	TORRES FENCE CO.,INC.	02/08/2022	Regular	0.00	616.20	58035
UND01	UNDERGROUND SERVICE ALERT	02/08/2022	Regular	0.00	435.27	58036
VUL00	VULCAN MATERIALS CO.	02/08/2022	Regular	0.00	128.49	58037
ABI10	ABILITY ANSWERING SERV.	02/09/2022	Regular	0.00	134.00	58038
ADT01	ADT SECURITY SERVICES	02/09/2022	Regular	0.00	435.14	58039
CEN13	CENTRAL VALLEY SWEEPING	02/09/2022	Regular	0.00	7,550.00	58040
COM05	COMCAST	02/09/2022	Regular	0.00	1,578.71	58041
DIA11	DIAMOND COMMUNICATIONS	02/09/2022	Regular	0.00	270.00	58042
GOO02	GOODSUITE	02/09/2022	Regular	0.00	11.00	58043
VAL03	MATTHEW STACY KNIFFIN	02/09/2022	Regular	0.00	550.00	58044
MID03	MID VALLEY DISPOSAL LLC	02/09/2022	Regular	0.00	93,926.79	58045
COR11	MILTON CORTEZ	02/09/2022	Regular	0.00	15.00	58046
NEL01	NELSON'S POWER CENTER	02/09/2022	Regular	0.00	263.14	58047
NEW02	NEW YORK LIFE INSURANCE	02/09/2022	Regular	0.00	377.80	58048
P.G01	PACIFIC GAS & ELECTRIC	02/09/2022	Regular	0.00	946.18	58049
RLB01	REEDLEY LUMBER & BUILDING	02/09/2022	Regular	0.00	1,222.10	58050
STA1B	STANDARD INSURANCE CO.	02/09/2022	Regular	0.00	2,562.64	58051
	**Void**	02/09/2022	Regular	0.00	0.00	58052
TCM01	TCM INVESTMENTS LP	02/09/2022	Regular	0.00	615.52	58053
ADT01	ADT SECURITY SERVICES	02/11/2022	Regular	0.00	1,359.56	58054
ANG01	ANGELS OF GRACE INC.	02/11/2022	Regular	0.00	3,961.00	58055
AUT01	AUTO ZONE	02/11/2022	Regular	0.00	104.75	58056
BAN01	BANKCARD CENTER	02/11/2022	Regular	0.00	9,066.21	58057
	**Void**	02/11/2022	Regular	0.00	0.00	58058
	**Void**	02/11/2022	Regular	0.00	0.00	58059
CAN05	CANON FINANCIAL SERVICES, INC.	02/11/2022	Regular	0.00	150.46	58060
CIT22	CITY OF PARLIER	02/11/2022	Regular	0.00	444.20	58061
CIT22	CITY OF PARLIER	02/11/2022	Regular	0.00	6,611.00	58062
CIT22	CITY OF PARLIER	02/11/2022	Regular	0.00	4,900.00	58063
COM05	COMCAST	02/11/2022	Regular	0.00	1,776.18	58064
GOG01	GOGOV, INC.	02/11/2022	Regular	0.00	14,280.00	58065
HEA01	HEALTHWISE SERVICES, LLC	02/11/2022	Regular	0.00	200.00	58066
INT14	INTERSTATE GAS SERVICES, INC.	02/11/2022	Regular	0.00	1,017.50	58067
JIM05	JAMES K. ZWEIGLE	02/11/2022	Regular	0.00	1,427.55	58068
JEN04	JENSEN AND PILEGARD #5	02/11/2022	Regular	0.00	537.64	58069
T&J01	JOSE M. SILVA	02/11/2022	Regular	0.00	1,821.45	58070

## Check Report

Date Range: 02/01/2022 - 02/14/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
MEN18	MENDOCINO AUTO SALES & RE	02/11/2022	Regular	0.00	5,039.30	58071
MID03	MID VALLEY DISPOSAL LLC	02/11/2022	Regular	0.00	2,973.55	58072
OFF01	OFFICE DEPOT	02/11/2022	Regular	0.00	1,169.05	58073
P.G01	PACIFIC GAS & ELECTRIC	02/11/2022	Regular	0.00	5,160.92	58074
MED04	PERFORMANCE HEALTH SUPPLY, INC	02/11/2022	Regular	0.00	665.38	58075
PIO01	PIONEER EQUIPMENT CO.	02/11/2022	Regular	0.00	6,335.71	58076
PAR1M	RAMON TIENDA	02/11/2022	Regular	0.00	200.00	58077
SEC02	SECURITY BENEFITS RETIREMENT PLAN	02/11/2022	Regular	0.00	917.75	58078
CIS02	SOPHIA SEPULVEDA	02/11/2022	Regular	0.00	195.34	58079
STA04	STATE FOODS SUPERMARKET	02/11/2022	Regular	0.00	1,685.57	58080
SYS00	SYSCO OF CENTRAL CALIFORNIA	02/11/2022	Regular	0.00	1,452.10	58081
TOW02	TOWNSEND PUBLIC AFFAIRS, INC.	02/11/2022	Regular	0.00	2,000.00	58082
A&M00	A&M CONSULTING ENGINEERS	02/11/2022	Regular	0.00	85,874.54	58083

## Bank Code APBNK Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	144	63	0.00	415,475.53
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>144</b>	<b>67</b>	<b>0.00</b>	<b>415,475.53</b>

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	144	63	0.00	415,475.53
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	144	67	0.00	415,475.53

Fund Summary

Fund	Name	Period	Amount
999	POOL FUND	2/2022	415,475.53
			415,475.53



## CITY OF PARLIER

## Check Report

By Check Number

Date Range: 02/01/2022 - 02/14/2022

Vendor Number Payable #	Vendor Name Payable Type	Post Date	Payment Date Payable Description	Payment Type	Discount Amount Discount Amount	Payment Amount Payable Amount	Number
Bank Code: APBNK-APBNK							
BAL07 <u>1/29/2022</u>	Melissa Balero Invoice	02/01/2022	02/01/2022 Comm Ctr Dep 1/29/22	Regular	0.00 0.00	200.00 200.00	57950
BREA1 <u>0024</u>	BREAKING THE CHAINS Invoice	02/08/2022	02/08/2022 Part Time Case Manager	Regular	0.00 0.00	2,708.29 2,708.29	58018
HER23 <u>12/08/21</u>	CIRO HERNANDEZ Invoice	12/27/2021	02/08/2022 WYSN CP21 TRNG	Regular	0.00 0.00	23.46 23.46	58019
HAY02 <u>213311302</u>	HAYDON CONSTRUCTION, INC. Invoice	02/08/2022	02/08/2022 Water Maint. Repair	Regular	0.00 0.00	2,807.33 2,807.33	58020
KIN04 <u>48</u>	Kings Water Alliance Invoice	02/08/2022	02/08/2022 Admin/Membership Fees	Regular	0.00 0.00	15,124.18 15,124.18	58021
MAN05 <u>83662</u>	MANHATTANLIFE ASSURANCE CO. Invoice	02/08/2022	02/08/2022 Voluntary Life Ins 2-22	Regular	0.00 0.00	82.71 82.71	58022
CHA01 <u>12/06/21</u>	MANUEL CHAVEZ Invoice	12/27/2021	02/08/2022 WYSN CP21 TRNG	Regular	0.00 0.00	23.46 23.46	58023
FRE07 <u>56215</u>	McCLATCHY Invoice	02/08/2022	02/08/2022 Recruitment	Regular	0.00 0.00	1,273.05 1,273.05	58024
MET02 <u>TS05946702 2-22</u>	METLIFE - GROUP BENEFITS Invoice	02/08/2022	02/08/2022 Long Term Dis 2-22	Regular	0.00 0.00	564.92 564.92	58025
	**Void**		02/08/2022	Regular	0.00	0.00	58026
MOR05 <u>3/23/22</u>	MORALES, DOMINGO A. Invoice	02/08/2022	02/08/2022 PW Officers Expo	Regular	0.00 0.00	531.24 531.24	58027
NEL01 <u>800028</u>	NELSON'S POWER CENTER Invoice	02/08/2022	02/08/2022 Park Supplies	Regular	0.00 0.00	130.15 130.15	58028
PDE00 <u>3940</u>	POWER DESIGN ELECTRIC, INC Invoice	02/08/2022	02/08/2022 Emergency Generator	Regular	0.00 0.00	28,281.74 28,281.74	58029
PRO01 <u>90076</u>	PROVOST & PRITCHARD CONSULTING GROUP Invoice	02/08/2022	02/08/2022 Tentative Parcel Map	Regular	0.00 0.00	1,616.67 1,616.67	58030
RAY04 <u>12/08/21</u>	RAYMUNDO LOPEZ GUTIERREZ Invoice	12/27/2021	02/08/2022 WYSN CP21 TRNG	Regular	0.00 0.00	23.46 23.46	58031
RHO01 <u>32980</u>	RHODES INC. Invoice	02/08/2022	02/08/2022 Diesel Fuel	Regular	0.00 0.00	255.78 255.78	58032
SIG04 <u>0039896-IN</u>	SIGNMAX Invoice	02/08/2022	02/08/2022 No Parking Signs	Regular	0.00 0.00	144.10 144.10	58033
TER07 <u>3</u>	TERRA WEST CONSTRUCTION INC. Invoice	02/08/2022	02/08/2022 Sequoia Walkway 220-029	Regular	0.00 0.00	88,720.30 88,720.30	58034
TOR26 <u>0151029-IN</u>	TORRES FENCE CO., INC. Invoice	02/08/2022	02/08/2022 Fence on Zediker	Regular	0.00 0.00	616.20 616.20	58035
UND01 <u>2022123527</u>	UNDERGROUND SERVICE ALERT Invoice	02/08/2022	02/08/2022 2022 USA Ticket Memb.	Regular	0.00 0.00	435.27 435.27	58036
VUL00	VULCAN MATERIALS CO.		02/08/2022	Regular	0.00	128.49	58037

## Check Report

Date Range: 02/01/2022 - 02/14/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
<u>73185499</u>	Invoice	02/08/2022	Road Material	0.00	128.49	
ABI10	ABILITY ANSWERING SERV.	02/09/2022	Regular	0.00	134.00	58038
<u>4345-2-22</u>	Invoice	02/03/2022	ANSWERING SVCS 2/22	0.00	134.00	
ADT01	ADT SECURITY SERVICES	02/09/2022	Regular	0.00	435.14	58039
<u>401559711-1-22</u>	Invoice	02/04/2022	PW SECURITY SVCS 1/22	0.00	435.14	
CEN13	CENTRAL VALLEY SWEEPING	02/09/2022	Regular	0.00	7,550.00	58040
<u>2021-100234</u>	Invoice	02/03/2022	SWEEPING SVCS 1/22	0.00	7,550.00	
COM05	COMCAST	02/09/2022	Regular	0.00	1,578.71	58041
<u>0230-1-22</u>	Invoice	02/03/2022	CC2 DATA SVCS 1/22	0.00	101.69	
<u>0248-1-22</u>	Invoice	02/03/2022	CC DATA SVCS 1/22	0.00	101.69	
<u>0255-1-22</u>	Invoice	02/03/2022	CC1 DATA SVCS 1/22	0.00	103.69	
<u>0263-1-22</u>	Invoice	02/03/2022	TC DATA SVCS 1/22	0.00	155.03	
<u>1293-1-22</u>	Invoice	02/03/2022	PA DATA SVCS 1/22	0.00	245.50	
<u>1665-1-22</u>	Invoice	02/03/2022	PD DATA SVCS 1/22	0.00	273.01	
<u>1792-1-22</u>	Invoice	02/03/2022	CH DATA SVCS 1/22	0.00	346.46	
<u>9752-1-22</u>	Invoice	02/03/2022	CH PD DATA SVCS 1/22	0.00	251.64	
DIA11	DIAMOND COMMUNICATIONS	02/09/2022	Regular	0.00	270.00	58042
<u>240128</u>	Invoice	02/03/2022	PA FIRE ALARM SVCS 3/22	0.00	90.00	
<u>240129</u>	Invoice	02/03/2022	CC FIRE ALARM SVCS 3/22	0.00	90.00	
<u>240130</u>	Invoice	02/03/2022	SC FIRE ALARM SVCS 3/22	0.00	90.00	
GOO02	GOODSUITE	02/09/2022	Regular	0.00	11.00	58043
<u>INV143654</u>	Invoice	02/03/2022	COPY MCHN SUPPLIES	0.00	11.00	
VAL03	MATTHEW STACY KNIFFIN	02/09/2022	Regular	0.00	550.00	58044
<u>11884</u>	Invoice	02/04/2022	PD PEST CTRL SVCS 1/22	0.00	50.00	
<u>11886</u>	Invoice	02/04/2022	TC PEST CTRL SVCS 1/22	0.00	50.00	
<u>11889</u>	Invoice	02/04/2022	SC PEST CTRL SVCS 1/22	0.00	50.00	
<u>11890</u>	Invoice	02/04/2022	CC PEST CTRL SVCS 1/22	0.00	50.00	
<u>11891</u>	Invoice	02/04/2022	CH PEST CTRL SVCS 1/22	0.00	50.00	
<u>11898</u>	Invoice	02/04/2022	WWTP PEST CTRL SVCS 1/22	0.00	50.00	
<u>11902</u>	Invoice	02/04/2022	PW PEST CTRL SVCS 1/22	0.00	50.00	
<u>11903</u>	Invoice	02/04/2022	CC1 PEST CTRL SVCS 1/22	0.00	50.00	
<u>11904</u>	Invoice	02/04/2022	CC PEST CTRL SVCS 1/22	0.00	50.00	
<u>11905</u>	Invoice	02/04/2022	CC2 PEST CTRL SVCS 1/22	0.00	50.00	
<u>11907</u>	Invoice	02/04/2022	PA PEST CTRL SVCS 1/22	0.00	50.00	
MID03	MID VALLEY DISPOSAL LLC	02/09/2022	Regular	0.00	93,926.79	58045
<u>12-21</u>	Invoice	02/04/2022	DISPOSAL SVCS 12/21	0.00	93,926.79	
COR11	MILTON CORTEZ	02/09/2022	Regular	0.00	15.00	58046
<u>1-20-22</u>	Invoice	02/04/2022	LAWN MOWER TIRE PATCH	0.00	15.00	
NEL01	NELSON'S POWER CENTER	02/09/2022	Regular	0.00	263.14	58047
<u>262705</u>	Invoice	02/04/2022	PARK SUPPLIES	0.00	263.14	
NEW02	NEW YORK LIFE INSURANCE	02/09/2022	Regular	0.00	377.80	58048
<u>021927560-1-22</u>	Invoice	02/04/2022	LIFE INSURANCE 1/22	0.00	377.80	
P.G01	PACIFIC GAS & ELECTRIC	02/09/2022	Regular	0.00	946.18	58049
<u>16206-5-1-22</u>	Invoice	02/03/2022	CC2 ELEC SVCS 1/22	0.00	90.68	
<u>19391-1-1-22</u>	Invoice	02/03/2022	HP ELEC SVCS 1/22	0.00	643.82	
<u>31793-3-1-22</u>	Invoice	02/03/2022	B VISTA ELEC SVCS 1/22	0.00	10.08	
<u>51134-5-1-22</u>	Invoice	02/03/2022	MADSEN ELEC SVCS 1/22	0.00	52.91	
<u>65206-7-1-22</u>	Invoice	02/03/2022	CC1 ELEC SVCS 1/22	0.00	74.65	
<u>96580-5-1-22</u>	Invoice	02/03/2022	J ST ELEC SVCS 1/22	0.00	74.04	
RLB01	REEDLEY LUMBER & BUILDING	02/09/2022	Regular	0.00	1,222.10	58050
<u>279565</u>	Invoice	02/04/2022	WWTP SUPPLIES	0.00	94.50	



## Check Report

Date Range: 02/01/2022 - 02/14/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
<u>279684</u>	Invoice	02/04/2022	FENCE SUPPLIES	0.00	278.31	
<u>280089</u>	Invoice	02/04/2022	WELL #8 REPAIRS	0.00	35.51	
<u>280537</u>	Invoice	02/04/2022	FENCE SUPPLIES	0.00	32.72	
<u>280565</u>	Invoice	02/04/2022	FENCE SUPPLIES	0.00	742.83	
<u>280825</u>	Invoice	02/04/2022	GRAFFITI PAINT	0.00	38.23	
STA1B	STANDARD INSURANCE CO.	02/09/2022	Regular	0.00	2,562.64	58051
<u>640476-1-22</u>	Invoice	02/04/2022	SURVIVOR LIFE 1/22	0.00	2,562.64	
	**Void**	02/09/2022	Regular	0.00	0.00	58052
TCM01	TCM INVESTMENTS LP	02/09/2022	Regular	0.00	615.52	58053
<u>160694</u>	Invoice	02/04/2022	FLDNG MCHN LEASE 2/22	0.00	615.52	
ADT01	ADT SECURITY SERVICES	02/11/2022	Regular	0.00	1,359.56	58054
<u>401559711-2-22</u>	Invoice	02/10/2022	PW SECURITY SVCS 2/22	0.00	435.14	
<u>401966975-2-22</u>	Invoice	02/10/2022	WWTP SECURITY SVCS 2/22	0.00	206.25	
<u>402675472-2-22</u>	Invoice	02/10/2022	CH SECURITY SVCS 2/22	0.00	49.59	
<u>402676105-2-22</u>	Invoice	02/10/2022	GD SECURITY SVCS 2/22	0.00	52.07	
<u>402676106-2-22</u>	Invoice	02/10/2022	TC SECURITY SVCS 2/22	0.00	47.07	
<u>402676109-2-22</u>	Invoice	02/10/2022	CC2 SECURITY SVCS 2/22	0.00	52.07	
<u>402676109-3-22</u>	Invoice	02/10/2022	CC2 SECURITY SVCS 3/22	0.00	52.07	
<u>402676110-2-22</u>	Invoice	02/10/2022	SC SECURITY SVCS 2/22	0.00	115.81	
<u>402676111-2-22</u>	Invoice	02/10/2022	CCA SECURITY SVCS 2/22	0.00	52.07	
<u>402676112-2-22</u>	Invoice	02/10/2022	PA SECURITY SVCS 2/22	0.00	52.07	
<u>402676113-2-22</u>	Invoice	02/10/2022	CC1 SECURITY SVCS 2/22	0.00	52.07	
<u>402676456-2-22</u>	Invoice	02/10/2022	PPR SECURITY SVCS 2/22	0.00	47.07	
<u>402676458-2-22</u>	Invoice	02/10/2022	PSR SECURITY SVCS 2/22	0.00	47.07	
<u>402676461-2-22</u>	Invoice	02/10/2022	CC SECURITY SVCS 2/22	0.00	52.07	
<u>402829128-2-22</u>	invoice	02/10/2022	CCB SECURITY SVCS 2/22	0.00	47.07	
ANG01	ANGELS OF GRACE INC.	02/11/2022	Regular	0.00	3,961.00	58055
<u>002</u>	Invoice	02/10/2022	CALVIP ADMIN 1/22	0.00	3,961.00	
AUT01	AUTO ZONE	02/11/2022	Regular	0.00	104.75	58056
<u>3758704855</u>	Invoice	02/11/2022	Unit #527 Maint.	0.00	104.75	
<u>3758705490</u>	Invoice	02/11/2022	Unit #511 Battery	0.00	159.44	
<u>3758705492</u>	Credit Memo	02/11/2022	Unit #511 Battery	0.00	-159.44	
BAN01	BANKCARD CENTER	02/11/2022	Regular	0.00	9,066.21	58057
<u>4274-JAN/22</u>	Invoice	02/10/2022	PW CREDIT CARD 1/22	0.00	1,318.68	
<u>7676-JAN/22</u>	Invoice	02/10/2022	ADM CREDIT CARD 1/22	0.00	7,010.19	
<u>9320-JAN/22</u>	Invoice	02/10/2022	PD CREDIT CARD 1/22	0.00	737.34	
	**Void**	02/11/2022	Regular	0.00	0.00	58058
	**Void**	02/11/2022	Regular	0.00	0.00	58059
CAN05	CANON FINANCIAL SERVICES, INC.	02/11/2022	Regular	0.00	150.46	58060
<u>28070875</u>	Invoice	02/11/2022	Contract Charge	0.00	150.46	
CIT22	CITY OF PARLIER	02/11/2022	Regular	0.00	444.20	58061
<u>12/31/21</u>	Invoice	02/11/2022	800-8000-001 PA WATER 12/21	0.00	444.20	
CIT22	CITY OF PARLIER	02/11/2022	Regular	0.00	6,611.00	58062
<u>A-1-22</u>	Invoice	01/31/2022	PA ADMIN 1/22	0.00	6,611.00	
CIT22	CITY OF PARLIER	02/11/2022	Regular	0.00	4,900.00	58063
<u>R-2-22</u>	Invoice	02/11/2022	PA Rent February 2022	0.00	4,900.00	
COM05	COMCAST	02/11/2022	Regular	0.00	1,776.18	58064
<u>0230-2-22</u>	Invoice	02/10/2022	CC2 DATA SVCS 2/22	0.00	103.69	
<u>0248-2-22</u>	Invoice	02/10/2022	CC DATA SVCS 2/22	0.00	103.69	
<u>0255-2-22</u>	Invoice	02/10/2022	CC1 DATA SVCS 2/22	0.00	103.69	
<u>0263-2-22</u>	Invoice	02/10/2022	TC DATA SVCS 2/22	0.00	155.18	
<u>1293-2-22</u>	Invoice	02/10/2022	PA DATA SVCS 2/22	0.00	249.78	

## Check Report

Date Range: 02/01/2022 - 02/14/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
<u>1665-2-22</u>	Invoice	02/10/2022	PD DATA SVCS 2/22	0.00	273.31	
<u>1792-2-22</u>	Invoice	02/10/2022	CH DATA SVCS 2/22	0.00	348.48	
<u>1851-1-22</u>	Invoice	02/10/2022	PW DATA SVCS 1/22	0.00	197.59	
<u>1851-2-22</u>	Invoice	02/10/2022	PW DATA SVCS 2/22	0.00	240.77	
GOG01	GOGOV, INC.	02/11/2022	Regular	0.00	14,280.00	58065
<u>22-037</u>	Invoice	02/10/2022	GOGOV SUBSCR 22/23	0.00	14,280.00	
HEA01	HEALTHWISE SERVICES, LLC	02/11/2022	Regular	0.00	200.00	58066
<u>0000112342</u>	Invoice	02/10/2022	SHARPS SVCS 1/22	0.00	200.00	
INT14	INTERSTATE GAS SERVICES, INC.	02/11/2022	Regular	0.00	1,017.50	58067
<u>7021637</u>	Invoice	02/10/2022	SEWER BILLING 1/22	0.00	1,017.50	
JIM05	JAMES K. ZWEIGLE	02/11/2022	Regular	0.00	1,427.55	58068
<u>4885</u>	Invoice	02/10/2022	PA PLUMBING SVCS	0.00	941.50	
<u>4892</u>	Invoice	02/10/2022	PA PLUMBING SVCS	0.00	486.05	
JEN04	JENSEN AND PILEGARD #5	02/11/2022	Regular	0.00	537.64	58069
<u>620840</u>	Invoice	02/11/2022	Park Parts	0.00	537.64	
T&J01	JOSE M. SILVA	02/11/2022	Regular	0.00	1,821.45	58070
<u>2/4/22</u>	Invoice	02/10/2022	FUEL 1/22	0.00	1,821.45	
MEN18	MENDOCINO AUTO SALES & RE	02/11/2022	Regular	0.00	5,039.30	58071
<u>1172</u>	Invoice	02/11/2022	Unit #518 Repairs	0.00	3,764.09	
<u>2140</u>	Invoice	02/11/2022	Unit #528 Repairs	0.00	216.12	
<u>2190</u>	Invoice	02/11/2022	Unit #520 Repairs	0.00	1,059.09	
MID03	MID VALLEY DISPOSAL LLC	02/11/2022	Regular	0.00	2,973.55	58072
<u>2356130</u>	Invoice	02/10/2022	SBSC SVCS	0.00	2,973.55	
OFF01	OFFICE DEPOT	02/11/2022	Regular	0.00	1,169.05	58073
<u>220449582001</u>	Invoice	02/11/2022	PA Office Supplies	0.00	192.79	
<u>220451979001</u>	Invoice	02/11/2022	PA Office Supplies	0.00	56.95	
<u>223517212001</u>	Invoice	02/11/2022	PA Office Supplies	0.00	848.26	
<u>225477102001</u>	Invoice	02/10/2022	PW OFFICE SUPPLIES	0.00	59.54	
<u>225498742001</u>	Invoice	02/10/2022	PW OFFICE SUPPLIES	0.00	11.51	
P.G01	PACIFIC GAS & ELECTRIC	02/11/2022	Regular	0.00	5,160.92	58074
<u>50754-3-12-21</u>	Invoice	02/10/2022	STREET LIGHT SVCS 12/21	0.00	5,160.92	
MED04	PERFORMANCE HEALTH SUPPLY, INC	02/11/2022	Regular	0.00	665.38	58075
<u>IN94256877</u>	Invoice	02/11/2022	First Aid Supplies	0.00	422.59	
<u>IN94261398</u>	Invoice	02/11/2022	First Aid Supplies	0.00	135.35	
<u>IN94531208</u>	Invoice	02/11/2022	First Aid Supplies	0.00	45.22	
<u>IN94725436</u>	Invoice	02/11/2022	First Aid Supplies	0.00	62.22	
PIO01	PIONEER EQUIPMENT CO.	02/11/2022	Regular	0.00	6,335.71	58076
<u>8W62054</u>	Invoice	02/11/2022	Tractor Repairs	0.00	6,335.71	
PAR1M	RAMON TIENDA	02/11/2022	Regular	0.00	200.00	58077
<u>02/05/2022</u>	Invoice	02/11/2022	Comm Ctr Dep 2/5/22	0.00	200.00	
SEC02	SECURITY BENEFITS RETIREMENT PLAN	02/11/2022	Regular	0.00	917.75	58078
<u>801502000-2-22</u>	Invoice	02/10/2022	EMPLOYEE BENEFITS 1/22	0.00	917.75	
CIS02	SOPHIA SEPULVEDA	02/11/2022	Regular	0.00	195.34	58079
<u>1/14/22</u>	Invoice	02/10/2022	RAFFLE REIMBURSEMENT	0.00	195.34	
STA04	STATE FOODS SUPERMARKET	02/11/2022	Regular	0.00	1,685.57	58080
<u>01/24/22</u>	Invoice	02/10/2022	SC MEAL SUPPLIES	0.00	167.26	
<u>01/24/22-2</u>	Invoice	02/10/2022	PA MEAL SUPPLIES	0.00	344.63	
<u>02/3/22</u>	Invoice	02/10/2022	PA MEAL SUPPLIES	0.00	60.06	
<u>12/09/22</u>	Invoice	02/10/2022	PA MEAL SUPPLIES	0.00	205.04	

Check Report

Date Range: 02/01/2022 - 02/14/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
<u>2/11/22</u>	Invoice	02/11/2022	PA Meal Supplies	0.00	332.97	
<u>2/7/22</u>	Invoice	02/10/2022	PA MEAL SUPPLIES	0.00	330.58	
<u>2/7/22-2</u>	Invoice	02/10/2022	SC MEAL SUPPLIES	0.00	245.03	
SYS00	SYSO OF CENTRAL CALIFORNIA	02/11/2022	Regular	0.00	1,452.10	58081
<u>284948035</u>	Invoice	02/10/2022	MEAL/KITCHEN SUPPLIES	0.00	49.85	
<u>384064671</u>	Invoice	02/10/2022	MEAL/KITCHEN SUPPLIES	0.00	1,402.25	
TOW02	TOWNSEND PUBLIC AFFAIRS, INC.	02/11/2022	Regular	0.00	2,000.00	58082
<u>18044</u>	Invoice	02/10/2022	CONSULT SVCS 2/22	0.00	2,000.00	
A&M00	A&M CONSULTING ENGINEERS	02/11/2022	Regular	0.00	85,874.54	58083
<u>INV10482021</u>	Invoice	02/11/2022	220-029 4th Street Park	0.00	6,600.00	
<u>INV10502021</u>	Invoice	02/11/2022	221-011 Fig Tree Park	0.00	45,438.00	
<u>INV10512021</u>	Invoice	02/11/2022	221-012 Road Rehab 2021	0.00	800.00	
<u>INV10522021</u>	Invoice	02/11/2022	221-013 Manning Rehab	0.00	4,788.00	
<u>INV10532021</u>	Invoice	02/11/2022	221-019 WTR & SWR Plans	0.00	715.00	
<u>INV10542021</u>	Invoice	02/11/2022	221-026 City Engineering	0.00	2,035.00	
<u>INV10552021</u>	Invoice	02/11/2022	221-027 ATP Cycle 3	0.00	2,400.00	
<u>INV10562021</u>	Invoice	02/11/2022	221-035-CE Manning Phase 2	0.00	2,649.54	
<u>INV10572021</u>	Invoice	02/11/2022	221-040 DT Beautification	0.00	19,734.00	
<u>INV10582021</u>	Invoice	02/11/2022	222-001 WTR SVC Replacements	0.00	715.00	

Bank Code APBNK Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	144	63	0.00	415,475.53
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>144</b>	<b>67</b>	<b>0.00</b>	<b>415,475.53</b>

**All Bank Codes Check Summary**

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	144	63	0.00	415,475.53
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>144</b>	<b>67</b>	<b>0.00</b>	<b>415,475.53</b>

**Fund Summary**

Fund	Name	Period	Amount
999	POOL FUND	2/2022	415,475.53
			<b>415,475.53</b>

2

City or County of \_\_\_\_\_

***IN GOD WE TRUST***

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF \_\_\_\_\_, in \_\_\_\_\_ COUNTY, STATE of \_\_\_\_\_, SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE \_\_\_\_\_ COUNCIL CHAMBERS IN A PROMINENT LOCATION AT CITY HALL.

WHEREAS, "In God We Trust" became the United States national motto on July 30, 1956, shortly after our nation led the world through the trauma of World War II and

WHEREAS, the words have been used on U.S. currency since 1864; and

WHEREAS, the same inspiring slogan is engraved above the entrance to the Senate Chamber as well as above the Speaker's dais in the House of Representatives; and

WHEREAS, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans; and

WHEREAS, the City desires to display this patriotic motto in the Council Chambers as a way to solemnize public occasions and express confidence in our society.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of \_\_\_\_\_ does hereby resolve as follows:

Section 1. That the City Council of the City of \_\_\_\_\_ (and State), does hereby determine that the historic and patriotic words of our national motto, "In God We Trust," shall be permanently and prominently displayed in the \_\_\_\_\_ Council Chambers at City Hall.

Section 2. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

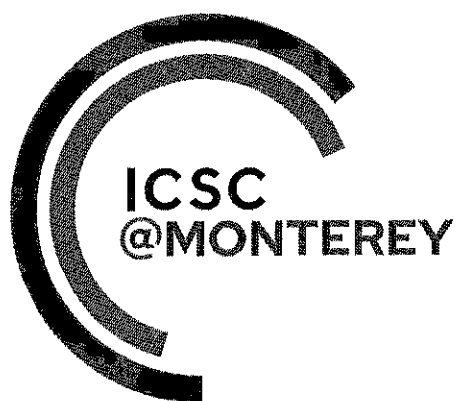
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of \_\_\_\_\_, \_\_\_\_\_ (State), held on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (year).

*Add names and signatures of Mayor and Councilmembers.*

**IN GOD WE TRUST~AMERICA, INC.**



ICSC@MONTEREY



Create connections and catalyze deals with the innovators, dealmakers and changemakers driving the marketplaces industry forward in your region. Advance your business goals and experience the latest trends shaping the spaces where consumers shop, dine, work, play and gather.

## Schedule At-a-Glance

### Tuesday, March 8

7:30 am – 6:00 pm • Badge Pickup

8:00 – 9:15 am • Continental Networking Breakfast

8:30 – 9:00 am • First-Timer, New Member & Student Orientation

9:00 am – 4:00 pm • Deal Making & Retailer Central

10:15 am – 12:00 pm • Sessions

1:00 – 1:30 pm • Lunch Served

1:30 – 2:00 pm • Keynote

Direct all exhibitor inquiries to Carlos Baudett.

All live ICSC events will require proof of full vaccination or negative COVID test within 48 hours of entry. Upon registration, attendees will receive instructions on how to submit proof of vaccination or test results prior to attendance. There will be no on-site registration for ICSC@MONTEREY.

ICSC is committed to bringing our event attendees together safely and with the proper health precautions in place. We continue to follow guidelines and recommendations by the Centers for Disease Control (CDC) and state and local governments on public events and gatherings.

Given the extremely contagious nature of COVID and the fact that it is primarily transmitted by person-to-person contact, ICSC has put several preventative measures in place to help reduce its spread. However, ICSC cannot guarantee that event attendees, exhibitors, vendors, or other participants will not become infected with COVID, and by voluntarily attending an ICSC event, you accept and assume the risk of possible exposure or contraction of the same.

Read ICSC's Event Terms and Conditions for more information here.

Follow us for the latest event news and updates.



## About this event series

The ICSC@ event series is our signature regional two- to three-day gatherings of innovators and dealmakers, who are dedicated to strengthening communities and economies by bringing the spaces where consumers shop, dine, work, play and gather to life.

## Details

### Questions?

For more information, please call +1 844 728 ICSC or email [info@icsc.com](mailto:info@icsc.com).

[Event FAQs](#)

[Add to calendar](#)

[View full schedule](#)

[Additional Resources](#)

## Monterey, California

Monterey Conference Center

1 Portola Plaza

Monterey, California, United States

+1 646 728 3800

## Sponsors

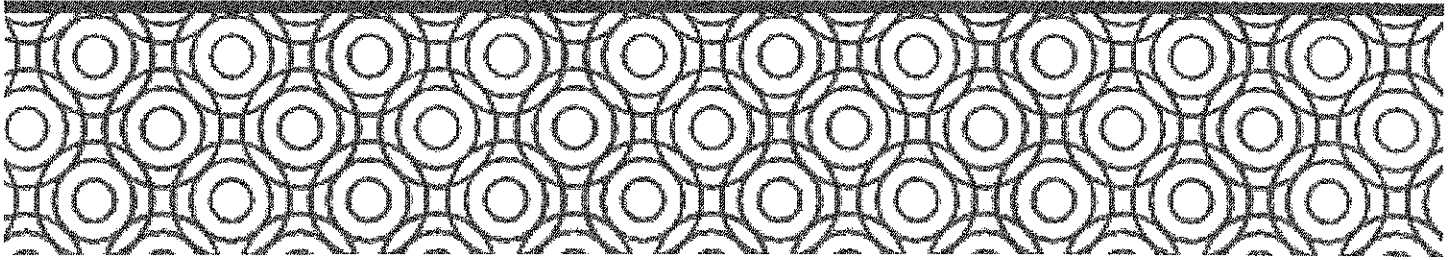
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### Silver





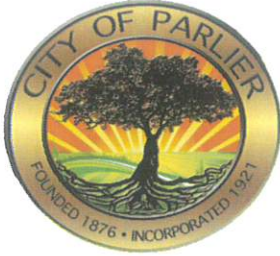
Monterey Conference  
Center  
Monterey, California,  
United States



**Cryptocurrency's  
Place in the Future of  
Retail**

March 10, 2022

Virtual



AGENDA ITEM:

4

MEETING DATE: February 17, 2022

DEPARTMENT: Community Development – Planning

## REPORT TO CITY COUNCIL

### SUBJECT:

City Council to Consider Annexation of Existing E. Manning Avenue Right-of-Way

### RECOMMENDATION:

Staff recommends that the City Council adopts Resolution No. 2022-~~XX~~, requesting that Fresno LAFCo initiates proceedings for annexation of the E. Manning Avenue right-of-way.

### BACKGROUND:

E. Manning Avenue is the primary east-west transportation corridor in south-central area of Fresno County and effectively divides the northern and southern areas of Parlier. While Parlier extends along Manning from approximately one-half-mile west of S. Academy Avenue east to S. Zediker Avenue, only the portion of Manning between Academy and the Salandini Villa Apartments is entirely within the Parlier city limits. At the western end, only the southern half (approximately) of the right-of-way (ROW) is within the city limits. From Salandini Villas to Zediker, only the north half (approximately) is within the city limits. At the intersection of Manning and Zediker, only the northwest corner of Manning is within the city limits. Aside from those portions, the Manning is technically a County road. Fortunately, when the City has needed to improve Manning (including the northeast corner of Manning and Zediker, for example), the County of Fresno has allowed the City to design and install the improvements, although the County still has to review and approve the design drawings and issue the necessary permits.

At this time, staff proposes that the City annexes the existing Manning ROW in its entirety starting one-half mile west of Academy east to Zediker. This would grant the City full authority to undertake projects within Manning without County involvement. Staff was contacted by Fresno County Planning & Resource Management Officer Bernard Jimenez, who indicated that the County would be amenable to the annexation.

The areas to be annexed would be *approximately* as follows:

1. Western portion: 2,650 feet long, varying in width from 32 feet to 55 feet for a total of 2.36 acres.
2. Eastern portion: 4,017 feet long and generally 76 feet in width for a total of 7.10 acres.

The exact dimensions and areas may vary slightly from the above once the City Surveyor prepares the requisite legal descriptions. Staff recommends additional discussions with County staff about annexing a slightly larger area (on the order of between perhaps several hundred square feet and a couple of thousand square feet) to include the full intersections at Academy and Zediker for ease of future improvements. Alternately, Council could direct staff to request inclusion of all major street rights-of-way at the City's boundaries:

1. Manning as proposed.
2. Academy between Manning and South.
3. South between Academy and Zediker (this would likely involve a number of non-contiguous segments).
4. Zediker from South to approximately 4<sup>th</sup> Street and from E. Parlier Avenue to Manning.
5. Mendocino from the R-N Market to Springfield.
6. Bethel at the wastewater treatment plant.
7. Other?

Note that there is a current City project on Manning Avenue that is driving the current annexation proposal and that including additional rights-of-way at this time could lengthen the process to finalize annexation and thus delay that project.

If the Council chooses to proceed, staff will initiate the required formal correspondence with the County Administrative Officer to ensure compliance with the City-County Memorandum of Understanding and Tax-Sharing Agreement and would prepare the application materials for submittal to the Fresno Local Agency Formation Commission (LAFCo). Following the application process, LAFCo will undertake the necessary investigations and schedule the matter for hearing. From the time the City submits to LAFCo, recordation of the annexation should be expected within three to four months.

#### **FISCAL IMPACT:**

Aside from staff time associated with correspondence and preparation of materials, the City would be responsible for payment of LAFCo application fees and State Board of Equalization mapping fees totaling between \$5,300 and \$8,000 depending on the exact size of the area to be annexed. These costs assume annexation of only Manning Avenue; if additional major street rights-of-way are included, application and mapping fees could increase.

Prepared by:



Jeffrey O'Neal, AICP

Approved by:

City Planner

Approved by: \_\_\_\_\_

Attachments:

- Resolution No. 2022-~~XX~~, including modified Fresno LAFCo map of Parlier illustrating the locations of the proposed annexation

---

TYPE OF ITEM:	COUNCIL ACTION:	APPROVED	DENIED	NO ACTION
_____ Consent		___x___	_____	_____
_____ Info Item		_____	_____	_____
___x___ Action Item		_____	_____	_____
_____ Department Report		_____	_____	_____
_____ Redevelopment Agency		_____	_____	_____



**RESOLUTION 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER  
REQUESTING THAT THE FRESNO LOCAL AGENCY FORMATION  
COMMISSION UNDERTAKE PROCEEDINGS FOR THE ANNEXATION  
OF PORTIONS OF THE E. MANNING AVENUE RIGHT-OF-WAY**

WHEREAS, the City of Parlier desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Government Code Section 56000 for the proposed annexation of portions of the E. Manning Avenue right-of-way (Manning Avenue Annexation); and

WHEREAS, the specific change of organization consists solely of annexation to the City of Parlier; and

WHEREAS, the territory consists solely of existing public street right-of-way, and is therefore uninhabited and contains no registered voters; and

WHEREAS, an illustration of the boundaries of the territory is set forth in Exhibit "A" hereto, and a map and written description accurately depicting said territory shall be forwarded to the Local Agency Formation Commission upon application; and

WHEREAS, this proposal is consistent with the City of Parlier sphere of influence; and

WHEREAS, the City of Parlier does not desire to subject the proposal to additional terms or conditions; and

WHEREAS, the proposed annexation is intended to remove potential regulatory or jurisdictional impediments to City of Parlier street improvement projects within the E. Manning Avenue corridor, including its associated intersections with other public street rights-of-way, and to facilitate the expeditious and efficient maintenance of the City's public streets; and

WHEREAS, the City Council finds that the proposed annexation is exempt from the California Environmental Quality Act under CEQA Guidelines Section 15319, Annexation of Existing Facilities and Lots for Exempt Facilities.

**NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE COUNCIL HEREBY ADOPTS** this Resolution of Application and the Local Agency Formation Commission of Fresno County is hereby requested to initiate proceedings for the Manning Avenue Annexation in the manner prescribed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

\*\*\*\*\*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Parlier held on February 17, 2022 by the following vote to wit:

AYES:

NOES:  
ABSENT:  
ABSTAIN:

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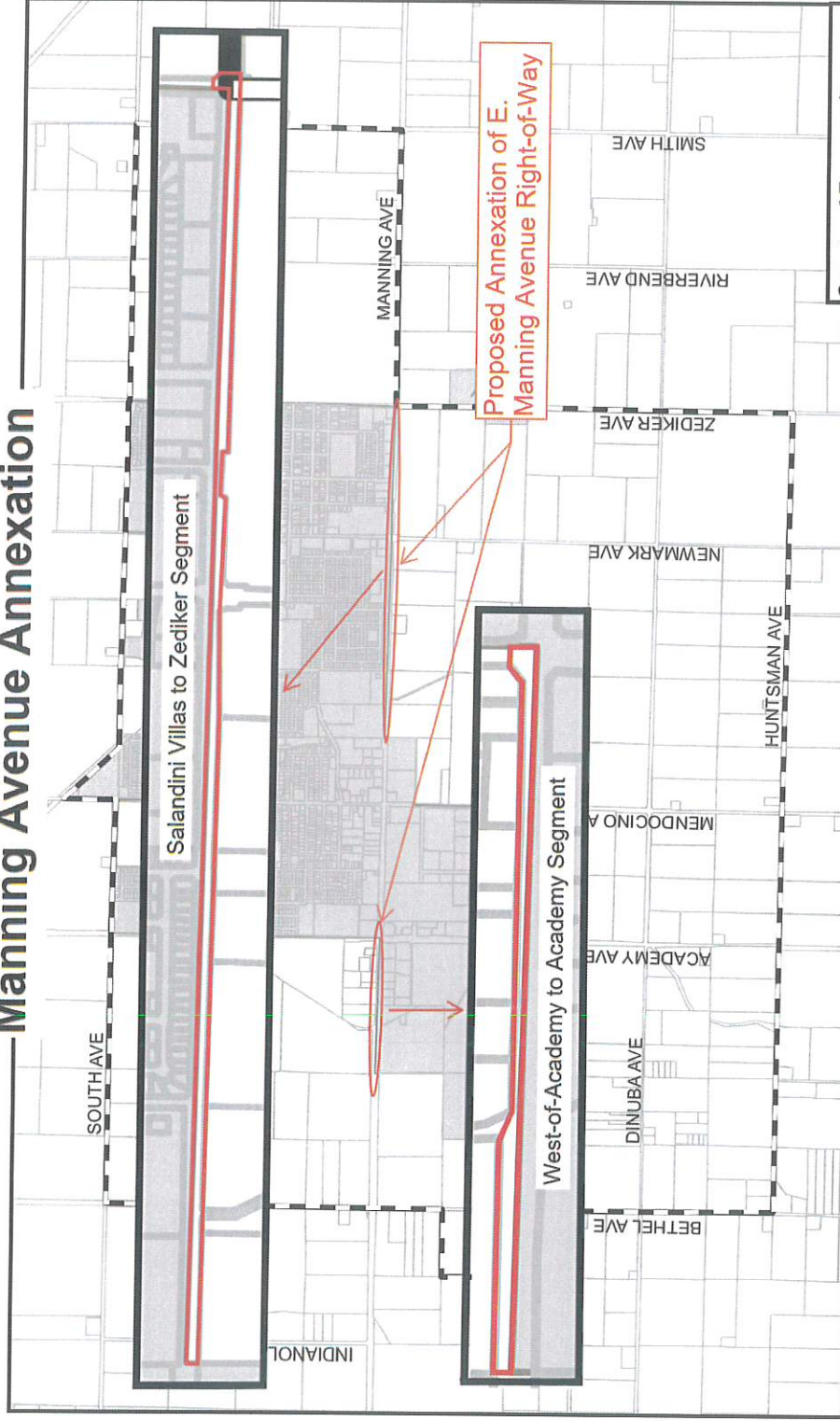
Dorothy Garza, City Clerk

---

Hon. Alma Beltran, Mayor

# City of Parlier

## Manning Avenue Annexation



Proposed Annexation of E.  
Manning Avenue Right-of-Way

Sphere of influence  
 City limits

**Fresno Local Agency Formation Commission**

Incorporated: 1921  
Sphere updated: 8/24/2011  
City limits: 1,547 Acres  
Sphere area: 5,516 Acres

Map prepared: 03/22/2019

Document path: G:\LAFCO WORKING FILES\GIS Layers and Maps\00-LAFCo Maps\Cities\Parlier\Parlier\_022619.mxd

County of Fresno

City location





AGENDA ITEM:

5

MEETING DATE: February 17, 2022

DEPARTMENT: Community Development - Planning

## REPORT TO CITY COUNCIL

### SUBJECT:

City Council to Consider a General Plan Amendment and Conditional Use Permit for Venancio Aguilar at 391 K Street.

### RECOMMENDATION:

Staff recommends that the City Council adopts Resolution No. 2022-XX, approving a General Plan amendment and a Conditional Use Permit.

### BACKGROUND:

<u>Applicant:</u>	Venancio Aguilar
<u>Owners:</u>	Jorge & Maria Ortiz
<u>Location:</u>	391 K Street; APN 355-134-01; southeast corner of Merced Street and K Street
	See attached map and photo
<u>Site Size:</u>	Approximately 8,250 square feet
<u>General Plan:</u>	Medium Density Residential
<u>Zoning:</u>	C-4, Central Trading District
<u>Existing Use:</u>	Mariscos Zihuatanejo Restaurant (improved but not operational); single-family residence; rental residences
<u>Surrounding Uses:</u>	All surrounding lots are housing zoned R-1 Single Family Residential
<u>Street Access:</u>	K Street

### PROPOSAL & DISCUSSION:

NOTE: This item was originally scheduled for hearing on December 16, 2021. Due to concerns expressed by a nearby property owner, staff suggested to the City Council that additional time for research was needed. The item was continued to the January 6, 2022 meeting, then subsequently to January 20, 2022. A noticing error by staff for the January 20, 2022 meeting resulted in the item being pulled from that agenda, with a new hearing scheduled for February 17, 2022.

The site has historically been used for a combination of commercial and residential purposes. Until several years ago the building facing K Street (391 K Street) was used as a convenience store. The other structures on the site (684 Merced Street) comprise a single-family dwelling along with seven small rental units and a communal restroom facility. The residential aspects of the site were approved at some point in history (the City does not appear to have records of its approval) and are not the subject of the current



application. In late 2017 and early 2018, the applicant received approval from the City of Parlier and the Fresno County Environmental Health Division to perform tenant improvements with the intention of converting the store into a small restaurant. In 2021, the applicant applied to the City for a business license to operate the restaurant and a conditional use permit to allow limited alcohol sales in conjunction with the restaurant operation. During the application investigation, staff noted that while the property is zoned C-4 (Central Trading), it is designated on the General Plan Land Use Diagram as Medium Density Residential. State law (Government Code Section 65860) requires that the City's zoning be consistent with its General Plan. The City cannot issue an entitlement for use until the zoning-General Plan discrepancy is resolved.

While the "standard" correction is to amend the zoning to conform to the General Plan, if there is a compelling reason to amend the General Plan instead, the City can take that route to consistency. A couple of factors come into play. First, as noted above, the site has historically contained a combination of commercial and residential uses. Changing the zoning to R-1 (the consistent zone with the Medium Density planned land use) would preclude any future commercial activity, including the proposed restaurant. Conversely, keeping the zoning as C-4 and modifying the planned land use to Community Commercial would accommodate mixed-use activities, which would be consistent with what has historically been allowed on the site. Second, the applicant has relied upon City permissions and approvals (to this point) in preparing plans and performing improvements to the commercial component of the parcel. While that does not obligate the City in any way to authorize continued commercial activities, it is included as a point for Council's consideration. Finally, part of the Housing Crisis Act of 2019, Government Code Section 66300(b)(1) prohibits the City from taking certain actions (including amending the General Plan or changing zoning) that would reduce the residential capacity of a property. Interestingly, the C-4 zone allows apartments as a permitted use (Parlier Municipal Code Section 18.24.020(C); minimum of four units) and as mentioned there are currently several dwellings on the site. If the property were rezoned to R-1, a maximum of three dwellings could be allowed on the site (a primary dwelling, an accessory dwelling unit, and a junior accessory dwelling unit). While the existing units would be allowed to remain as legal conforming structures in the R-1 zone, changing the zoning in that manner would effectively reduce the residential capacity of the property in violation of 66300(b)(1). Leaving the parcel as C-4 results in a residential component of the site that conforms to the zoning. Accordingly, staff recommends that the City Council amends the General Plan Land Use Diagram to reflect the site as Community Commercial.

Prior to approval of any amendment to a General Plan, Government Code Section 65352.2 requires that the City notifies any California Native American Tribe identified by the California Native American Heritage Commission (NAHC) as having an historical or cultural affiliation with the area and provides those Tribes 90 days to comment on the proposal. Following receipt of a Tribal contact list from NAHC, on or around August 11, 2021 the City notified 20 Tribal contacts at 16 Tribes about the project to solicit comments. No comments were received.

Government Code Section 65358(b) provides that no mandatory of the General Plan (including the Land Use Element) may be amended more than four (4) times in any calendar year (CY). If approved, this would be the first amendment to the Land Use Element for CY 2022.

The second component of the project involves a conditional use permit (CUP) to authorize the sale of beer and/or wine on the premises. Contrary to a misconception among some members of the public, this CUP is not required simply for operation of the restaurant. In the C-4 zone, a restaurant without alcohol sales is permitted by right. In this case, that would mean it is subject only to payment for and issuance of a business license. The purpose of a CUP in general is to help normalize certain uses with their surroundings by addition of operational standards and other requirements that serve to reduce a project's potential effects on the neighborhood. Consideration of a CUP is more than a public meeting at which persons have the opportunity to express opinions to the City Council; it is the opportunity for the City Council to consider the potential effects of the project (if any) and apply conditions to moderate or lessen those effects. If the CUP is approved, the California Department of Alcoholic Beverage Control (ABC) would be able to issue a Type 41 License to the applicant. In a previous public notice, staff accidentally referred to the proposed establishment as a "restaurant/bar," which is a term specific to certain other cities (not Parlier) and which may have inadvertently led to concern or confusion about the proposed operation. PMC Section 18.24.040 reads in pertinent part:

*"Uses subject to conditional use permit in the C-4 district are as follows: Restaurants (with alcoholic beverages sold or consumed on the premises); provided, that no such use shall be located within 200 feet of a residential district; provided, however, that such use may be permitted within 200 feet of a residential district subject to the following conditions, and such other conditions as the council finds necessary to mitigate the effect of such use on neighboring residential zone districts: that the operator of such use may operate with and only with a type 41 ABC license (beer and wine on sale-public eating place), that no more than ten percent of the gross income generated from such use shall be directly attributable to the sale of alcoholic beverages, that the owner of such use shall render quarterly reports to the city showing gross income, including income attributable to the sale of alcoholic beverages, that audible noise from the premises shall not be heard from outside the external walls of such premises, and that the operator of such use shall not for a license from ABC other than a category 41 license;"*

Similarly, the ABC description of a Type 41 License is as follows:

*41 – On-Sale Beer & Wine – Eating Place (Restaurant). Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and*

*substantial sales of meals for consumption on the premises. Minors are allowed on the premises.*

Consistent with both of the above, the applicant proposes to operate a restaurant that offers appurtenant sale of beer.

Based on conversations with members of the public and the Chief of Police, it appears that there have historically been legal issues at the site, including but not limited to drug sales/use, public intoxication, and prostitution. However, it also appears that upon acquisition of the property by the current owner and cessation of the convenience market operation, there has not been any recent similar activity. Conditions of approval related to hours of operation (8:00 AM to 9:00 PM), noise levels (no audible noise at the exterior of the building), and security cameras (compliance with the City's video surveillance provisions), along with the much larger, more professional, and better trained City of Parlier police staff, will serve to reduce the potential for effects. Additionally, ABC proposes to condition the license with restrictions on noise, live music (not allowed), monitoring the site for loitering, and maintaining the site litter-free, along with installation of parking lot lighting.

One nearby property owner expressed concern that the restaurant would draw an excessive amount of vehicle traffic such that her residential renters would no longer have sufficient curb space to park their cars on the street. The restaurant includes three tables and has no other seating or room for patrons, and so is not intended to draw large crowds. It is rated for a maximum occupancy of 12 persons. The applicant recently installed a concrete ADA accessible parking space and loading area to complement the two existing onsite spaces. In conjunction with the diagonal spaces on K Street, there is ample parking for the use.

There is a contention that the sale of alcohol at the site will result in the neighborhood residents having to worry about their children and that there will be intoxicated patrons driving down the street. Given the limited occupancy of the facility and the operational limitations placed on the business, it seems unlikely that it will result in any noticeable detrimental effect on the neighborhood.

Also of apparent concern is that a home daycare is operated from the residence at 678 Merced Street immediately to the east of the project site. While the City is not obligated to follow ABC guidance on that matter, ABC's position is that the mere presence of such a daycare is not a factor unless the daycare functions similarly to a school (i.e., formal curriculum, regular attendees or participants), which this daycare does not.

## **FINDINGS:**

### Conditional Use Permit

Prior to approving a CUP, the City Council must make findings as prescribed by Parlier Municipal Code Section 18.38.070:

1. The site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required to adjust the use with land and uses in the neighborhood.

*The proposed use would occur on a fully-developed site within an existing commercial structure recently renovated for use as a restaurant. No additional improvements to the site are proposed or required.*

2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

*Access to and from K Street is not an important consideration since although the site has access to K Street, it would utilize on-street parking. It is not anticipated that the use will generate a quantity or type of traffic that would substantially affect the City's circulation system.*

3. The proposed use will have no adverse effect on abutting property of the permitted use thereof.

*The City Council has imposed operational conditions that it deems sufficient to minimize or eliminate adverse effects to the neighborhood.*

4. The conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare.

*All conditions of approval stem from the Parlier Municipal Code or are otherwise required in order to prevent undue effects of the operation from damaging the public health, safety, and welfare.*

#### Environmental

The first step in complying with CEQA is to determine whether the activity in question constitutes a "project" as defined by CEQA, Public Resources Code Section 21000, *et seq.* and the CEQA Guidelines, California Code of Regulations Section 15000, *et seq.* A "project" consists of the whole of an action (i.e., not the individual pieces or components) that may have a direct or reasonably foreseeable indirect effect on the environment. The second step is to determine whether the project is subject to or exempt from the statute. This proposal qualifies as a project under CEQA because it involves the issuance to a person of a "lease, permit, license, certificate, or other entitlement for use" as described in CEQA Guidelines Section 15378. Once an activity has been determined to fall within the definition of "project," CEQA prescribes that one of three primary actions must occur.

1. The project is reviewed to see whether it may qualify for one of many exemptions from CEQA. Statutory exemptions are those that the legislature has formally

adopted into the CEQA statute. Categorical exemptions consist of classes (or "categories") of projects that the Secretary for Resources has determined do not have the potential to have a significant effect on the environment and are detailed in the CEQA Guidelines.

2. If a project is not exempt, an initial study (IS) can be prepared. An IS generally follows the format suggested by Appendix G of the CEQA Guidelines and examines the project's potential to have a significant effect on one or more of twenty-one environmental resource topics. If the IS does not identify any potentially significant impacts or identifies such impacts but determines that they can be feasibly mitigated to a less-than-significant level, a negative declaration (ND) or mitigated negative declaration (MND), respectively, is prepared. If potentially significant impacts are identified that cannot be feasibly mitigated to a less-than-significant level, an environmental impact report (EIR) is prepared.
3. The City can simply determine that an EIR must be prepared.

The proposed use would occur within an existing commercial structure on a site that is already developed, with the applicant proposing and completing tenant improvements to convert the previous use (retail) to the new use (restaurant). There are two possible exemptions from CEQA that could apply (cited in pertinent part; refer to the respective CEQA Guidelines Sections for full text):

*15301. Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing private structures, facilities, mechanical equipment, involving negligible expansion of existing or former use. Examples include but are not limited to: Alterations involving interior partitions, plumbing, and electrical conveyances; restoration or rehabilitation of structures, facilities, or mechanical equipment to meet current standards of public health and safety.*

*15303. New Construction or Conversion of Small Structures. Class 3 consists of installation of new small equipment and facilities in small structures and conversion of existing small structures where only minor modifications are made in the exterior of the structure. Examples of this exemption include but are not limited to a store, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area.*

Typically, Class 1 applies where an existing structure will be used in substantially the same form it currently exists, whereas Class 3 would apply if changes ("conversion") are proposed. Since the tenant improvements have already been completed and the structure and facilities are therefore "existing," Council could make a determination in that regard. Alternately, since the use itself will be effectively changing from retail to restaurant, the Council may opt with Class 3. Finally, it is also acceptable to utilize more than one exemption for a project, so the Council can also find the project exempt under *both* Class 1 and Class 3. Please note that the public notices for this project have referred to consideration of the 15303 exemption; however, the nature of exemptions allows the

Council to make the appropriate determination as an immediate precursor to considering the project itself and the Council is not bound to only consider the exemption stated in the notice or agenda.

There is apparently some confusion among members of the public as to the level of analysis that should be required under CEQA in the instant case. Using a combination of definitions from the PMC and what staff believes to be a misinterpretation of CEQA Guidelines Section 15303, an opponent of the project contends that the City is required to perform a more protracted environmental analysis before considering the project. The contention relies on the premise that somehow Parlier's definitions of "Building, Area of," "Building, Main," and "Building Unit Group" become the operative terminology under CEQA and that the City is then required to consider whether an exemption applies based on those definitions as opposed to what is stated in the CEQA Guidelines. In a Facebook post on or around January 24, 2022, a member of the public ("commenter") cited these definitions from PMC Chapter 18.04:

*Building, Area of. "Building, area of" means the sum in square feet of the ground areas occupied by all buildings and structures on a lot.*

*"Building, main" means a building within which is conducted the principal use permitted on the lot, as provided by this title.*

*"Building unit group" means two or more buildings grouped on a lot.*

Using those definitions, the commenter made the following statements:

*This means that all the buildings need to be included in the total square footage of the lot. House-2400 sq ft, restaurant-1200sq ft, 6-7 men apartments 1000. TOTAL=4,600.*

*Building main is the main house and single male apartments (684 Merced and apartments-single men receive mail at the 684 address) Thus the 391 K restaurant site can not be considered the "Building Main" because it has not been operational but closed for 7-8 years.*

*House 685 Merced, 391 K Street and 6-7 apartments are considered a unit group in the lot and total 4,600. sq ft must be considered.*

*Because the total building unit sq ft is approximately 4,600 square feet, The total sq ft disqualifies the property for an CEQA EXEMPTION. To be exempted from a CEQA report a building must not be over 2,400 but the 4,600 building unit must be taken into account.*

*So the amendment to APN 355-134-01 can not take place until an official California Environmental Quality Act takes place on the property.*

In response, staff puts forth the following concepts and clarifications.

There are three distinct uses on the site: a single-family residence, multifamily dwellings, and a commercial structure. Since the site is zoned C-4, which first and foremost is intended for commercial uses, it can easily be argued contrary to the assertion above that the commercial structure (vacant or otherwise) would be considered the “principal use permitted on the lot.” However, since it is a mixed-use property, it can also be argued that there is no “Building, Main,” and that each of the three structures/uses is of equal importance or primacy, which is staff’s position. Of further note is that the address or addresses of a site have no bearing on which use is considered the primary use.

CEQA and the CEQA Guidelines were not created with the City of Parlier’s zoning ordinance definitions in mind. As a State law and a State regulation, respectively, CEQA and the CEQA Guidelines supersede any definition or process the City may have within the realm of environmental review. Therefore, our review, assessment, and recommendation are based on the language contained within the exemption(s) and the related regulations. The concept that since the City’s definitions, when pieced together in an awkward procession, appear to require us to look at a lump-sum of building square footage when we make a determination, especially in the context of CEQA, is ludicrous.

Staff assumes that when the commenter states “2,400,” he or she is referring to the 2,500 square-foot limitation mentioned in the Class 3 exemption as cited previously, since the number “2,400” does not appear in CEQA or the CEQA Guidelines. Probable typographical error aside, the contention is inaccurate for a couple of reasons. First, when considering an exemption for an activity on a developed site, we do not look at the other existing activities on the site unless those activities were subject to a previous environmental review (i.e., ND, MND, or EIR). We look at the “baseline,” which consists of the existing conditions at the time the application is filed (different rules apply to NDs, MNDs, and EIRs). The baseline in this case consists of a single-family dwelling, seven rental units, and a vacant commercial structure. When looking at the potential effects of the project (GPA and CUP to facilitate a restaurant with limited alcohol sales) or reviewing it for exemption, all that is examined is the change to the baseline. Similarly, if a hypothetical new, small structure were proposed on the R-N Market site at E. Manning Avenue and S. Mendocino Avenue (there is no such proposal; this is just an example), then aside from certain situations we would not examine the entirety of effects resulting from all of the existing uses on that property *plus* the new use; we would only look at the new use because everything else is part of the baseline. Second, the Class 3 exemption expressly allows *new construction* of a commercial structure of up to 2,500 square feet; it makes no reference to any size limitation for a commercial building that is only being converted. Accordingly, the square footage of the conversion itself, let alone the square footage of other existing buildings on the property, is not relevant.

Typically, an amendment to the General Plan is sufficient on its own to trigger more in-depth environmental review, especially when the physical part of the project consists of



new development. In fact, some exemptions from CEQA (15315-Minor Land Divisions and 15332-In-Fill Development Projects, for example) expressly require the project to conform to the General Plan from the start, meaning that a General Plan amendment cannot be part of the project. However, in the current situation, staff views the General Plan amendment as simply a procedural mechanism to authorize a use that is already allowed on the site under the zoning and that is similar to uses that have historically occurred on the site. Based on the foregoing, staff recommends that the City Council makes a finding of exemption from CEQA either under CEQA Guidelines Section 15301 or under both Sections 15301 and 15303.

If the Council determines that an exemption is not appropriate, staff can prepare an Initial Study to assess the environmental effects of the project. Since the IS would look at the physical effects associated with the project, and there are essentially none—certainly none that would require mitigation—the process would serve only to cost the applicant several thousand dollars (mostly in newspaper publication costs and fees paid to the California Department of Fish and Wildlife when the document is filed at the County Clerk) and delay the project by a couple of months. Staff would be happy to discuss this at the Council's convenience.

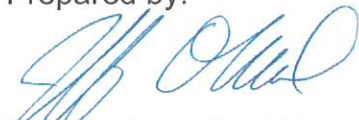
#### Public Notice

There may be some confusion about the noticing requirements for this project stemming from the separate standards for notification by the City for its public hearing as opposed to any requirements that ABC has specific to its licensing application process. The City has provided notice of this hearing pursuant to Government Code Sections 65090 and 65091 for the General Plan amendment and conditional use permit, which consisted of publication in *The Fresno Bee* on February 7, 2022, individual mailed notices to owners of property within 300 feet of the project site on February 7, 2022, and posting at City Hall and on the City's website on February 3, 2022. Any noticing required by ABC specific to its licensing process, which may consist of onsite noticing, mailed notices, newspaper publication, and/or other methods to be performed by ABC or the applicant, is not under the City's purview.

#### **FISCAL IMPACT:**

Review and processing of planning applications are paid for applicants. The site has been used for a variety of uses dating to before the City developed its development impact fee schedule and the proposed use will occupy the existing site and structure; therefore, the project is not responsible for payment of development impact fees.

Prepared by:



**Jeffrey O'Neal, AICP**  
**City Planner**

Approved by:

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Attachments:

- 391 K Street Aerial
- General Plan exhibit
- Zoning exhibit

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TYPE OF ITEM:	COUNCIL ACTION:	APPROVED	DENIED	NO ACTION
_____ Consent		_____ Public Hearing		
_____ Info Item		_____ Matter Initiated by a Council Member		
_____ Action Item		_____ Other		
_____ Department Report		_____ Continued to: _____		
_____ Redevelopment Agency				



Venacio Aguilar  
APN 355-134-01

General Plan Amendment & Conditional Use Permit  
391 K Street



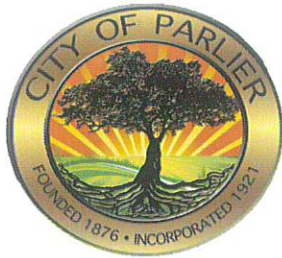
Project











AGENDA ITEM:

66

MEETING DATE: 02/17/22

DEPARTMENT: Administration/Community  
Development

## REPORT TO CITY COUNCIL

**SUBJECT:** Adoption of Resolution No. 2022-\_\_\_\_ authorizing the Submittal of an application to the California Department of Housing and Community Development for funding under the HOME Investment Partnerships Program; and if selected, the execution of necessary documents.

**RECOMMENDATION:** City staff recommends the City Council adopt Resolution No. 2022-\_\_\_\_ authorizing the Submittal of an application to the California Department of Housing and Community Development for funding under the HOME Investment Partnerships Program; and if selected, the execution of necessary documents.

**BACKGROUND:** The California Department of Housing and Community Development (the "Department") is authorized to allocate HOME Investment Partnerships Program ("HOME") funds made available from the U.S. Department of Housing and Urban Development ("HUD"). HOME funds are to be used for the purposes set forth in Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, in federal implementing regulations set forth in Title 24 of the Code of Federal Regulations, part 92, and in Title 25 of the California Code of Regulations commencing with section 8200.

The Department issued a 2022 Notice of Funding Availability announcing the availability of funds under the HOME program (the "NOFA"). In response to the 2022 NOFA, the City of Parlier prepared a grant application requesting up to \$2,000,000 to be used for Homebuyer Down payment Assistance and Rehabilitation.

The grant funds would be used to provide loans to homebuyers for acquisition or acquisition with rehabilitation of a home that is located within city limits. The previously had a FTHB program for the Monte Vista development and for the first and second phase of Monterey Homes development. The funds have been depleted so we are applying for this grant so that the residents have the ability to utilize this program for their down payment of their home. We are able to use this program for any home in Parlier, and if the home needs light repairs, we are able to do FTHB with rehab.


The rehab portion of the program would be the same as we have had in the past. We would rehab based on priority. We do have a waiting list and a definite need. It will include any home within city limits. It is important to remember that it is a rehab program

and not a remodel program. We will only fix what is determined to be a health and safety hazard.

**FISCAL IMPACT:** No Fiscal Impact

Prepared by: Sonia Hall

Approved by: Sonia Hall

Approved by: 

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Attachments:

- Resolution

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TYPE OF ITEM:	COUNCIL ACTION:	APPROVED	DENIED	NO ACTION
<input type="checkbox"/> Consent		<input type="checkbox"/> Public Hearing		
<input type="checkbox"/> Info Item		<input type="checkbox"/> Matter Initiated by a Council Member		
<input checked="" type="checkbox"/> Action Item		<input type="checkbox"/> Other		
<input type="checkbox"/> Department Report		<input type="checkbox"/> Continued to: _____		
<input type="checkbox"/> Redevelopment Agency				

RESOLUTION NO. \_\_\_\_\_

THE GOVERNING BOARD OF  
CITY OF PARLIER

**HEREBY AUTHORIZES:** Submittal of an application to the California Department of Housing and Community Development for funding under the HOME Investment Partnerships Program; and if selected, the execution of a Standard Agreement, any amendments thereto, and of any related documents necessary to participate in the HOME Investment Partnerships Program.

**WHEREAS:**

- A. The California Department of Housing and Community Development (the "Department") is authorized to allocate HOME Investment Partnerships Program ("HOME") funds made available from the U.S. Department of Housing and Urban Development ("HUD"). HOME funds are to be used for the purposes set forth in Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, in federal implementing regulations set forth in Title 24 of the Code of Federal Regulations, part 92, and in Title 25 of the California Code of Regulations commencing with section 8200.
- B. On December 1, 2021, the Department issued a Notice of Funding Availability announcing the availability of funds under the HOME program (the "NOFA").
- C. In response to the December 2021 HOME NOFA, City of Parlier a municipality of the State of California (the "Applicant"), wishes to apply to the Department for, and receive an allocation of, HOME funds.

**IT IS NOW THEREFORE RESOLVED THAT:**

1. In response to the December 2021 HOME NOFA, the Applicant shall submit an application to the Department to participate in the HOME program and for an allocation of funds not to exceed two million Dollars (\$2,000,000) for the following activities:
  - First-Time Homebuyer
  - Owner Occupied Rehabilitationto be located in the city of Parlier.
2. If the application for funding is approved, then the Applicant hereby agrees to use the HOME funds for eligible activities in the manner presented in its application as approved by the Department in accordance with the statutes and regulations cited above. The Applicant may also execute a Standard

Agreement, any amendments thereto, and any and all other documents or instruments necessary or required by the Department or HUD for participation in the HOME program (collectively, the required documents).

3. The Applicant authorizes the City Manager or their designee(s) to execute, in the name of the Applicant, the required documents.

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_, BY THE FOLLOWING VOTE:**

**AYES:**\_\_\_\_\_ **NAYS:**\_\_\_\_\_ **ABSTAIN:**\_\_\_\_\_ **ABSENT:**\_\_\_\_\_

\_\_\_\_\_  
Alma Beltran  
Mayor

The undersigned City Clerk/Deputy City Clerk of the Applicant does hereby attest and certify that the foregoing is a true and full copy of a resolution of the governing board of the Applicant passed and adopted at a duly convened meeting on the date set forth above, and said resolution has not been altered, amended, or repealed.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## **CITY OF PARLIER FAÇADE IMPROVEMENT PROGRAM**

### **INTRODUCTION**

The City of Parlier is committed to improving the vitality of the downtown area, generally running on and along Fresno Street from Newmark to Zedikar. The City has initiated a Façade Improvement Program to provide property owners within the downtown area with the means for making exterior improvements and rehabilitation of their property thereby enhancing the attractiveness and financial viability of the business.

### **PROGRAM STATEMENT**

The purpose of this program is to enhance the exterior appearance of buildings in the downtown area while preserving the historic architecture, character or integrity of existing buildings and thereby provide immediate support in addressing the economic stabilization of businesses that have been impacted by the COVID-19 pandemic. The City intends to conduct this façade rehabilitation of all businesses in the downtown area which is depicted by Exhibit A that consent to having these improvements done and allowing the City access to their property for the purpose of making those improvements.

### **ELIGIBILITY REQUIREMENTS**

Property Owners are eligible for participation in the Program if the building is occupied either by the owner or tenant located within the downtown area and actively operating a business. If the property is occupied by a tenant, the tenant should be informed that the City is completing exterior upgrades that may affect its business. An owner will be required as condition to the participation of the program to execute an agreement with the City limiting the City's liability for property damage occasioned in connection with the rehabilitation of the exterior of a building to the repair or replacement cost of the property and prohibits the awarding of any general, special or punitive damages against the City of any type. The owner must further agree to maintain the façade improvements and to abide by any ordinance, regulation or permission granted by the City with respect to the alteration, repair or maintenance of the façade improvements that affects its appearance.

### **ROLES AND RESPONSIBILITIES**

The City of Parlier will be responsible for the installation or construction of the exterior or façade improvements to any eligible owner or tenant-occupied building. All

the owner of the property need do is execute a standard form agreement, a copy of which is attached as Exhibit B and made a part of this Façade Improvement Program. The American Rescue Plan Act (ARPA) was signed into law March 11, 2021, and provides \$380 billion dollars for eligible state, local, territorial and tribal governments to meet pandemic response needs and rebuild a stronger, more equitable economy as the country recovers. Eligible expenditures are those which provide support for the economic stabilization of businesses or address economic challenges that have contributed to the unequal impact of the pandemic. The City has been allotted approximately \$2.5 million dollars in direct ARPA assistance. The first half was received in December of 2021 and the second half will become available in the Summer of 2022. The City will use other dedicated grants and programs whenever possible with respect to improvements of infrastructure other than facade improvement to the extent additional surplus funds are necessary.

### **DETAILS OF IMPROVEMENTS**

Detailed depictions of façade, street, sidewalk, curb and gutter improvements are available from the Parlier City Manager.

## **AGREEMENT FOR FAÇADE IMPROVEMENTS**

### **RECITALS**

This Agreement is made and entered into this \_\_\_\_ day of 2022 by and between \_\_\_\_\_ (hereinafter referred to as "Owner", and the City of Parlier, a municipal corporation (hereinafter referred to as "City").

WHEREAS, City Council has adopted a resolution establishing a Façade Improvement Program for properties located within the City's downtown generally located on and along Fresno Street between Newmark and Zedikar within the City of Parlier; and

WHEREAS, the purpose of the Program, as more fully disclosed by Exhibit A to the City Council's resolution, is to enhance the exterior appearance of buildings in the City's downtown while preserving historic architectural character and integrity of existing buildings in order to help with the revitalization of downtown, and the consequent economic enhancement of the businesses located within the downtown area; and

WHEREAS, the City has identified American Rescue Plan Act (ARPA), and other funds that can be used for the purpose of making façade improvements, in addition to improvements to the street, sidewalk, curb and gutters in this area and, therefore, proposes to make the façade improvements free of charge to the owner of every building improved; and

WHEREAS, Owner is owner of the real property located at

\_\_\_\_\_  
(address)

in the City of Parlier which is a business establishment and desires to improve, repair or construct the building façade and enters into this Agreement for that purpose.

### **AGREEMENT**

Now, therefore, in consideration of mutual covenants and conditions contained herein, the parties do hereby agree as follows:

1. City has designed and will pay to make façade improvements to Owner's building under the Façade Improvement Plan adopted by City Council Resolution.
2. City agrees to pay the full cost of the façade improvement, as designed by the City and approved by Owner, subject to the following qualifications
  - (A) The Owner will maintain the façade improvements once constructed at Owner's own expense.
  - (B) Owner will adhere to every ordinance, resolution or policy adopted by the City Council relating to maintenance and/or alteration or painting of the façade improvements.

3. Owner agrees to allow the City, or its contractors, access necessary to make the façade improvements on Owner's property. The City will be liable for any actual damages caused by its negligence or the negligence of its employees or contractors to the building in connection with the construction of the façade improvements; but, City's liability shall be limited to the cost of or the obligation to perform repairs or alterations to the installed façade improvement or to repair the other portion of the property damaged by the negligence of the City or one of its employees. City shall not be liable for consequential general, special or punitive damages for its conduct or that of its employees or contractors.

4. Owner may not assign or sublet, whether voluntary or involuntary or by operation of law, this Agreement.

5. This Agreement supersedes all of the agreements between the parties hereto and there are no other agreements, either oral or written, other than what is set forth in this Agreement. Any alteration of this Agreement must be done in writing.

6. Time: time is of the essence of this contract.

By\_\_\_\_\_

Date:\_\_\_\_\_

Alma Beltran, Mayor

ATTEST

By\_\_\_\_\_

Date:\_\_\_\_\_

Bertha Augustine, Deputy City Clerk

OWNER

By\_\_\_\_\_

Date:\_\_\_\_\_

**RESOLUTION NO. 2022-\_\_**

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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF PARLIER ESTABLISHING AND AUTHORIZING AND  
ALLOCATING FUNDS FOR FAÇADE IMPROVEMENTS  
WITHIN DOWNTOWN PARLIER**

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WHEREAS, to provide support for economic enhancement of businesses the City Council desires to establish a Façade Improvement Program for properties located within the City's downtown generally located on and along Fresno Street between Newmark and Zediker within the City of Parlier; and

WHEREAS, the purpose of the Program is to enhance the exterior appearance of buildings in the City's downtown while preserving historic architectural character and integrity of existing buildings in order to help with the revitalization of downtown, and the consequent economic enhancement of the businesses located within the downtown area; and

WHEREAS, the City has identified American Rescue Plan Act (ARPA), and other funds that can be used for the purpose of making façade improvements, in addition to improvements to the street, sidewalk, curb and gutters in this area and, therefore, proposes to make the façade improvements free of charge to the owner of every building improved; and

NOW, THEREFORE, be it resolved as follows:

1. The foregoing recitals are true and correct.
2. The City Council hereby appropriates the amount of \$\_\_\_\_\_ from the monies received from the American Rescue Plan Act and from all other grant funds available that can be used for streets, gutters, curbs and sidewalks, all to be used for improvements to streets, curbs, gutters and sidewalks and to building facades within the Parlier downtown, generally that area along Fresno Street between Newmark and Zediker.
3. The City Council has reviewed and hereby approves the Program for Façade Improvements within the City of Parlier downtown that is attached and incorporated as Exhibit A.

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The foregoing Resolution was adopted and approved at a regular meeting of the City Council of the City of Parlier held on February 17, 2022, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

\_\_\_\_\_  
Alma Beltran, Mayor, City of Parlier

ATTEST:

\_\_\_\_\_  
Bertha Augustine, Deputy City Clerk,  
City of Parlier