

**CALWA RECREATION & PARK DISTRICT
MEETING AGENDA**

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MINUTES

**REGULAR BOARD MEETING
NOTICE AND AGENDA**

June 18, 2024

4545 E. Church Ave, Fresno CA 93725

6:00 PM

BOARD CHAIRPERSON

Esmeralda Zamora, Chair

DISTRICT ADMINISTRATOR

Tim Chapa

BOARD VICE CHAIR

Raul Guerra Vice Chair

DISTRICT COUNSEL

Hilda Cantú Montoy

BOARD MEMBERS

Joseph Perez, Board Member

Laura Garcia, Board Member

Mary L. Rosales, Board Member

The Board welcomes you to its meetings and encourages you to participate at the meeting. This agenda contains a brief general description of each item that will be considered by the Board. All persons who attend the meeting are asked to silence pagers, cell phones, and other devices that may disrupt the Board meeting. The Board may consider and act on an agenda item in any order it deems appropriate.

CALL TO ORDER AND ROLL CALL – 6:03 PM; All Directors present. Member Perez left at 7:15 PM

A. INVOCATION AND FLAG SALUTE *By Member Rosales*

B. APPROVAL OF AGENDA *–Motion by Director Rosales, Seconded by Director Guerra to approve agenda with the revised report; Motion passed by 5-0 vote.*

C. PUBLIC COMMENTS *– No public comments.*

Members of the public who wish to address the Board on matters on this agenda may address the Board when the item is called. Each individual is limited to three minutes. When addressing the Board, you are requested to come forward to the speaker's microphone, state your name and address, and then proceed with your comments. Speakers are requested to wait until recognized by the Board Chair.

D. CONSENT CALENDAR *– Motion to approve items D1 and D2, with item D3 to*

be addressed separately; Motion to approve items D1 and D2 by Director Guerra, Seconded by Director Garcia – Motion passed 5-0.

Motion to approve item D3 separately by Director Guerra, Seconded by Director Garcia – Motion passed 5-0.

All items listed under Consent Calendar are considered to be routine and will be enacted by one motion. For discussion of any Consent Item, it will be considered separately at the request of any member of the Board or any person in the audience.

1. **SUBJECT:** Minutes for Special Meeting of 5/30/24

RECOMMENDATION: That the Board approve the minutes.

2. **SUBJECT:** Ratify ARPA Amendment Signature

RECOMMENDATION: That the Board consider ratifying the District Administrator’s action to sign a required amendment to the County of Fresno ARPA Agreement.

3. **SUBJECT:** Emergency Purchase – Snack Bar Vent Hood

RECOMMENDATION: That the Board consider ratifying the District Administrator’s action to replace the vent hood at the District Snack Bar, subject to the Purchasing Policy.

E. NEW BUSINESS

1. **SUBJECT:** Ordering and Consolidating Elections with the November 5, 2024 Statewide General Election.

RECOMMENDATION: That the Board adopt Resolution 2024-04 Ordering and Consolidating District Elections with the November 5, 2024 General Election.

Motion to approve by Member Garcia, Seconded by Director Guerra; Motion approved by 5-0 vote.

2. **SUBJECT:** Preliminary FY 24/25 Budget

RECOMMENDATION: That the Board review the Preliminary Budget and approve Resolution 2024-05 adopting the Preliminary Budget.

Motion to approve by Member Garcia, Seconded by Director Zamora; Motion approved by 5-0 vote.

3. **SUBJECT:** Recycling Center Contract Review

RECOMMENDATION: That the Board review the contract and take action as appropriate.

Motion to modify the contract as listed under option 3, with the change to reduce the operating hours from 8AM to 2PM. Motion to approve by Member Zamora, Seconded by Director Guerra; Motion approved by 4-1 vote, with Member Perez dissenting.

4. **SUBJECT:** Use of Pool Design Product and Indemnification

RECOMMENDATION: That the Board consider using Allred Engineering's Pool Design "As Is" and indemnify Allred Engineering for its use.

Motion to approve by Member Garcia, Seconded by Director Rosales; Motion approved by 4-0 vote (Member Perez left for a function.).

5. **SUBJECT:** Update on Futsal Project, Prop 68 Project, and Swimming Pool Project

RECOMMENDATION: That the Board hear the verbal update and provide direction as appropriate.

No action taken.

F. BOARD MEMBER COMMUNICATIONS/REQUESTS FOR FUTURE AGENDA ITEMS

(No discussion; only brief reports or requests for future agenda items)

G. ADJOURNMENT – 7:25 PM

Access to Agenda. Generally, agenda packets and other public documents are available for inspection by the public at the District Office located at 4545 E. Church Avenue, Fresno, CA. You may request meeting agendas by email, you can ask to be added to the mailing list by calling (559) 264-6867 or send your request by email to info@calwarecreation.org. The agenda packet is posted at www.calwarecreation.org.

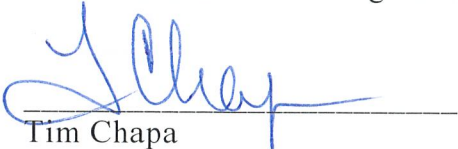
Reasonable Accommodation. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling 559-264-6867 or emailing tchapa@calwarecreation.org

Español. Para asistencia en español sobre este aviso, por favor llame a (559) 264-6867.

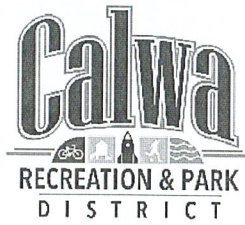
NEXT REGULAR MEETING: June 18, 2024.

Certification of Posting

I declare under penalty of perjury that I am employed by the Calwa Recreation and Park District and that I posted this Agenda on the bulletin board in the Calwa Recreation District Office, on the front door window of the District Office, and on the website at www.calwarecreation.org on May 29, 2024.



Tim Chapa



For the Meeting of: 7/16/2024

Item: E.1

CALWA RECREATION & PARK DISTRICT REPORT TO THE BOARD

TO: Board of Directors
FROM: Tim Chapa, District Administrator

SUBJECT: Salary Schedule Update

ATTACHMENTS: Resolution 2024-06

RECOMMENDATION:

That the Board adopt Resolution 2024-06 updating the District Salary Schedule.

SUMMARY:

District Salary Schedules were last updated on February 15, 2022 (Exhibit A) with hourly rates starting at \$14.00/hour. The California minimum wage increased \$16.00/hour, effective January 1, 2024. The salary schedule is revised to be in compliance with the 2024 minimum wage increase.

BACKGROUND:

The current salary schedules need to be updated consistent with the 2024 minimum wage increase. The last update was in 2022. Even though the salary schedules need to be updated, currently all employees are paid equal to or more than the minimum wage.

Presented for the Board's review are two new salary schedules. Both schedules meet the minimum wage requirements as follows:

- Exhibit B schedule reflects a 3% movement between steps,
- Exhibit C schedule reflects a 5% movement between steps,
- Both schedules also maintain a 14% difference between the part time and full time Maintenance positions.

FISCAL IMPACT:

No impact to the FY24/25 Budget as the existing Salary Schedule is fully funded. Either a 3% or 5% impact to future budgets based on which schedule (Exhibit B or Exhibit C) the Board approves.

Current Salary Schedule, Approved 021522

Part Time Maintenance						Hrs/wk	Rate (\$/hr)
Step 1	Step 2	Step 3	Step 4	Step 5			
Hourly Rate	\$14.00	\$14.70	\$15.44	\$16.21	\$17.02		
Weekly	\$406.00	\$426.30	\$447.62	\$470.00	\$493.50	29	\$14.00
Biweekly	\$812.00	\$852.60	\$895.24	\$940.00	\$987.00		
Monthly	\$1,759.33	\$1,847.30	\$1,939.69	\$2,036.67	\$2,138.50		
Annual	\$21,112.00	\$22,167.60	\$23,276.24	\$24,440.00	\$25,662.00		

Maintenance Supervisor						Hrs/wk	Rate (\$/hr)
Step 1	Step 2	Step 3	Step 4	Step 5			
Hourly Rate	\$18.25	\$19.16	\$20.12	\$21.13	\$22.18		
Weekly	\$730.00	\$766.50	\$804.83	\$845.07	\$887.32	40	\$18.25
Biweekly	\$1,460.00	\$1,533.00	\$1,609.66	\$1,690.14	\$1,774.64		
Monthly	\$3,163.33	\$3,321.50	\$3,487.60	\$3,661.97	\$3,845.05		
Annual	\$37,960.00	\$39,858.00	\$41,851.16	\$43,943.64	\$46,140.64		

Office Manager/Executive Assistant						Hrs/wk	Rate (\$/hr)
Step 1	Step 2	Step 3	Step 4	Step 5			
Hourly Rate	\$18.25	\$19.16	\$20.12	\$21.13	\$22.18		
Weekly	\$730.00	\$766.50	\$804.83	\$845.07	\$887.32	40	\$18.25
Biweekly	\$1,460.00	\$1,533.00	\$1,609.66	\$1,690.14	\$1,774.64		
Monthly	\$3,163.33	\$3,321.50	\$3,487.60	\$3,661.97	\$3,845.05		
Annual	\$37,960.00	\$39,858.00	\$41,851.16	\$43,943.64	\$46,140.64		

Recreation Coordinator						Hrs/wk	Rate (\$/hr)
Step 1	Step 2	Step 3	Step 4	Step 5			
Hourly Rate	\$15.00	\$15.75	\$16.54	\$17.36	\$18.23		
Weekly	\$525.00	\$551.25	\$578.81	\$607.75	\$638.14	35	\$15.00
Biweekly	\$1,050.00	\$1,102.50	\$1,157.62	\$1,215.50	\$1,276.28		
Monthly	\$2,275.00	\$2,388.75	\$2,508.18	\$2,633.58	\$2,765.27		
Annual	\$27,300.00	\$28,665.00	\$30,098.12	\$31,603.00	\$33,183.28		

Note: All staff are currently being paid near the approved step, but none are exact.

Proposed Salary Schedule at 3% Step Increases

-B

	Part Time Maintenance					Hrs/wk	Rate (\$/hr)	Step Increase
	Step 1	Step 2	Step 3	Step 4	Step 5			
Hourly Rate	\$16.00	\$16.48	\$16.97	\$17.48	\$18.01			
Weekly	\$464.00	\$477.92	\$492.26	\$507.03	\$522.24	29	\$16.00	3.00%
Biweekly	\$928.00	\$955.84	\$984.52	\$1,014.05	\$1,044.47			
Monthly	\$2,010.67	\$2,070.99	\$2,133.12	\$2,197.11	\$2,263.02			
Annual	\$24,128.00	\$24,851.84	\$25,597.40	\$26,365.32	\$27,156.28			

	Maintenance Supervisor					Hrs/wk	Rate (\$/hr)
	Step 1	Step 2	Step 3	Step 4	Step 5		
Hourly Rate	\$20.81	\$21.43	\$22.07	\$22.73	\$23.42		
Weekly	\$832.20	\$857.17	\$882.88	\$909.37	\$936.65	40	\$20.81
Biweekly	\$1,664.40	\$1,714.33	\$1,765.76	\$1,818.73	\$1,873.30		
Monthly	\$3,606.20	\$3,714.39	\$3,825.82	\$3,940.59	\$4,058.81		
Annual	\$43,274.40	\$44,572.63	\$45,909.81	\$47,287.11	\$48,705.72		

	Office Manager/Executive Assistant - NO CHANGE					Hrs/wk	Rate (\$/hr)
	Step 1	Step 2	Step 3	Step 4	Step 5		
Hourly Rate	\$18.25	\$19.16	\$20.12	\$21.13	\$22.18		
Weekly	\$730.00	\$766.50	\$804.83	\$845.07	\$887.32	40	\$18.25
Biweekly	\$1,460.00	\$1,533.00	\$1,609.66	\$1,690.14	\$1,774.64		
Monthly	\$3,163.33	\$3,321.50	\$3,487.60	\$3,661.97	\$3,845.05		
Annual	\$37,960.00	\$39,858.00	\$41,851.16	\$43,943.64	\$46,140.64		

	Recreation Coordinator					Hrs/wk	Rate (\$/hr)
	Step 1	Step 2	Step 3	Step 4	Step 5		
Hourly Rate	\$16.00	\$16.48	\$16.97	\$17.48	\$18.01		
Weekly	\$480.00	\$494.40	\$509.23	\$524.51	\$540.24	30	\$16.00
Biweekly	\$960.00	\$988.80	\$1,018.46	\$1,049.02	\$1,080.49		
Monthly	\$2,080.00	\$2,142.40	\$2,206.67	\$2,272.87	\$2,341.06		
Annual	\$24,960.00	\$25,708.80	\$26,480.06	\$27,274.47	\$28,092.70		

Notes:

- 1) Minimum Wage Increase
 - a) CA, \$16 as of 1/1/24
 - b) CA, \$20 for fast food workers as of 4/1/24
 - c) CA, DOF must determin 2025 by 8/1/24

- 2) PT Maintenance Increase of 14.29%

- 3) Maintenance Increase of 14.00%

Proposed Salary Schedule at 5% Step Increases



	Part Time Maintenance					Hrs/wk	Rate (\$/hr)	Step Increase
	Step 1	Step 2	Step 3	Step 4	Step 5			
Hourly Rate	\$16.00	\$16.80	\$17.64	\$18.52	\$19.45			
Weekly	\$464.00	\$487.20	\$511.56	\$537.14	\$563.99	29	\$16.00	5.00%
Biweekly	\$928.00	\$974.40	\$1,023.12	\$1,074.28	\$1,127.99			
Monthly	\$2,010.67	\$2,111.20	\$2,216.76	\$2,327.60	\$2,443.98			
Annual	\$24,128.00	\$25,334.40	\$26,601.12	\$27,931.18	\$29,327.73			

	Maintenance Supervisor					Hrs/wk	Rate (\$/hr)
	Step 1	Step 2	Step 3	Step 4	Step 5		
Hourly Rate	\$20.81	\$21.85	\$22.94	\$24.08	\$25.29		
Weekly	\$832.20	\$873.81	\$917.50	\$963.38	\$1,011.54	40	\$20.81
Biweekly	\$1,664.40	\$1,747.62	\$1,835.00	\$1,926.75	\$2,023.09		
Monthly	\$3,606.20	\$3,786.51	\$3,975.84	\$4,174.63	\$4,383.36		
Annual	\$43,274.40	\$45,438.12	\$47,710.03	\$50,095.53	\$52,600.30		

	Office Manager/Executive Assistant - NO CHANGE					Hrs/wk	Rate (\$/hr)
	Step 1	Step 2	Step 3	Step 4	Step 5		
Hourly Rate	\$18.25	\$19.16	\$20.12	\$21.13	\$22.18		
Weekly	\$730.00	\$766.50	\$804.83	\$845.07	\$887.32	40	\$18.25
Biweekly	\$1,460.00	\$1,533.00	\$1,609.66	\$1,690.14	\$1,774.64		
Monthly	\$3,163.33	\$3,321.50	\$3,487.60	\$3,661.97	\$3,845.05		
Annual	\$37,960.00	\$39,858.00	\$41,851.16	\$43,943.64	\$46,140.64		

	Recreation Coordinator					Hrs/wk	Rate (\$/hr)
	Step 1	Step 2	Step 3	Step 4	Step 5		
Hourly Rate	\$16.00	\$16.80	\$17.64	\$18.52	\$19.45		
Weekly	\$480.00	\$504.00	\$529.20	\$555.66	\$583.44	30	\$16.00
Biweekly	\$960.00	\$1,008.00	\$1,058.40	\$1,111.32	\$1,166.89		
Monthly	\$2,080.00	\$2,184.00	\$2,293.20	\$2,407.86	\$2,528.25		
Annual	\$24,960.00	\$26,208.00	\$27,518.40	\$28,894.32	\$30,339.04		

Notes:

- 1) Minimum Wage Increase
 - a) CA, \$16 as of 1/1/24
 - b) CA, \$20 for fast food workers as of 4/1/24
 - c) CA, DOF must determin 2025 by 8/1/24

- 2) PT Maintenance Increase of 14.29%

- 3) Maintenance Increase of 14.00%

RESOLUTION NO. 2024-06

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALWA
RECREATION AND PARK DISTRICT ADOPTING THE SALARY
SCHEDULE FOR FISCAL YEAR
2024-2025**

WHEREAS, the Board of Directors last updated and approved the District Salary Schedule on February 15, 2022; and

WHEREAS, the California Minimum wage was increased to \$16 per hour effective January 1, 2024; and

WHEREAS, the District Salary Schedule requires updating due to the change in Minimum Wage.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Calwa Recreation and Park District as follows:

SECTION 1. FINDINGS. The Board finds and declares as follows:

A. The Board has reviewed the Salary Schedules to ensure that the presented options meet the California Minimum Wage requirement.

SECTION 2. ADOPTION OF SALARY SCHEDULE. Exhibit ___ with a Step increase of ___% for Fiscal Year 2024-2025 is approved and adopted.

SECTION 3. EFFECTIVE DATE. This Resolution will become effective immediately upon adoption and will remain effective unless repealed, amended, or superseded.

CERTIFICATION

Adoption of the foregoing Resolution No. 2024-06 was moved by Director _____, seconded by Director _____, and adopted at a regular meeting on July 16, 2024, by the following vote:

AYES: _____

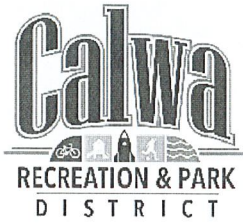
NOES: _____

ABSTENTIONS: _____

ABSENCES: _____

ATTEST:

District Secretary



For the Meeting of: 7/16/2024

Item: E.2

CALWA RECREATION & PARK DISTRICT REPORT TO THE BOARD

TO: Board of Directors

FROM: Tim Chapa, District Administrator

SUBJECT: Preliminary Budget Review

ATTACHMENTS: Preliminary Budget Changes (To be provided.)

RECOMMENDATION:

That the Board review and discuss potential changes to the Preliminary Budget and provide direction as appropriate.

SUMMARY:

On June 18th, the Board reviewed and approved the Preliminary 2024-25 Budget. The Final Budget is to be approved at the August Board meeting. The review this evening is to discuss potential changes to the Preliminary Budget.

BACKGROUND:

Pursuant to Public Resources Code 5788, by July 1 the District must publish Notice of Public Hearing stating Preliminary Budget adopted & setting date, time, and place of hearing for adoption of a Final Budget. On or before August 30 of each year, after making any changes in the preliminary budget, the Board shall adopt a final budget. Potential changes to the Preliminary Budget will be presented to and reviewed by the Board, after which the Board may provide direction as appropriate.

The potential changes to the Preliminary Budget are to be provided.



For the Meeting of: 7/16/2024
Item: E.3

CALWA RECREATION & PARK DISTRICT REPORT TO THE BOARD

TO: Board of Directors

FROM: Tim Chapa, District Administrator

SUBJECT: Reschedule the August 20, 2024 Regular Meeting

ATTACHMENTS: None

RECOMMENDATION:

That the Board consider rescheduling the Regular August 20, 2024 Meeting to a Special August Meeting, either August 13th or August 27th.

SUMMARY:

The District Administrator will be out of the office for the regularly scheduled August Board meeting. An August meeting is required at a minimum for the FY 24/25 Budget adoption. A Special Board meeting can be held on either August 13th or August 27th. It is recommended that the Special August Board meeting be held on August 13th.

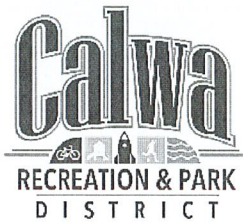
It is noted that rescheduling the August meeting will require the public notice of budget adoption to be reposted.

BACKGROUND:

Nothing further.

FISCAL IMPACT:

Minimal, due to reposting the budget adoption notice.



For the Meeting of: 7/16/2024

Item: E.4

CALWA RECREATION & PARK DISTRICT REPORT TO THE BOARD

TO: Board of Directors

FROM: Tim Chapa, District Administrator

SUBJECT: Snack Bar Contract Rent Change

ATTACHMENTS: Contract

RECOMMENDATION:

That the Board consider the change to the monthly rent amount for the Snack Bar from \$1,200 per month to \$600 per month during the Prop 68 Project Renovation Project construction.

SUMMARY:

The Prop 68 Renovation Project is about to be awarded, with construction to begin as early as August of 2024. During construction, the Snack Bar will be closed as it is within the project area. During construction, the snack bar operations will be operated by food truck, reducing expenses. Monthly rent during construction is recommended at half the normal charge, or \$600 per month.

BACKGROUND:

The Prop 68 Renovation Project is soon to be awarded, and construction is set to begin as early as August of 2024. The Snack Bar is within construction area and will be closed during construction.

On December 19, 2023, the Board approved a Snack Bar contract with El Dorado Taqueria (Blanca Parra and Efren Sanchez) for monthly rent of \$1,200. Additionally, Section 4(a)(1), Permitted Uses, indicated the following:

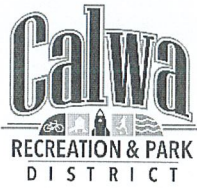
“Tenant shall be permitted to use food truck once construction begins for Prop 68 project.”

The District Administrator met with Ms. Parra and Mr. Sanchez to review the impact of the imminent construction and have come to the following general terms during the time period of project construction:

- Monthly rent to be \$600 per month during the time period of project construction. If the construction starts after the 1st of the month, rent will be prorated at current rent during days of Snack Bar use and new rent at Food Truck use.
- Electrical Utility use included.
- The Tenants Food Truck to be used and situated at the south westerly corner of the parking lot during operational hours. Storage during off hours is allowed behind the administration building, at Tenant's risk.

FISCAL IMPACT:

Reduced Revenue of \$600 per month during the time period of the construction project.



RENTAL AGREEMENT

Calwa Recreation and Park District

Tenants Blanca Parra and Efren Sanchez- El Dorado Taqueria

This Agreement is made this date, January 1, 2023 between Calwa Recreation & Park District (**Landlord**) and Blanca Parra and Efren Sanchez, an individual(s) doing business as El Dorado Taqueria (**Tenant**).

1. Premises:

The Premises will consist of a snack bar building located north of the parking lot located within the Calwa Recreation & Park District property situated at 4545 E. Church Avenue, Fresno, CA 93725. The Premises together with all other buildings and parking area for the Calwa Recreation and Park District is owned by Landlord.

2. Term:

The term of this Agreement shall be for a term of one (1) calendar year commencing January 1, 2024 (Commencement Date) and ending on December 31, 2025. In the event the Commencement Date is a day other than the first day of the calendar month, rent will be pro-rated on the number of calendar days in that month. Tenant shall have the right to open 365 days a year excluding the (12) holiday days that the District recognizes as referred to in district policy Rule 6: Employee Benefits.

Upon the Termination Date of this Agreement, Tenant shall surrender the Premises in the same condition as when the Premises were first utilized by the Tenant. Any repairs to any damage to the property while in the possession of Tenant will be paid by the Tenant to Landlord.

3. Rent:

a. Rent shall be due and payable on or before the first day of each calendar month. Payment will be paid in lawful money of the United States of America forwarded to the Landlord at the address specified in this Agreement. Rent shall be \$1,200 per month which includes natural gas and electricity.

A payment received after the tenth (10th) day of each month shall be subject to a late charge of ten percent (10%) in addition to the amount due. Returned or dishonored payments shall be subject to a twenty-five (\$25.00) penalty charge and Tenant shall thereafter be required to make all future rent payments in the form of a money order or cashier check.

4. Permitted and Prohibited Uses:

a. Permitted Uses: Tenant shall use the Premises solely as a Concession Stand for food and beverages and may showcase taco truck during large park events if invited.

(1) Tenant shall be permitted to use food truck once construction begins for Prop 68 project.

b. Prohibited Uses:

(1) Tenant shall not do or permit anything to be done on or about Premises which will materially obstruct or interfere with the rights of visitors or staff of the Calwa Recreation & Park District.

(2) Tenant agrees not to allow the Premises to be used for any unlawful or objectionable purpose nor shall Tenant cause, maintain or permit any nuisance in or about the Premises.

(3) Tenant shall not sell alcoholic beverages, tobacco, cigarettes, e-cigarettes, marijuana or illegal substances.

(4) Tenant shall secure permission from the District Administrator to use its Food Truck for commercial purposes at Calwa Park and will be subject to an additional fee. Tenant will be responsible for any damages caused by the Food Truck in District property. The Food Truck will not be allowed to park on any green space.

5. Ordinances and Statutes:

Tenant shall comply with all statutes, ordinances, and requirements of all municipal, state and federal authorities now in force or which may hereafter be in force pertaining to the Premises, occasioned by or affecting the use thereof by Tenant.

Tenant will comply with all Fresno Health department requirements in the storage, cleanliness and preparation of their food and will not premises for any other purpose except for the preparation and sale of food and beverages.

6. Assignment and Subletting:

Tenant shall not assign this Agreement or sublet the Premises without prior written consent of the Landlord which may be withheld at Landlord's sole and absolute discretion. Any such assignment of subletting without written consent from Landlord shall be void and at the option of the Landlord may terminate this Agreement.

7. Indemnification:

Tenant shall indemnify and hold Landlord harmless from and against all claims arising from Tenant's use of the Premises in its business activity or work permitted or suffered by Tenant in or about the Premises and shall further hold Landlord harmless from and against any and all claims arising from a breach or default in the performance or obligation on Tenant's part to be performed under the terms of this Agreement arising from any act or negligence of the Tenant or any of its agents, employees, guests, or invitees and from any claim against all cost, attorney fee expenses and liabilities incurred in or about any such claim or any action or proceeding brought thereon. Landlord agrees to indemnify, defend, protect and hold Tenant free and harmless from and against any liability, claims or damages arising from or in connection with any negligence or willful acts of misconduct by Landlord or by any person who is an agent or employee of Landlord acting in the course of its agency or employment.

8. Insurance:

At all times during the term of this Agreement at Tenant's sole cost and expense, Tenant shall obtain and maintain full force and effect public liability insurance with a single limit for personal injury including bodily injury and property damage of One Million Dollars (\$1,000,000) with an insurance company licensed to do business in the State of California. Such insurance shall name Landlord as additional insured. Tenant shall provide Landlord with a duplicate certificate of insurance effective on the Commencement Date and annually thereafter.

Tenant shall also maintain special property insurance on all equipment in the snack bar during the term of this Agreement.

9. Termination of Agreement: This Agreement may be terminated based upon any one or more of the following events:

- a. Termination for Convenience with 30 days' notice to the other party.
- b. With notice as required by law for termination of lease for failure of Tenant to pay the Rent due under this Agreement or for failure to perform any of the terms and conditions of this Agreement.

10. Attorney Fees:

In case suit should be brought for recovery of the Premises or for any sum due hereunder or because of any act which may arise out of the possession of the Premises by either party, the prevailing party shall be entitled to all costs incurred in connection with such action, including a reasonable attorney fee.

11. Waiver:

No failure of Landlord to enforce any term hereof shall be deemed to be a waiver and one or more waiver of any term of condition of this Agreement by either party shall not be considered by the other party as a waiver of subsequent breach of the same or any other term or condition of this Agreement.

12. Legal Notice:

Any notice as may be required from one party to the other shall be deemed to be delivered forty-eight hours from the date of delivery which must be delivered in person or by certified or registered mail, return receipt requested or by certified tracking mail service which provides receipt or delivery to the addresses as stated herein.

13. California Law:

The laws of the State of California shall govern the validity, performance, and enforcement of this Agreement.

14. Heirs, Assigns Successors:

This Agreement is binding upon and inures to the benefit of the heirs, assigns and successors in Landlord's interest to the parties

15. Entire Agreement:

The foregoing constitutes the entire agreement between the parties and may be modified only by writing signed by both parties.

SIGNATURES ON NEXT PAGE

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in Fresno, California.

CALWA RECREATION AND PARK District

Tim Chapa, District Administrator

Date: -----

EL DORADO TAQUERIA Y BOTANA

Efren Sanchez

Date: -----

Blanca Parra

Date: -----

Calwa Recreation and Park District

DA Park Updates

7/16/24

Staff

We opened up recruitment for the Part Time Staff/Office position, in the meantime our other part time staff, Gaby Gutierrez, will be picking up additional hours. Daniel the Maintenance Supervisor will be out on surgery for a for an additional month starting thru July 31st, in the meantime Ulysses and Luis will be picking up Daniel's hours.

A driver ran into our open gate but has reimbursed the District for its repair. The repair is to be completed by next week.

Events

We will be holding a "Back to School Supplies Giveaway" on August 3rd. We have received donations from Knight's of Columbus, Raising Caines, Refinery Church, Donaghy Sales and Taqueria El Dorado.

Food distributions are continuing every 2nd and 4th Wednesday, and are well attended.

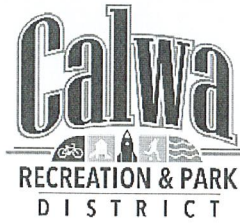
Projects

Miscellaneous. Currently, our A/C unit is running on one of its two compressors. We are soliciting quotes for its repair or replacement, and are crossing our fingers that it continues to operate during these hot days.

BHC Renovation Project. Update to be provided at the Board Meeting.

Pool Project. Update to be provided at the Board Meeting.

Futsal Project. Update to be provided at the Board Meeting.



For the Meeting of: 7/16/2024

Item: E.6

CALWA RECREATION & PARK DISTRICT REPORT TO THE BOARD

TO: Board of Directors

FROM: Tim Chapa, District Administrator

SUBJECT: Application to San Joaquin Valley Air Pollution Control District Program for a New Utility Vehicle

ATTACHMENTS: Resolution 2024-07
Guidelines

RECOMMENDATION:

That the Board consider approving Resolution 2024-07, authorizing the District Administrator to submit a grant application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Public Benefit Grant Program for a New Utility Vehicle.

SUMMARY:

The SJVAPCD Public Benefit Grant Program will provide up to \$20,000 reimbursement for the purchase of alternative fuel utility vehicles. Standard equipped utility vehicles are within this amount, and provides the District with the opportunity to replace it's current utility vehicle for little or no cost.

BACKGROUND:

The SJVAPCD Public Benefit Grant Program will provide up to \$20,000 reimbursement for the purchase of alternative fuel utility vehicles. Our District is within the "South Central Community" area as designated by the SJVAPCD, and we are therefore eligible to submit for a grant.

Our current utility vehicle is over seven years old, has damage to its frame and axle, and is in need of replacement. Once the application and resolution is submitted, SJVAPCD consideration for approval is between 6-8 weeks. If approved, the District Administrator would solicit quotes within the grant funding range. Reimbursement would occur after procurement of the vehicle as well as submittal of appropriate documentation.

FISCAL IMPACT:

Minimal as standard equipped utility vehicles are within the grant funding range, but some matching costs of less than \$2,000 may be required for a fully outfitted vehicle.

[Home](#) > [Gator Utility Vehicles](#) > [Traditional Gators](#) > [TE 4x2 Electric Utility Vehicle](#)



TE 4x2 Electric Utility Vehicle

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PUBLIC BENEFIT GRANTS PROGRAM

AB 617 Communities

South Central Fresno, Shafter, and Arvin/Lamont

New Alternative Fuel Vehicle Purchase

Eligibility Criteria and Application Guidelines

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is currently accepting applications from public agencies and community action agencies, established pursuant to the Economic Opportunities Act of 1964, requesting funding for the purchase of new on-road all-electric or plug-in hybrid vehicles with a Gross Vehicle Weight Rating (GVWR) of 14,000 pounds or less, and off-road all-electric equipment. Agencies may apply for up to \$20,000 for each new on-road electric or plug-in hybrid vehicle and off-road all electric equipment. For additional information, assistance, or to receive application materials, please contact:

San Joaquin Valley Air Pollution Control District
Strategies and Incentives Department
1990 East Gettysburg Avenue
Fresno, CA 93726-0244

(559) 230-5800
grants@valleyair.org
www.valleyair.org

Please Note the Following:

- All projects will be considered on a first-come, first-serve basis.
- As with all SJVAPCD incentive programs, you may **not** purchase any new vehicle prior to obtaining an executed contract with the SJVAPCD. Any new vehicle purchased **prior** to contract execution is **ineligible** for funding.
- Reimbursement takes place after the new vehicle is purchased and all required documents, as specified in the SJVAPCD Public Benefit Grants Program Payment Procedures, are submitted to the SJVAPCD.

New Alternative Fuel Vehicle Purchase

The Public Benefit Grants Program is funded in part by the California Climate Investments, a statewide initiative that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions, strengthening the economy, and improving public health and the environment — particularly in disadvantaged communities.

ELIGIBILITY CRITERIA

The purpose of this program is to fund the purchase of new on-road electric, or plug-in hybrid vehicles and off-road all electric equipment (such as transport/utility carts, scooters, bicycles, etc.) for public agencies and community action agencies, to promote clean air alternative-fuel technologies and the use of low- or zero-emission vehicles in public fleets.

❖ The **applicant** must:

- Be a public agency such as cities, counties, special districts (i.e. water districts, irrigation districts, etc.); public educational institutions (i.e. school districts, community colleges, state universities, etc.); or any other public agency as defined by Government Code section 6252, including those agencies provided for in Article IV and Article VI of the California Constitution, or a community action agency established pursuant to the Economic Opportunities Act of 1964.
- Disclose if they are located within the boundaries of the South Central Fresno, Shafter, or Arvin/Lamont AB 617 communities, or provide direct service to any of these communities.
 - South Central Fresno Community Map:
<https://sjvapcd.maps.arcgis.com/apps/webappviewer/index.html?id=8ec36b5d4f61474094aacd37ad4f0f95>
 - Shafter Community Map:
<https://sjvapcd.maps.arcgis.com/apps/webappviewer/index.html?id=b90f6aedda30431ba128ec88ae4decc5>
 - Arvin/Lamont Community Map:
<https://sjvapcd.maps.arcgis.com/apps/webappviewer/index.html?id=def12eb079854df4b78c9451c6375f1a>
- Provide a resolution from the applicant's governing body (i.e. City Council or County Board of Supervisors), authorizing the submittal of the application and identifying the individual and/or title of the individual authorized to implement and enter into an agreement with the SJVAPCD for the new vehicle project. Other documentation signed by a duly authorized official with authority to make financial decisions can be submitted in lieu of a resolution.
- Commit to a three (3) year contract period.
- Own or lease and operate the vehicle or equipment for the full term of the contract.
- Have existing charging/fueling infrastructure, or have access to existing infrastructure to accommodate the new vehicle or equipment. If existing charging/fueling infrastructure is currently not available or accessible, applicant must be able to demonstrate its availability or accessibility by the time the vehicle/equipment will be purchased.
- Adhere to all program requirements during the contract period.
- Maintain replacement value insurance for the vehicle or equipment through the full term of the contract.
- Submit a copy of Internal Revenue Service (IRS) Request for Taxpayer Identification Number and Certification Form W-9 (Form W-9).

New Alternative Fuel Vehicle Purchase

- Ensure each new vehicle purchased comes with a standard manufacturer warranty.
 - Submit annual reports to the SJVAPCD through the full term of the contract as well as comply with recordkeeping and audit requirements. This includes retaining copies of current vehicle registration (if applicable) and insurance. Annual reports will request annual vehicle usage information, ownership status and if applicable, a description of conditions that have affected the annual usage.
 - Agree to allow the SJVAPCD to inspect the new vehicle per the Moyer Guidelines at any time during the contract period.
 - Properly maintain the new vehicle according to the manufacturer's recommendations to ensure good operating condition.
 - Disclose any additional funding sources or other financial incentive(s) and funding amounts received or to be received by the applicant towards the purchase of the vehicle(s) in this project.
 - If necessary, have match funding available to complete the project in a timely fashion.
 - Sign a legally binding contract with the SJVAPCD agreeing to the completion deadlines prior to funding being awarded.
- ❖ The **new** vehicle/equipment must:
- Be owned or leased, operated, and registered by the applicant.
 - Be a new Original Equipment Manufacturer (OEM) **electric or plug-in hybrid** vehicle or equipment. Law enforcement agencies may apply for pursuit-rated hybrid police vehicles.
 - For on-road vehicles, be currently listed on the District's Public Benefit Program Eligible Vehicle List, available at:
<https://www.valleyair.org/grants/publicbenefit.htm>.
 - For on-road or low-speed vehicles, currently be approved for sale in the State of California under the California Air Resources Board (CARB) On-Road New Vehicle and Engine Certification Program. The new vehicle must have a current approved Executive Order (EO) issued by CARB. Scanned copies of issued Executive Orders may be requested of CARB. To request an EO, please visit CARB's website for contact information:
<https://ww2.arb.ca.gov/new-vehicle-and-engine-certification-executive-orders>
- Off-road equipment, such as transport/utility carts, scooters, bicycles, etc. may be eligible only if they are zero-emission. Please contact SJVAPCD staff if you have questions regarding vehicle/equipment eligibility.
- Have a Gross Vehicle Weight Rating (GVWR) less than or equal to 14,000 pounds.
- ❖ **General Information:**
- Applicant must not purchase and/or take delivery of the new vehicle(s)/equipment until receiving an executed contract with the SJVAPCD. A contract is not deemed executed until all parties have signed the contract. Any new vehicle or piece of equipment purchased and/or delivered **prior** to contract execution is **ineligible** for program funding.
 - Applications will be awarded funding on a first-come, first-serve basis until program funds are exhausted.

New Alternative Fuel Vehicle Purchase

- Applicants are restricted to the following limitations:
 - Applicants may apply for up to \$20,000 for each new vehicle/piece of equipment.
- The applicant shall not submit other applications for funding for the same vehicle/piece of equipment under this Program or any other SJVAPCD incentive program.
- All applications received will be subject to a review process, which will include the following:
 - Assignment of a unique project number.
 - Verification of the applicant's eligibility to participate in the Program.
 - Verification that the proposed project is consistent with these guidelines.
 - Determination that all information necessary to calculate benefits and costs is included.
- Unless written notification is provided stating otherwise, all applications submitted to the SJVAPCD will remain active and will be funded in the order received pending the availability of funds.
- Applicants with a previous agreement with the SJVAPCD must be in good standing with all reporting requirements as stated in the agreement(s). New projects will not be approved for funding until all outstanding annual reports are submitted.
- Payments shall be made to the applicant only after a completed and eligible claim for payment has been received by the SJVAPCD along with all supporting documentation as specified in the SJVAPCD Public Benefit Grants Program Payment Procedures.
 - Allow up to approximately 60 working days from the time a claim for payment is deemed complete to receive reimbursement.

APPLICATION GUIDELINES

- ❖ Fill out the application completely and as accurately as possible. All fields are required unless otherwise indicated. Do not leave any fields blank as it can lengthen the processing timeframe associated with the application and delays funding.
- ❖ Applications submitted by email should be in PDF format.
- ❖ A copy of the following items must accompany the application at the time of submittal in order for the application to be deemed **complete**:
 1. Internal Revenue Service (IRS) Request for Taxpayer Identification Number and Certification Form W-9 (Form W-9).
 - The information entered into the Applicant Information section of the application must be **identical** to the information on Form W-9, as this information will be used to generate all binding documents and be used to report incentive funding to the IRS.
 - A copy of the IRS Form W-9 is attached to the program application.
 2. Dated and itemized dealer quote for the new vehicle or equipment that includes the following information:
 - Applicant name and address.
 - Dealer name and address.

New Alternative Fuel Vehicle Purchase

- Specific vehicle information, including make, model, and model year.
 - Complete and detailed breakdown of all costs: new vehicle/equipment, additional options, sales tax (with percentage rate indicated), warranty, license fees, etc. Optional items not included in the standard base model may be deemed ineligible for funding, but may be purchased by the participant at their own expense. Optional items required for the vehicle's vocation or safety (i.e., light bars and sirens for emergency services) may be approved by the District for funding on a case-by-case basis with justification from the participant. District funding of base model and approved optional items may not exceed the \$20,000 maximum funding amount per vehicle. Ineligible optional items include, but are not limited to, tow behind equipment, add-on accessories, attachments, or upgrades that are not included in the base model and are not required for the vehicle's vocation or safety.
 - If leasing, the quote must state the length of the lease term.
3. Resolution from the Applicant's governing body (i.e. City Council or County Board of Supervisors), authorizing the submittal of the application and identifying the individual and/or title of the individual authorized to implement and enter into an agreement with the District for the new vehicle project. Other documentation signed by a duly authorized official with authority to make financial decisions can be submitted in lieu of a resolution.

*The Public Benefit Grant Program is funded in part by [California Climate Investments](#), a statewide initiative that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions, strengthening the economy and improving public health and the environment — particularly in disadvantaged communities.

RESOLUTION NO. 2024-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALWA RECREATION AND PARK DISTRICT AUTHORIZING THE DISTRICT ADMINISTRATOR TO SUBMIT AN APPLICATION TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT PUBLIC BENEFIT GRANTS PROGRAM

WHEREAS, District staff identified a grant from the San Joaquin Valley Air Pollution Control District (SJVAPCD) to support the purchase of a new alternative fuel vehicle under a grant program eligible to public agencies throughout the San Joaquin Valley; and

WHEREAS, the program is available to public agencies such as cities, counties, special districts, and public education institutions located within the geographical boundaries of the San Joaquin Valley Air Pollution Control District; and

WHEREAS, the District is an eligible public agency under the program, and seeks to reduce the amount of air pollutants by the operation of its facilities, particularly carbon monoxide and other harmful emissions from gas powered vehicles used by District employees in performance of their duties; and

WHEREAS, as part of the grant requirements, reimbursement will take place after the new vehicle is purchased and all of the required documents, as specified in the Public Benefit Grants Program Payment Procedures, are submitted to the SJVAPCD; and

WHEREAS, a maximum of \$20,000 in grant funds is available per vehicle on a first come, first serve basis.

NOW, THEREFORE BE IT RESOLVED, by the Board of Directors of the Calwa Recreation and Park District as follows:

SECTION 1. FINDINGS. The Board finds and declares as follows:

- A. The above recitals are true and correct.
- B. The District Administrator is authorized to submit a Public Benefit Grants Program New Alternative Fuel Vehicle Purchase Application and any other documents related to or supporting the application to the San Joaquin Valley Air Pollution Control District on behalf of the District.

- C. The District commits to having matching funds available to complete the purchase of an alternative fuel vehicle in a timely fashion as required by the SJVAPCD.
- D. The District commits to participate in the program as required by SJVAPCD.

SECTION 2. EFFECTIVE DATE. This Resolution will become effective immediately upon adoption and will remain effective unless repealed, amended, or superseded.

CERTIFICATION

Adoption of the foregoing Resolution No. 2024-07 was moved by Director _____, seconded by Director _____, and adopted at a regular meeting on July 16, 2024, by the following vote:

AYES: _____
NOES: _____
ABSTENTIONS: _____
ABSENCES: _____

ATTEST:

District Secretary